

**GEOPOLITICS OF ACCESSION: IMPERATIVES
AND CONSEQUENCES**

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Certificate

*Certified that the dissertation entitled **GEOPOLITICS OF ACCESSION: IMPERATIVES AND CONSEQUENCES** submitted by **SANJAY KUMAR PANDEY** in partial fulfilment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of this University, is his original work. This dissertation has not been submitted for any other degree of this or any other University.*

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INTRODUCTION

The contemporary world is passing through a turbulent phase of political crisis and power hegemony of bigger nations over smaller ones, it has posed the question of survival of smaller nations. It has become an essential part of academic research into the factors responsible for the process of accession and its socio-cultural and geopolitical imperatives and consequences.

Accession is primarily a term of the International Law and most of the works regarding accession reflect mainly the legal view point. Geopolitical aspects of accession are either get aside or taken up casually. It is a fact that the legality of this process is of great importance because this process involves more than one states, but its socio-economic and political consequences are equally important. It is in this context, that in the present study, apart from legal implications, the geopolitical aspects of accession have been taken up. Efforts are being made to locate diverse geopolitical factors that initiate the process of accession in different socio-economic setup.

Accession is primarily a politico-legal phenomenon but socio-economic and physiographic factors play a key role in it and it has long term socio-cultural, political and economic consequences. Accession simply means the process of addition to the territory held under a sovereign state, the territory not so held prior to that process. In other words accession is a voluntary merger of a sovereign state or

parts of its territory into other international unit through mutual consents, as for example the merger of Jammu and Kashmir in India. But sometimes accession is also a forced merger of one state into other so the use of power cannot be completely ruled out as is in the case of accession of Goa in India.

The term accession can not in strict accuracy be applied to the extension of the authority of the state over territory which even after such action remains outside the scope of its full sovereignty as in the case of a protectorate¹ or military presence in another state as in the case of USSR, in Afganistan or in GDR after World War II, or acquisition of territory on lease as in the case of lease of "Hongkong"² to Britain.

The Term accession is an age old phenomenon, however the scientific study of accession is comparatively a recent academic exercise. By the second half of the 18th century, more particularly after the industrial revolution, almost all the geographical inhabitable territories were come under one sovereign state or the other. Then territorial expansion of any state became possible only through accession annexation or cession etc. The purchase of territory by a state is also a part of the territorial merger of one state

1. As in the case of Somaliland which was before 1960 a British protectorate.

2. Chinese victory in the 1840 Opium War, set off by China efforts to ban trade in narcotic eventually enabled Britain to gain control over Honkong Island in 1907. Lease of a large part of the colonys territory expires on July 1, 1997 and China will recover all its territory next year.

into other. It is in this geopolitical context that territorial expansion and merger of one state into another powerful states were studied seriously by Geopoliticians like Ratzel Kjellen and Haushofer. By the second half of the 19th century, through certain research break through in the biological science, the man-land theme in geography received a new impetus. Investigations regarding man's relationship with his environment got prominence. Fruitful research in political geography were taken up under the inspiring leadership of Ratzel. Taking his clue from Ritter's concept of 'Organic culture' Ratzel propounded an '**Organic Theory of State**' which viewed sovereign political entities as living organism fixed in space that like other organism in nature were involved in a constant struggle for larger living space. It was this philosophical context that initiated Second World War and consequent territorial adjustment (accession-annexation-cession) in Europe.

Accession is different in many ways from the other related concepts like annexation, cession, secesenon, succession and unification (Appendix - I). Accession is not an isolated phenomenon. There are different factors responsible for the process of accession. It includes socio-economic, geopolitical, political cultural legal and strategic (locational) factors. Some of the important factors of accession are geopolitical procimity, spread of certain political ideology, geographical proximity and military and strategic location of the acceding territory or

state. Depending on the factors and process of accession there may be fair modes of accession namely, cession, occupation, discovery and purchase. These combined together form the typology of accession like voluntary accession, Non voluntary accession, accession by purchase and accession by discovery/occupation and so on. In the process of accession both centrifugal and contripital forces work together.

One of the major concern regarding the study of accession today is the imperatives and consequences of accession. It mainly emphasizes on different socio-economic political and cultural imperatives. In the process of accession it is not only a piece of land that is merged in an existing state but also comes with it the problems and prospects of acceding states regarding population, along with their socio-economic and political institutional as well as specific cultural setup. It has considerable impact on the acceding state too. It is in this context that there is need to study the consequences of accession.

One of the important aspect of accession is the geographical or the spatial distribution of accession. It is to be noted that accession is an universal phenomenon prevalent in almost all parts of the world in one form or the other. In the formation of Union States like United States of America, former USSR, India and China, at the different stages of time, accessions hav remained the part and parcel of federal structure of the state. Accession is not related only to the Union states but it is also prevalent in the case of the Unitery States as well. Some of

the important accession world over are accession of Jammu & Kashmir, Goa and Sikkim in India, accession of Alaska, Louisiana, Arizona and Texas in USA and accession of East-Timore in Indonesia.

Literature Review :

Accession is a term of international law and the major research work conducted regarding the accession process have been taken up mainly and extensively by the eminent scholars of international law. Main focus of the study regarding the accession is the legal aspects involved in the process. Scholars have tried to examine the varied cases of merger of state or part of it into another state in the paradigm of prevalent international law. These scholars either did not take into account or have taken very little about other aspects like imparatives and consequences of accession. Apart from legal status of accession there are many socio-economic and geopolitical factors that initate the process of accession. There is little works primarily related to the geopolitics of accession particularly related to the theoretical aspect of it. Most of the works related to some particular cases of accessions world over are scattered here and there in the books of international law. Following are some of the literatures dealing with different aspects of accession.

L. Oppenheim¹ has tried to elaborate the different

1. L. Oppenheim : '**International Law**', Vol. 14, edt. by Lauterpocht, Londoan, Longman 1966.

aspects of accession from the point of view of International law. This work runs into several volumes. Vol-I of this book deals with the different modes of accession and the main motivating factors behind it. The author has tried to look into the different geopolitical aspects of accession from the legal view point.

R.P. Tandon¹ is primarily concerned with the prospects of survival and coexistence of international persons and the role of political processes in establishing the state of peace and harmony among different nations. Conflict and struggle between rival political units over the questions of territorial dominance is a common characteristics. Accession process sometimes aggravates the regional tension and conflicts. International law helps in prevailing the peace among warring factions.

Alan D. Burnett and Peter J. Taylor² have examined the involvement of space in the process of accession. In this book author has tried to elaborate the role of geopolitical space in the process of territorial expansion through the process of accession. Apart from state and politics, space, more specifically the living space is an important gradients of any political process. Here author's main concern is to examine the political process from the spatial perspectives.

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1. R.P. Tandon : **International Law of Peace**, Associated Book New Delhi, 1981.
 2. Alan D. Burnett and Peter J. Taylor : **Political Studies from Spatial Perspectives**, Chishester, John Wiley 1981.

H. Cohan¹ has examined the origin and development of the concept of nation and nationalism. Nationalism play a key role in the process of territorial integrity. National affinity functions as the pull factors in the process of accession. Apart from this nationalism work for territorial integrity and spatial interaction. It gives an idea regarding the nationalism as a motivating factor of accession.

J.R.V. Prescott² presents the theoretical aspects of role of geographical factors in state politics. Although it does not deal with accession directly but develops geopolitical framework regarding the territorial aspects of state politics and organisations.

There are some other concept related to accession like Frontiers and Boundaries which have practical implications regarding the international relations. T.H. Holdich³ has examined the concept of frontiers and the process of demarcation of boundaries and the significance of boundaries in the context of international relations.

Strategy of the world politics and the balance of power is directly related to the territorial adjustment. Spykman⁴ in his work has dealt with the changing world scenerio in

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1. H. Cohan : **The Idea of Nationalism**, New York, Macmillan 1945.
 2. J.R.V. Prescott : **Geography of State Politics**, Chicago, Aklin Press 1969.
 3. T.H. Holdich : **Political Frontiers and Boundary Making**, Oxford University Press 1916.
 4. Spykman : **The Geography of Peace**, New York, Harcourt Brace & Co. 1944.

terms of strategic location. In order to counter the heartland theory of Mackinder in which he regarded the continental location as Strategic, Spykman Stressed on the importance of rimland regions. It was due to the rise of naval powers of Europe that Russian tried their best for the access to sea and for this reason many of the adjacent territories were acceded to the then Soviet Union.

William Fox¹ gives us an idea of the changing international relations in its theoretical framework. Inter-State relations are passing through a transition phase due to regional conflict and tension. This aspect of inter-national relation have been given due treatment in this book.

Apart from this there are some works dealing with the regional political processes regarding the state restructuring in terms of territorial adjustment during post colonial phase. R. Emerson² has dealt with the rise of self assertion of Asian and African people. All these works by and large deal with the theoretical aspects of state organisation and spial reconstuction.

Besides this there are many works related to the specific case study of accession. There are many works dealing with the instances of accession in India like the accession of Kashmir in India and consequent discord and

1. William Fox : **Theoretical Aspects of International Relation**, University of Notre Dame Press 1959.

2. R. Emerson : **From Empire to Nation**, Mass Harward University Press 1960.

strained relationship between India and Pakistan. Two wars have been fought between India and Pakistan over the question of Kashmir. Some of the important works regarding the accession of Kashmir have been done by Sisir Gupta¹, K.K. Misra² and H.Q. Agrawal³. They have tried to explain the different aspects of the accession of Jammu & Kashmir in India and its consequences. Apart from this, time to time scholars have written many articles related to accession and other topics related to it.

Objectives of the Study :

The primary concern of the present study is to examine the role of different geopolitical and geostrategic factors responsible for the process of accession and to evaluate different sociocultural and political imperatives and consequences from the point of view of a political geographer. The main objectives of the study are :

- * To develop a theoretical framework of accession and to differentiate it from some other terms related to it like annexation, cession, secession, succession etc.
- * To identify the different geopolitical, political, geostrategic, physiographic, socio-cultural and economic factors responsible for the process and mechanism of

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1. Sisir Gupta : **Kashmir : A Study in India-Pakistan Relation**, Asia Publishing House, New Delhi 1966.
 2. K.K. Mishra : **Kashmir and India's Foreign Policy**, Allahabad Chug 1979.
 3. H.Q. Agarwal : **Kashmir Problem : Its Legal Aspects**, Allahabad, Kitab Mahal 1979.

accession.

- * To develop a comprehensive typology of accession based on the modes and process of accession along with some suitable examples of accession i.e. accession of Jammu & Kashmir, Sikkim, Goa, Alaska, Texas, Louisiana, East Germany etc.
- * To examine the imperatives and consequences of accession. Accession is not only a legal or political phenomena but it has long term socio-cultural, and economic impact on the acceding state as well as acquiring state. Pocess of accession is not merely the addition of territory in a state but is also the addition of population along with their aspirations.

Thus, there is need to study the overall effect of accession on the socio-cultural, geopolitical and economic set up of both acceding and acquiring states, on the basis of space state interaction and politics at the apex of it.

Source or Data Base :

The present work is based mainly on the secondary source materials. Some of the major cases of accession have been cited to substantiate the theoretical aspects of accession. The source materials for this dissertation by and large have been taken from the relevent books, journals, periodicals, magazines, articles, government reports released from time to time, UN reports, seminar papers, research articles, News paper and cartographic materials like maps and Atlas.

Methodology

The methodology to be adopted for this study is content analysis method which is popularly known as library method. In this method secondary sources like books, journals, UN reports are used for the study. Through inductive method, in which one progresses from particular to general, an attempt has been made to find out the common factors underlying the various individual cases of important accessions, that have taken place over a period of time. In the "Inductive Method" particular cases of accessions are analysed and on the basis of that a general principle is developed. In the present work, some of the important cases of accession occurred in different parts of the world have been selected and on the basis of a close analysis of those accessions effort has been made to find out, as to what are the common factors that initiate the process of accession, typology of accession and its imperatives and consequences. In this methodology books, articles, reports etc. related to different accessions are of paramount importance.

Hypothesis of the Study :

The following are the main Hypothesis of the present study :

1. Greater the geostrategic location of the acceding state/territory greater will be the possibility of accession.
2. Greater the cultural homogeneity and mutual affinity between two states, more will be the chance of

accession.

3. In the contemporary world the final authority of the accession of a state lies in the people of that state (Public opinion).

Structure of the Dissertation :

The present study is divided into four chapters followed by Appendix and Bibliography. Each chapter deals with different aspects of accession.

In chapter one an attempt has been made to develop a conceptual framework of the geopolitics of accession. It deals with meaning and scope of Geopolitics as an academic concept, accession in Time : A Historical Perspectives, Controversy over accession and the meaning of some other related terms like annexation, cession, secession, succession and unification etc.

Chapter two is primarily concerned with the motivating factors of accession and the process or mechanism of accession. It deals with different socio-economic, geographical, political, cultural, legal and strategic factors of accession. It also deals with factor-mechanism relationship as to how factors determines the mechanism of accession.

Chapter three deals with typology-process relationship in context of accession i.e. how the process of accession determines the typology of accession. There are four types of accession depending upon the different process of accession. They are Voluntary accession, Non-voluntary

accession, Accession by purchase and Accession by discovery and occupation. It also deals with the individual cases of voluntary and Non-voluntary accession along with the different cases of accession by Purchase and by Discovery. Apart from this, role of culture i.e. cultural pull and cultural push factors in the process of accession has also been dealt with the different process of accession.

Chapter four is divided into two parts. The first part of this chapter deals with the major imperatives like socio-economic, geo-political, strategic and cultural imperatives of accession. It also deals with centripital and centrifugal forces working in the process of accession. The second part of this chapter deals with major socio-cultural, geographical, strategic, economic and demographic consequences of accession. Accession leads to the changes in state boundary and the emergence of new political order. It looks into the resultant changes in the regional balance of power and consequent areal conflicts.

CHAPTER I
GEOPOLITICS OF ACCESSION :
A THEORETICAL FRAMEWORK

Broadly speaking Geopolitics of accession is the study of accession with the geopolitical perspectives. Accession is not only a political phenomenon. In fact the geographical elements like space, socio-economic and cultural set-up of the people and many other factors play a key role in this process. Although accession is a subject matter of International Law but its socio-economic and geopolitical imperatives and consequences are of paramount importance. In the study of accession there is need to examine the locational, particularly geostrategic location of the acceding state. Thus geopolitics of accession is spatial study of accession from the point of view of state. In the process of accession aggregate territorial space of an existing state increases and with it increases the natural as well as human resources.

Accession is multidimensional geopolitical phenomenon having various ramifications. Geopolitical, particularly locational and strategic elements play a vital role in the process of accession. It is in this context that analysis of different motivating factors is essential for the understanding of this process. Till recently accession was a topic of International Law in which legal aspects of accession were examined and prime emphasis was on the political aspects. That is why most of the research work regarding

accession were being carried out in the field of International Law. With the growing complexity in international politics and intergrated world approach, the study of other factors of accession were thought essential. It is in this context that apart from legal aspects, geopolitical aspects of accession have been taken into account.

Geopolitics of accession is the study of the process of spatial merger of a state or part of its territory into other state from the point of view of state. To understand the concept of geopolitics of accession, there is need to define the geopolitics and the accession separately. Let us see first the meaning of geopolitics and its evolution as academic discipline. Geopolitics is made up of two terms Geography and politics meaning the study of space from the point of view of state. Geopolitics is the study of geographical space keeping in mind the political or strategic interest of the concerned states. Its main emphasis is on the geostrategic and locational importance of the territorial space. The territorial space is very much important and it is a part and parcel of the military startegy of any state. The strategic interest of the state is kept at the forefront in the study of geopolitics. It also helps in the preparation of military strategy.

The importance of geopolitical study of space become prime subject matter in Germany at the time of second world war. In this war political geographers, particularly German geographers, played a key role in shaping the German military operation and strategy. It was during this period

that the geopolitics evolved and developed as a academic discipline in Germany and eminent geographers like Kjellen and Haushofer contributed to the Spatial study. The 'Theory of organic space' encouraged the German aggression.

Geopolitics as an academic discipline dates back to 'The organic theory of state' and 'The Laws of Spatial Growth of States', propounded by Friedrich Ratzel, who is commonly regarded as the father of modern political geography. According to this theory Sovereign political entities are like living organism fixed in space that like other organisms are involved in a constant struggle for larger living space.

Ratzel exercised a tremendous influence on the development and direction of political geography as an academic discipline at the university level. However, Ratzel's contribution to political geography is still open to debate. While many recognise him as one of the greatest contributors to an study of man-land relationship and as the father of modern political geography. An equally large number of Critics views him as a crude determinist. In fact he has been the most controversial single scholar in modern geography.

Perhaps the most important Post-Ratzelian student of the theory of "State as a Living Organism" and the related ideas in political geography, was Rudolf Kjellen (1864-1922) the Swedish Political Scientist. Kjellen was greatly impressed by the politico-geographic ideas of Ratzel on the

study of world politics and nature of government. He advanced the idea of Ratzel and envisioned the state not only as a living organism but also as a conscious being equipped with moral and intellectual capacity. He agreed with Ratzel that the final Objective of a State's development is the attainment of power for the sake of territorial expansion. Kjellen defined geopolitics, a term he himself is credited to have coined, as "the theory of the state as a geographic organism or phenomenon in space i.e. as a land, territory area or most especially a country". He regarded states not so much as legal bodies as competing powers involved in an endless struggle for supremacy. To Kjellen the ultimate objective of a state's political power development was 'to acquire good natural frontiers externally, and harmonious unity internally, (Gyorgy 1944, p.166). Kjellen was of the opinion that "wars expansion, and breaches of international law are not due to some fatalistic and deterministic force standing outside men but to the will and self-preservation drive of men, nations and their leaders.

'Geopolitik' became a highly popular and important subject of study in Germany during the years following the First World War. The chief incentive of this came from the war itself. As a result of her crushing defeat in First World War, Germany had been forced to sign a highly unfavourable and humiliating peace treaty. The humiliation of the war provoked German statemens, intellectuals and military leaders to think about the reasons behind the defeat and as a result of this they began to look for ways

and means of redeeming their lost national glory. In their quest for the answer they were increasingly inclined towards the study of geography, particularly political geography as taught by Ratzel and Kjellen.

Ratzel's concept of organismic state and Kjellen's modifications of it seemed to offer Germany the basis for a partial vindication, a blue print for a modest and sound post war revival and a strategy useful both for military defence and "territorial expansion" (Ratzel's concept of organismic state). But since the German leaders "wanted total vindication, total escape from war guilt and total revival of wealth and power" the detached scientific propositions of Ratzel and Kjellen could not fully serve their purpose.

Suitable additions and modifications to the basic ideas of the two masters were made to serve as the basis of a new discipline called " **Geo-politik** " that was distinct from the political geography of Ratzel and his followers. The institute for Geopolitik was established in Munich in 1924 and General Haushofer, who was a soldier turned academician, was appointed its chairman. A journal under the general editorship of Haushofer was started as the chief mouthpiece of the institute. Both the institute and journal got the active and enthusiastic support of many leading German geographers of the day and the institute soon became the instrument of state craft and tool of the government. Haushofer coordinated, integrated and nationalised the whole

field of comparative geography for the use of future (in the Hitler's strategy during the second world war). Under the leadership of the institute geography, more particularly, war geography became a national preoccupation which influenced and moulded public opinion in post-war (First World War). Germany from school to university seminar. ^(cold war)

Haushofer and his colleagues defined geopolitics as the science of earth relationship to political development and Geopolitik was distinguished from political geography by stating that while Political Geography studied the state from the view point of space, geopolitics studied space from the viewpoint of the state. Perhaps the most comprehensive definition of Geopolitics was given by an eminent German geographer **Otto Maull** who wrote in 1936. He said "geopolitik concerns itself with the state not as a static concept, but as a living being. Geopolitik investigates the state primarily in relation to its environment, its space and attempts to solve all problems resulting from spatial relationship. Geopolitik is concerned with the spatial requirement of a state while political geography examine only space conditions. In putting geography at the service of state politics, Geopolitik devotes itself to questions of the future. Are the space needs of a state met? If not how can they be brought into accord with geographical conditions? In what directions should any change be made? The extent to which these question are answered determin the state's national and economic structure and influence its foreign relations.....Geopolitik..... is a discipline which

weights and evaluates a given situation and by its conclusion seeks to guide partial politics - (quoted in Dorpalen 1942, p.4).

Basic to German geopolitics were Ratzel's Theory of the state as a living organisms' and its further modifications made by Kjellen; the ideas pertaining to **Lebensraum**, and to dynamic frontiers as shifting zones of assimilation and Mackinder's theory of the Heartland and the related scheme of global strategy. It seemed to offer the German leaders the much sought for strategy for territorial expansion and internal supremacy. To Haushofer and his school the idea of Ratzel and Kjellen on the one hand, and those of Mackinder's on the other hand, seemed to provide a mutually beneficial partnership having a special relevance to their country's Post-First World War position.

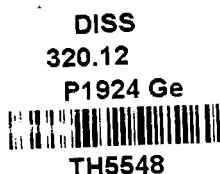
Haushofer and his school believed that geopolitics should teach the man in the street to think geographically and the leaders of Germany to think geopolitically. Although a clear design for world conquest was not published in any one document by the geopolitical thinkers, published material however does present the general ideas of the German geopoliticians on the future of the Reich in the World War. The first major objective was the consolidation of the political forces of the Heartland in favour of the Reich. Secondary objectives were the control of middle and Western Europe & Africa, destruction of the sea power of Britain and the replacement of UK as the leading maritime

state.

The leaders of geopolitics advocated a combinations of powers comprising of Germany, the Soviet Union, Japan, China and India under the leadership of Germany. They favoured friendly penetration into the Heartland through economic and military treaties. They expressed themselves against direct invadion of the then Soviet Union (USSR), because they thought that a country spreading over one sixth of the land surface of the earth, without break, could earily sell space for time. In this context the disastrous consequences of Napoleon's invasion of Russia were repeatedly cited by the leaders of 'The School of Geopolitics' who did not approve of the German invasion of USSR in June 1941.

Geopolitics had become so closely identified with the Nazi policies of war and expansion that it was almost inevitable that it should experience a complete eclipse after the crushing defeat of Germany in the Second World War. But the geopolitics as concept still exists and represents the groups of ideas that aims at the spatial study of the state. In modern times scholars are inclined to examine and evaluate the geopolitical aspects of different socio economic and political phenomena. The above discussion related to the development of geopolitics as an academic discipline and its broader impacts on the state policy of territorial expansion and contemporary political scenerio gives an over all idea of what geopolitics actually means. Next is the concept of accession.

Accession is a term of International Law denoting the



legal merger of a state or part of its territory into another existing sovereign state or international person, with the consent of the government of acceding states or the people living therein or by both government and the people. Theoretically speaking, accession means becoming access of any thing but in international law accession is used in specific sense of the term. Broadly speaking accession is acquisition of territory or of territorial sovereignty by an existing state and member of international community with the consent of the sovereign of acceding state. Thus the term implies to the process of merger of a state or part of it into another bigger state resulting in territorial expansion of the acquiring state. In international law accession is widely used to denote the process of territorial increase of an existing state through peaceful merger of another state or part of it. Accession is different from annexation in this sense that while accession is voluntary merger of territorial sovereignty, in annexation a powerful state captures a weak sovereign state or part of its territory by force and keep it under its authority against the will of the sovereign and the people living in that state. In the process of accession, under certain compelling circumstances, one state voluntarily ceases its sovereignty and accedes to other state or withdraws its sovereignty from a part of its rerritory and consents to the merger of that territory into other state.

The acquisition or the accession of territory, or perhaps

one should rather say of territorial sovereignty, by an existing state and member of the international community should not be confused First with the foundation of a new state or Secondly, with the acquisition by private individuals or corporation of rights in respect of territory or even of authority over it as to the former position of the large colonising corporations, such as the British South Africa Company¹.

When a new state comes into existence its title to territory is not explicable in terms of the traditional 'modes of acquisition of territory like cession, occupation accretion subjugation or prescription'. The new states territorial entitlement is more to do with recognition; for as soon as recognition is given, the new state's territory is recognised as the territory of a subject of international law although question of succession and of the legal history of the territory may also be involved where particular boundaries or the precise extent of the territory are doubtful or disputed.

There have been cases in the past in which a private individual or a corporation has acquired land together with authority over it in countries, which were not then under the territorial supremacy of any state. Such acquisition of authority in respect of a territory was usually acquired either by occupation of hitherto uninhabited land or by cession from a native tribe living on the land. An important instance is the Territory of Waitangi. 'The distinction

1. Lawrence - para 42.

between title to territory and title to land is not always clear cut'¹. Unless the corporation in question was investigated by its state with the public power of acquisition and administration, the corporation's act could nor serve to enable the state to acquire territorial sovereignty.

Accession by and large is a peaceful geopolitical phenomenon of territorial merger of a state or part of it into other state in which, the acceding state either becomes extinct as independent international person or becomes smaller in terms of geographical areas in the case of partial territorial transfer i.e. the transfer of certain portion of territory to the other state. Although accession is primarily a peaceful process of territorial merger or transfer but the use of military force can not be completely ruled out. Sometimes forces are also used in this process either during pre-accession period or post accession period. (While in the case of accession of Goa in India forces were used before accession and in the case of accession of Kashmir in India, military forces were used after the accession. In 1961 Indian troops had entered Goa and liberated it from the Portuguese rule. Goa was captured by Portuguese forces during colonial period.)^{*}

In the process of accession geographical factors play a vital role. The process of accession is not only a politicians choice but also the geographical compulsions,

1. Extract from Prof. Brownlie's Robb Lectures at Auckland University in 1990.

necessity and demand. To complete the geographical entity, the smaller sovereign territorial units merge in larger unit for many reasons that includes; apart from political factors like the greed for the territorial expansion, many other socio-economic and geographical factors like physical proximity, cultural affinity and resource regions. Though the fountain head of the process of accession is of course political but later on it is guided by the geographical and geophysical factors.

Sometimes accession and annexation are confused with each other. The merger of a state or part of its territory into another state may be accession for one international person and annexation for the other state, depending upon the vested interest of the states in question. This can be further elaborated by some of the suitable examples of controversial accession and annexation. (The accession of Jammu and Kashmir in India and the annexation of Tibet by China are two such examples of controversial accession/annexation)

(After the partition, in 1947, all the princely states under British colonial rule were given the option either to accede to India or to Pakistan or remain independent sovereign state, if they like so. Most of the princely states either voluntarily surrendered their sovereignty and merged into India or they were compelled or forced by the then Vice-Primeminister Vallabh Bhai Patel to consent to merger in India. But the ruler of Jammu & Kashmir state Maharaja Hari Singh decided not to join India or Pakistan and wanted

to remain an independent state and international person. This status did not prevailed for long time because Pakistani backed tribes men attacked Jammu and Kashmir. The king of Kashmir Maharaja Hari Singh asked for military help from India. But Indian government was not in position to give any kind of military assistance to Jammu and Kashmir unless its ruler consents to the accession of Kashmir into India. Ultimately Kashmir was acceded to India and become the part of Indian Union. Now position of Pakistan regarding Jammu & Kashmir is quite different. Pakistan argues that since Jammu & Kashmir is Muslim dominated province so it should be a part of Pakistan and not India. It is in this perspective that Pakistan is backing terrorism in Kashmir. From Pakistani view point merger of Kashmir in India is not an accession as Indian side claims but annexation. Pakistan supports and justifies the so called 'freedom movement' that is going on presently in Kashmir. For that, it very often calls for international support in favour of evacuation of Indian army from Kashmir. Presently situation regarding Jammu & Kashmir is that most of the international persons regard the merger of Jammu & Kashmir in India as accession because it was voluntary merger of Kashmir in India.

Next controversial annexation/accession is merger of Tibet into China. International opinion about tibetan merger into China is that it is annexation but China calls it accession¹. Before Chinese intereference in Tibet, it was

1. Tibet Leaps Forward by Hsi Hao and Kao Yuan-mei, Foreign Language Press, Peking 1977.

ruled by theocratic government headed by religion head of the state, Dalai Lama. In 1962, Chinese military entered into Tibet and toppled the then Tibetan government and Dalai Lama along with his followers had to take political asylum in India. Since then Dalai Lama is living in exile in India and Headquarter of Tibetan government in exile is in Dharamsala, Himachal Pradesh, India.

Dalai Lama asserts that Chinese military forcibly entered in Tibet, captured the Tibet and expelled them from their Homeland so Chinese occupation of Tibet is illegal and hence annexation so China should leave.

China says a different story regarding the Tibetan merger into China. They justify their action on the basis of historical facts. Apart from this they also emphasize that it was people's revolt against 'theocratic and oppressive Tibetan government' and Chinese military had gone there to assist the revolutionaries¹. So the merger of Tibet into China was accession because Tibetans in general had consented to the merger. But the international consensus is against Chinese view and support Dalai Lama in his struggle for freedom. By the way China is trying its best to make the Tibetan merger into China stronger by destroying the distinct Tibetan culture through incursion of Chinese in Tibet and deportation of Tibetans in China through the process of cultural assimilation.

1. Tibet Leaps Forward by Hsi Hao and Kao Yuan mei, Foreign Language Press Peking 1977.

Accession process needs further elaboration. In the process of accession it was the will of the sovereign or the ruler of the state that had been sole deciding factor till few decades ago. The people of the acceding states were hardly consulted when the question of accession came up. Every thing depended on the will of the king or the sovereign. Whether it is accession of Kashmir in India or accession of Alaska in USA the peoples of the territories were not consulted at all. But now with the technological advancement, certain research break through in social sciences and introduction of democracy, political scenerio have completely changed. Now democracy has replaced the kings and monarchs by people's government. In present time it is people's openion or consent that has become important regarding the question of accession of the state. It is people of the state in question and not the ruler who will decide whether they want accession or not. This is evident from the accession of German Democratic Republic to the Federal Republic of Germany in 1990 or accession of Sikkim in India.) After Second World War allied forces engineered the division of Germany. The Eastern portion under the Soviet occupation was made the German Democratic Republic and the Western part under British and its allied forces become Federal Republic of Gemany. After fourty years of partition the people of the East Germany negated the artificial division of the country and consented to the unification of both parts of Germany. Berlin Wall, dividing

both the Germany was demolished and East Germany was acceded to West Germany in 1990¹.

→ Accession is an age old geopolitical process. It is as old as the state itself. Accession was key to the establishment of great empires like Roman and Turkish Empires. But the scientific and systematic study of accession is comparatively a recent phenomenon. By the second half of the nineteenth century, through certain research breakthrough in the biological science (particularly under the impact of Darwin) the man-land theme in geography received a new impetus. Armed with a much deeper knowledge of the physical environment and the new model for research, which was provided by the Darwinian concept of natural selection and the survival of the fittest, the geographers began to make rigorous investigations into man's relationship with his environment. This led to particularly fruitful research in political geography under the inspiring leadership of Ratzel, who is regarded as the father of modern political geography. Taking this clue from Ritter's concept of organic culture, Ratzel developed an "Organismic theory of state" which viewed sovereign political entities as living organisms fixed in space that like other organisms in nature, were involved in a constant struggle for a larger living space. ✓

A leading figure in the development of what is referred to as "Social Darwinism" was English philosopher Herbert

1. German Unification is a case of accession. See Oppenheim (L.): International Law, Vol- 1A, pp. 210.

Spencer (1820-1903). Ratzel was greatly attracted by Spencer's ideas, especially those relating to the theory of state. Ratzel defined the state as "an organism attached to the land". He was however, careful to point out that his analogy was not to be taken literally. However he himself tried to show that states like some simple organism in nature, are involved in an ongoing process of evolution, and that states must grow or decay and die. Since they can never be stand still and motionless, strong nations must have room to grow in order to survive and that the extension of a state's borders at the expense of its neighbours was an indication of its internal strength and growing needs as a result of its growing population.

Pursuing this line of reasoning, based on biological analogy, Ratzel studied the recurring patterns of the growth of states with a view to identify what he termed as the 'Law of the spatial growth of states'. It is a seminal contribution of Ratzel in the line of geopolitical thinking concerning space. Some of the basic premises of Ratzel regarding special growth of states are that the size of state grows with its culture, that the growth of states follows other manifestation of the growth of people and that the growth of state proceeds by the annexation of smaller members into the aggregate. At the sametime the relationship of the population to the land becomes continuously closer. The boundaries are the peripheral organ of the state, the bearer of its growth as well as its fortification and takes

part in all the transformations of organism of the state. In its growth the state strives towards the development of politically valuable positions. The first stimuli to the growth of state come from outside. Men from regions of larger spatial conception carry the idea of larger states in areas of small statism. The general tendency toward territorial annexation and amalgamation is transmitted from state to state and continually increases in its intensity. With an increasing estimation of its political value the land has become increasingly greater influence as a measure of political power. As long as there is political competitor, the weaker states attempt to become more powerful and try to associate with stronger states.

Keeping in mind the above discussions regarding the meaning and extent of geopolitics and accession it can be said that 'Geopolitics of accession' is the study of accession from the view point of geopolitics. Accession is not only a political phenomenon but geographical elements like space, socio-economic, cultural setup of the people and many other factors play a key role in this process. So in order to understand the accession it is essential to study it in the light of different geo-political factors. Although accession is a subject matter of international law, but its socio-economic and geopolitical impacts are not in any way secondary. In the study of accession there is need to examine the locational, particularly geostrategic space involved in it. Thus, geopolitics of accession is spatial study of accession from the point of view of state. It

examines as to how the territory of a sovereign state increases and the role of strategic space or geographical imperatives. In the process of accession aggregate territorial space of an existing state increases and with it increases the natural as well as human resources. The process of accession is thoroughly a political phenomenon but the involvement of geographical space brings into it geography and geographers. So the geopolitics of accession is basically geographer's approach, explanation and analysis of the process of accession. This approach is much balanced approach towards such a complex phenomena like accession. Till recently the question of accession was decided or engineered by the rulers of the states and subjects were sidelined. But in modern times situation have completely changed. With the introduction of democracy and consequent right to self-determination the question of accession is decided by the public opinion. Now accession is not only a politicians' prerogative but the choice of the people of the acceding state is also taken into account. So there is need to adopt integrative and holleistic approach to the study of accession.

CHAPTER II

FACTORS AND MECHANISM OF ACCESSION

The general notion regarding the accession is that it is purely a political phenomenon primarily initiated by different political factors and accomplished through a political process. But it is not true. Although accession by and large is a political phenomenon but with the changing course of political development, over a period of time, it has become highly complex phenomenon encompassing in itself so many factors other than political imperatives. It is to be noted that in an individual case of accession so many geopolitical and geostrategic factors operate simultaneously. That is why accession is not a simple territorial merger as it seems to be. Rather it is a highly complex phenomenon in which so many factors motivate the process.

This is different thing that from the inception of the state till recently accession was a simple territorial merger process of one state or part of its territory into other state. In this process the people's participation of that territory was zero but now scenario has substantially changed and gone are the days when accession had been a politicians' prank. Now with the introduction of democracy, the peoples' participation in the political affairs have increased and the question of accession is decided by the people of the acceding state or territory. That is why referendum is held before or after the accession.

Apart from political factors there are so many diverse socio-economic, cultural, geographical and geostrategic factors operating behind the process of accession. So in order to understand the process of accession in right context, it is essential to examine the different factors which are responsible for the accession. Some of the important socio-economic and geopolitical factors of accession are socio-cultural affinity, geographical proximity, geostrategic locations of the acceding state, reorganisation of smaller political units, threat to external security and the war. These factors together, in association with some other factors engineer the process of accession.

There has been a very close relationship between the factors of accession and the mechanism thereof. Mechanism implies the instruments of accession. Factors of accession determine the nature of Mechanism and consequent operating instrument. This drastically differs in time as well as in space. It may be possible that in one instance there may be one specific kind of mechanism and in other instance something different. So accession is initiated by some dominant factors and then the entire process and structural framework of accession is guided by the consequent chain of later developments. This altogether lays the foundation of the process of accession that we call mechanism. Another important point regarding the mechanism of accession is the coordinates of accession namely space-state and politics. The accession is end product of interaction between space-state

linked by dominant political structure operating between them. Spatial consideration of the states territory in association with politics lead to the territorial adjustment which is focal point of accession. Let us examine some of the important factors of accession and the mechanism operating behind them.

Geographical Proximity And Accession :

Geographical proximity is key to accession. In most of the cases of accession geographical proximity or territorial continuity is first and foremost factor for the accomplishment of accession. The accessions that have yet been taken place at different places till today are very much in territorial continuity. In fact the spatial continuity provides extra impetus to initiate this process.

Geographical proximity or territorial continuity leads to close space relation and easy interaction between the people of two adjacent territories or states. As a result of this, there develops a close association and understanding regarding the different kind of socio-economic, geopolitical and cultural issues. All this together with some other secondary geographical factors act as compulsive forces of accession. The accession of Goa, Kashmir, Sikkim or Hyderabad in India asserts this point of territorial continuity. Similar is case with the accession of Texas in USA. Before independence in 1947 Goa, Sikkim, Kashmir and Hyderabad were independent states adjacent to India. Their merger in India was very much decided by the geographical

factors. During the formation of United States of America many of the adjacent states voluntarily merged into USA, and some of the other states joined USA much later as for example Texas joined USA on 29 December 1845 and Arizona in 1912.

Although it is fact that the geographical proximity is one of the most important factors of accession, but it is not always true. There are many examples where geographical proximity was immaterial. The Accession of Alaska in United States of America in 1867 is one such example where geographical proximity or territorial continuity is absent. Alaska is separated from USA by Canada. But it is to be noted that the accession of Alaska in USA is accession by Purchase and not the conventional example of accession like accession of Texas or Arizona. USA had purchased Alaska from Russia in 1867 for \$ 7.2 million. another example of such accession is accession of Sarawak and Sabah into the Federation of Malaysia. In this case there is no territorial continuity. The China sea lies between Malaysia and Sabah-Sarawak region.

Socio-Cultural Affinity And Accession :

Socio-cultural affinity among different states or territories is next important factor responsible for accession. Accession is not only a political phenomenon but there are many socio-cultural factors that operate behind the process of accession. Social and cultural affinity and interaction between two territories function as bridge to link two territories in terms of mutual bond. Language and

religion are main unifying factors. These are the full factors of the process of accession. Social and cultural bondage are stronger than any other political compulsions. It was due to the cultural heterogeneity existing between East Pakistan and West Pakistan that led to the Secession of East Pakistan from the West Pakistan and establishment of a new sovereign state called Bangladesh.

It is also to be noted that on the one hand while cultural homogeneity is a strong integrating factor, on the other hand, cultural heterogeneity is equally powerful disintegrating factor. In the process of accession it is socio cultural affinity that play a key role in the process of accession. Sometimes it so happens that due to some unavoidable circumstances particularly political and strategic compulsions, the homogenous cultural group is compelled to live in two separate states. This artificial division of the state is not lasting and it is due to the socio-cultural homogeneity that the separated state will merge into the other state as happened in the case of accession of German Democratic Republic into the Federal Republic of Germany in 1990.

During Second World War time Germans were defeated at the hands of Allied Forces. After the war Germany was divided according to the Berlin Agreement into Soviet-Union, United States, British and French occupation zones. After the failure of negotiation to establish a Unified German Administration, the three western occupied zone were inte-

grated economically in 1948 and on 21 September 1949 the Federal Republic of Germany was established although its sovereignty was limited by the continuing Allied Military occupation¹. Similarly in October 1949 the Soviet occupied zone of Germany declared itself the Germany Democratic Republic with the Soviet occupied zone of Berlin as its capital. Thus Germany was formally divided into two separate states. But since this division was not natural and was imposed on the people so over a period of time German Democratic Republic was acceded to the Federal Republic of Germany.

Similar was the case with the accession of Goa and Hyderabad in India. During colonial phase Goa came under the Portuguese. When India became independent in 1947, it was due to the close socio-cultural relations with India, that the people of Goa wanted to accede to India. Goa was liberated from Portugues' rule by Indian troops. Hyderabad was princely state ruled by the Nizam of Hyderabad. The accession of Hyderabad in India was primarily due to the close socio-cultural relationship.

Integration / Reorganisation of Smaller Political Units and Accession :

The formation of Union States is primarily due to integration or the reorganisation of smaller political units. These units may be independent states or foreign occupied territories. Inchanging political scenorio and the technological advancement, the gigantic states like USSR,

1. Europa Year Book, 1991.

USA, China and India have emerged as a result of voluntary territorial merger. There were many compulsive forces that led to the merger of smaller political units to form one state. In many cases the formation of Union States was the demand of time. In course of the formation of USA initially, few political units merged together to form one federation. Thereafter many other smaller political units adjacent to that, voluntarily merged in the Federation. Thus the integration of the smaller political units led to the establishment of USA.

There is a close relationship between reorganisation/integration of smaller political units and the accession. Accession is part and parcel of integration process. It is through the process of accession that smaller political units come together through the process of voluntary territorial merger. That is why there is a prominent place of accession in the history of a Union state. Accession is continuous process in the life of a Union State.

At the time India became independent in 1947 it was divided into many smaller political units, mainly princely states and a few foreign possessions. At that time there were 562 princely states. Although these princely states were under the British rule but British had given them considerable autonomy which proved to be disintegrating factor for the independent India. In course of reorganisation of states and the formation of Indian Union, almost all the princely states except three i.e. Jammu and Kashmir,

Hyderabad and Junagarh, consented to the unconditional accession in Indian Union. The three states mentioned above joined Indian Union one after another and till 1949 all these states had become the part of Indian Union.

Geostrategic Location And Accession :

For the survival of any state it is necessary that the state should be protected from the external security threat. For this it is essential that the state in question should be in full control of the territories which are of the geostrategic and military importance. These territories may be along the international boundary or in the very heart of the state. It is in this context that all the powerful states of the world are constantly trying to have control over such territory through the voluntary merger of the state or the partial accession of such territory.

Sometimes it so happens that powerful states annex such territory by force as did China in the case of Tibet. But this is not permanent and peaceful solution, to this problem. It is possible only through accession. India would have attacked Sikkim and annexed it but it waited for the voluntary merger and after sometime the people of sikkim themselves consented to accession in India.

The accession of Sikkim in India is a suitable example of accession of territory of geostrategic importance. Sikkim was an independent state and protectorate of India. It was ruled by Chogyal (King). On the demand of the people of Sikkim, it was acceded to India on April 26, 1975. Before

its accession it was a buffer state between China and India. It is of great strategic and value in comparison to its size. Bhutan and Sikkim share a common frontiers only for a short distance. Elsewhere with these political units are separated by the Chumbi Valley. This valley was a part and parcel of Sikkim in the past but was later on occupied by Tibet. Obviously, after forcefully occupying Tibet, China had entered into this valley and thus the valley has assumed a very strategic location. After Chinese aggression on India in 1662, the valley is continuously being occupied by the Chinese forces and thus the valley has assumed a very strategic position for the two neighbouring countries. It was due to this strategic location that the accession of the Sikkim in India assumed top priority for India's external security.

The next important strategic accession is the accession of Hyderabad in India. After independence Hyderabad Nizam chose to remain independent but the overwhelming majority of Hyderabad population showed inclination for the merger of Hyderabad in India. It was widely felt that an independent state like Hyderabad might be a potential danger to the safety of India, because of a sovereign state within the heart of a larger country might create regional tension by aligning with one or more countries. Considering this threat, the Indian troops entered Hyderabad and it was acceded to Indian Union.

War And Accession :

War and peace or battle and treaties are two opposite

coordinates that shape the history of human life. The man is by nature possessive and as a result aggressive. The war have special place in the history of any state. It has shaped the state and its boundries. During ancient time wars were fought between two tribals groups but now it has become the war of the states. With the technological advancement wars have become more dangerous and involve in it more than one state. This has been proved by two world wars.

War is an important factor of accession. There ia a close relationship between war and accession. Wars are fought over certain issue and in most of the cases over the question of disputed territories. When war is over either due to decisive victory of one state over the other state or due to mediation by the third state or international agencies, both the warring factions come to agreement on certain terms and conditions, where by a portion of one state is transferred to the other state as a form of compensation. In this territorial transfer there is common consentious on the part of sovereign, though the consent of the subjects of that territory is not taken into account. But the people of that territory are given the right either to migrate to other territory or continue to live there. After the soviet occupation of Lativia and Lithunia the German Settlers there were given such option.

Territorial transfer by one state to the other state under agreement has been a common phenomenon in the history of the states. During post World War I and II large scale

territorial transfers were accomplished by the different states. Most of such territorial transfers took place in Europe. Besides this, during post World War II large scale territorial transfer was done in South East Asian region.

The accession of Arizona in United States is the result of war and consequent treaty. In 1848 as a part of the treaty of Guadalupe Hidalgo ending the war with Mexico, the portion of Arizona lying North of the 'Gila River' was acceded to the United States of America.

Threat to External Security and Accession :

Sometimes the threat to external security leads to the voluntary merger of one state into other state. For the survival of a state it is essential that the state should be secured from the external aggression. There should be no threat to its external security. The moment a state feels that the state and its subjects are not secured and there is possibility of external aggression by the neighbouring state then that state consents to the accession in other country which is suitable.

This kind of situation arises mostly when a land locked state is surrounded by hostile states and it is small enough and weak enough to protect its territory. Generally such state accedes to the state which is at the opposite end of the state which is supposed to be the potential threat to the state in question.

It was mainly due to the sense of external security threat that led to the process of accession of Jammu and Kashmir state into India. Jammu and Kashmir prior to

independence was the largest of all the Indian states. Unlike most of the princely rulers who had either acceded to India or to Pakistan, the Maharaja of Jammu and Kashmir decided to remain independent. On October 22, 1947, fully armed tribesmen from North West Pakistan and other Pakistani nationals entered Kashmir in a full scale invasion to march towards the capital of the state, to decide the fate of Jammu and Kashmir. They resorted to indiscriminate killing of both Hindu and Muslim. There was not only strong support for the invasion of Kashmir by Pakistan but also these men were recruited within Pakistan. The external security system of Jammu and Kashmir was severely threatened from this attack. Unable to prevent the raiders from committing large scale killing, looting and arson, the ruler of Kashmir requested for the military assistance from India. Since Jammu and Kashmir was not a part of the Indian Union so Indian government expressed its inability to give any kind of assistance. Ultimately, the Maharaja of Jammu and Kashmir requested that the state of Jammu and Kashmir be allowed to accede to the Indian Union. The instrument of accession of Kashmir was signed by Maharaja Hari Singh on October 26, 1947 and the accession was accepted by the then Governor General of India, Lord Mountbatten on October 27, 1947. The accession thus became legally and constitutionally complete.

Locational And Geopolitical Compulsions of the State and Accession :

Locational and geopolitical compulsions of the state in question is also an important factor of accession. Sometimes it has been observed that the geographical locations and consequent compulsions of some territory is such that it becomes difficult for the state to survive as an independent international person. So over a period of time they are acceded to the neighbouring state. By locational and geopolitical compulsions we simply mean the disadvantageous international boundaries and the resultant haphazard economic development. In most of the cases where a state is land-locked and shares its international boundary with only one state (completely surrounded) then it becomes very difficult for that state to survive. At the same time there is perpetual security threat for the state that surrounds it. Thus situation becomes more grave when the land locked state establishes political, economic and military relations with foreign countries. In this situation accession becomes inevitable. This was the situation with the Hyderabad and Junagarh at the time of independence.

After the independence of India, almost all the princely state were acceded to India. But the rulers of Hyderabad and Junagarh state chose to remain independent. There were certain geopolitical and locational compulsions that went against the wishes of the rulers. Hyderabad was a landlocked state completely surrounded by Indian territory. That is why it was widely felt at that time that an independent Hyderabad might be a danger to the safety of India, since a sovereign state within the heart of India

might create tension by aligning with some foreign states. To develop political, economic and military relations with foreign states Hyderabad would have to violate India's sovereignty. It was in this context that Hyderabad was acceded to Indian Union.

The story of Junagarh state is slightly different. It was a princely state ruled by a Muslim ruler though the population of that state was predominantly Hindu. Junagarh ruler was inclined to accede to Pakistan. But the major locational compulsions before Junagarh in acceding to Pakistan was that the domains of Junagarh were scattered in different parts of "Saurashtra" and separated by other territory. Considering the problem politically, economically or technically it would have been very difficult for India or Junagarh to administer the fragmented areas effectively had it not been merged with India.

Economic Dependency And Accession :

The economic dependency of one state or territory upon the other state is directly linked to the accession. The economic dependency of one state upon the other leads to the close socio-economic and political relationship between both the states. These states come closer and this intimacy often ends up in the merger of dependent state into the other state. But it is not always true. The Jammu and Kashmir before its accession to India was heavily dependent on Pakistan in terms of civil supplies and other matters. But in spite of economic dependency Jammu and Kashmir consented

to its merger in India. There are several examples of accessions which were resulted due to the economic dependency on the other state. The accession of Hyderabad and Sikkim in India and the accession of Texas in USA were partially due to the economic dependency.

Although the Nizam of Hyderabad chose to remain independent but it was due to some locational compulsions that Hyderabad was dependent on India for its economic matters. Economically Hyderabad had always been a dependent state on India. Its railways, post and telegraphs and air communications were conducted by the government of British India. Apart from this it was also dependent upon India for food and other essential commodities. This economic dependency was one of the factors responsible for the accession of Hyderabad in India.

The hill state of Sikkim was a "Protectorate" state of India. It was because of its geographical location and the nature of economy that Sikkim was economically dependent upon India. Besides this for the future economic development of Sikkim, it was essential that Sikkim should be integrated with Indian Union. So the people of Sikkim rose against the Chogyal in favour of its accession to India. Finally on April 26, 1975 the Sikkim was acceded to India.

Another example of accession due to economic dependency was the accession of the Republic of Texas in United States on December 29, 1845. Before being the Republic of Texas it was under the Mexican rule. After a few battles with Mexican Army Texas became independent. The Republic of Texas faced

serious economic and political problems. It had no money and raiding Indians and Mexican threatened its people. The economic crisis was such that it was difficult to sustain independently. So in the first national election the people of Texas voted to join United States. Initially the great powers of Europe especially France and Great Britain opposed the accession but finally on December 29, 1845 Texas became the 28th state of USA.

Collapse of Existing Politico-Economic Order And Accession :

The collapse of existing political and economic order is also one of the important factors of accession. The collapse of present politico-economic system of any country or state may destabilise the entire political matrix of the state. It is a crisis phase in the life of any state. In such circumstances it becomes very difficult for the state to survive as an independent international person. If that state is a breakaway part of the bigger political unit then there are chances of accession of that state into the 'other state'. It was under this very circumstances that the German Democratic Republic (GDR) was acceded to the Federal Republic of Germany (FRG) in 1990.

After the World War II, Germany was divided according to Berlin agreement into US, Soviet, British and French occupation zones. After the failure of negotiation to establish a unified German administration, the three western occupied zones were integrated economically in 1948. Finally on September 21, 1949 the Federal Republic of Germany was

established although its sovereignty was limited by the continuing Allied Military Occupation. Thereafter in October 1949 Soviet occupied zone of Germany declared itself the German Democratic Republic with Soviet zone of Berlin as its capital. Thus Germany was divided into two separate states.

The Federal Republic of Germany adopted capitalistic form of economy while German Democratic Republic followed the Soviet's pattern of communist economy and political system. Thus both the states took their own course of political ideology and economic system. On the one hand while FRG's economy witnessed a great boom, the situation in GDR was not the same.

The failure of communist economy and repressive political structure of the state, created mass discontent in GDR. The GDR celebrated the 40th anniversary in early October 1989 in which Mikhail Gorbachov was also invited. After the celebration public took to streets to protest against the failure of GDR's politico-economic structure. Meanwhile, Gorbachev's 'Glasnost' in Eastern Europe provide extra impetus to the democratic-movement in GDR. This together with some other factors culminated in demand for the unification of Germany through the accession of GDR into FRG. A treaty for the accession of East-Germany was signed in August 1990 between FRG and GDR in Berlin. Thus it was due to the failure of political and economic structure of the state that GDR was finally acceded to FRG in 1990.

Colonialism And Accession :

Colonialism is also a factor of accession. During the

colonial phase most of the European imperial powers were involved in the establishment of colonies in Asian and African countries. After 'Industrial Revolution' the entire economic structure of the European states was changed. Mass production was made possible due to the invention of machine. For further industrial development raw material and market for the finished products were required. So after the industrial revolution, the rivalry started for the colonisation amongst West European countries. These colonies made available not only the raw material but also provided markets for finished products.

In course of inter-rivalry among major imperial powers of Europe for colonisation, many of the Asian and African states were divided and captured by different colonial powers. This spatial/territorial division was arbitrary and political and done according to the economic interests of the imperial powers. In spite of being divided the separated territories shared the same socio-cultural ethos and had very close geographical and economic relationship. All these factors together functioned as pull factor in the process of accession. As the colonial period was over, after World War II many of the divided territorial units acceded to the major political units. A large scale accession took place in Indian context after the British colonial rule in India. Major among them were, Hyderabad, Goa, Junagarh and Pondicherry.

During the colonial phase India was divided among

British, Portuguese and French territories. Major among them were Britishers. There were many princely states under British rule when India got independence in 1947, almost all the princely states were voluntarily acceded to India there after Hyderabad and Junagarh states joined India. Portuguese and French occupied territories were acceded to India much later.

Form of States And Accession :

There has been a close relationship between forms of state and the prospect of accession. Broadly speaking there are two types of states - one is unitary form of state and other is federal form of state. In the former state there is centralisation of power; in the latter form, the state is divided into smaller political units called provinces or states. These units have considerable amount of internal freedom. While Britain is a unitary state, India, America, Russia are federal state.

Accession is concerned mainly with the federal form of the state, though in certain specific circumstances the accession takes place in the case of unitary form of state too. Accession is more conducive in the case of federal structure of the state than unitary state because in the former case there is possibility of internal freedom and preservation of distinct culture even after accession. In fact accession process play a vital role in the formation of a federal state. The smaller political units may easily accede to a Federal state because unlike the unitary form of states, in Federal state there is considerable autonomy and

freedom to the subordinate units and the state functions as the protector of the diversity of these units. The political units with their diverse socio-economic infrastructure may co-exist harmoniously in a federal state.

At the time of independence India was divided into princely states and foreign occupied territories like Goa and Pondicherry. Thereafter almost all the princely states were voluntarily merged in the interest of Indian Union. Hyderabad, Junagarh and Kashmir were acceded to India after some time sikkim was acceded to India in 1975 on the demand of the people of Sikkim. The federal structure of India played a key role in the accession of smaller territorial unit. Initially the Jammu and Kashmir was apprehensive regarding the accession but now that is over. All the provinces of India have maintained their own distinct socio-cultural identity.

Democracy And Accession :

The wave of democracy is also one of the important factors of accession. Monarchy system is gradually replaced by the democratic government. If there is any monarchy that is constitutional monarchy with the introduction of democracy the royal states are gradually converted into the democratic states and people's participation in political affairs have increased. democratic state is concerned with the welfare of the people and so many of the smaller democratic states have been acceded to the bigger state in the interest of the people. The wave of democracy has

abolished many of the princely states and the people of that state consented to the merger of the state into Federal state in the larger political economic interest of the people. At the time of independence India was divided into hundreds of smaller princely states with their narrow political interests. There was no people's participation in political affairs and the economic condition of the state was not good.

The wave of democracy in Sikkim played a vital role in the accession of Sikkim in India. The Sikkim was princely state and British protectorate during British colonial rule in India. So when India got independence the Sikkim automatically became protectorate of India. The Sikkimese were in direct contact with the Indian people and when democracy was introduced in India they too wanted to establish democratic government in Sikkim. Gradually mass discontent prevailed among Sikkimese against the king of Sikkim (Chogyal). The movement for democracy started. The demand for the establishment of a democratic political system and accession of Sikkim in India was raised in 1947 by the 'Sikkim State Congress', the first political party of Sikkim. There had been a long movement for the establishment of democracy. The opposition parties continued their struggle for more political reforms and democratic space. Initially, India government supported Chogyal against the Sikkimese but ultimately India had to accept the people's demand. The institution of Chogyal was abolished and the people of Sikkim voted for the accession of Sikkim in India.

On April 26th 1975 Sikkim become 22nd state of Indian Union.

Public Opinion And Accession :

Public opinion is one of the most important factors of accession. Gone are the days when monarch's wishes were last word in the state politics. With the introduction of democracy, people's participation in political process of the state has been growing increasingly. Now the fate of any state depends on the common opinion of the people of that state. There is growing awareness regarding the "Right to self-determination" among the people of the state. Whenever the question of accession of any state arises, international community demands for referendum so that people's will regarding the political events like accession may be determined. If the accession is ratified by the people of the acceding state, validity of the accession is complete and legal. That is why referendum or the public opinion is essential for imparting legality to the accession. In the absence of referendum sometimes unnecessary regional tension arises. Pakistan is creating tension by backing terrorist activities in the valley in the name of right to self determination and referendum though the people of Kashmir have indirectly voted in favour its accession to India¹. If the people of the state are in favour of the merger of the state into other state then the ruler of that state has no right to oppose it. This was the situation in the case of

1. Refer to Assembly Elections in the Valley Modern Political Geography of India, B.L. Sukhwai, p. 19.

accession of Sikkim in India. Similarly even after the rulers' consent to accession, the referendum on the issue of accession is necessary. After the accession of Hyderabad, Junagarh or Goa, the referendum was held to know the opinion of the subjects.

Public opinion played a key role in the accession of Sikkim, Goa, Texas and German Democratic Republic. The Hill state of Sikkim was an independent kingdom and a British protectorate during colonial phase when India became independent in 1947, Sikkim automatically became an Indian protectorate. After the independence almost all the princely states of India voluntarily merged in Indian Union, but the Sikkim state continued to remain separate independent state ruled by Chogyal. The people of Sikkim were in favour of its accession to Indian Union but the king of Sikkim (Chogyal) was not in favour of such accession and opposed it. The demand for the establishment of a democratic political system and its accession to India was raised in 1947 by the Sikkim State Congress, the first political party of Sikkim. The king of Sikkim opposed this demand. But ultimately Chogyal had to bow before the public opinion. The institution of Chogyal was abolished and Sikkim was finally acceded to India and on April 26, 1975 Sikkim became 22nd state of Indian Union.

Similar was the case of Goa. Goa was under the Portuguese rule even after the independence. The people of Goa were fighting with the oppressive Portuguese rule and

were in favour of its accession to India because of its close socio-cultural relationship with India. The portuguese tried its best to keep Goa under their direct control but they had to surrender before the Indian troops and Goa was finally acceded to India on December 19, 1961. Thereafter Portuguese signed treaty for the formal transfer of Goa to India.

Other cases of accessions where public opinion played decisive role were the accession of the Republic of Texas in USA and the accession of German democate republic in Federal Republic of Germany. The Republic of Texas was acceded to the United States on the insistance of the people of Texas in 1848. Similarly GDR was acceded to FRG in 1990 because the people of GDR were in favour of this accession.

Keeping in mind the foregoing discussions regarding the factors and mechanism of accession it has been observed that there is substantial variation in the effectiveness of the particular factors of accession. All the factors are not of the same magnitude so these factors may be grouped into primary and secondary factors. Geographical proximity geogrategic location, common cultural tradition and heritage that is shared by the acceding territory and acquiring state and above all the public opinion are some of the primary factors of accession. Similarly, some of the factors of accession are secondary in the sense that these factors function as auxiliary factors in the integrated process of accession. Next important thing to be noted in this concern

is that in almost all the cases of accession several factors of accession function combined together to the accomplishment of a particular case of accession. So it is a difficult task to assess the comparative importance of factors of accession by isolating the different factors of accession. So far the comprehensive study of the factors of accession, it is essential that each factor should be studied in association with the other.

CHAPTER III

TYPOLGY AND PROCESS OF ACCESSION

Accession is a highly complex geopolitical phenomenon. This has been described in detail in previous chapters on **Geopolitics of Accession** and **Factors of Accession**. It has been generally observed that accession is treated as the simple territorial transfer or the merger of one state into other state. It is mainly because in the past accession was decided mainly by the ruler of the state and the people of that state were not taken into confidence. But in the changing world scenerio the nature of accession or territorial transfer has become complex and now so many factors and counter factors have started working simultaneously.

In each individual case of accession, factors and processes operating behind them is sometimes common and sometimes different. This leads to the different typology of accession. This can further be elaborated by some examples of accessions like the accession of Jammu and Kashmir and the accession of Sikkim in India. While in the case of former accession it was the ruler of the Kashmir, Maharaja Hari Singh who himself consented to the accession of the state, after the Pakistani backed aggression and threatened external security situation. The same is not true about the accession of Sikkim in India. In this case it was not the ruler but the people of the Sikkim who were in favour of its accession to India. Besides this in the case of accession of

Sikkim it was the aspirations and desire of the people for the democracy and sustainable development of the state and not the security problem that had initiated accession of Kashmir. But the similarity in both the accessions is that both the state had voluntarily proposed for the accession. In former case it was the ruler and in the latter case it were the elected representatives of the people.

Next example is the accession of Goa in India and the accession of Alaska in USA. Both the accessions are common in one sense that Goa and Alaska were parts of other states and after the territorial transfer became integral parts of the respective states. But from the point of view of the process of accession or the 'modus operandi' both come under different categories of accession. While in the former case Goa was a part of India in the historical past and later on captured by the Portugues. So India had genuine claim over it, in the latter case Alaska was completely alien (even geographically separated by Canada) land for USA and USA had no claim over it. Moreover goa was liberated from the portugue occupation but Alaska was purchased.

From the above discussion it is evident that each case of accession is similar and dissimilar to one another in its own way. This similarity and dissimilarity depends mainly on the difference in the process of accession. Since there are hundreds of thousands of individual cases of accession so for the convenience of study the accession may be classified into broader categories.

Accession may be classified into four broader

categories. They are Voluntary accession, Non-voluntary accession, Accession by purchase and lastly Accession by Discovery and Occupation. Voluntary accession is that type of accession in which the ruler or the subjects (or both) of the acceding state voluntarily consent to the accession. Voluntary accession is a peaceful territorial transfer. Some of the important voluntary accessions are accession of Jammu and Kashmir, and Sikkim in India and Texas in USA. Second is Non-voluntary accession in which the subjects of the acceding state or part of it favour the accession but the ruler of that state actively oppose it. In this type of accession military force is also used. It may also be called the accession by subjugation. The third type of accession is Accession by purchase or accession by cession. In this type of accession territorial transfer is done through purchasing or the regional revolt against the central rule and the consequent cession. The fourth type of accession is Accession by Discoveries and Occupation. With the technological advancement in nevigation during colonial phase many of the islands were discovered and occupied by western colonial powers. Over a period of time these occupied islands were acceded and became the part of the states which had first discovered or occupied them. Accession of Greenland in Denmark in 1921 is one such example of accession by discovery/occupation. Let us see all four typology of accession in detail along with relevant case studies.

Typology And Modes of Accession :

The typology of accession is primarily based on the similarity and dissimilarity in the factors operating behind the individual case of accession. There has been a close relationship between the mode of accession and the typology. The typology of accession by and large is determined by the mode and the process of accession. Accession maybe classified in four broader categories. Following are the typology of accession.

1. Voluntary Accession
2. Non-Voluntary Accession
3. Accession by Cession (Purchase, Gift, Compensation)
4. Accession by Discoveries/Occupation.

1. Voluntary Accession :

Voluntary accession is that type of accession in which the ruler of the state or subjects of that state or both altogether consent to the accession of state to other state. It is voluntary accession, which is, in real sense of the term accession. In most of the cases of voluntary accession it is public choice of the merger of state and the ruler(s) of the state either support it or remain passively reluctant. Sometimes the ruler of the state, (particularly in the case of monarchy) opposes to the accession proposal or demand of the people. This happened when people's representatives of Sikkim proposed for the accession of Sikkim in India. Sikkim's king (Chogyal) tried to

internationalise the issue but ultimately he had to bow before the public demand. In the case of accession of East Germany the leaders of GDR could not stand before the people's movement for the unified Germany. The case of Texas was a little bit different where both the public as well as the ruler consented to the accession of Texas into USA. Similar was case with the integration of Sarawak and Sabah with Republic of Malasia. But case of accession of Jammu and Kashmir in India was different in nature. Although accession of Jammu and Kashmir in India is a voluntary merger but in this case it was the ruler of Jammu and Kashmir Raja Hari Singh and not the people of Jammu and Kashmir who took initiative to the accession without consulting his subjects. Thus we see that in voluntary accession it is acceding state that first proposes for the merger of the territory.

In voluntary accession, it is observed that before or after the accession process a referendum is held to ratify the accession. Under the impartial observation of international agencies a referendum is held in acceding territories. The people of the acceding state or the part of the state participate in referendum to ratify the accession. Thus in voluntary accession democratic means are adopted to ascertain the validity of the accession. In voluntary accession people's opinion is given more prominence than the ruler of the land. It is due to this democratic process of referendum that voluntary accession is by and large a peaceful territorial transfer. But sometimes due to some unavoidable circumstances it so happens that

referendum is not held in acceding state. It happens mainly in case where ruler takes initiative for the accession in some extra ordinary circumstances. This is what had happened in the case of accession of Jammu and Kashmir in India. The Maharaja of Kashmir Mr. Hari Singh sent proposal for the accession of Kashmir in India without consulting his subjects. This proposal came up when Kashmir was attacked by Pakistani backed tribesmen. The king of Kashmir had no time to seek the opinion of his people about this. Indian government had given assurance that when normalcy is restored in Kashmir it will hold referendum. But till today referendum could not be held in Kashmir due to Pakistani presence in POK. The Kashmir has been a troubled zone since its accession because of the undue interference of Pakistan in the internal affair of India and it has become a bone of contention between India and Pakistan. India has its own arguments to support this that referendum in Kashmir is no longer required. Thus we see that referendum is a powerful instrument of accession. When Sikkim was acceded in India China had accused India of annexing Sikkim with force but since people of Sikkim had expressed in favour of accession through referendum so Chinese could not publicise this issue any longer. some of the important case studies of voluntary accession are as follows :-

Accession of Jammu and Kashmir in India :

Jammu and Kashmir prior to independence was a princely state under Dogra ruler Maharaja Hari Singh. After

independence in 1947 and the lapse of the paramount of the British in India all the princely states of India were given the option to accede either to India or Pakistan or remain independent. The decision about the accession was left to the determination of the ruler of each state rather than its people. It is significant to note that there was no provision in the memorandum for consulting the people of the princely states nor was the accession conditional.

Unlike most of the princely rulers who had either acceded to India or Pakistan the ruler of Kashmir did not make up his mind. Lord Mountbatten had conveyed to Maharaja on behalf of Indian leaders that even accession to Pakistan would be more welcome than a declaration of independence. But Maharaja of Kashmir chose to remain independent. Pakistan was unhappy with this situation and it cut off communications and stopped the supply of essential commodities. On October 22, 1947 fully armed tribesmen from Northwest Pakistan and other Pakistani national entered Kashmir and marched towards the capital of the state. The tribesmen resorted to indiscriminate slaughter of Hindu and Muslims¹ and looting. Unable to prevent the raiders from committing large scale killing, looting and arson the ruler requested that the State of Jammu and Kashmir be allowed to accede to the Indian Union. The instrument of accession of Kashmir was signed by Maharaja Hari Sing on October 26, 1947 and the accession was accepted by the Governor General of

1 Sisir Gupta : Kashmir, Page 110.
M.C. Chagla : Kashmir, Page 18.

India on October 27, 1947. The accession thus become legally and constitutionally complete. The Maharaja wrote to Lord Mountbatten :

..... with the conditions obtaining at present in my state and the greater emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my state acceding to the Dominion of India. I have accordingly decided to do so, and I attach the instrument of accession for acceptance by your government. The other alternative is to leave my state and people to free booters. On this basis no civilised government can exist or be maintained. This alternative I will never allow to happen so long as I am the ruler of the state and I have life to defend my country¹.

Along with the letter of accession the Maharaja also requested for prompt military aid. The Indian Cabinet confiremed on October 26, 1947 :

"In view of the request made by the Kashmir Government for help against raiders who had entered their territory, the government of India have decided to give such help".

The Maharaja also informed Lord Mountbatten of his decision to appoint Sheikh Abdullah to form an interim government in Kashmir. Sheikh Abdullah was then a popular leader of Kashmir. With the acceptance of accession Mountbatten wrote on October 27, 1947 :

"In the case of any state when the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the state. It is my govt's wish that as soon as law and order have been restored in Kashmir and its soil cleaned of the invaders, the question of the state's accession should be settled by a reference to the people².

1 Lord Birlwood : Two Nations & Kashmir, p. 214.

2 White Paper on Jammu & Kashmir, Delhi Publication Division,

Government of India 1948.

The letter also stated that Indian troops were being sent to Kashmir to help the state force repel the invasion.

It is significant to note that the Maharaja's request for accession was confirmed by the major political organisations of the people of Jammu and Kashmir whose head was Sheikh Abdullah. Sheikh Abdullah said in the Security Council "... Under those circumstances, both the Maharaja and the people of Kashmir request the Government of India to accept our accession"¹. Contrary to India's offer for help the Government of Pakistan had exerted pressure on the Kashmir ruler by stopping civil supplies and by instigating and encouraging communal riots in the state. The sole purpose was to demoralize the administration and terrorise the Maharaja into acceding to Pakistan.

Since the offer of accession was made by the ruler and accepted by the Governor General in a constitutionally valid manner the accession was complete and valid. Dr. M.C. Mahajan stated that the Governor General had the power to accept or reject the offer, but he had no power to ignore the question or to attach conditions to it. The relevant constitutional provisions did not authorise a conditional acceptance. Pakistan described the Maharaja's accession to India as based upon "Fraud, Deceit and Violence" and maintained that it was totally against the wishes of its long oppressed Muslim subjects. In fact if Pakistan had not

¹ U.N. Security Council 241 Meeting 1948, Sheikh Abdullah's speech on Kashmir.

encouraged or instigated the invasion of Kashmir by the raiders. Perhaps the Maharaja would have continued to consider the idea of an independent state. In any case, in February 1954 a Kashmir Constituent Assembly, which was the only body elected by the people, duly ratified on behalf of all the people of Kashmir the act of accession to India that had been entered into by the Maharaja nearly seven years before. The people of Kashmir had freely expressed themselves on the issue of accession.

Accession of Jammu and Kashmir in India was greatly opposed by Pakistan Government. Pakistan was unhappy over the episode of accession of Jammu and Kashmir in India and when the Government of India sent army to defend Kashmir nearly half of the Kashmir known as Azad Kashmir was already occupied by Pakistan which is still under his domination. Pakistan tried to internationalise the issue. The active support that Pakistan got from Anglo-American powers further aggravated the situation and demand for plebiscite in valley, the withdrawal of Indian forces and the substitution of the lawful government of Kashmir by a neutral administration got prominence. India had at first agreed to plebiscite but later on refused to hold one because of valid reasons. From that time onward accession of Kashmir has become a bone of contention between India and Pakistan.

Accession of Sikkim in India:

Sikkim was a princely state and British protectorate during colonial rule in India. After independence of India

in 1947 Sikkim automatically became an Indian Protectorate. This protectorate status remained in force till 1975 when Sikkim was finally acceded to India. On April 26, 1975 consequent upon popular demand expressed through a special referendum of the people of Sikkim the constitution of India was amended to integrate the erstwhile India protectorate as a full fledged state of India. Prior to this merger, Union of India comprised 21 states and 9 Union Territories. Thus Sikkim became the twenty second state.

Movement for the accession of Sikkim in India dates back to December 1947 when Sikkim state congress had raised the demand for establishing a democratic political system in Sikkim and its accession to India. Sardar Vallabhbhai Patel, the architect of the Indian integration suggested to Mr. Nehru to merge Sikkim into India during the early days of independence. He thought that Sikkim, like any other princely state had been a member of the Chamber of Princes in British India and it had been treated by the British at par with other princely states of India. Nehru however, disagreed with Patel's suggestion and argued that keeping Sikkim as a buffer had the same value as it had been to the British. He also thought that it would keep a separate cultural identity for Sikkim to maintain the ethnic heritage. Nehru believed that it would be easier to deal with one individual the king rather than a group of elected politicians.

Although India was not in favour of accession of Sikkim

after independence but situation in Sikkim itself was in favour of its accession and people's demand for accession had started coming up at the surface. The demand of the people of Sikkim for establishing a democratic political system and accession to India was raised in December 1947 by the Sikkim State Congress, the first political party of Sikkim. The party presented a memorandum to the then Maharaja of Sikkim Sir Tashi Namgyal and demanded the establishment of popular government, the formation of an interim ministry and immediate accession to India. Maharaja rejected the demand and instructed his supporters to form a rival party to the State Congress.

Again there was a mass demonstration by nearly 5,000 people on May 1, 1949 demanding the formation of a popular ministry and the merger with India. Two parties, the Nepalese backed Sikkim State Congress and the Praja Sammelan actively participated in the demonstration. The royal police was besieged by the demonstrators during the uprising. The king requested the Government of India to send the army to bring order. Indian army intervened in favour of Maharaja and did not support democratic forces. After discussion with the political parties' representatives of Sikkimese Court and the Government of India a new treaty was signed on December 5, 1950 reaffirming the friendship between India and Sikkim.

The opposition parties continued their struggle for more autonomy and political reforms inspite of Indian governments' support for Chogyal. Situation changed

quantitatively after 1971, when Bangladesh was created as new nation which boosted the democratic tendencies in the whole region. Besides, several developments took place in south Asia which added positively to the merger process.

During April 1973, the discontent grew steadily against the role of the Chogyal and the complex system of communal voting. The Joint action council formed by opposition parties extended 14 demands including the establishment of democratic government, written constitution with fundamental rights for all citizens and election on the basis of one man one vote. In order to maintain peace again India had to intervene. After consultation with all sections an agreement was signed on May 8, 1973 by 17 people including Chogyal. This agreement called for drastic changes in the system of govt. and was ultimately responsible for eliminating the Sikkimese royalty. Chogyal became the constitutional head and most of the real political powers were transferred to the elected representatives.

In election Sikkimese congress won an impressive victory and the new leader Dorji demanded immediate constitutional reform and promulgation of a new constitution. After a long discussion various parties and the Government of India formulated the Government of Sikkim Bill in 1974 as the new constitution of Sikkim. It gave Chogyal a constitutional role and personal privileges. Besides it created three important institutions - the Chief Minister, Council of Ministers and Executive. Government of India had the right of close association with day to day

administration of Sikkim Government. The power of Chogyal was curbed and more powers were entrusted to the chief minister and the council of ministers. On March 1, 1975 Sikkim became an associate state of India. In a specially convened session of the state assembly on April 10, 1975 a resolution was passed to abolish the institution of Chogyal in Sikkim. The state was henceforth declared as an integral constituent unit of the Indian Union. To strengthen their case the state government conducted a referendum on April 14, 1975 to the merger of the kingdom into union. The massive support was in favour of merger of the state in India and abolition of the ancient monarchy in the state.

The entire Cabinet visited New Delhi to apprise the government of India about the latest developments and to urge upon New Delhi for accepting the offer of the Sikkimese people for the merger of Sikkim as a full fledged state in the union of India. The parliament of India resolved the thirty eight amendment of Indian constitution on April 26, 1975 and integrated Sikkim as Twenty Second State in the Union of States and Union Territories of India.

Accession of German Democratic Republic in Federal Republic of Germany :

After the defeat of the third Reich in 1945, Germany was divided, according to the Berlin Agreement, into US, Soviet, British & French occupation zones. Berlin was similarly divided. The former German territories, east of the Oder and Neisse rivers became the part of Poland while

the northern part of East Prussia was transferred to the USSR. After the failure of negotiations to establish a unified German administration the three western occupied zones were integrated economically in 1948 and a provisional constitution came into force in the three zones in May 1949. This laid the foundation of establishment of Western Germany or FRG. The Federal Republic of Germany (FRG) was established on 21 September 1949 although its sovereignty was limited by the continuing allied military occupation. The First president of Federal Republic of Germany was Theodor Heuss.

In October 1949 the Soviet occupied zone of Germany declared itself the German Democratic Republic (GDR) with the Soviet occupied zone of Berlin as its capital. This left the remainder of Berlin known as West Berlin, as an exclave of the FRG in GDR. The USSR granted complete sovereignty to GDR on 27 March, 1957. Following the establishment of the FRG the military occupation there was converted into a contractual defence relationship. The Paris Agreement of 1954 gave full sovereign status to the FRG from May 5, 1955 and also gave it membership of NATO. Thus the Germany was formally divided into two independent Nations with their separate political ideology, while one adopted capitalistic economy other followed communism. Although FRG continued to aim for united Germany.

In the immediate post war period the USSR compensated for a small part of its war time losses with equipment, money and live stock from the Soviet zone. More than 200

industrial concerns became Soviet joint stock companies and were returned after reconstruction to GDR in 1953. Soviet policy also involved the creation of a communist economic and political system in the GDR. As early as 1945 the large agricultural state were dissolved and nationalised. In July 1946 all large scale industrial concerns become stateowned. The policy of nationalization continued in E. Germany as the USSR Gradually transferred control. The increasing Sovietization of administrative and economic affairs coupled with severe food shortage led to uprising and strikes in June 1953. They were forcibly suppressed by Soviet troops in 1960 . Rest of the 50% Farms which were outside the state control were to be nationalised. This measure led to a sudden rush of refugees to West Berlin which in turn was the main reason for the construction by GDR 'shock troops of a wall between East and West Berlin in August 1961'.

The Mutual political relations between FRG and GDR remained constrained right from the division of the Germany and West Germany continue to try for the unification. In October 1980 inter Germans relation further deteiorated when GDR Government increased the minimum exchange requirement for foreign visitors and renewed its old demands for recognition as an independent state. This situation was further threatened by the deployment in late 1983 of US nuclear missiles in FGR and additional Soviet mssiles in GDR.

Relations between the two German states were affected

as a result of the political upheavals which took place in the GDR in late 1989 and 1990. In the later half of 1989 many thousands of disaffected GDR citizens emigrated illegally to the FGR via, Czechoslovakia, Poland and Hungary. Many of them had taken refuge in the FGR embassies in those countries. The exodus was accelerated by the decision of the Hungarian government to allow GDR citizens to leave Hungary without exit visa.

In early October 1989, the GDR celebrated the 40th anniversary of its foundation. Following the official celebrations demonstrations were held in East Berlin. These were suppressed by the police. Civil unrest spread to other major towns as well. The demonstration attracted an increasing number of people, and intervention by the police eventually ceased and the proposal to use armed forces to suppress the demonstration had been rejected by the Politburo. Even after the change in government demonstration did not stop so in order to quell the growing unrest and continuing exodus comprehensive political and economic reforms were introduced under which the government abolished restrictions on Foreign travel for GDR citizens and open all borders crossing to FGR. During the weekend of 10-11 November 1989 an estimated 2 million GDR citizens crossed into West Berlin and GDR government promptly began to dismantle sections of wall dividing the city.

Following the abolition by the GDR government of all travel restrictions to the FGR, contact between Germans of both countries become freely possible at all levels.

Inevitably the issue of possible unification of the two German states emerged particularly in GDR where large scale demonstrations in favour of a united Germany were held in many parts of the country in late 1989 and early 1990.

The GDR leadership was initially insistent that the GDR should remain a sovereign independent state. However in February 1990, in response to the continuing exodus of GDR citizens to the FRG and the escalating demonstrations in favour of unification Modrow publicly advocated the creation of a united Germany.

On 13 August 1990, following disagreement between parties in both German states regarding the date and modalities of unification, a second state treaty, the treaty between the FRG and the GDR on the Establishment of German Unity was signed in East Berlin by officials of the respective Governments. This treaty stipulated among other provisions, that the five newly reestablished 'Lander' in the GDR were to accede to FRG on 3 October, 1990. The capital of the united Germany (which would to be known as Federal Republic of Germany) was to be Berlin, although the seat of government Bonn or Berlin was to be decided after unification. Finally on 3 October 1990 GDR was acceded to FRG and the two German states were formally unified. It was officially declared that the united Germany will be known as FRG¹ and the united Germany would be a full member of NATO.

1. By the same name of West Germany before unification because it was GDR that acceded to in West Germany and became extinct as independent international person.

Accession of Texas in USA :

Initially Texas was a Spanish colony. In 1772, San Antonio became the seat of Spanish government in Texas. Spanish colonisation of Texas proceeded slowly. The region had only about 7,000 white settlers in 1793, after more than a hundred years of missionary effort. Mexico broke away from Spain in 1821 and Texas became part of the new Empire of Mexico. Mexico became a republic in 1824.

In 1820, Moses Austin, a Missouri banker asked Spanish officials in San Antonio to let him establish a colony of americans in Texas. The Spanish government granted his request But Austin died before he could organise the colony. Later on his son carried out the plan and brought 300 families to Texas. In 1821, Austin's group made its first settlements in south east Texas. Austin carried later and officially established the colony in 1822. It grew rapidly. In 1823 San Felipe de Austin was declared the colony's seat of government of Mexico soon issued new land grants to Austin and he extended the boundaries of his colony. Other americans also received land grants from Maxico to establish colonies. American colonisers founded many colonies in Texas from 1821 to 1836 the number of settlers grew from 25,000 to 30,000. Almost all were Americans.

Mexican officials became alarmed by the increasing number of settlers from united states. In 1830 they halted American immigration to Texas. From then on relation between

the American settlers and Mexican officials grew steadily worse. In 1834 when dictatorship was established in Mexico. The American colonists in Texas revolted against Mexico. After few battles with Mexican soldiers. Texas leaders met at San Felipe and organised a temporary government. After the decisive battle with Mexico and Mexican defeat in it, Texas leaders issued declaration of independence from Mexico and chose David G. Burnet as temporary president and thus Texas became a Republic.

The Republic of Texas faced serious problems. It had no money and raiding Indians and Mexicans threatened its people. In the new republic's first national election Texas chose Sam Houston as president. They also voted to join the United States. But Great powers of Europe especially France and Great Britain wanted Texas to remain independent. They feared that US would gain control of the south west. The southern state wanted Texas to join the union but North objected because Texas allowed slavery. Finally Texas joined the Union on December 29, 1845. It became the 28th state by a joint resolution of both houses of congress. Passing of the resolution required the votes of the members present in each 'House'.

After Texas joined the Union, Mexico ended diplomatic relations with the United States. Dispute arose over the boundary between Texas and Mexico. The Mexican war between the United States and Mexico began in 1846. Mexicans surrendered in 1846. In the treaty of Guadalupe Hidalgo Mexico gave up all claims to Texas and other southern lands. Thus

accession of Texas in USA completed.

Accession of Sarawak :

Sarawak is one of the 13 member states of the federation of Malaysia, which is situated on the island of Kalimantan (Borneo). The territory of Sarawak was given to Sir James Brook by Sultan of Brunei in 1839 as a award for aiding the Sultan against rebels and pirates to be administered under Sultan's suzerainty. Later on sir James became the complete master of the territory and acquired some more territories.

The government of Sarawak became hereditary in the Brook family. The rajah ruled with the aid of a Legislative Council of both European and native members. There was considerable immigration into Sarawak from other parts of Borneo. In 1863 Great Britain recognised Sarawak as independent state but in 1888 took over its foreign relations. Under British protection there was a remarkable improvement in public work and forestry.

Sarawak remained under Japanese occupation from December 1941 to June 1945. During World War II discussion took place as to the position of Sarawak in the post war period and the rajah himself proposed its cession to Great Britain. On July 15, 1946 an instrument of cession was enacted and Sarawak became a British crown colony. On September 16, 1963 Sarawak joined with the Federation of Malaya, Sabah (formerly British North Borneo) and Singapore to form the new state of Malaysia. Thus Sarawak was acceded to the state of Malaysia.

Accession of Sabah :

North Borneo, formerly a British colony and now called Sabah is a state in Malaysia. On July 9, 1963 Great Britain on behalf of North Borneo, formally agreed to its integration into the proposed Federation of Malaysia as the state of Sabah. The agreement was implemented on September 16, 1963.

In 1888, the British government declared a protectorate over North Borneo, thereby becoming responsible for its external affairs. In January 1942 the Japanese invaded Borneo and years of severe destruction followed. But after World War II situation improved substantially. With the Australian occupation of North Borneo in June 1945 the colony came under the military rule. North Borneo was nearly free of political restlessness and the colony experienced a rapid recovery from the effects of war.

Much post war development resulted from accelerated Chinese immigration, encouraged by the government. Despite claims to North Borneo put forward by the Philippines in 1962, an agreement was signed on July 31, 1962 between Great Britain and Malaya to conclude a pact within six months for the formation of a Malaysian Federation to include Malaya, North Borneo, Sarawak and Singapore. The decision was based on a report by a British public-opinion survey commission, led by Lord Cobbold, that the majority of the people of Sarawak and North Borneo were in favour of such federation. Opinion in the neighbouring British

protectorate of Brunei was generally against it. This created disturbance which caused further delay in plans for the federation. Moreover, Indonesia and Philippines claimed that findings of the Cobbold commission were in error and demanded that a fresh opinion poll be conducted in Sarawak and Sabah under the Supervision of United Nations. In the meantime North Borneo held its first election. Candidates favouring Malaysia won a majority of seats. In September 1963 the UN investigating team reported that the people of North Borneo and Sarawak supported the formation of Malaysia. In September 1963 Malaysia was formally inaugurated and North Borneo's name was changed to Sabah. Thus Sabah was acceded to in Malaysia and became integral part of this state. In 1968 Philippines declared that Sabah lay within the constitutional boundaries of Philippines. Malaysia broke diplomatic relations with Philippines but after a year there was normal relationship between the two countries.

2. Non-voluntary Accession (Accession by Conquest or Subjugation) :

Non-voluntary accession is that type of accession where people of the state or part of it is in favour of accession of the territory into other state but the ruler of that state is against the accession and create the barrier of military forces in the way of accession. It is due to the active opposition of the ruler of that state that accession process is often marred by military operation on the part of

the state in which it wants to accede. Accession process in non-voluntary accession is not a peaceful phenomenon of territorial transfer. In this type of accession very often military force is used. Since in this type of accession the state territory or part of it in question is liberated and subjugated by military force. So it is also called accession by subjugation. Accession of Goa, Hyderabad, Junagarh and east Timore are some of the examples of Non-voluntary accession where people were in favour of the accession in respective territory/state but the rulers of those states/territories opposed to accession and military force was used by the state in which they wanted to accede and liberated them from foreign rule.

In non-voluntary accession it is not only the people's opinion regarding accession that matters. Rather a part from the people's consent that territory should be a part of the state in historical past, in which it wants to accede to. That means there should be a valid and relevant claim of the state on that state or part of it which is acceded. So there are two criterions of non-voluntary accession - First that the people of that state wants to accede in other state and Second is that there should a valid claim of the state on the territory in question.

In almost all the cases of accession that have been mentioned above people were in favour of accession but the rulers opposed it. Besides this wheather it is Goa or Hyderabad or Pondicherry or East Timore they were the parts of the states in historical past in which they were acceded

to Goa, Hyderabad were integral part of India but during colonial phase they were usurped by different Western colonial powers.

While Goa was occupied by Portuguese, Hyderabad was a princely state. When India got independence in 1947 almost all the princely states were acceded to in India, but Goa and Pondicherry were remained under the foreign rule till recently. Later on Indian army liberated these states and they became the part of Indian Union. Similarly the people of Hyderabad and Junagarh, which were princely states, were in favour of access of Hyderabad and Junagarh in India, but the rulers of these princely states were not in favour of accession. So Indian troops entered into the territory and they were integrated into India.

There is difference between annexation and non-voluntary accession. Although in non-voluntary accession military force is used to occupy the territory but it is not annexation because in the case of annexation both the people and the ruler of the territory which is annexed are opposed to the merger of their state into other state and in spite of the forced merger they constantly fight against this merger as in the case of annexation of Tibet into China. Merger of Tibet into china is a case of annexation because Tibetans (Both the people of Tibet and the ruler) are still fighting against Chinese occupation for their independence. But the case is not the same with Goa or Hyderabad. Though they were also the case of forced merger of the state but

since the people of these states were in favour of merger so there is no movement for freedom and this is example of a complete territorial merger. That is why it is called accession and not annexation. Some of the important cases of non-voluntary accession are accessions of Goa, Hyderabad, Junagarh and East Timore. Details are given below :-

Accession of Goa, Daman and Diu : When India became independent in 1947, there remained on the subcontinent a few small pockets or enclaves belonging to France and Portugal. To Indians it seemed axiomatic that independence would not be complete until these enclaves were also incorporated into India. During the days of Freedom struggle, India's goal was independence for the entire subcontinent¹.

The French were realistic enough to sign an agreement with India in 1948 setting forth the principle by which the people of French and India would determine their future. It was in this context that over a period of time the entire French possessions in India were transferred to India.

The story of the Portuguese enclaves is different from the french territories. Their liberation from Portugal began at midnight on August 14-15, 1947 when the British transferred power to India, and ended on December 19, 1961 with the surrender of Portuguese at Panjim. The Portuguese were less accommodating than the French and had even refused to consider transferring their territories to India. They

¹R.P. Rao - Portuguese Rule in India, Asia Publishing House, New Delhi, 1963 p-13.

maintained that all their overseas territories were an integral part of metropolitan Portugal.

Indian nationalists, however insisted that Portugal was neither the Fatherland nor the motherland destined to rule eternally on the Margins of the Indian subcontinent. Geographically, economically, culturally and even religiously they argued, Portugal had no justification for being there. On the matter of a possible transfer neither Portugal nor India wished a plebiscite to be held. Portugal did not want a vote to be taken on the grounds that the alternative of accession to India was not possible, and India did not want it because a referendum among the Goans and other Portuguese subjects could possibly end in victory for Portugal.

There was occasional revolt and recurrent agitations for independence in Goa and other Portuguese territories. In the beginning movement was by and large peaceful and non-violent but gradually became violent when Portuguese government in Goa and other parts started mercilessly repressing 'Satyagrahis'. On July 21, 1954 Dadar broke away with Portugal through the efforts of the United Front of Goans. Within two weeks, the Independent United party and Goa People's Party helped the local population overthrow the Portuguese rule in Nagar Haveli. These two territories were integrated into Indian Union.

In the other Portuguese territory (Goa, Daman & Diu) the people intensified their movement for independence.

Although India government did not directly supported the agitators but Communist Party and Praja socialist and Janasangh followers actively supported the Goan people against the repressive role of Portugal. India appeared to be reluctant to use the military force required to settle this issue but it indicated that armed intervention cannot be ruled out as means of liberation of Goa. Harsh treatment of the liberators and attack on Inidan Fishing boats by Portuguese armed personnel led to the India's decision to allow the troops to enter Goa. Finally in December 1961 all preparations were made to free Goa. During the night of 17-18 December 'Operation Vijay' began. Within 24 hours of the action Goa, Daman and Diu were restored to India on Dec-19, 1961.

Indian parliament passed the Constitution's 12th Amendment Act 1962 integrating the territories of Goa, Daman and Diu with India. In January 1967, an opinion poll was held in Goa, Daman and Diu to ascertain the wishes of the people whether Goa should merge with Maharashtra and Daman & Diu with Gujarat States. The people voted to remain as a union territory. In 1984 Goa became a separate state in the Union of India. Daman & Diu however continued separately as union territories.

Accession of Hyderabad :

After independence in 1947 almost all the princely states consented to the merger of their states into Indian union but the Nizam of Hyderabad, a muslim prince ruling over an overwhelming majority of Hindu subjects had shown an

inclination to establish a sovereign state. It was widely felt however that an independent Hyderabad might be a danger to the safety of India, since a sovereign state within the heart of a larger country might create tension by aligning with one or more enemies of the larger enclosing state. It is a fact that there are many landlocked states like Switzerland and Austria but they have common frontiers with more than one state and their policies and economies accordingly developed on different lines, whereas Hyderabad is landlocked only to Indian territory. To develop economic, political and military relations with foreign countries Hyderabad would have to violate India's sovereignty. Economically, socially, culturally, ethnically and linguistically Hyderabad had always been a part of India. Besides this the people of Hyderabad were in favour of its accession with India. Considering all these essential factors Indian troops entered into Hyderabad on September 13, 1948 and acceded it into India. The Nizam (Ruler) of Hyderabad left the throne. Thus the problem of accession of Hyderabad that had been troubling the mind and body of the new Union since its inception on August 15, 1947 was resolved and Hyderabad became the integral part of Indian Union.

Accession of Junagarh :

The story of the accession of Junagarh in India is slightly different. Junagarh state was predominantly a Hindu dominated state but its ruler was Muslim. At the time of

integration of Indian state. The Junagarh ruler refused to accede to India preferring Union with Pakistan against the will of his subjects. His subjects rose in revolt against him and he was forced to flee to Pakistan where upon Indian armed forces restored order in Junagarh state.

The Government of India held a referendum in February 1948 which went unanimously in favour of India. It was finally agreed that Junagarh should be included within the state of Saurashtra which now forms a part of Gujarat. The domains of Junagarh were scattered in different parts of Saurashtra and separated by other territories. Considering the problem politically, economically or technically it would have been very difficult for India or Junagarh to administer the fragmented areas effectively, had it not been merged with India. Thus the accession of Junagarh was acceded to in India.

Accession of East-Timore : Until 1976 Timore Island was divided into West Timore and East Timore. While West Timore was a part of Indonesia East Timore was a Portuguese territory called Portuguese Timor with its capital at Dili. During World War II Timore was occupied by Japanese, and after the war Dutch Timor became part of Independent Indonesia. When Portuguese vacated East Timor Portuguese Timore came under the control of Timorese Leftists following a civil war in 1976. There after Indonesia invaded East Timore and West Timore was acceded to in Indonesia in 1976.

Accession by Cession : (Purchase, gift, or compensation) :
Cession of State territory is the transfer of sovereignty

over state territory by the owner state to another state. History presents innumerable examples of such transfers of sovereignty. Accession can be effected normally in the form of agreement between the ceding state and the acquiring state or between several states including the above mentioned states. The cession may be a part of peace settlement in the form of compensation or purchase or gift.

Cessions of territory have often been part of a treaty of peace imposed by the victor. Cession which are the outcome of peaceable negotiations may be agreed upon by the interested states from different motives and for different purposes for instance gift or voluntary merger. Austria, during the war with Prussia and Italy in 1866, ceded Venice to France as a gift and some week afterward France on her part ceded Venice to Italy.

Accession by cession may be a result of Purchase, gift or compensation. In the accession by purchase one state purchase the territory of the other state and the purchased territory is ceded to the acquiring state. Accession of Alaska in USA is one such example of accession by purchase. Alaska was purchased by USA from USSR in 1867. Accession by purchase is a kind of cession because in it territory of one state is ceded to other state after the deal. Second form of cession is territorial transfer as gift. Sometimes it so happens that owner state transfers portions of its territory to the other state as a gift. It is voluntary transfer of territory. Austria had, during war with Prussia and Italy in

1866 ceded Venice to France as a gift. Third type of cession is transfer of territory of one state to other state as a result of certain political compulsion. Such type of territorial transfer are a part of agreement normally in the form of a treaty between the ceding and acquiring state. Thus it is a part of peace settlement. The defected state are compelled by certain treaties to transfer its territory to victor state as a compensation. Some of the important accession by cession are as follow :-

Accession of Alaska in USA : Alaska is one of the pacific states and notherenmost state of United states of America. It is largest of all the states. It was purchased by USA from USSR in 1867 for \$ 7.2 million. It remained almost desolated (only Eskimos) for a long time but now it has become home for numerous immigrants from all over the USA. It was due to these immigrants that led to the movement for strong statehood. Alaska was admited to the Union in 1959 as 49th state.

The disastrous effects of the Crimeans war upon Russia together with the prospect of a general European war during the 1850's and the worsening economic condition within the country, caused Russia to try to interest the United States in purchaseing Alaska in 1859. However, at that time the United states was having its own domestic difficulties and discussion of the subject was delayed. It was not until after the civil war the secretary of state William H. Seward, who clearly saw the strategic importance of Alaska in the North Pacific, began working for the US Puchase of

the territory. He obtained a firm offer from Edouard de Stoeckl, the Russian Minister to Washington. The treaty of purchase was finally signed in Washington on May 30, 1867. The senate approved the treaty on April 9 and President Andrew Johnson signed it on May 28. The purchase price was an incredibly low \$ 7.2 million. Formal transfer of the territory was made during a ceremony at Sitka, Alaska on October 18, 1867.

From its purchase until the height of the first gold rush in 1898, Alaska was regarded by the US Public as a joke and was popularly referred to as 'Seward Folly' and 'Seward's Icebox'. But Alaska's Fabulous natural resources and strategic location have more than justified the purchase of the land once dubbed as Seward Folly. Its strategic location and its importance went generally unrecognised until World War II when Alaska became a forward base of American's defence.

Accession of Louisiana : Louisiana is one of the west south central states of the United States. United State had purchased it from France in 1803 and it became a state of USA in 1861. It seceded from American Union in 1861 but was readmitted in 1868 during the Reconstruction that followed the civil war.

Louisiana purchase was the single most important territorial acquisition by the United States during its transcontinental development. The acquisition of this enormous tract laid a large part of the material foundation

for the future greatness of the United States. Moreover it reinforced the security of the new republic by eliminating France in the contest for supremacy in North America.

In 1800 Napoleon as first council of the French republic coerced Spain into returning Louisiana to France by the secret Treaty of San Ildefonso. The prospect of war with Great Britain when Louisiana might be lost any way and the consequent need for the money as well by the failure of his Haitian campaign caused Napoleon to abandon the hope of an empire in America. Besides this he was wanting to strengthen US as a rival to Great Britain in America. so in 1803 he sold Louisiana to the United States for \$ 15 crores. By this purchase the US gained the western half of the Mississippi Basin and nearly doubled its territory.

The United State officially took possession of Louisiana on December 20, 1803, only twenty days after France had gained actual possession. After the Louisiana purchase Spain continued to occupy West Florida but in 1810 English speaking settlers staged a rebellion, established the Republic and then secured accession to USA. Thus accession of Louisiana was completed.

4. Accession by Discovery or Occupation : Accession by discovery or occupation is slightly different type of accession than the general type of accession. Occupation is the act of appropriation by a state by which it intentionally acquires sovereignty over such territory which is not under the sovereignty of another state. The only territory which can be the object of occupation is that

which does not belong to any state whether it is uninhabited or inhabited by persons whose community is not considered to be a state, for individual may live on a territory without forming themselves into a state proper exercising sovereignty over such territory. The territory of any state however is obviously not a possible object of occupation and it can only be acceded to through cession or by subjugation. On the other hand a territory which once belonged to a state but has been after abandoned is a possible object of occupation by another state as in the case of accession of Greenland by Denmark.

If a state discovers a territory which is either entirely uninhabited or inhabited by natives under an organisation which is not regarded as a state and not occupied by any other state then that state may occupy that territory and that territory will be automatically acceded to the state which has discovered it or occupied it. Accession by discoveries or occupation is different from the conventional mode of accession in this sense that opinion of the people or the ruler of that acceding territory is not sought because such territory remains either uninhabited or inhabited by unorganised natives.

All men have an equal right to things which have not yet come into the possession of any one and these things belong to the person who first takes possession. When therefore, a nation finds a country uninhabited and without an owner it may lawfully take possession of it. In order to

constitute occupation there must be the intention or will of a state to take possession of unappropriated territory and settlement upon the land i.e. establishment of some form of control over the occupied area. This is done by a settlement on the territory accompanied by some formal act which announces both that the territory has been taken possession of and that the possessor intends to keep it under his sovereignty. This is usually done either by a proclamation of appropriation or by the hoisting of a flag which is the emblem of sovereignty. The accession of Greenland by Denmark is one such example of accession by occupation.

Accession of Greenland : Greenland was discovered by Norse adventurers in the 10th century. Norwegian navigator Eric the Red named the island Greenland to make it attractive to settlers. There after colonies were established which are believed to have been destroyed by Eskimos. In the middle years of the 14th century Little is known about Greenland in the following two century.

During the 17th century Dutch traders made numerous voyages to trade with the Greenland Eskimos, but it was not until 1721 that Danish trading activities began. In those years Hans Egede, a Norwegian missionary, established a permanent colony on the West Coast. In 1729, the Danish king took direct control and transferred the islands administration to Copenhagen. After 1776 the Greenland trade became a royal monopoly and the crown delegated authority for the administration. However little direct control was maintained until a Greenland commission was appointed in

1825. Trade and administration were separated in 1908 but were merge again in 1912. On May 10, 1921 Denmark formally declared the entire island Danish territory and ordered all coasts and islands closed to Non-Danish vessels. Norway put forth a counter claim to East Greenland, but Hague Tribunal in April 1933 dcided in favour of Denmark. The Greenland was acceded to Denmark. In 1953 a new Danish constitution made Greenland a part of Denmark and gave it two seats in a new Single Chamber National Legilative.

On the basis of the close analysis of 'modus operandi' or the mode and means of accession it can be concluded that typology of accession is infact the reflection of the modes of accession. It has also direct interface with the factors of accession as well. Factors have lot more to do with the nature and typology of accession. It shapes and decides the accession. There are four typology of accessions namely voluntary, Non voluntary by purchase and by discoveries. The basis of this typology is mode and the process of accession. Voluntary accession is different from the Non-voluntary accession in the sense that in voluntary accession the people as well as the ruler(s) of the state consent to the accession but in Non-voluntary accession it is only the people of the acceding state/territory who are interested in accession and there is active or passive resistance on the part of the ruler of the land. Another important point to be noted in this concern is that the typology not only influence the imperatives of accession but also the

different consequences. The imperatives working behind the voluntary accession is not the same as Non voluntary accession. Similarly the end product or the consequences of different types of accession are obviously different in the wake of voluntary territorial merger.

CHAPTER IV

IMPERATIVES AND CONSEQUENCES OF ACCESSION

Accession is primarily a geopolitical phenomenon of voluntary merger of one state in the other state. The state that accedes into other state is called the acceding state and the state in which the other state merges is acquiring state. Fact is that accession is a territorial merger by consent. For the merger the consent of the ruler of the state or the subjects of that state or both are essential. It is a highly complex phenomenon in which the acceding state territory after accession ceases to exist as an independent international person and becomes the integral part of the acquiring state.

The process of Accession or the voluntary territorial merger is initiated and accomplished by different geopolitical, socio-economic and geostrategic factors. These are the major imperatives of accession that determines the course of accession. The accession is not an isolated event. Rather it has considerable effect on the acceding state as well as the acquiring state. There are elaborate geopolitical, socio-cultural, economic and strategic consequences of accession. Let us examine the Imperatives and Consequences of Accession.

Major Imperatives of Accession : There are so many socio-economic and political imperatives lying behind the process of accession. Imperatives of accession may be classified into four broader categories. They are political imperatives, Geopolitical Imperatives and geostrategic imperatives,

Socio-cultural imperatives and lastly economic imperatives. Political imperatives are those imperatives that are political in nature. Some of the political imperatives responsible for the process of accession are political ideology, colonialism, revolt against the existing rule, form of state wave of democracy and the public opinion.

Next is Geopolitical and Geostrategic imperatives, Major among them are geographical proximity, geostrategic location, locational and geopolitical compulsions of the acceding state, territorial transfer after war, reorganisation of smaller political units, threat to internal security and threat to external security. These imperatives influence the process of accession.

Among the socio-cultural and economic imperatives some of the important imperatives are socio cultural affinity. Religious, ethnic and linguistic composition of the people of the states, Economic dependency of the state and collapse of existing economic and political order.

Political Imperatives : Political imperatives are those imperatives which are directly concerned with the political situation prevailing in the acceding as well as acquiring states and the contemporary political development which are responsible for shaping the future course of action. Political imperatives are in most of the cases the immediate cause of initiation and accomplishment of accession.

Political ideology provides foundation for the state. The spread of certain political ideology may initiate the process of accession in specific zone of political

influence. It is mainly because political ideology have direct effect on the territorial integration of diverse political units both geographically and culturally. Possibility is that smaller political units under the influence of a distinct political ideology may tend to merge together to form a Union State. Certain political ideology functions as pull factor in the process of voluntary territorial merger or accession. Political culture that evolves out of distinct political ideology functions as cementing material, strengthening the territorial ties and imparts a sense of commonness of understanding. Political ideology diffuses beyond the political boundaries and help to bring different political units or states together. This is first step towards spatial attraction that culminates in accession.

The spread of communist ideology after 1917 Bolshevik Revolution in Russia and the consequent establishment of Union of Soviet Socialist Republics witnessed the radial horizontal spread of Marxist ideology. This led to the accession of many smaller political units to Form the union. Formerly they were independent sovereign states. After Bolshevik Revolution the first important task of the communist government was to accomplish territorial integration of Soviet Russia. By the beginning of 1921 the communists were in military control of almost all the territories of the Former Tsarist empire. Most of the states voluntarily consented to the merger of the territories into

Russia, Poland and Baltic provinces with Finland Constituted part of a cordon sanitaire interposed between Shattered Russia and defeated Germany. The Japanese remained in the far east but the Byelorussia the Ukraine and the Transcaucasus had been integrated into Soviet Union.

Right from the very beginning USSR had been keenly interested in accessibility to sea. For this accession of Baltic states was essential. During world War II, USSR was in secret alliance with Germany that gave USSR a freehand in Baltic states and Bessarabia. As a result of this the Baltic states were acceded to USSR. Since it was forced accession so after the weakening of central control of USSR these states seceded and became independent states.

Next political imperative is colonialism. During the colonial phase the European imperial powers established colonies in Asia and Africa. These colonies were source of raw material for the industries and market for finished products. Initially things were comparatively normal but at later point of time when most parts of Asia and Africa were colonised, inter rivalry started among the west European states.

Incourse of inter rivalry among major imperial powers of the west Europe to colonise the Asian and African states, many of the states were divided and captured by different colonial powers. This territorial division was purely political and done according to the economic interest of the colonialists. In spite of being divided these territories shared the same socio-cultural ethos and were informally

linked to each other. These factors together with the territorial continuity imparted close socio-economic ties between these territories and it functions as pull factor in the process of accession. After World War II when colonial rule in Asia and Africa was over, integration process of these territories started. Many of the smaller territorial units were acceded to bigger states. This kind of territorial merger or accession took place extensively in India after the British rule.

During colonial phase in the history of India, smaller political units primarily princely states were captured by different West-European colonial powers. Major portion was in the hands of British though Dutch and Portuguese could also capture some parts of India. When India got independence in 1947 from British, it was divided into many princely states. Most of the princely states voluntarily acceded to India to form Union. Kashmir, Hyderabad and Junagarh were acceded to India after sometime in different circumstances. Even after the British rule in India, Portuguese were still present in Goa, Daman and Diu. Goa was acceded to India after a military operation. Thus the artificial political division of colonialism was over and Indian Union came into existence.

Revolt against the existing rule is an other political imperative of accession. If the ruler of any state goes against the popular will of his subjects people may revolt against the existing ruler and dethrone the government. Then

a fresh popular democratic government is established after the revolt but sometimes the people of that state, depending on the socio-economic situation future prospect of the state, may consent for the merger of the state to other neighbouring state. It happens mainly when the acceding state is closely linked to the other state in terms of socio cultural and geographical aspects. There are many examples of such accessions like accession of Sikkim in India or accession of Junagarh in India.

The days of Monarchy are over and the principle of self determination is getting prominence. It is the people's will that determines the fate of a state. This has been proved from some of the important accessions that have yet been taken place in the history.

When in 1947 India became independent most of the princely states voluntarily acceded to in India but Nizam of Hyderabad chose to remain independent against the will of the people. The people of Hyderabad were in favour of accession of Hyderabad in India because of its close socio economic ties with India. They were knowing that the development of Hyderabad was possible only when it is part of India. That is why when Indian troops entered in Hyderabad the people of Hyderabad welcomed them. Similar was the case with Junagarh. The Muslim ruler of Junagarh was in favour of the accession of Junagarh in Pakistan while his Hindu subjects opposed it. The people of Junagarh rose against the ruler and this revolt compelled him to leave the state. Indian troops marched in Junagarh and in few day

order was maintained.

The case with Sikkim was slightly different. The Sikkim was declared a protectorate of India after 1947 when British Rule in India was over. For nearly three decades sikkim remained an independent state. Initially everything was normal but very soon the wave of democracy took sikkim in its fold and the people gradually rose against the king of Sikkim popularly known as "Chogyal". This ultimately led to the abolition of imperial rule in Sikkim and the people of Sikkim consented to the accession of Sikkim in India. The Sikkim became a province of India on April 26, 1975.

The form of state is another political imperative of accession. There has been a close relationship between forms of state and the prospect of accession. Broadly speaking there are two types of state - Unitary form of state, and Federal form of state. In the former state there is centralisation of power like in UK. In latter form of state power is divided into centre and its corporate smaller states or provinces. There is considerable amount of internal freedom to these smaller divisions. This form of state is called Union of States.

There is more possibility of accession in the case of Federal Form of State than the Unitary State, though in certain specific circumstances accession takes place in the case of unitary state also. The reason behind this is that a state may enjoy considerable amount of internal freedom even after the accession in Federal State. The acceding state may

preserve its distinct socio-cultural identity even after merger.

Normally Federal States come into existence after the voluntary merger of smaller independent states. There-after other smaller states too consent to accede in that state due to various reasons. This territorial merger imparts strength to the Federal State, in terms of physical strength as well as economic development. This is the main reason that Federal State easily attracts the smaller neighbouring state/territories to voluntary merger.

When India got independence, it was divided into many princely states and some of its territories like Goa and Pondichery were under the Foreign rule. India adopted the Federal form of State and very soon almost all the princely states accept Kashmir, Hyderabad and Junagarh consented to merge their states into Indian Union. After some time Jammu and Kashmir, Hyderabad and Junagarh too were acceded to India within a year. There after Goa and Pondichery were acceded to India.

During the formation of United States of America many of the colonies of different Western imperial powers had been merged to fight against their colonial masters. After the establishment of United States of America many other states voluntarily merged in USA. That is why USA is amalgamation of different socio-cultural and linguistic groups. Texas joined USA in 1845 and Arizona was acceded in 1912 similarly Louisiana joined in 1868.

Next political imperatives of accession is the wave of Democracy. The wave of democracy is a motivative cause of accession. The monarchy system has been almost replaced by the democratic state and if there is monarchy any where, that is constitutional/ceremonial monarchy. The princely states serves the personal interests of the king and the people's interests are generally ignored. While in democracy there is people's participation in the political affairs. The people of a democratic state may sometimes consent of the merger of their state into other bigger states in the larger public interest. The wave of democracy was responsible for the accession of Sikkim in India.

At the time of independence of India, it was divided into hundreds of smaller princely states which had simple economic structure and narrow political interests. But India's independence and consequent introduction of democratic form of government provided extra impetus to the territorial integration of princely states into India.

The role of democratic movement in the process of accession is strongly supported by instance of accession of Sikkim in India. The Sikkim was a British protectorate during British rule in India. So when India became independent the Sikkim automatically became Indian Protectorate. This situation did not last for longtime. Sikkimese were in direct contact with India and they were influenced by the democratic setup in India. Gradually mass discontent prevailed among Sikkimese against the king (Chogyal) and the demand for establishing a democratic

political system in the Sikkim and its accession to India was raised in 1947 by the Sikkim State Congress, the first political party of Sikkim. There had been a long movement for democracy in sikkim. The opposition parties continued their struggle for more political reforms and democratic space. Initially India government supported Chogyal against the Sikkimese but ultimately India had to support the people. The institution of Chogyal was abolished by state assembly on April 10, 1975 and Sikkim became 22nd state of Indian Union. The Chogyal wanted to internationalise the issue of accession of the Sikkim in India but he had to surrender before the people of Sikkim.

The public opinion is another political imperative of accession. Gone are the days when kings' will was the last word in the state politics. The people's participation in the political process of the state is gradually increasing with the introduction of democracy. There is growing awareness regarding the right to self determination among the citizens of the the state. Whenever the question of accession of any territory arises, international community demands for referendum so that people's will regarding the issue of accession may be decided. If the accession is ratified by the public opinion then accession is considered legal and valid. In the absence of referendum sometimes internal disturbances arise. Pakistan's demand for referendum in Jammu and Kashmir is creating unnecessary tension in Kashmir. If the public opinion is in favour of merger of the

state into other state then the ruler of that state has no right to oppose it. Refrendum on the issue of accession is required even after the ruler's consent to the accession of the state. The refrendum was conducted in Sikkim to know the opinion of the people of Sikkim on the question of accession.

Public opinion played a vital role in the accession of Goa, Junagarh, Texas and German Democratic Republic. Even after the independence of India in 1947, Goa remained under the Portuguese. The people of Goa were fighting against the oppressive Portuguese rule and favoured its accession in India because of its socio-economic and cultural linkages with India. The Portuguese tried their best to keep goa under their sway but they had to surrender before Indian troops and Goa was finally acceded to India in 1961. Similarly Junagarh was also acceded to India due to the public opinion.

Another case of accession in which public opinion played a vital role was accession of Texas in USA. Faced with the serious financial crisis and external threat to its existence the people of the Republic of Texas expressed their desire to join the United States of America. Initally the proposal of the accession of Texas in USA was opposed by great powers of Europe as well as northern states of USA. Texas finally joined the Union on December 29, 1845 on the insistence of the public opinion of Texas.

The accession of GDR into FRG is another case of accession due to the public opinion. After the defeat of

Germany in 1945 it was divided into two independent states. This status remained upto 1990 when GDR was finally acceded to in Federal Republic of Germany. This could be possible due to the public opinion of GDR in favour of accession.

Geopolitical and Geostrategic Imperatives : Geopolitical and Geostrategic imperatives of accession are concerned with Geopolitics of the state and the locational factors of strategic importance. These imperatives are by and large related to the defence strategy of the state. Following are some of the important Geopolitical and Geostrategic imperatives of accession.

Geographical proximity is one of the important geostrategic imperatives of accession. Geographical proximity is key to accession. In almost all the cases of accession geographical proximity or territorial continuity remained the first and foremost condition for the accomplishment of accession. The spatial continuity increase the chances of accession because it provides extra impetus to this process.

Geographical proximity or territorial continuity leads to a close space relation and easy interaction between the people of two adjoining states/territories. As a result of this there develops a close association and understanding regarding the different socio economic, cultural and geopolitical issues of the time. All this together with some other secondary causes act as compelling forces of accession. Geographical proximity played a vital role in the

accession of Sikkim, Goa, Hyderabad in India, Texas in US and the accession of GDR in Federal Republic of Germany.

Hyderabad, Goa and Sikkim were independent states adjacent to Indian territory before accession. Their merger in India was very much influenced by their territorial relations with India. Similarly the accession fo Texas in US on December 29, 1845, Louisina in 1872 and Arizona in 1912 was influenced by the territorial continuity. During the formation of US many of the adjoining states voluntarily merged in USA and few of them joined thereafter Territorial continuity played important role in the accession of GDR into FRG or the German unification¹.

Although it is fact that geographical proximity is one of the most important geopolitical imperatives of accession. But there are many examples of accession where geographical proximity, is not that important. The accession of Alaska in United States of America in 1867 is one such example where geographical proximity or territorial continuity is virtually absent. Alaska is separated from USA. But it is to be noted that accession of Alaska in USA is not a conventional example of accession. It was accession by purchase. USA had purchased it from Russia in 1867. Another

1.. German unification is basically a case of accession because after the unification it was East Germany that merged in West Gernany and ceased to exist as an independent international person. It was East Germany which was integrated into capitalistic framework of West Germany and not vice-versa. There was no change in the economic and political system of West Germany and it is continued to be known as Federal Republic of Germany its old name and member of NATO..

example of such accession is accession of Sarawak and Sabah into the Federation of Malaysia. Here too there is no territorial continuity. The South China Sea lies between Malaysia and Sarawak and Sabah.

Second important geopolitical and geostrategic imperative of accession is geostrategic location of the acceding state or territory. For the survival of any state it is necessary that it is secured from the external security threat. For this it is essential that the state should be in full control of the territories which are of geostrategic location and importance. This type of territory may be lying along the international boundaries or in the heart of the state. It is because of this that a powerful state always try to accede the neighbouring states which are of strategic significance. For this purpose sometimes the powerful state annex such territory by force as did China in the case of Tibet. But the permanent and peaceful solution of this problem is the process of accession or the voluntary merger of the territory. India might have attacked Sikkim and annexed it but it waited for accession and after sometime the people of Sikkim themselves consented for the accession.

Accession of the Sikkim in India is example of voluntary merger of a state of a great geostrategic and military importance. It was an independent kingdom and protectorate of India which was acceded to India in 1975. The Sikkim is of great geostrategic importance. It is characterised by a very high strategic value in comparison

to its size. The Bhutan and Sikkim share a common frontier only for a short distance. Elsewhere both these states are separated by the "Chumbi Vally". This vally was a part of the Sikkim in the past but later on it was occupied by Tibet. so after Tibetan annexation China has entered in this valley and thus the valley has assumed a verystrategic location. After Chinese aggression on India in 1962 the valley is continuously occupied by the Chinese forces. So the accession of sikkim in India is important from the point of view of external security.

The accession of Hyderabad in India is of equal strategic importance. The Nizam of Hyderabad was inclined to establish a sovereign state after independence of India in 1947. But it was widely felt in India that an independent Hyderabad state located in the heart of India might be a potential danger to the safty of India because to develop economic political and military relations with foreign state Hyderabad would have to violate India's sovereignty.

The accession of Alaska in USA is also important from the point of view of strategic importance. it was purchased from USSR. Alaska's strategic importance was recognised during World War II when Alaska became a forward base of the American defence.

Next geopolitical imperative of accession is locational and geopolitical compulsions of the state. Sometimes it is seen that the geopolitical and locational compulsions of some of the states are such that it is very difficult for

them to survive as an independent state. It is due to this reason that these states sooner or later consent to the voluntary merger in the neighbouring state. Land locked, disadvantageous boundary and wrecked economy are the main geopolitical and locational compulsions.

In most of the cases where a state is land-locked and shares its international boundary with only one state then it becomes very difficult for that state to survive. This situation further worsens when the land locked state wants to establish the economic and military relations with other foreign countries. It is also a constant threat to the state that surrounds it. It may create unnecessary regional tension. This was the situation with Hyderabad and Junagarh at the time of independence.

The Nizam of Hyderabad was inclined to establish independent state. But there were certain locational and geopolitical compulsions that came in the way of establishment of independent state. The princely state of Hyderabad was a land locked state surrounded by Indian territory. It was widely felt at the time of state reorganisation that an independent state in the heart of the country might be a danger to the safety of India. Besides this Hyderabad would have to depend heavily on India because of its location. So the Hyderabad was ultimately acceded to India.

The story of accession of Junagarh in India is slightly different. The Muslim ruler of this princely state was in favour of its accession to Pakistan in spite of the opposition

from the people who wanted to accede in India. But the major locational compulsion before Junagarh in acceding to Pakistan was that the domains of Junagarh were scattered in different parts of sourashtra and separated by other territories. Considering the problem politically, economically or technically it would have been very difficult for India or Junagarh to administer the fragmented areas effectively, had it not been merged with India. So ultimately Junagarh had to accede to India. The accession of Goa in India was also due to locational and geopolitical compulsions of Goa.

War is another geopolitical and geostrategic imperative of accession. Problems of war and peace and of conflict and cooperation among independent political entities have long fascinated statesmen and scholars. War and peace or Battle and treaties are two different or opposit aspects of human nature that have shaped the entire human history. Man is by nature passessive and as a result aggressive. That is why war has a special place in the life of a state. During ancient times wars were of local nature involving conflicting tribal groups. But in modern time there has been war of states. With the technological advancement wars have become more dangerous and global in nature. It is evident from the last two world wars.

The war is an important geopolitical imperatives of accession. There have been a close relationship between war and the resultant accession due to the consequent treaties.

Wars are fought over certain issues mostly of over the question of disputed territories when the war is over (in most of the cases due to the decisive victory of one state over other or due to the mediation by the third state, presently it is duty of UNO) both warring factions came to table and agree on certain terms and condition (mainly on terms and conditions of the victorious state). Where by a portion of the defeated state is transferred to the victorious state as a form of compensation. In this transfer of territory there is a common consentious on the part of sovereign. The subjects of that territory are by and large excluded from the entire process of territorial transfer. But it is to be noted that the subjects of that territory are given right to either migrate to other territory or continue to live there. After soviet occupation of the Baltic states the German settlers there were given the option either to live there or to migrate to Germany.

Territorial transfer by one state to the other state, according to agreement has been a common geopolitical phenomenon in the history. During post-World Wars (I & II) period, there had been large scale territorial transfer in Asia and Europe. Most of such territorial transfer were done under certain mutual agreement.

There had been some cases of post-war territorial transfer in USA. As a part of the treaty of Guadalupe Hidalgo ending the war with Mexico, the portion of Arizona lying north of the "Gila River" was accede to United States of America.

Recognization of smaller political units is another geopolitical imperative of accession. Reorganisation of smaller political units, both princely states or colonies are essential for the formation of a Union State. With the technological advancement and changing political scenario, gigantic states like USSR (Russia), USA, China, India and many other Union States came into existence. There were many compulsive forces that led to the merger of smaller political units to form a union. In the beginning of the formation of Union States some of the smaller political units merge to make a Union State. Thereafter other smaller political units adjacent to that state are acceded to that the principal advantage of the recognition of smaller political units is that it imparts to the state, physical strength and political stability.

There is a close relationship between reorganisation of diverse political units and the accession. It is through the process of accession that individual political units agree to the voluntary territorial merger. There are several examples of accession that took place at the time of formation of USA or India. It was due to this that extensive territorial expansion could be possible.

During the formation of United States many of the adjacent territories that were under the rule of different colonial powers were voluntarily merged. Accession of Texas in 1885 is one such example. Texas was under the Spanish rule. When Mexico broke away from Spain in 1821, Texas

became the part of New Empire of Mexico. In 1823, land grant was issued to the Americans for the establishment of colonies. Alarmed by the increasing number of settlers from US. Mexican officials halted American migration to Texas in 1830. After a few battles with Mexican army, Texas became an Independent Republic. Later on it consented to the merger in USA. Similarly, Arizona the 48th state of USA joined it in 1912. Other states to join US was Louisiana which acceded in 1812.

Similarly when India became independent in 1947 it was divided into many smaller princely states and some of its territories were under Foreign rule. There were 562 princely states at that time. During colonial period all these states had internal autonomy. This was the main disintegrating factor. In course of reorganisation of states almost all princely states except Hyderabad, Junagarh and Jammu and Kashmir agreed to the unconditional merger in India. Later on Hyderabad, Junagarh and Jammu and Kashmir were also acceded to India. Thus reorganisation of smaller political units is part and parcel of accession.

Next geopolitical imperative of accession is threat to internal security of the state. Internal security of the evolving nation is very much important from the point of view its sustainability and the development of the nation. It is seen that the threat to internal security of the state leads to the accession. This kind of situation arises especially when a small state located in the heart of a big nation chooses to remain independent. In case of that state which is

completely surrounded by other state aligns with one or more enemies of the surrounding state then it might be dangerous for the internal security of the state which surrounds it. Besides this that enclosed state may not develop properly in isolation. So it is in the interest of both the states that enclosed state should voluntarily merge in the bigger state. This was the situation at the time of independence in 1947.

After the independence of India in 1947, all the princely states under the British colonial rule were given the choice either to merge in India or Pakistan or continue to live independent. The Nizam of Hyderabad chose to remain independent but its subjects were in favour of its accession into India. Hyderabad was a land locked state located in the heart of Indian Union. It was widely felt that Independent Hyderabad State might be a potential danger to the safety of India. because it might create tension by aligning with one or more enemy states. Keeping in view this internal security reasons that Hyderabad was acceded to India in 1948. The Accession of Junagarh state in India was also due to the security reasons. The domains of Junagarh were scattered in different parts of Saurashtra and separated by Indian territories so an independent Junagarh might create security threat to India.

Lastly, threat to external security of the state is another geopolitical imperative of accession. Sometimes it is seen that the threat to external security of the state also

causes or initiate the process of accession. For the survival of state it is essential that the state should be secured from outside as well as from inside. There should be no any threat to its external security. The moment a state feels that the state and its subjects are not secured and there is possibility of external aggression by the oppressive neighbouring states it chooses the most suitable alternative and consents to accedes to that state.

This kind of situation arises mostly when a land locked state is threatened by its neighbours and it is small enough to protect its territories. Normally a state accedes to the state which is at the opposing end of the state which is supposed to be the potential threat to the acceding state. This is what happened in the case of accession of Jammu and Kashmir in India. It was exclusively the Pakistani backed tribal aggression which created security threat to the state that engineered the process of accession of Jammu and Kashmir in India. Jammu and Kashmir state, which initially had chosen to remain independent in 1947, became apprehensive about the existence of the state after aggression. That is why Maharaja of Kashmir hurriedly consented to the merger of the state in India.

Socio-cultural Imperatives : Socio-cultural imperatives of accession are those imperatives which are related to the social and cultural factors of accession. On the one hand while socio-cultural homogeneity acts as the pull factor of accession, the cultural heterogeneity acts opposit to it. It is cultural homogeneity that is pertinent for the process of

accession. Following are some of the important socio-cultural imperatives of accession.

Socio-cultural affinity is one of the important socio-cultural imperatives of accession. Accession is not only a political phenomena but there are so many socio cultural factors operate behind the process of accession and lead to the accomplishment of accession. Social and cultural affinity and mutual interaction among different territories function as bridge to connect them. Socio-cultural homogeneity is main binding factor that functions as the full factor in the process of accession. Social and cultural bond are much stronger than any political bond. It was mainly due to the social and cultural heterogeneity existing between East Pakistan and West Pakistan that led to the scession of East Pakistan from West Pakistan and emergence of a new sovereign state called Bangladesh.

It is to be noted on the one hand that while cultural homogeneity is a strong integrating force on the other hand cultural heterogeneity is disintegrating force of the same magnitude. In the process of accession it is socio-cultural similarity among the people of different territories that play a key role it. It has been observed that sometimes it so happens that due to some unavoidable circumstances, mainly arising from political and strategic reasons a state having the homogenous socio-cultural population is divided into two separate sovereign states and the people of same cultural groups are compelled to like separately. In this

situation there is strong cultural bondage between those states. it is due to this that this situation is not lasting because the separated territory will try to integrate itself with its separated part by destroying the political boundaries separating them. This was the reason that the divided Germany was again united after nearly four decades.

During the second world war time Germans were defeated at the hands of allied forces. After the defeat of the Third Reich in 1945, Germany was divided. After the failure of negotiations to establish a unified German administration, the three Western occupied zone were integrated, and the Federal Republic of Germany (FRG) was established. Similarly in October 1949 the Eastern part of Germany, declared itself the German Democratic Republic with Berlin as its capital. Thus Germany was divided politically. But since this division was not natural and was imposed on the people of Germany. So over a period of time the German Democratic Republic was acceded to the Federal Republic of Germany. The common cultural heritage played a key role in this process.

Similar is the case with Hyderabad and Goa. Hyderabad and Goa were integral parts of India. There had been a close socio-cultural ties among Goa and Hyderabad with rest of the country. During colonial rule while Goa came under the Portuguese rule, the Hyderabad was a princely state ruled by the Nizam. When India became independent in 1947 all most all the princely states voluntarily merged in Indian Union but the Nizam of Hyderabad wanted to remain independent inspite of the people's demand for its accession to India.

Similarly Portuguese too were not ready to vacate the Goa however the people of Goa were oppressed by the foreign rule and were fighting for the accession of Goa in India. But ultimately both the states were liberated and they were finally acceded to Indian Union.

Religious, ethnic and linguistic composition of the people is second important socio-cultural imperative of accession. Religion, ethnicity and language also influence the prospect of accession. If the population of the same religious, ethnic and linguistic groups are living in two separate states, chances are that the smaller state may accede to the bigger state. Religion, ethnicity and language acts as motivating forces of accession. It was due to the religious, ethnic and linguistic similarity that German Democratic Republic was acceded to the Federal Republic of Germany.

During colonial phase, many of the territories in Asia and Africa having the population of the same religious ethnic and linguistic groups were divided among colonial powers of the west British, French and Portuguese colonies were established in India and India was divided into many separate political units but it was unnatural political division. That is why when colonial rule in India was over, almost all the princely states were acceded to Indian Union sooner or later.

Economic Imperatives : The economic imperatives of accession are those imperatives which are directly concerned with the

contemporary economic conditions of the acceding territory. The economic condition of a state may lead to its accession in other states. Following are some of the important economic imperatives of accession.

The economic dependency of the state is one of the important economic imperatives of accession. The economic dependency of one state or territory upon the other state is directly linked to the process of accession. This dependency of one state upon the other may generally lead to the close socio-economic and political relationship between the two states. Over a period of time these regions come closer to each other and often end up in the merger of the secondary state into the primary state. But this is not always true.

It has been an established fact that Jammu and Kashmir before its accession to India was heavily dependent on Pakistan in respect of economic matter, particularly civil supplies. But inspite of its economic dependence, first it chose to remain independent and then was acceded to India and not Pakistan. But there are several examples of accession of the states into other states mainly due to economic compulsions. They are accession of Hyderabad and Sikkim in India and Texas in USA.

Hyderabad at the time of Independence of India in 1947 showed reouctance to accede in India. But the prevailing economic condition of the state, at that time was such that it had to accede to India. Economically, Hyderabad had always been an integral part of India. Its railways, post and telegraphs and air communications were conducted by the

government of British India. It had always been dependent upon India for food supplies and essential commodities of day to day life. This economic dependency was one of the causes of accession of Hyderabad in India.

Similarly, the hill state of Sikkim was a kingdom ruled by Chogyal. Before its accession to India Sikkim was a protectorate of India. It was because of the geographical location and the nature of economic activities practiced in Sikkim that it was economically dependent upon India. Besides this it was essential that Sikkim should be integrated with India for the future economic development of this state. So the people of Sikkim rose against the king and demanded for the accession of Sikkim in India. Finally on April 26, 1975 Sikkim was acceded to India and it became an integral part of the state.

The other case of accession engineered due to economic compulsions was the accession of Texas in USA on December 29, 1845. Before being the Republic of Texas it was under the Mexican rule. After a few battles with Mexican army Texas became independent in 1836. But the Republic of Texas faced serious economic and political problems. It had no money and raiding Indians and Mexicans threatened its people. The economic crisis was such that it was difficult for Texas to sustain its independence. So in the first national election. They voted to the merger of Texas into USA. But great powers of Europe, especially France and Great Britain wanted Texas to remain independent. But Texas

finally joined the Union on December 29, 1845. It became the 28th state by a joint resolution of both houses of Congress.

Lastly, the collapse of existing politico-economic order of the acceding state is another economic imperative of accession. Sometimes the process of accession is initiated by the collapse of existing political and economic order of the acceding state. It is observed that the collapse of present politico-economic system of any state may destabilise the entire political matrix of the state. This is a crisis phase of the state. In this circumstance it becomes very difficult for the state to survive as an independent international person and if that state had been a part of another state in historical past, then there are chances of accession of that state into the other state. It was under this very circumstance that the German Democratic Republic was acceded to the Federal Republic of Germany in 1990.

After the defeat of Germany in 1945 in World War II, the Germany was divided. After the failure of negotiation to establish a unified German administration. On September 21, 1949 the Federal Republic of Germany was established. There after in October 1949 the Eastern part of Germany declared itself the German Democratic Republic with Berlin as its capital. Thus Germany was divided into two independent states with their different political setup and economic structure.

The Federal Republic of Germany adopted capitalistic form of economy while the German Democratic Republic

followed the communist economic and political system of the Soviet's pattern. Thus both the states took their separate course of economic and political ideology. On the one hand while Federal Republic of Germany witnessed a great boom in its economy, the same was not true about the German Democratic Republic economy.

It was mainly due to the failure of communist economy and the repressive political structure of the state that created mass discontent among the people in German Democratic Republic. The German Democratic Republic celebrated its 40th anniversary in early October 1989 in which Mikhail Gorbachov was also invited. After the celebration, the public took to street to protest against the failure of German Democratic Republic's politico - economic structure. Meanwhile Gorbachev's "Glasnost" in eastern Europe provided extra impetus to the democratic movement in GDR. This together with some other factors culminated in demand for the unification of the Germany. A treaty for the accession of German Democratic Republic into Federal Republic of Germany was signed in August 1990, between FRG and GDR in East Berlin. Thus both East and West Germanies were unified.

Consequences of Accession :

Accession is a complex geopolitical phenomena which have long term political, social, economic, geopolitical, cultural, strategic and locational effect on the acceding state as well as the acquiring state. It influence the life of the people of both the states in general and the acceding

state in particular. In some cases the case of accession decides the course of action of the state in question. It is therefore essential to study the consequences of accession.

The immediate consequence of any accession is that the area of the acquiring state increases and with it increases the natural resources as well as the human resource of the acquiring state. Result is that after accession the acquiring state becomes stronger in terms of physical strength and economic strength. After the "accession of East Germany into West Germany"¹ the united Germany (Federal Republic of Germany) evolved as one of the strongest nation of West Europe.

Accession changes the international boundaries of the acquiring states. As a results of this international boundary of that state touch the international boundaries of some other states. After the accession of Jammu and Kashmir India's political boundary touch with Afganistan, USSR and China. Sometimes this change in international boundary cause problem of redemarcation of the international boundary and the resultant regional tension. This thing happened after the accession of Jammu and Kashmir in Indian Union. Accession of Jammu and Kashmir in India is the bone of contention between India and Pakistan. Making of the Road connecting China and Pakistan has further aggravated the problem.

1. Oppenheim - **International Law**, Volume 14, page 210.

Accession changes the political boundary of the acquiring state and also with it changes the Geostrategic priority of the state. After accession of Sikkim in India in 1975, geostrategic priority of India shifted to Chumbi Valley which gave access to Chinese military occupation after the annexation of Tibet. Similarly after the accession of Jammu and Kashmir in India, Siachin got prominence in India's defence initiatives. If Hyderabad and Goa would not have been acceded to India, it would have been a constant headache for India's defence, so accession of strategic territory some times minimises the defence expenditure of the acquiring state.

Sometimes accession leads to the economic liability of the acquiring state. The economic liability of the acquiring states towards the acceding state increases after the accession. It is more vigorous particularly when acceding state is undeveloped or underdeveloped. As in the case of access of Jammu ad Kashmir in India or East Germany into Federal Republic of Germany. It becomes the responisbility of the state to minimise the regional disparity in terms of economic development.

Besides this accession may lead to demographic change, interstate migration and problem of urban ecology, changes in economic and political setup and economic development of the acceding territory and cultural interaction between acquiring state and acceding territory/state. Let us see the eminent geopolitical, economic socio cultural and strategic consequences of accession in detail.

Territorial Expansion : The immediate consequence of accession is the territorial expansion in the acquiring state. After the voluntary merger of additional territory in an existing state leads to the overall increase in territory. Accession of Jammu and Kashmir in India led to the northward territorial expansion of Indian Union. After this territorial expansion India's boundary started touching Afganistan and USSR. Similarly accession of Goa and Sikkim further increased the total physical area of the state. Accession of Texas in USA resulted in southward expansion of USA.

After the accession of state it is not only the geographical area that increases. But in course of accession the natural resources as well as human resources of the acquiring state also increase. Accession of Sikkim, Goa and Jammu and Kashmir in India provides abundant natural resources to India. They are important tourist spots that is a major source of Foreign exchange. Similarly Accesses of Alaska in USA provided rich mineral resources in the form of gold.

Apart from the territorial expansion and resultant socio-economic advantages. In course of accession the acquiring state sometimes gets the control over territory which are of geostrategic great importance Alaska is of great geostrategic importance for the United States of America. It was realised during the World War II. Similarly the accession of Jammu and Kashmir in India is of equal geopolitical importance from the point of view of India's

defence. Greenland's strategic location is utilised by USA though it is part of Denmark. The territorial expansion as result of accession sometimes poses threat to the smaller states. The accession of Sikkim state in India had created unnecessary fear for Nepal kingdom.

Emergence of Stronger and Bigger States : Next important consequence of accession is that after accession acquiring state emerges as the stronger and bigger state. It so happens more particularly when a comparatively bigger state having the immense potential for human and natural resources merges in other state. With the accession geographical areas of the acquiring state increases and human and natural resources naturally increases with it. Besides this, increase in over all man power contributes to further economic development. Similarly the proper utilisation of the increased natural resources of the acceding territory may lead to strong economic base. Accession of territories of strategic importance may further enhance the various prospects of the state in terms of defence initiatives.

After the accession of GDR in FRG, FRG has evolved as one of the strongest nations of the West Europe. It is a fact that, after accession fo GDR, various economic problem like population migration unemployment and sick industrial development in acceding territory had posed threat of regional imbalance to the booming economy of Federal Republic of Germany but gradually FRG have overcome all these problems and is gradually evolving as one of the strongest economic power of the Europe.

Accession of smaller states in course of formation of Union States is equally important from the point of view of Federal structure of the state. After the accession of smaller territorial units and resultant territorial expansion a Federal state evolves as a strong international person. The accession of smaller territorial units had played a vital role in the formation of stronger Union states like USA, USSR and India. Accession varied territories in course of formation of a Federal State provides a diversity to the state in terms of economy, culture and material life.

Changes in International Boundaries And Its Redemarcation :
Next important consequence of accession is the changes in international boundaries and consequent redemarcation. Since there is territorial expansion after accession so the international boundary of the acquiring state changes remarkably after the accession. After the accession of Jammu and Kashmir in India, its Northern International boundaries further expanded to north. Similarly the accession of Texas in USA brought significant changes in southern international boundaries.

If the acceding state is in the heart of another state surrounded by its territory there is no remarkable change in the international boundary of the acquiring state as the case of accession of Hyderabad. It was a land locked state. Similarly accession of Goa too did not bring any substantial change in the international boundary of the state because of

its location as well as size. But same thing cannot be told about the accession of Sikkim. Although Sikkim was a small state but it functioned as buffer state between India and China and after the accession of Sikkim, China came face to face with India along the Chumbi Valley.

The accession of Jammu and Kashmir in India and the resultant changes in the International boundary extended Indian international boundary upto Afghanistan and USSR but a large territory has been under the illegal occupation of China and Pakistan so its north ward boundary line does not meet with Afghanistan or former USSR. After the accession of Texas in USA, US international boundary line along the Mexico was changed and redemarcated. Sometimes the fresh redemarcation of international boundary after accession create some problems and lead to boundary disputes.

Boundaries Problem : Sometimes accession may lead to the boundary dispute between neighbouring states. In most of the cases of accessions, there is a peaceful merger of one state or part of its territory into other state and there is no any boundary problem. It is mainly because acceding states maintain clearcut boundary with its neighbouring states. But sometimes geostrategic interest of neighbouring state in acceding state or part of it may results in boundary dispute along the boarder.

When the people of Sabah¹ consented to the accession of

1. On September 16, 1963 Malaysia was formally inaugurated and north borneo's name was changed to Sabah.

Sabah in Malaysia in 1963, boundary dispute arose between Malaysia and Philippines. In September 1968 the Philippines declared that Sabah lay within the constitutional boundaries of the Philippines. Prior to this the people of Sabah had consented to the merger in Malaysia. This dispute led Malaysia to break diplomatic relations with the Philippines but later on agreed to restore them after a month. Similarly the accession of Texas in USA caused boundary dispute between USA and Mexico. After this dispute USA ended diplomatic relation with Mexico. The Mexican war between USA and Mexico was fought over this issue, in which Mexico surrendered in 1848. Later on after the Treaty of Guadalupe, Hidalgo, Mexico gave up all claims to Texas and other southern land.

The case with accession of Jammu and Kashmir in India and resultant boundary dispute between China and India was a little bit different. Jammu and Kashmir was acceded in India in 1947. After the Chinese annexation of Tibet and consequent political development, India's relationship with China deteriorated immensely. Then Chinese started asserting its claim over the large part of Kashmir. Chinese negated all treaties and agreement signed by the representatives of Kashmir, China and Tibet regarding the boundaries issue. Since 1954, the Chinese have repeatedly intruded deeper and deeper into this section. By 1982 the Chinese had penetrated far deeper into Indian Territory. The Chinese occupation line now runs from 16 to 240 km. West of the traditional boundary line between India and China. Now China is in

actual occupation of about 54,000 sq km of Indian territory in her illegal possession. Since then there is constant boundary dispute between India and China.

Regional Tension and Conflict between States : Regional tension and conflict between rival states is not essential consequence of accession. But sometimes it so happens that the accession of one state into another cause and regional tension and conflict among rival states because of strategic location of the acceding territory or apprehension of the neighbour regarding the territorial expansion of the acquiring state. The accession of Jammu and Kashmir in India is still a bone of contention between India and Pakistan and it is the main cause of regional tension in South Asia.

Accession of Texas in USA in 1845 led to the tension and conflict between USA and Mexico. The main reason of this conflict was that Mexico was very much apprehensive about the southward territorial expansion of United States. So when the Republic of Texas was acceded to USA, Mexico took it as potential threat to its existence and violently reacted to it. Mexico ended diplomatic relations with the United States after the accession of Texas, and disputes had arisen over the boundary between Texas and Mexico. It was because of this dispute that led to the Mexican war between USA and Mexico in 1846 and Mexico ultimately surrendered in 1848. After that, treaty of Guadalupe Hidalgo was signed between USA and Mexico and as a result of this Mexico gave up all its claim over Texas and other southern land.

The accession of Sabah in Malaysia in 1963 created tension in South East Asia. Philippines was interested in Sabah because its strategic location and was interested in its accession to Phillipnes. When the people of Sabah consented to the accession of Sabah in Malaysia, Philippins was not happy with this development. In September 1968 the philippines declared that Sabah lay within the constitutional boundaries of the Philippines. This provoked Malaysia to break diplomatic relationship with Philippins but later on agreed to restore them after a month.

The accession of Jammu and Kashmir in India was the main cause of tension and conflict between India and Pakistan. Over the issue of Kashmir Indo-Pak relationship has always been tense both these countries have fought two wars over this. Since then Indo-Pak reltion is very tense and there is constant conflict between them.

Minimisation of Defence Expenditure : Sometimes the individual case of accession of a small state or territories into bigger state may lead to the minimisation of defence expenditure of the acquiring state. It so happens more specifically when a small and land locked state which is completely surrounded by another state agrees to accede to the state surrounding it.

Sometimes individual case of accession of a small state or territories may lead to the minimisation of defence expenditure of the acquiring state¹. It so happens more specifically when a small bond locked state which is almost or completely by another state agrees to accede to the state

surrounding it.

When India became independent in 1947 almost all the princely states accept Hyderabad, Junagarh and Kashmir consented to accede. Out of these three states the Nizam of Hyderabad, the ruler of Hyderabad had shown an inclination to establish a sovereign state. Hyderabad was a land locked state in the heart of India. A sovereign state like Hyderabad within the heart of a larger country like India was a potential danger for the safety of India. There was chances that it might create tension by aligning with one or more enemies of India. To develop economic, political and military relations with foreign countries Hyderabad would have to violate, India's territorial sovereignty. In this situation India would have to deploy additional military force along the India-Hyderabad border which would have increased the overall defence expenditure of India. The accession of Hyderabad in India thus minimised the overall defence expenditure of India.

Shift in Geo-Strategic Priority : The accession may result in remarkable shifts of geostrategic priorities of any state. By geostrategic priorities we mean sequential priority of those territories that hold important place for the defence of the country. The Geostrategic priority of any state is not constant but shifting all the time. Depending upon the location of the acceding territory geostrategic

1. Acquiring state is that state in which other state has been acceded to.
priority changes.

With the accession of Jammu and Kashmir in India, the geostrategic preiority of India shifted to the Kashmir border. The location of Jammu and Kashmir is of great strategic impotrtnace because its boundaries meet with four countries. Accession of Kashmir in India and the resultant conflicts between India and Pakistan have made Jammu and Kashmir a top priority for the Indian defence. The defence expenditure of India along the Kashmir border have gradually increased substantially since the accession.

The Sikkim became top geostrategic priority of India after its accession. Before its accession it functioned as the buffer state between India and China but after its accession it became a territory of great geostrategic importance for India because of the constant Chinese military presence in Chumbi Valley. Chinesees have moved to Chumbi Valley after the annexation of Tibet. If the Hyderabad and Goa would not have been acceded to India most probably Indian military presence along their borders might have been essential for the defence of India.

Economic Liability of the Acquiring State : Sometimes it so happens that the acceding territory becomes the economic liability of the acquiring state. It becomes inevitable more particularly when the acceding territory is comparatively less developed in comparison to the acquiring state. In most of the cases the acceded territories are economically less developed either it is Kashmir or Sikkim or Texas or East Germany or Alaska. In this case it becomes the liability of

the acquiring state to take proper action for the development of acquiring territory and there by to minimise the regional disparity.

When Texas was acceded to USA its economy was in bad shape. The Republic of Texas faced serious problem. It had no money and raiding Indians and Mexicans threatened its people. It was in this condition that Texas had joined USA. USA done a lot for the reconstruction of Texas Economy.

The economic conditions of Jammu and Kashmir at the time of accession were extremely poor, the per capita income was very low, poverty was wide spread and the people were miselable. Industry was non existent and mineral resources were exploited, however coal, iron ore, and limestone deposits were available for future development. After the accession it was India's liability to give a shape to Jammu and Kashmir economy. Similar was the case with the accession of East Germany. East German economy was at the verge of collapse. The chronic weaknesses of the East German economy and the extent to which it lagged behind that of West were vastly underestimated at the time of accession. West Germany had to work hard for the industrial reconstruction of East Germany and its over all economic development to bring its economy to the level of the West Germany.

Inter-state Migration And Population Change : Accession may lead to the population change due to interstate migration. Migration is one of the important causes of population change. The population change connote the change in number of inhabitants of a territory in a certain duration. This

change may be negative or positive depending on the in-migration or out-migration. If a less developed territory is acceded to comparatively much developed state, the interstate migration will be from less-developed acceding state/territory to the developed region of the acquiring state. This is what happened in the case of accession of German Democratic Republic into Federal Republic of Germany. But sometimes the reverse also happens when people migrate towards comparatively less developed territory of acceding state. It happens mainly when a less developed territory with good future prospects accedes to the developed territory. People starts migrating to those regions in search of better material prospects. When Alaska was acceded to America and gold mines were discovered there, large number of population migrated there.

When German Democratic Republic was acceded to the Federal Republic of Germany, there was net flow of population migration from East Germany to West Germany¹ during the final quarter of 1990. There had been constant regional migration flows. Nearly one million population changed place of residence inside Germany during the first three months of accession, an intensity of population migration that in modern German history had been surpassed only in the immediate aftermath of the second world war. There were two principle direction of movement of population. One was long established north south drift within Western Germany itself and second was from East to

West Germany. This population flow was continuation of the wave of migration which accumulated when Frontier constraints were eased in 1988.

When US secretary of state William H. Seaward purchased Alaska from Russia in 1867 it was dubbed as Seaward's Folly, Seaward's Icebox and Icebergia. But after few decades the discoveries of gold situation changed drastically in Alaska. The rich gold discoveries in the Klondike region of the Yukon Territory in 1890 fired the imagination of the entire world and brought herds of "Stampedeers through Alaska on their way to the Klondike". From this region search rapidly spread into Alaska. Although few of the gold stampedeers actually struck a rich but the gold rush resulted in mass migration in Alaska and the consequent economic development in Alaska. The number of population in Alaska changed slightly and Alaska population which had been reported as only 32,052 in the 1890 rose upto 63,592 by 1900. Population further increased during world war II because of its strategic location.

After the second world war there was a sharp decline in military personnel in Alaska and this caused a brief recession. The Cold War, the Korean War and continued international tension, however, brought a military construction boom to Alaska. This in addition to overall economic development of this region caused tremendous

1. Spatial Impact of German Unification - The Geographical Journal, Vol. 160 Part I, March, 1994. p.4.

population growth mainly due to in migration.

Changes in Political and Economic Setup of the Acceding Territory : The political and economic set up of the acceding state or territory changes after the accession. The prevalent political and economic system of the acquiring state is imposed on the acceding state or territory. Since the acceding territory becomes the integral part of the acquiring state after accession so in order to maintain uniformity it has to share the political and economic system of that state too. If there is Monarchy in acceding territory and it accedes to a democratic state then there will be democratic setup in acceding state too. Similar changes take place in the economic system of the acceding territory.

Sikkim was a princely state before accession. The ruler of the state was Chogyal. After its accession in India, the institution of Chogyal in Sikkim was abolished and democracy was introduced in Sikkim. Similarly Jammu and Kashmir was also a princely state before its accession to India but after the accession it became a democratic state. Political system of Goa too changed after its accession.

The political and economic system of German Democratic Republic was completely different from the Federal Republic of Germany before accession in 1990. There was communist economic and political system on Soviet pattern in GDR. Agriculture and industries were state owned and there was no concept of private property. But situation completely changed after its accession in Federal Republic of Germany.

In FRG there is democracy and capitalism. So after accession the Soviet system of political and economic system was dismantled in GDR and democracy was introduced there. Thus we see that political and economic system of the acceding territory changes after accession.

End of Nationality and Treaties of the Acceding State :
Accession of one state into other state may lead to the end of nationality and treaties of the acceding state. After the accession, the acceding state loses its separate identity and becomes extinct as an independent international person. So whatever is attached to or due to the acceding state also ceases to exist.

Nationality is directly attached to the specificity of the particular state and the moment a state accedes to other states the nationality of the subjects of that acceding state/territory ceases to exist and they automatically become the nationals of acquiring state. As the Kashmir or Sikkim were acceded to India then Kashmiri or Sikkimese nationality ceased to exist and they became Indian nationals. Thus the former nationals of the extinct state (acceded state) do not therefore retain their former nationality.

Treaties are formally concluded and ratified agreements between the states. Treaties establish a legal relationship between state and the other party and for the retention of the treaties it is essential that state should exist as international person. That is why treaties of alliance, or

of arbitration or of neutrality or of any other political nature fall the ground with the accession of the state which concluded them because after accession that state becomes extinct.

Cultural Interaction Between the Acquiring state and the Acceding Territory : Accession may lead to the cultural interaction between the acquiring state and the acceding state/territory. After the accession the acceding territory becomes the integral part of the acquiring state and as a result of this, the barrier of political boundaries that obstructs the free flow of people and ideas are abolished. The people of the acceding state come in direct contact with the rest of the state and this may lead to the cultural interaction between the people of the acquiring state and the acceding territory.

The cultural interaction between the acquiring state and the acceding territory provides a broader perspective for the cultural assimilation and cultural diffusion. Although the distinct culture of the acceding territory remains intact but when it comes in contact with the culture of the bigger unit of acquiring state it is influenced as well as influence the culture of the acquiring state. Thus it is due to this cultural interaction between different culture of the state that a national culture evolves. After the independence of India in 1947 almost all the princely states and territories under foreign possessions, many of them having distinct culture of its own sooner or later consented to accession in Indian Union. The cultural interaction

between these units led to the evolution of a distinct Indian culture which is a sort of amalgamation of different cultures of the various regions.

On the basis of the discussions on the imperative and consequences of accession it is evident that there are a number of imperatives and consequences of accession. The different imperatives of accession function in association with each other that lead to the accession. There is a variation in the intensity of the imperatives of accession. It has been observed that there is a close relationship between factors and the imperatives of accession. Imperatives or the motivating factors of accession is also influenced by the typology of accession. The imperatives operating behind the different types of accession are different. Imperatives operating behind the voluntary accession is not the same as the imperative operating behind the Non-voluntary accession. Another important point to be noted regarding the consequences of accession is that the consequences of accession may be positive or it may be negative. The accession of GDR into FRG had many positive as well as negative consequences. It is very much determined by the nature of imperatives involved. The study of consequences of accession also shows that there are variation in the consequence of accession depending on the mode of accession. The consequence of accession are related to each other and so one consequence of accession may lead to the other consequence as well.

CONCLUSION :

Accession is a term of 'International Law' denoting the voluntary merger of a state or parts of its territory into other state with the mutual consent of the people residing in that state. For the completion of accession it is essential that the consent of the people of the acceding state is taken through referendum or through indirect sources like election prior to the merger or after that. In some special cases of accession like the accession of Jammu and Kashmir the ruler of the acceding state consents to accession, thereafter the issue of accession is ratified by the people of the state.

Accession is not an isolated phenomenon of territorial merger of one state into the other state. Fact is that accession is highly complex geopolitical phenomena in which many geopolitical factors are involved. Till recently the accession was a simple territorial merger of one state into other state in accordance with the ruler's convenience but introduction of democracy in changing political scenario and resultant people's participation in political affairs have made the accession process highly complex. The study of accession in International Law primarily emphasizes only on the legality of the merger without taking into account the other aspects. From the component analysis of different aspects of factors of accession it is evident that there are many geographical, political, socio-cultural and economic factors responsible for the process of accession. All these factors combined together initiate the process of accession

in any individual case of accession. Some of the important geopolitical and geostrategic factors of accession are geographical proximity, political ideology, reorganisation of smaller political units and geostrategic location of the acceding states.

It has been observed in course of the study of different cases of accession that factors operating behind them is not the same. That is why each case of accession is different from other accessions. This differences lead to the typology of accession. The accession of Jammu and Kashmir and Goa in India is not the same. Similarly there are differences in the accession of Alaska in USA and the accession of Texas in USA.

Accession is a peaceful voluntary territorial merger by the consent of the people of acceding state. In this process no any military force is used. But the use of military forces in certain cases accession cannot be completely ruled out. Sometimes military forces are used by the acquiring state to liberate the territory which are under the foreign possession and where people want to accede to other state but the ruler is reluctant to it. The liberation of Goa from Portuguese rule and the resultant accession of Goa in Indian Union is one such case of accession. Accession may be possible through purchasing of territory of one state by the other state or through occupation of the newly discovered territory which is either entirely uninhabited or inhabited by natives which is not regarded as state. Thus accession

may be Voluntary or Non-voluntary or by purchasing of territory or by occupation of uninhabited territory not held by any other state.

The process of accession or the voluntary territorial merger is initiated and accomplished by a different set of geographical, political and socio-economic imperatives. Imperatives of accession are those factors that determines the process of accession. The imperatives of accession may be classified into four categories, that is, political, geopolitical and geostrategic, socio-cultural and economic imperatives. All the imperatives are not of the some magnitude. These imperatives by and large determines the nature and course of accession. In any individual case of accession more than one imperatives work together to initiate the process of accession. So in most of the cases it is very difficult to single out the specific imperative and assess its magnitude.

There are so many positive and negative consequences of accession. It has long term political, geopolitical, socio-economic cultural, locational and geostrategic influence on the acceding state as well as the acquiring state. It significantly influence the life of the people of both the states in general and acceding states in particular. Accession is important from the point of view of overall economic development of the acceding state. The immediate consequence of accession is increase in the area and natural as well as human resources of the acquiring state. Accession also changes the international boundaries of the acquiring

state and sometimes it leads to the regional tension. The economic liability of the acquiring state increases after the accession of a state, more particularly, if the acceding state is comparatively less developed.

Accession is closely linked with the principle of self-determination. The principle of self-determination asserts that the people of any state have every right to take decision about the future of the state as to whether the state will remain independent international person or will be acceded to other state and ceases to exist as an independent international person. So the ultimate prerogative regarding the question of the merger of the state into other state lies in the hand of the people of that state. Since accession is a voluntary territorial merger of one state into other, so it is essential to take consent from the people of the acceding state. Sometimes people's consent is not required particularly in the case of accession of a territory which is either uninhabited to inhabited by unorganised mass.

The introduction of democracy and the consequent public participation in political affairs of the state have stressed on this fact that the issue of accession of the state must be ratified by the people of that state. It is the people's consents of the acceding state in favour of the merger that makes accession different from the annexation. In the process of annexation, neither sovereign nor the people of the state give their consent for the merger of the

state or parts of its territory. The acquiring state captures the other state by force and merge it in its territory. In the case of partical territorial transfer to the other state as a gift or compensation of war or exchange through money, the consent of the ruler of that state is enough as was the case of transfer of Alaska to USA. But in the case of merger of complete state, direct or indirect consent of the people of that state is essential. In the absence of people's consent regarding the territorial merger, it can not be accession as for example the merger of Tibet into China and chances are that it may creat mutual conflicts and tension between the annexed state and the state which have annexed it.

It is because of the consent of the people of acceding state that the process of territorial merger in accession is by and large peaceful, except in Non-voluntary accession and permanant. In almost all the cases of accession the acceding state/territories have been completely merged and have become an integral part of the acquiring state. There are less chances of cession or secession of the acceding territory once it is merged into the other state. But sometimes it has been observed that due to some geopolitical, socio-cultural and economic reasons some of the acceded territories have ceded or seceded. The case with Bengladesh is same. At the time of partition the people of eastern parts of Bengal had agreed to be a part of the Pakistan but later on, due to some political, geopolitical, socio-cultural and economic reasons, seceded from Pakistan

and became an independent state.

The role of geographical and cultural factors are of great importance to the process of accession or the voluntary territorial merger. Geographical proximity and cultural homogeneity acts as centripital force in the process of accession. Socio-cultural homogeneity is the direct outcome of the geographical continuity and space relation. The geographical proximity leads to the space relation and mutual socio-cultural interaction between adjoining territories. As a result of this there develops an intimate territorial relation. The probability of accession increases more particularly when two states having the same socio-cultural legacy are in the same geographical continuity.

Sometimes it is due to some political compulsions that one state is divided into two separate states having their own distinct political and economic setup. Though the political and economic systems of both the states may be different but both the states have the same socio-cultural setup. There is close cultural ties and the geographical proximity and continuity further promote the possibility of accession of one state into other state. So this situation may not continue for a long time and chances are that the separated state will be merged to the principle state. German unification is recent example of such accession where cultural affinity played a vital role. The political boundaries between the two Germany were collapsed in 1990.

Accession has some special significance in the Indian

context. At the time of formation of the Indian Union extensive accessions took place. The accession played a key role in the formation and further territorial expansion of Indian Union. Even after the integration of the states and the formation of Indian Union many of the state like Kashmir, Sikkim and Goa were acceded too. This process of territorial integration in Indian context continued upto 1975 when the Sikkim was acceded to India. With the accession of Sikkim, Indian territorial integration was completed.

At the time of independence in 1947, India was divided into many princely states. After the independence, the princely states were given the options either to accede to India or to Pakistan or to remain independent sovereign state. Most of the princely states voluntarily consented to the accession to Indian Union. As a result of this the Indian Union came into existence. But there was some princely states like Kashmir, Hyderabad and Junagarh and a few territory under foreign possessions like Goa and Pondicherry that remained out of the Indian Union.

As far as Jammu and Kashmir is concered, the Maharaja of Kashmir Hari Singh himself had proposed for the accession of the state in Indian Union after the invasion of Kashmir by Pakistani backed Afganis tribals. The case with Hyderabad was different. The people of Hyderabad were in favour of its accession to Indian Union, but the Nizam of Hyderabad was inclined to remain independent. The Indian troops entered in Hyderabad and it was peacefully acceded to India. Similar

was the case with Junagarh where the people of the state were in favour of its accession to India while the ruler wanted to accede to Pakistan. When Indian troops entered Junagarh the ruler fled to Pakistan and in a few days law and order was restored. The accession of foreign occupied territories came thereafter. The French occupied territory of Pondicherry was voluntarily transferred to India. But India had to liberate Goa from Portuguese occupation. On the insistence of the people of Goa the Indian troops entered Goa and liberated it.

The accession of Sikkim in India took comparatively long time due to the reluctance on the part of India regarding the question of accession. The Sikkimeses were doing agitation for the accession of Sikkim in India right from 1949 but, Indian government did not support this movement and supported the king of Sikkim. The Sikkim was ultimately acceded to India in 1975 on the popular demand of the people of Sikkim.

Almost all the accessions that have yet been taken place in Indian context were directly or indirectly initiated and ratified by the people of that state. Whether it is Hyderabad or Junagarh or Goa, all these states were acceded to Indian Union at the insistence of the people of that state. This is the reason that these accessions are perfect and secessionist tendencies never raised their heads in any of these acceded states. It was only the accession of Jammu and Kashmir where the people of that state were not

formally consulted at the time when Kashmir was invaded by Pakistani backed tribesmen, though the people of Kashmir did not oppose the accession at that time. The Maharaja of Kashmir Hari Singh had directly proposed for the accession of the state after invasion and it was formally accepted by the then Governor General of India, Lord Mountbatten. Although at the time of accession the proposal for the referendum in Kashmir under the supervision of international agencies was accepted in principle but due to some unavoidable political circumstances that, referendum could not be held. It is due to this that Kashmir has become a bone of contention between India and Pakistan. Although the people of Kashmir have given their consent indirectly through the Assembly Elections in support of its accession to India but Pakistan is deliberately raising the issue of referendum and creating internal disturbances by fanning terrorist and secessionists tendencies.

APPENDIX - I

Accession And Some Other Related Terms

Annexation : Annexation is primarily a term of International Law denoting the act of a state within the limits of that law, in adding to the territory held under its sovereignty, territory not so held prior to that action. It confers all powers of use, exclusion and alienation. The term cannot in strict accuracy be applied to extension of the authority of the state over territory which even after such action remains outside the scope of its full sovereignty as the case of establishment of a protectorate, military occupation, acceptance of a league, mandate or the acquisition of territory on lease. The action must be taken for the state by public officials or persons previously authorized so to act or whose action is subsequently ratified by the state. Although there is no known logic reason why this term is not applied to acquisition of territory not previously held by another state. This term is primarily used to denote the action of a state through which it acquires the territory previously held by other state. Thus in the process of annexation a stronger state occupies the territory of the weaker states by force. But the only ground upon which annexation may validly be based, in international law, is that of consent by the state whose territory is annexed in whole or in part (cession) or, in the case of territory not formerly held by another state, consent by the international community to the act of the

annexing state. No plebiscite of the inhabitants of annexed territory is necessary under international law to confirm either the action of their former government in making the cession or the action of the new sovereign in making the annexation. In the case of territories which are no part of the possessions of any civilised state, annexation must be accompanied by settlement. It matters not, which comes first but there must be some formal act of annexation. If subordinate authorities perform the act of annexation their proceedings are invalid until ratified by their supreme government. A protectorate has frequently been a first step to annexation. Thus France which had in 1885, acquired a protectorate of Madagascar by treaty, in 1896 annexed it as a colony of the republic. Similarly in 1908 Austria formally annexed Bosnia and Herzegovina which it had occupied by virtue of Treaty of Berlin in 1878 and 1914. On the outbreak of world war with Turkey, Great Britain annexed Cyprus, which it had administered under the suzerainty of the Sultan.

Cession : Cession is primarily a term of International Law denoting the act, within the limits of that law, of state in granting to another state rights possessed by the former in respect of territory, as modified by any servitudes resting thereon. Where a state incorporates itself entirely with another state the action goes beyond cession and is not to be so regarded. Similarly where an entire state and governmental organisation exercising its sovereignty are conquered by force, the action escapes the limits of

cession. The term might etymologically be applied to the grant of non-territorial rights but it is not commonly so employed. On the other hand the action cannot be confined to the grant of full sovereignty over territory and hence cannot always be spoken of as a cession of territory itself. Thus there may occur a cession of territorial jurisdiction, or rights of use and exclusion, without full sovereignty or the right of alienation.

The power to cede territorial rights depends upon enjoyment of international status by the ceding states¹ together with prior possession of the rights ceded. The internationalised states may not cede. The power to cede may also have been limited or lost entirely by a prior agreement concluded by the sovereign state possessing normal territorial rights². It is also limited slightly by rules of general international law.

Power of a state to cede a portion of its territory is not limited by any requirement for consent, in plebiscite by the inhabitants thereof. But now situation is changing. Such consultation of the inhabitants of territory to be ceded is gaining favour as a result of the growth of support for the principle of 'national self-determination' or government by consent of the governed. In practise, however it is subject to the exigencies of national policy. By the Treaty of Versailles such action was taken in a number of territories

1. Dependencies may not cede.

2. See the treaty of 1903 between Cuba and USA.

ceded therein like Schleswig but not in all as for example the case of 'Alsace-Lorraine'.

The motives which may lead a state to cede territorial rights are not determined by any specific international law. It may take such action for the sake of pecuniary compensation (sale, lease) in consideration of other territorial rights received from the grantee (exchange) or for any other reason which seems sufficient to itself, as for example, to avoid the expense of reconquest of occupied territory or to avoid military attack and possible conquest.

Cession is related to the process of accession in this regard that ceded territory of an international person is acceded to another sovereign states and so cession is a kind of mode of accession. So cession for one state may be accession for other state.

Secession : Secession is different from cession in this sense that in secession the separated territory instead of being merged in another international person, becomes an independent sovereign state. In 1971 East Pakistan seceded from the West Pakistan and became an independent state known as Bangladesh. Secession is a result of complexity of geopolitical factors operating within the state and consequent discontent among that part of the territory that secedes and evolves as a new state. Prior to the secession East Pakistan was a part of West Pakistan. At the time of separation in 1947 East Pakistan consented to be part of Pakistan on the religious line. But since there were marked

differences between East and West Pakistan in terms of language, culture as well as geophysical conditions that internal conflict and struggle started between two parts which ultimately culminated in mass killing of East Pakistani people by West Pakistani military. After a long bloody struggle, East Pakistan was seceded from the West Pakistan and became an independent state. So the secession is very much the end product of interanl ideological conflict as well as discontent.

Broadly speaking secession is virtually division of a state but secession is a special kind of division. Emergence of East Germany and West Germany after IInd World War was not the result of secession but the division. But after secession of East Pakistan, Pakistan was divided into two, Pakistan and Bangladesh.

Contrary to accession, secession is not a peaceful geopolitical process in most cases. Parent states hardly allow their territory to be separate itself in normal course. It is a constant struggle that culminates in separation, sometimes after excessive bloodshed as in the case of Bangladesh. But sometimes it may takes place in a peaceful political process. It happens more probably in the event of Failure of a binding composit systems. This is evident from the secession of Baltic states namely, Lithivia, Lithunia, Estonia during soviet political transition. Similarly after Russian disintegration many of its states seceded from USSR and became independent

countries like Turkmenia, Kazakhstan and Ukraine.

There are some legal implications regarding the treaties done by Parent State before secession. It may happen that a part of a state secedes and becomes a separate state. In such cases the new state does not succeed to the treaties of the state of which it was formerly a part but rather begins its international existence free from any such treaty inheritance except for those treaty right and obligations locally connected with its territory. It is due to this that General assembly did not adopt the view of Pakistan that it was a cosuccessor to India and as such entitled to automatic membership of United Nations Organisation.

Succession : Succession is a political process through which one state or more than one states is replaced by another states due to their certain internal upheavel. A succession of internal person occurs when one or more internal persons takes the place of another international person, in consequence of certain charges in the latter's condition¹. Succession of the states thus can be defined as the replacement of one state by another in the responsibility for the interantional relations of territory. Succession may involve any category of international persons but it is common practice to consider only successions involving states sovereign fully or partly.

1. Reference - The definition given in the 8th end of Oppenheim's International Law, page 208, Succession of States. Article 2 of the Vienna Convension on Succession of States in respect of Treaties 1978.

There may be two types of succession - Universal succession and partial succession. The Universal succession takes place when one international person is completely absorbed by another state, either through voluntary merger or upon the dismemberment of a state which is broken up into parts which either have become separate international persons of their own or have been annexed by surrounding international persons or through subjugation. Universal succession is in a way directly attached to the process of accession or the merger of territories.

Partial succession takes place when, a part of the territory of an international person has separated from it in a revolt and by winning its independence has become itself an international person, when one international person has acquired a part of the territory of another through cession; when a hitherto full sovereign state has lost part of its independence through entering into a federal state or coming under suzerainty or under a protectorate; or when a hitherto partially sovereign state has become fully sovereign.

Although it is convenient to treat cases of succession as involving several distinct kinds of situation in which states emerge or breakup, the various categories are not terms of art carrying with them clearly established legal consequences, nor are they sharply differentiated. Thus while the emergence of India to full independence in 1947 can be regarded as the emergence of a newly independent

state from a previously dependent territory, it was even before 1947 it was a country with a separate international status. But in 1947 it was divided to form Pakistan thus a newly independent state emerged from a previously dependent status through the process of secession and at the same time the incorporation of the Indian states formerly subject to their sovereign rules was a form of merger or accession. Both combined together may be regarded as accession.

Unification : Unification of states or international persons may be defined as 'the merger of two or more existing states to form one single unified state'¹. Unification of states is a kind of succession in which two or more states agree to unite itself or form a large states. Unification is initiated mainly due to bi-lateral socio economic interests and cultural affinity to each other. After the process of Unification all the international persons involved lose their independent entity as sovereign state and a result of this a new state evolves. Thus with the process of unification of states, succession process also takes place. Merger of Somaliland² and Somalia³ on 1 July, 1960 to form the Somali Republic is an example of unification as well as succession.

In the process of unification the states in question becomes completely extinct and a new unified state comes in existence but contrary to this in the process of accession

1 Oppenheim's - International Law.

2 Formerly a British Protectorate.

3 It was a trust territory under Italian administration.

it is only the acceding states loses its entity and the state in which it is acceding remains the same international person. While merger of the German Democratic Republic in the Federal Republic of Germany in 1990¹ is a case of accession because it was G.D.R. that lost its international existence and merged in Federal Republic of Germany. Later remained the same. Similar is the case with merger of Texas into United States in 1845. But the merger of Egypt and Syria in 1958 to Form United Arab Republic and merger of Tanganyika and Zanzibal in 1964 to form Tanzania is a case of unification. It is because in both the cases both former international persons are replaced by a single new international person. A particular form of unification is that which occurs, were a number of hiterto sovereign states combine to become a new federal state, although in this case ther may be a relevant distinction to be drawn between those Federal States which, like the United States of America, totally absorbed all the international relations of the members states and those like Switzerland which did not. These situations, involving the extinction of one state by merger into another, are perhaps the most straightforward one in which the various categories of rights and duties can be conveniently fixed.

1 Development regarding Germany from 1945 to 1990 were somewhat special. For reference see Oppenham's International Law, 540.

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