

CHANGING DYNAMICS OF PAKISTAN'S KASHMIR POLICY

**Muhammad Maqbool Khan Wazir
Yousaf Ali Rodeni
Surriya Bano**

ABSTRACT

The India–Pakistan dispute over Kashmir is one of the most intractable international conflicts in today's world. The Kashmir dispute dates back to 1947, when Britain granted independence to its Indian colony. Pakistan insists that India has no legal or moral right to Muslim majority Kashmir and rejects its attempts to gain international acceptance of the territorial status quo. This paper lays out the public and private position of the government in Islamabad on Kashmir and relations with India. Kashmir has been an important factor in Pakistan's security policy vis-à-vis India and Pakistan has always directed its efforts to find a settlement of this long standing issue. Some Pakistani governments have used the Kashmir conflict to reinforce Pakistani nationalism and others to strengthen pan-Islamism in addition to acquire domestic legitimacy or to ensure regime survival. Pakistan governments would prefer the implementation of UN Security Council resolutions that envisaged the Kashmiri people determining in a plebiscite, under UN auspices, whether to accede to Pakistan or India. However, conscious that a

plebiscite is unacceptable to India, Pakistan is also exploring, albeit unofficially, other solutions that would best promote Pakistan's strategic and political interests in order to adjust it to post 9/11 security environment.

Key Words: Kashmir, India, Pakistan, UN plebiscite, security, nationalism, settlement, legitimate.

INTRODUCTION

The India–Pakistan dispute over Kashmir is not only the root cause of instability and hostility in South Asia but also one of the most intractable problems of international politics today. It is both a cause and the consequence of the India-Pakistan conundrum. It is primarily a dispute about justice and people, although its strategic and territorial dimensions are complicated enough.¹ The first war fought between the two countries in 1947-48 resulted in the division of Kashmir forming Pakistan's Azad Kashmir and the Indian administered Kashmir. Despite repeated promises by Indian leaders including former Prime Minister Pandit Nehru to give Kashmiris the right to self-determination in accordance with the 1948/1949 UN resolutions (which give the Kashmiris a right to join either India or Pakistan), India did not hold any plebiscite in Kashmir. Pakistanis have long argued that the Kashmir problem stems from India's denial of justice to the Kashmiri people (by not allowing them to join Pakistan), and by not accepting Pakistan's own legitimacy. For Pakistan, giving up

¹For two overviews of the Kashmir problem see Jonah Blank, 'Kashmir: Fundamentalism Takes Root', *Foreign Affairs* November–December 1999 and SumitGanguly, *The Crisis in Kashmir: Portents of War and Hopes of Peace* (New York: Woodrow Wilson Center Press and Cambridge University Press 1997).

Kashmir means denying the ideological basis of partition. However, India insists that Kashmir's accession is not only a settled matter, unaffected by outdated and redundant UN resolutions, it is also crucial for a secular India to include a Muslim-majority state.²In the past 67 years, the two sides have fought three conventional wars (two directly over Kashmir) and came close to war on several occasions. However, neither international pressure raised by taking up the issue at different fora including the UN General Assembly, nor the wars fought could yield any results. Following the incident of 9/11, both the complexion of Pakistani support to the Kashmiri's right of self determination and politics within Kashmir have undergone a significant change. Under the changed international security scenario after the global war on terror, India declared freedom struggle of Kashmiris as terrorism and Pakistan's moral, political and diplomatic support as sponsoring the peril. The U.S. also increased its pressure on Pakistan's military government to end its proxy war in Kashmir and to resolve its differences with India peacefully. However, Pakistan's participation in the U.S led war on terror somewhat eased that pressure, allowing its military rulers to make a tactical, as opposed to a strategic shift in their Kashmir policy. Pakistan has tried to internationalize the Kashmir dispute by highlighting in international forums the human rights abuses carried out by the Indian military in Kashmir and asking for international mediation in the dispute and the holding of UN sponsored plebiscite to ascertain the wishes of the Kashmiri people regarding the state's future political status. Its articulation on Kashmir issue in various

²See, for example, Indian Prime Minister Atal Bihari Vajpayee's Independence Day Remarks delivered on August 15, 2002. This address is available online at the Indian Government's Information Center, pmindia.nic.in/infocentre/curr_speeches.htm.

international fora suggests Pakistan seriousness to resolve the Kashmir dispute.

Purpose of the Study

This paper analyses the origins of the Kashmir dispute and especially Pakistan's policy on Kashmir since its independence. Pakistan has sought to obtain the accession of Kashmir for over 67 years. The study further explores and analyzes different factors underpinning Pakistan's new thinking on Kashmir in the backdrop of the war on terror.

The origin of the Kashmir Dispute

The Kashmir dispute dates back to 1947, when Britain granted independence to its Indian colony bringing to an end 334 years of Colonial Rule. Two states, Pakistan and India, were created on the basis of the Two Nations theory, since the two communities were divided by a “cleavage too deep and sentiments too bitter for any lasting unity.”³

The British Indian Empire at the time of partition consisted of some 562 princely states including Kashmir that had varying degrees of sovereignty.⁴ Lord Mountbatten, the last Viceroy, advised the rulers of these states to accede to either India or Pakistan, taking into consideration geographical contiguity and the wishes of their subjects.⁵ By this criterion, Kashmir should have automatically joined Pakistan as three-quarters of its population was Muslim besides being territorially contiguous. With regard to Junagarh, Hyderabad, and Jodhpur, India insisted upon their accession

³ Joseph Korbel, *Danger in Kashmir* (Oxford, 2002; first published by Princeton University Press, 1954), pp. 26-28, 42-43.

⁴ Alastair Lamb, *Kashmir: A Disputed Legacy* (Roxford Books, 1991), p. 112.

⁵ For more on the British role in Kashmir, see Alastair Lamb, *Kashmir: A Disputed Legacy* (Hertingfordbury, England: Roxford Books, 1991); Victoria Schofield, *Kashmir in the Crossfire* (New York: I. B. Tauris, 1996).

to herself because of the Hindu majority population in those states despite the fact that the rules of Junagarh and Jodhpur opted for Pakistan, and Hyderabad for independent status.⁶ But in the case of Kashmir, India applied political pressures on the Hindu Maharaja to accede to India. Once Maharaja Hari Singh of Kashmir had signed the instrument of accession, India relegated the “majority principle” to secondary place and pushed the legalistic approach to the forefront.⁷

As the British withdrew from sub-continent in 1947, a rebellion broke out in the Poonch region of Kashmir. One account claims that the revolt had been launched as early as the spring over taxation.⁸ While, another account claimed the revolt was touched off by rumors that the Maharaja had acceded to India.⁹ Though the impetus and the timing may be debatable, there is general agreement that the rebellion was indigenous and was initiated by a Muslim segment of the population in the Poonch region. The uprising was brutally crushed by Singh’s mostly Hindu troops and, unsurprisingly, the movement assumed a communal character. Outraged by massacre of the Muslims by the Maharaja’s forces, many Pashtuns from Pakistan’s NWFP (now KP) and Federally Administered Tribal Areas (FATA) region also joined the war in support of their Muslim brethren; consolidating their gains.¹⁰ The tribesmen overwhelmed the Singh’s troops and were approaching Srinagar, the Maharaja’s seat of

⁶ See Pervaiz Iqbal Cheema, ‘Pakistan, India, and Kashmir: A Historical Review’, in Raju G.C. Thomas (ed.), *Perspectives on Kashmir: The Roots of Conflict in South Asia* (Boulder: Westview Press, 1992), p. 94.

⁷ Ibid. 95

⁸ Lord Birdwood, “Kashmir,” *International Affairs* 28 (July 1952), p. 302.

⁹ Sir William Barton, “Pakistan’s Claim to Kashmir,” *Foreign Affairs* 28 (January 1950), p. 300.

¹⁰ Shuja Nawaz, *Crossed Swords: Pakistan, Its Army and the Wars Within* (Oxford University Press, 2009), p. 49.

power, when Singh fled to Jammu and made an appeal to the Indian government for assistance.

Prime Minister Nehru was inclined to assist Singh, but replied to the Singh that it would be inappropriate for India to intervene in Kashmir unless it acceded to India. With the tribesmen on the doorstep of Srinagar and his circumstances growing more desperate, Singh signed the Instrument of Accession on October 26, 1947.¹¹ However, the Government of Pakistan out rightly rejected the accession, terming it as fraudulent since it did not embody the will of the population as per the Partition Plan.¹² In the meanwhile, responding to the Indian military interference and visualized aggressive designs, Pakistani Government also ordered immediate dispatch of troops to Kashmir. Unfortunately, this decision was not timely implemented by the Pakistani C-in-C, General Douglas D. Gracey.¹³ However, the ensuing war (1947-48) between Pakistan and India left Jammu and Kashmir divided, with Pakistan controlling one-third of the state - comprising what Pakistan calls Azad Jammu and Kashmir, and the Northern Areas administered by Pakistan and two-thirds, Jammu, Ladakh and the Kashmir Valley, administered by India.

On January 1, 1948, under Article 35 of the UN Charter (Pacific Settlement of Disputes), India took the case before the Security Council charging Pakistan with assisting the tribesmen and other invaders to

¹¹See Hari Singh's letter to Mountbatten in Verinder Grover, ed., *The Story of Kashmir: Yesterday and Today* (vol. 3) (New Delhi: Deep and Deep Publishing, 1995), p.108.

¹²Navnita Cheda Bahera, *Demystifying Kashmir* (Washington D.C: Brookings Institution Press, 2006), p. 28.

¹³*Ibid.*, p. 29.

violate her sovereignty.¹⁴ In Pakistan's view, New Delhi's acceptance of two Security Council Resolutions which called for a plebiscite in Kashmir, 47 of 1948 and 80 of 1950,¹⁵ constituted Indian recognition that its control of Jammu and Kashmir was a temporary arrangement. However, the ceasefire line of January 1949 was renamed as the Line of Control (LoC) following the Simla Agreement¹⁶ between Prime Minister Indira Gandhi and President Zulfikar Ali Bhutto. According to Indian interpretations of the Simla Agreement, the issue of Kashmir has to be resolved through bilateral negotiations between the two sides. Third party arbitration or mediation is therefore out of the question. The UN Security Resolutions are thus obsolete. In contrast, Pakistan refers to those clauses which require a settlement of the Kashmir dispute and argues that if the two sides cannot reach an agreement the role of mediation by other parties cannot be ruled out. Pakistan believed then and still insists that the ultimate fate of Jammu and Kashmir should be decided through a free and impartial plebiscite as promised openly by both Lord Mountbatten and Prime Minister Jawaharlal Nehru,¹⁷ under UN auspices, to determine the wishes of its people for accession to either Pakistan or India.

¹⁴Chaudhri Muhammad Ali, *The Emergence of Pakistan* (New York: Columbia University Press, 1967), p. 100.

¹⁵ The Security Council resolution of 21 April 1948 noted with "satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite". The Security Council resolution of 14 March 1950 commended the governments of India and Pakistan for reaching agreement on the determination of Jammu and Kashmir's "final disposition in accordance with the will of the people through the democratic method of a free and impartial plebiscite". Text of resolutions in Josef Korbel, *Danger in Kashmir* (Princeton University Press, 1954), Appendix I, pp. 307-312; Appendix IV, pp. 319-321.

¹⁶Simla Agreement, 2 July 1972.

¹⁷Pervaiz Iqbal Cheema, "Pakistan, India, and Kashmir: A Historical Review", *op.cit.*, p. 94.

Pakistan's official position on Kashmir

Historically, the Government of Pakistan has maintained that Jammu and Kashmir has been a disputed territory. The state's accession to India in October 1947 was provisional and executed under the coercive pressure of Indian military presence. The disputed status of Jammu and Kashmir is acknowledged in the UN Security Council resolutions of August 13, 1948 and January 5, 1949, to which both Pakistan and India agreed. These resolutions remain fully in force today, and cannot be unilaterally disregarded by either party.¹⁸

Advocacy of the rights of the Kashmiri people to freely determine their future has been the main plank of Islamabad's diplomatic strategy in the United Nations and other international fora. By championing the cause of the rights of the Kashmiri people, Islamabad has tried to remind the world that India's control over two-thirds of the State of Jammu and Kashmir is not only legally untenable but morally unjust, as it was achieved through an instrument of accession with a ruler who had lost the support of the vast majority of his predominantly

Muslim subjects. Pakistan's official stance on Kashmir can be summarized into the following six interrelated propositions:¹⁹

1. The State of Jammu and Kashmir is a disputed territory.

¹⁸ In defence of the continued validity of the UN resolutions on Kashmir see Ijaz Hussain, *Kashmir Dispute: An International Law Perspective*. (Rawalpindi: Services Book Club, 2000), Ch.V.

¹⁹Syed Rifaat Hussain, "Pakistan's Changing Outlook on Kashmir". Retrieved from <http://acdis.illinois.edu/assets/docs/222/articles/Pakistan39sChangingOutlookonKashmir.pdf>

2. This disputed status is acknowledged in the UN Security Council resolutions of August 13, 1948 and January 5, 1949, to which both Pakistan and India are a party.
3. These resolutions remain operative and cannot be unilaterally disregarded by either party.
4. Talks between India and Pakistan over the future status of Jammu and Kashmir should aim to secure the right of self-determination for the Kashmiri people. This right entails a free, fair and internationally supervised plebiscite as agreed in the UN Security Council resolutions.
5. The plebiscite should offer the people of Jammu and Kashmir the choice of permanent accession to either Pakistan or India.
6. Talks between India and Pakistan, in regard to the future status of Jammu and Kashmir, should be held in conformity both with the Simla Agreement of July 1972 and the relevant UN Security Council resolutions. An international mediatory role in such talks may be appropriate if mutually agreed.

In Pakistan's official view, the Kashmir conflict is the root cause of tensions with India. All other bilateral problems, such as disputes over the Wuller Barrage, Sir Creek and trade issues, are relatively easy to resolve. According to former President and Chief of Army Staff Pervez Musharraf, there is no other dispute between India and Pakistan except Kashmir, all other issues are irritants.²⁰ If India were to agree to a mutually acceptable resolution of the Kashmir dispute, Pakistan would be more than willing to reciprocate by resolving all remaining political, economic, and military differences. However, this stated Pakistani position on Kashmir has

²⁰ "Kashmir only dispute between Pakistan and India", *The News*, February 5, 2002.

undergone a fundamental shift under President General Pervez Musharraf who, after assuming power in October 1999 in a bloodless coup, has been, in his own words, “pondering outside the box” solutions to resolve the dispute.²¹

Foundations of Pakistan’s Kashmir Policy

Kashmir was always viewed as an integral part of the Pakistan scheme. The letter “K” stands for Kashmir in the very name of Pakistan. Pakistan is incomplete without Kashmir. Moreover, there have been strong ethnic, cultural, geographical and economic linkages.²² However, Pakistan’s policy in Kashmir has its origins in the two-nation theory that Muhammad Ali Jinnah utilized to convince the British that a separate nation for the Muslims of South Asia was necessary in order to protect them and to ensure peace. Jinnah’s insistence on two nations, one Hindu and one Muslim, was driven by the belief that Muslims would be politically, economically, and socially dominated by Hindus in a single state.²³ The outbreak of communal violence between Hindus and Muslims during the struggle for independence reinforced Jinnah’s claims. Once the decision was made to have two separate states, Jinnah and his Hindu rivals, Jawaharlal Nehru and Mohandas Gandhi, began to jockey for territory.²⁴ Pakistan’s leaders believed that Kashmir’s territorial contiguity with Pakistan, its economic and political ties with Pakistan, and its Muslim majority made its accession to Pakistan a near certainty. When this did not

²¹Syed Rifaat Hussain, op.cit.

²²ShahidM. Amin, “A Re-Evaluation of the Kashmir Dispute,”*Pakistan Horizon*, vol. 56 (April 2003), p.38.

²³ Akbar S. Ahmed, *Jinnah, Pakistan, and Islamic Identity: The Search for Saladin* (New York: Routledge, 1997), p. 80.

²⁴See, Matthew P. Taylor, “Pakistan’s Kashmir Policy and Strategy Since 1947,” (Master’s Diss., Naval Post Graduate School, California, 2004), pp. 5-6.

happen, Pakistan's leaders interpreted Kashmir's accession to India as evidence of an insidious Indian scheme to weaken and eventually eliminate Pakistan.

Despite having won the battle for a separate state, Muslim concerns over Hindu domination persisted. In a statement to the United Nations Security Council in January 1948, Pakistan charged, that India has never wholeheartedly accepted the partition scheme and has, since June 1947, been making persistent attempts to undo it.²⁵ India's use of its military to quash independence bids by the princely states of Hyderabad and Junagadh reinforced Pakistani trepidation. From the Pakistani perspective, India's actions in Kashmir were seen as the most threatening to the survivability of Pakistan and the most poignant evidence of the Hindu desire to dominate South Asia.²⁶ Therefore, Pakistan's leaders believed it was necessary to challenge Indian rule in Kashmir and presented its position on Kashmir as a principled stand in support of Kashmir's right to self-determination against Indian aggression.²⁷

Some observers decline to accept Pakistan's position that its policy on Kashmir is based on principles of self-determination and instead assert that Pakistan's obsession with Kashmir is a result of a dominant army²⁸, which gains massive advantages by maintaining a hostile status quo with India.²⁹ However, on the whole, the policies and strategies of Pervaiz

²⁵ Pakistan's Complaint against India, S/646, 1948, cited in Sisir Gupta, *Kashmir: A Study in India- Pakistan Relations* (New York: Asia Publishing House, 1966), p. 145.

²⁶ Matthew P. Taylor, *op.cit.*, p. 6.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ This argument is often found in the U.S. press and supported by Indian military officers and scholars. See Pamela Constable, "As Civilian Heads Pursue Peace,

Musharraf, Zia ul-Haq and Ayub Khan, all the three generals that assumed the Pakistan's presidency, do not differ substantially from their civilian counterparts in Pakistan and the record of Pakistan's military leaders does not support the argument that Pakistan's policy is caused by the result of an obsessed military.³⁰

Nevertheless, Pakistan's policy in Kashmir is not based solely on its commitment to Kashmir's self-determination. In fact, Pakistan's policy to oppose Indian control of Kashmir was reinforced by several features of the state that have provided incentives for various groups to politicize the issue of Kashmir and to rally public opinion behind the Kashmiri cause. Since Pakistan's inception in 1947, ethnic and sectarian cleavages have threatened Pakistan's unity. Ayub Khan, clearly described the problem in a 1960 *Foreign Affairs* essay, in which he stated, "Till the advent of Pakistan, none of us was in fact a Pakistani."³¹ Those that became Pakistani were Indians of either Punjabi, Pashtun, Baloch, Sindhi, or Bengali ethnicity.³² Pakistan's political leaders, many who were Mohajirs, those Muslims that migrated to Pakistan from areas that became part of India, could not make appeals for national solidarity in terms of an ethnic nation.³³ In addition to these ethnic divisions, the state's political institutions have been weak and it has been unable to extend its authority throughout the country. Pakistan's leaders had only two options that held

Militaries Fuel Kashmir Conflict," *New York Times*, 30 May 1999, p. 19. "Military Hard -Liners Pressure Pakistani Leader," *Wall Street Journal*, 27 June 2002, p.15.

³⁰ Matthew P. Taylor, op.cit., p. 7.

³¹ Mohammed Ayub Khan, "Pakistan Perspective," *Foreign Affairs* 38 (July 1960), p. 549.

³² Matthew P. Taylor, op.cit., p. 7.

³³ Ibid.

broad enough appeal to overcome these divisive tendencies.³⁴ The first was Islam³⁵, which was problematic for the secular leaning politicians, bureaucrats, and military officers that occupied the positions of power in the new state. Trained and schooled in British secular ideals, they were leery of rallying around an idea that inherently put them at a political disadvantage vis-à-vis the Islamic religious authorities. The second unifying idea was the threat posed by India.³⁶ Pakistani leaders of all shades pandered to a public stung by the tragedy of partition and emphasized Kashmir in Pakistan's struggle against the Hindu behemoth. Pakistan's first prime minister, Liaquat Ali Khan, expressed this sentiment that Kashmir was part of the larger struggle of Muslims on the subcontinent against Hindu aggression in a speech in November 1947:

*“Our heart goes out to them—our brethren in this mortal struggle, for the choice before them now is freedom or death. If the plans of their enemies succeed they will be exterminated, as Muslims in various other parts of India have been exterminated.”*³⁷

Whether the threat was real or imagined, Pakistan's Kashmir policy has become highly politicized and inflexible because of Kashmir's implications for Pakistan's national identity and the widespread support

³⁴Ibid., p. 8.

³⁵ Ibid.

³⁶ Ibid

³⁷Sisir Gupta, op.cit., p. 131.

the struggle received from the major domestic actors.³⁸ Moreover, 67 years of hostile relations with India have reinforced Pakistan's Kashmir policy because it reinforced the assumptions that India never accepted Pakistan. India's occupation of Kashmir was intended to simultaneously demonstrate that Pakistan was politically unnecessary and physically weaken it. Kashmir became sacrosanct in Pakistani politics and it is politically untenable to lose Kashmir.

Pakistan's claim to Kashmir has survived 67 years, two failed military operations, civilian and military governments, economic and military sanctions, and the threat of nuclear weapons. Even when the threat of war loomed in January 2002, President Pervez Musharraf stated in unequivocal terms Pakistan's policy on Kashmir:

*Kashmir runs in our blood. No Pakistani can afford to sever links with Kashmir. The entire world knows this. We will continue to extend our moral, political and diplomatic support to Kashmiris. We will never budge an inch from our principle stand on Kashmir. The Kashmir problem needs to be resolved by dialogue and peaceful means in accordance with the wishes of the Kashmiri people and the United Nations resolutions. We have to find the solution to this dispute.*³⁹

Pakistan's Kashmir policy since 1947

³⁸ Amelie Blom, "The Multi-Vocal State: The Policy of Pakistan on Kashmir," in *Pakistan: Nationalism without a Nation?*, ed. Christophe Jaffrelot, (New York: Zed Books, 2002), pp. 283-309.

³⁹"Text of President Musharraf's Address to the Nation," *Dawn*, 12 January 2002, <http://www.dawn.com/2002/01/12/speech02112.htm>.

Pakistan's policy since 1947 has been to seek Kashmir's accession to Pakistan. The political language used to support this goal is that Kashmir is indivisible and Kashmir's right to self-determination should be fulfilled in accordance with the 1948 United Nations Security Resolutions. To advance this policy, Pakistan has negotiated with India, went to war with India, and aided an insurgency against India.

Muhammad Ali Jinnah and Prime Minister Liaquat Ali Khan were extremely conscious of the importance of Kashmir for Pakistan. According to Raiz Ali Shah's diary the Quaid-e-Azam said: "Kashmir is the Jugular vein of Pakistan and no nation or country could tolerate its Jugular vein remains under the sword of the enemy."⁴⁰ Jinnah's approach for ensuring the accession of Kashmir to Pakistan was based on his supposition that, "Kashmir will fall into our lap like a ripe fruit."⁴¹ Apparently, it was obvious to Jinnah that Kashmir's Muslim majority, its economic relationship with Pakistan, and its existing transportation and communication links with Pakistan would secure the accession. Also factoring into the decision to negotiate Kashmir's accession to Pakistan rather than rely on the use of force was the success that Jinnah and the Muslim League had experienced with constitutional bargaining and legal devices in its struggle for a separate nation.⁴² The new leaders applied this experience to their efforts to peaceably ensure the accession of Kashmir to Pakistan. But the stubborn attitude of India barred all the possibility of

⁴⁰Riaz Ali Shah, Dr. Riaz Ali Shah's Diary (Lahore: Publishing House BullRoad, 1950) quoted in HabiburRehman, Kashmir: The Jugular vein of Pakistan (Rawalpindi: Kashmir Liberation Cell, 1998), p. 23.

⁴¹ Quoted in Owen Bennett Jones, *Pakistan: Eye of the Storm* (New Haven: Yale University Press, 2002), p. 57.

⁴² M. Rafique Afzal, *Pakistan: History and Politics, 1947-1971* (Oxford: Oxford University Press, 2001), p. 4.

negotiated settlement of Kashmir. The success of the Indian army against the tribesmen led Lt General Sir Douglas Gracey to assess, “India is not to be allowed to sit on the doorsteps of Pakistan to the rear and on the flank at liberty to enter at its will and pleasure it is imperative that the Indian army is not allowed to advance.”⁴³ Pakistan’s military strategists determined that Pakistan could not be a viable state if India controlled Kashmir in its entirety, thus the decision was made for the Pakistani army to officially enter the battle in May 1948.⁴⁴ The Pakistani military drove the Indian troops back enough that Pakistan felt strategically comfortable to sit down at the negotiating table. Under the auspices of the United Nations, a ceasefire line was established and both states agreed that the status of Kashmir would be determined in accordance with the will of the people.⁴⁵

President General Ayub Khan was also a great protagonist of Pakistan’s Kashmir policy. His government strategy toward Kashmir was not very different from the previous civilian governments. He considered the resolution of Kashmir dispute integral for the security of Pakistan. He yearned to go down in history as the liberator of the Kashmir.⁴⁶ The shift in Pakistan’s decision to abandon diplomacy and launch a military assault into Kashmir in 1965 occurred due to the following factors: India’s

⁴³Owen Bennett Jones, *Pakistan: Eye of the Storm* (New Haven: Yale University Press, 2002), p. 70.

⁴⁴ Victoria Schofield, *Kashmir in the Crossfire* (New York: I.B. Tauris, 1996), p. 157.

⁴⁵United Nations Commission for India and Pakistan, *Resolution Adopted by the UNCIP on 13 August 1948* (Document No. S/1100, Para 75, 9 November 1948), <http://www.un.int/pakistan/00home04.htm>. UNCIP was a five-member commission established by the UN in January 1948 to mediate and investigate the dispute. In 1951 the United Nations Military Observers Group for India and Pakistan (UNMOGIP) replaced the UNCIP.

⁴⁶Absar Hussain Rizvi, “Remembering Tashkent Declaration”, *The Muslim*, Islamabad, January 1, 1991.

abandonment of the plebiscite option, Pakistan's belief that it had remedied the military imbalance that India initially possessed at partition, and a souring of U.S.-Pakistan relations. These three factors converged to produce a situation in which Pakistan's leaders believed its opportunity to change the status quo in Kashmir was dissipating and that it was necessary to act. In 1964, it infiltrated irregulars, backed by army troops, across the Ceasefire Line. Operation Gibraltar, however, failed to persuade Kashmiris to launch all-out resistance to Indian control.⁴⁷ To quote Ayub Khan, "India particularly has a deep pathological hatred for Muslims and her hostility to Pakistan stems from her refusal to see a Muslim power developing next door. By the same token, India will never tolerate a Muslim grouping near or far from her border."⁴⁸ Many people in Pakistan believe that the Sino-Indian war of 1962 had provided the best opportunity for Pakistan to retrieve Kashmir. Had Ayub Khan withstood American pressure, Pakistan would have got the rare chance of solving the Kashmir issue by military action.⁴⁹ Ayub Khan made repeated offers of joint defence of the sub-continent to India despite the re-buffs from the Indian leaders. Particularly its leaders became more and more aggressive in their pronouncements after India's occupation of Goa by a force in December 1961.⁵⁰ However, the primary objectives of all his moves were to settle the

⁴⁷ In fact, Kashmiris opted to distance themselves from Pakistani military and irregular infiltrators.

⁴⁸ See Air Marshal Ayaz Ahmad Khan, "India-Pakistan Relations," *Frontier Post*, September 8, 2000.

⁴⁹ Hamid Yusuf, *Pakistan: A Study of Political Developments 1947-97* (Sang-e-Meel Publications, Lahore, 1991), p. 91.

⁵⁰ Krishna Menon, a former Indian Defence Minister, declared that India had not 'abjured violence' and would solve the 'Pakistan problem' as it had done the 'Goa problem' Sanjiva Reddy, President of the Indian National Congress, advocated a forcible 'liberation of Azad Kashmir' leaving the time of such venture to the Indian

Kashmir issue which, in his view as the question “life and death” for Pakistanis and a key to amicable Pakistan India relations.⁵¹

During the Zulfikar Ali Bhutto government (1972- 1977), Kashmir was placed on the backburner, since the prime minister believed that the reconstruction of a truncated Pakistan was better served by normalization of relations with India. Following the war, India and Pakistan signed the Simla Agreement in July 1972, transforming the Ceasefire Line into the Line of Control (LOC). Interpreting the Simla agreement, India often referred to the second paragraph (dealing with the principles of bilateralism) while Pakistan focuses on Paragraph one (referring to the United Nations).⁵² Bhutto had a number of reasons for reducing military tensions in Kashmir. For one, two consecutive military defeats demoralized the military. Pakistan was simply not capable of defeating India in a conventional battle. Secondly, despite the military’s decline it remained his primary political opponent and still dominated national security issues. Therefore, Bhutto had little interest in aggravating a situation that would increase the role of the military. However, Bhutto’s decision to launch Pakistan’s nuclear development program and his rhetorical campaign to maintain Kashmir’s disputed status reveal that he conceded nothing to India. Pakistan’s inability to free itself from its obsession with India and the resulting insecurity, has been so thoroughly

government. Nehru stated that the use of force was a question of ‘suitability and opportunity’.

⁵¹Field Marshal M. AyubKhan, *Speeches and statements (October 1958—June 1959)*, Volume 1 (Pakistan Government Publications, Karachi; 1ST edition, 1959), p.69.

⁵² P.R. Chari, Pervaiz Iqbal Cheema and Stephen P. Cohn, *Perception, Politics and Security in South Asia* (London: Routledge Curzen, 2003), p. 42.

cultivated in Pakistan, if Bhutto was suspected of having compromised on Kashmir it could have meant his political demise.⁵³

From January 1974 onwards, Pakistan's government began to take strong exception of the moves by Indian government to integrate Kashmir in Indian Union. Pakistani politician bitterly criticized the negotiation prior to the conclusion of Indra-Abdullah accord about Kashmir. In this accord which was concluded in February 1975, the accession of Jammu and Kashmir to India was reaffirmed by both the parties. After this Sheikh Abdullah assumed the office of the Chief Minister of the state and the plebiscite forum was dissolved.⁵⁴ Bhutto termed this accord as a "sell out" because it violated the terms of Simla and the UN requirements for a plebiscite.⁵⁵ To him it was a shameful barter of the Kashmiris which Sheikh Abdullah had pledged to support. A complete countrywide strike was observed in Pakistan on this day to condemn the Indra Abdullah deal.⁵⁶

As Zulfikar Ali Bhutto obtained the position of prime minister on a platform that was populist, anti-American, and pro-China. So, these factors forced Pakistan to re-evaluate their strategy in Kashmir and resulted in a shift back toward the exploration of asymmetric alternatives to challenge India. This was Pakistan's first step toward asymmetric options in its effort to prevent India from dismissing its claims to Kashmir. In fact, Prime Minister Bhutto's 1973 article in the American foreign

⁵³Robert G. Wirsing, India, *Pakistan, and the Kashmir Dispute* (New York: St. Martin's, 1994), p. 190.

⁵⁴ Victoria Schafied, *Kashmir in Conflict: Pakistan and Unfinished War* (London: I.B. Tauris, 2000), p. 123.

⁵⁵Mussawat(Lahore, 2 March, 1975).

⁵⁶RajendraSareen, *Pakistan: The Indian Factor* (New Delhi: VikasPublishers, 1984), p. 40.

policy journal *Foreign Affairs* maintained Pakistan's argument that India annexed Kashmir illegally. Bhutto wrote: "India totally disregarded not only the principles on which partition had been effected but all norms of international conduct by sending her troops into Kashmir ... Subsequently, India refused to allow the people of Kashmir to determine their future according to their own wishes."⁵⁷ The position of Pakistan can be understood from the statement that Z.A. Bhutto made in the UN Security Council, "The people of Jammu and Kashmir are part of the people of Pakistan in blood, in flesh, in life, in culture, in geography, in history and in every way and in every form... If necessary Pakistan would fight to the end."⁵⁸

While explaining Pakistan's stance on Kashmir Zia said: "Pakistan's point of view is: let us talk...we are not in favour of resorting to force. But we are not in favour of being browbeaten by Indian point of view that since there is a line of control there is therefore no issue involved".⁵⁹ With memories of Operation Gibraltar still fresh, the military was unwilling to raise the stakes in Kashmir without favourable conditions on the ground. However, the Afghan war allowed the Pakistan military to re-assert itself as the dominant force in Pakistan's politics, economy, and society. Zia's handling of the Soviet invasion of Afghanistan and Pakistan's rising stature in international affairs bolstered the military's status. Any

⁵⁷Zulfikar Ali Bhutto, "Pakistan Builds Anew," *Foreign Affairs* Vol 51(April 1973), p. 542.

⁵⁸ As cited in AjitBhattacharjea, Z.A.Bhutto's Double Speak: Turning Defeat into Victory. *The Vines of India*, (New Delhi. May 3, 1995).

⁵⁹ P.S. Verma, *Jammu and Kashmir at the Political Cross Roads* (New Delhi, 1994), p.229; also see Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War* (I. B. Tauris, January2003), p.140.

influence it had lost after the 1965 and 1971 wars was regained. Consequently, during this period the military consolidated its control over Pakistan's foreign policy and many of its bureaucracies.

General Zia's government pursued two-pronged strategy vis-a-vis India. On the one hand Zia's official stand towards India was openly conciliatory.⁶⁰ On the other hand it envisaged a covert plan to train Kashmir youth to launch an armed crusade against India in the valley. General Zia Haq termed this strategy as a "peace offensive" against India. As the military government attempted to use the Indian threat to gain domestic legitimacy for its self-assumed role as the guardian of national security, and India responded with equal hostility, the two countries came close to war in 1986-1987. Kashmir, however, remained peripheral. This ambivalent policy of Zia led some critics to perceive that Kashmir dispute was put in the cold storage.⁶¹ Moreover, his government pre-occupation with Afghan crisis further led credence to this perception.⁶²

The death of Gen Zia and restoration of democracy in Pakistan coincided with the turbulence in the Kashmir valley. In 1989 an indigenous Kashmiri uprising provided an opportunity for Pakistan to reverse the Indian attempts to degrade Kashmir's status as disputed territory. In this case, Pakistan's shift was made possible and the rebellion instilled hope among Pakistan's leaders that Kashmir was not a lost cause and they intended to capitalize on the opportunity. Moreover, by 1989, Zia's Islamization program and the Afghan war produced a powerful coalition between the

⁶⁰ M.H. Askari, "Kashmir: A New Phase". *Dawn*, January 24, 1990.

⁶¹ Mirza, "Pakistan's Kashmir Policy in 1990s," p. 73.

⁶² Rajendra Sareen, *Pakistan: The Indian Factor* (New Delhi: Vikas Publishers, 1984), p. 40.

military, the Inter-Service Intelligence Directorate (ISI), and several Islamist organizations. The development of this coalition and the impact it had on perceptions was critical to the Pakistani government's attitudes toward proxy war, especially a proxy war coordinated with Islamic militants.

Pakistan's strategy to bleed India continued through the 1990s under both Prime Minister Nawaz Sharif and Benazir Bhutto. Through most of the 1990s, it appeared that Pakistan was getting the results it sought from its strategy in Kashmir. Pakistan's strategy had several objectives. First, to make it extremely difficult for India to dismiss Pakistan's claims to Kashmir. Second, to steadily erode India's will and force it back to the negotiating table, where Pakistan could negotiate a more favorable outcome. Third, at a minimum, to tie down Indian forces in Kashmir.⁶³ In addition, the proxy war strategy had the added advantage that it provided Pakistan with plausible deniability and made the possibility of Indian retaliation against Pakistan more problematic. The proxy war in Kashmir continued throughout the 1990s and appeared to achieve its desired effect. India's efforts to cope with the insurgency frequently resulted in the excessive use of force and human rights abuses that provided Pakistan's diplomats further evidence to buttress Pakistan's claims at international fora. Although the proxy war strategy served a number of Pakistani interests, the Kashmiri insurgency began to wane in the late 1990s. Pakistan's decision to depend on non-Kashmiri militants caused Kashmiri support for the insurgency to erode because the militants managed to

⁶³ Ashley J. Tellis, "The Changing Political-Military Environment: South Asia," in *The United States and Asia: Toward a New U.S. Strategy and Force Posture*, MR-1315-AF (Santa Monica: RAND, 2001), p. 223.

alienate many Kashmiris with their ruthlessness. Meanwhile, India's more aggressive counter-insurgency tactics began to produce results.⁶⁴

However, both Benazir Bhutto's PPP and Nawaz Sharif's Muslim League governments did take some bold initiatives to engage constructively with India on peace and security issues, including Kashmir. During her first government (1989-1990), Prime Minister Bhutto attempted to normalize relations with the Rajiv Gandhi government, ending Pakistan's support for Sikh militancy in India and entering into confidence building measures such as an agreement to exchange lists of nuclear installations and not to attack them. However, this step-by-step approach to relations with India in general and more specifically to the Kashmir conflict earned the military's ire.⁶⁵ While, Nawaz Sharif went further during his second term as prime minister, agreeing with his Indian counterpart, Atal Bihari Vajpayee, in the Lahore declaration of February 1999, to implement the Simla Agreement in letter and spirit and pledging to refrain from intervention and interference in each other's internal affairs. Agreeing that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential to this purpose. But Sharif's dialogue with Vajpayee came to an abrupt end with the Kargil conflict (May-July 1999), followed by the October 1999 coup.

The Pakistani operation in Kargil in 1999 is best understood as a part of the overall proxy war strategy and was an attempt to re-energize the

⁶⁴Sumit Ganguly, "The Islamic Dimensions of the Kashmir Insurgency," in *Pakistan: Nationalism without a Nation?*, ed. Christophe Jaffrelot (New York: Zed Books, 2002), p. 189.

⁶⁵ Interview with Benazir Bhutto, *The Nation*, June 4, 2003.

insurgency that it believed had effectively advanced its objectives in Kashmir. However, the Kargil operation derailed the rapprochement and raised the possibility that Pakistan was so obsessed with Kashmir that it was willing to trigger a war that could ultimately end with a nuclear exchange. In fact, the operation can be seen as an extension of Pakistan's proxy war strategy. Since the insurgency had lost momentum and in light of its numerous benefits, Pakistan sought a way to re-energize it.⁶⁶ Furthermore, Pakistani strategist believed India's escalation advantage had been negated. Four reasons have been proffered for this assessment. First, the introduction of nuclear weapons led Pakistani strategist to conclude that India would not expand a conflict in Kashmir because it ran the risk of instigating a nuclear war.⁶⁷ Second, Pakistan believed India would not conduct a full scale war against Pakistan because it could not guarantee victory and a stalemate would be a victory for Pakistan.⁶⁸ The third factor contributing to the Kargil operation is that Pakistan saw the operation in the context of the on-going India-Pakistan yearly competition to occupy territory along the LoC.⁶⁹ The Indian army's occupation of the Siachen glacier is the most blatant example of this activity. But other exchanges of territory and positions had occurred frequently over the previous two decades. However, the results of the Kargil operation probably caused the Pakistani leadership to conclude that Kargil-like operations are not

⁶⁶SumitGanguly, *Conflict Unending: India-Pakistan Tensions since 1947* (New York: Columbia Universtiy Press, 2001), pp. 121-22.

⁶⁷ Ashley J. Tellis, C. Christine Fair, and Jamison Jo Medby, *Limited Conflict Under the Nuclear Umbrella: Indian and Pakistani Lessons from the Kargil Crisis*, MR-1450-USCA (Santa Monica: RAND, 2001), pp. 48-49.

⁶⁸ShaukatQadir, "An Analysis of the Kargil Conflict 1999," *RUSI Journal* (April 2002), p. 24.

⁶⁹Feroz Hassan Khan, "The Independence-Dependence Paradox: Stability Dilemmas in South Asia," *Arms Control Today* (October 2003), p. 17.

legitimate in the current international environment.⁷⁰ The reasons for this are two-fold. First, Pakistan's leaders still value their international reputation. Additionally, Pakistan understands that international, and particularly U.S condemnation will entail severe economic and political consequences.⁷¹ Second, India's willingness to escalate the conflict, especially the extensive use of air power, demonstrated that nuclear weapons were not necessarily the firewall against a wider war that Pakistani decision-makers had anticipated.⁷²

The 9/11 attack proved to be a watershed event in international politics and it completely changed the context of Pakistan's foreign policy formulation. Pakistan which had been supporting the Taliban regime in Afghanistan for more than 5 years was confronted with the dilemma of taking a U-turn on that policy to join the war on terror. Pakistan's decision to join the coalition against war on terror was by no means easy. In nationally televised speech on 19 September 2001, President Musharraf explained his decision to support the U.S. operation and stated that Pakistan's critical concerns are our sovereignty, second our economy, third our strategic assets (nuclear and missiles), and forth our Kashmir cause.⁷³ Musharraf's inclusion of the Kashmir cause as a core concern indicated that Pakistan was not willing to abandon its policy on Kashmir. Nevertheless, aware of the volatility of the situation, Pakistan wanted to at least temporarily lower the profile of the insurgents activities in the hopes that it could continue its strategy after the charged atmosphere eased.

⁷⁰Tellis, Fair, and Medby, *Limited Conflict Under the Nuclear Umbrella*, op.cit.,p.ix.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Quotations in this paragraph are from "Highlights of General Pervez Musharraf's Address to the Nation," *Dawn*, September 19, 2001.<http://dawn.com/events/speech/20010919>.

General Musharraf made it clear that he had decided to join the coalition largely to defend Pakistan's stand on Kashmir.⁷⁴ He argued that had Pakistan not joined the coalition there was a real possibility that Pakistan would have been declared a terrorist state. President Bush had earlier made it clear that any state that would not support the US would be considered as a hostile state.⁷⁵ Another thing that motivated Pakistan to join the war on terror was India's efforts to link the freedom struggle in Kashmir with terrorism. Musharraf's apprehensions about India's possible role in war on terror were perceptible. He knew that had India joined the war on terror, it would have tried to work with the US to harm Pakistan's interests in the region, particularly in Kashmir.⁷⁶ Speaking at the UN General Assembly session in 2002, President Musharraf stated that the just struggles of a people for self-determination and liberation from colonial or foreign occupation cannot be outlawed in the name of terrorism.⁷⁷

However, the changed dynamics of the regional and international environment forced Pakistan to take some calculated actions to divert global attention away from its policy of aiding freedom movement in Kashmir. As a result, Pakistan resumed its peace dialogue with India in 2004 which was in continuation of the earlier peace efforts of 1999 made by the then civilian heads of the two states and the Agra summit of 2001. In this way Pakistan tried to adjust its approach towards Kashmir in the new parameters of the changed regional and international setting. This

⁷⁴"Musharraf's speech on September 19 2001," *TheNews*, September 20, 2001.

⁷⁵"President Bush Address to a Joint Session of Congress and American People," September 20, 2001, http://articles.cnn.com/2001-09-20/us/gen.bush.transcript_1_joint-sessionnational-anthem-citizens?_s=PM:US (accessed April 10, 2010).

⁷⁶General Musharraf, *In the Line of Fire* (New York: Free Press, 2006), p. 202.

⁷⁷*Dawn*, September 13, 2002.

diplomatic manoeuvring helped Pakistan in softening its image in the eyes of the world.⁷⁸ Pakistan assured India and the world that its territory would not be used to support terrorism anywhere.⁷⁹

To persuade the international community that Pakistan has abandoned its proxy war and supports a peacefully negotiated settlement, President Musharraf has put forward a number of proposals identifying potential options. Dropping Pakistan's insistence on the old UN resolutions calling for a referendum on accession of the former princely state to either Pakistan or India, President Musharraf has called on New Delhi to join him in thinking "beyond the box" on Kashmir.⁸⁰

During his summit meeting with Indian Prime Minister Atal Behari Vajpayee in Agra on July 14–16, 2001, President Musharraf reassured his Indian host that he had come to meet him with an open mind. He also underscored his desire to have discussions with Indian leaders on establishing tension free and cooperative relations between our two countries. The Agra Summit failed to produce a tangible outcome, but the draft Agra Declaration that both sides considered issuing at the end of their historic meeting clearly stated that settlement of the Jammu and Kashmir issue would pave the way for normalization of relations between the two countries. The first proposal regarding Kashmir came from

⁷⁸Smruti S. Pattanaik, "War on Terror and its Impact on Pakistan's Foreign policy," *Strategic Analysis* vol. 32, no.3 (May 2008), p. 393.

⁷⁹QudssiaAkhlauque, "Dialogue to Start Next Month: Joint Statement on Musharraf-Vajpayee Meeting," *Dawn*, July 1, 2004.

⁸⁰ Meeting Indian External Minister Natwar Singh in July 2005, Musharraf called on the two countries to give up their "maximalist" positions, adding that "Pakistan's maximalist position (had) been one enshrined in the UNSC resolution 91 calling for the holding of a plebiscite in Jammu and Kashmir". QudssiaAkhlauque, "Musharraf for giving up 'maximalist' positions", *Dawn*, 26 July 2004.

Musharraf when he spoke of the following four stages. (i) the recognition of Kashmir as a disputed territory, (ii) the introduction of dialogues, (iii) dropping unrealistic solutions and, (iv) moving towards a win-win situation.⁸¹

In a remarkable reversal of Islamabad's verbal strategy on Kashmir, President Musharraf publicly stated on December 17, 2003 that even though "we are for United Nations Security resolutions ... now we have left that aside." A month later, in a joint statement issued in Islamabad, following his meeting with Indian Prime Minister Vajpayee on January 6, 2004, Musharraf categorically pledged that he would not "permit any territory under Pakistan's control to be used to support terrorism in any manner." This statement was meant to mollify New Delhi's concerns relating to the issue of alleged "cross-border" infiltration from Pakistan. By dropping the longstanding demand for UN-mandated plebiscite over divided Kashmir, and by assuring New Delhi that Islamabad would not encourage violent activity in Indian-held Kashmir, President Musharraf tried to create much-needed political space for New Delhi to substantively engage itself with Islamabad for finding a workable solution to the festering Kashmir dispute.⁸² Moreover, it helped Pakistan moderate its image as a state serious in resolving the Kashmir dispute through peaceful means and by showing flexibility on its old stance while, on the other hand it helped in generating a debate on Kashmir which revived international interest in an issue which has lingered for decades without solution.⁸³

⁸¹Pervaiz Iqbal Cheema, *TheNews*, October 31, 2004.

⁸²SohaibKhalik, "Pakistan's Kashmir Policy in New Strategic Environment", *IPRI Journal* XII, no. 1 (Winter 2012), pp. 46-66.

⁸³ Ibid.

A few months later, while talking to a group of newspaper editors at an Iftar dinner in Islamabad on October 25, 2004, President Musharraf called for a national debate on new options for the Kashmir dispute. After preparing the ground for the dialogue and moving forward on the issue of Kashmir, Musharraf proposed another formula which became known as the “seven region formula.”⁸⁴ He proposed to divide Jammu and Kashmir in to seven regions, two of which were in Pakistan and five in India. The regions were: the plains including Jammu, PirPanjal, the valley, the Great Himalayan zone, the Northern Areas, upper Indus valley and the parts that are with China. The proposal spoke of identification of the regions, then introduce gradual demilitarization in the identified regions, and finally after the first two steps were completed, a change in the status of the regions was sought.⁸⁵ Musharraf elaborated on his proposal by suggesting that the identification of the regions could be carried out keeping either of the following factors in mind: ethnicity, religion or geographic proximity.

General Musharraf proposed the next formula in January 2006, in an interview with the Indian TV channel. His four-point proposal had the following aspects:⁸⁶ (i) gradual withdrawal of troops, (ii) local self governance, (iii) no redrawing of boundaries and (iv) mutual administration by India and Pakistan. However, General Musharraf’s principal stance on the Kashmir problem did not change as he once again cleared the Pakistani point of view on the freedom struggle in Kashmir.⁸⁷ It also affirmed the fact that Kashmir issue was not just the question of

⁸⁴ Matthew P. Taylor, op.cit

⁸⁵ See Dr. Pervaiz Iqbal Cheema, “Changing Dynamics of the Kashmir Dispute,” *Margalla Papers 2006*, NDU, Islamabad.

⁸⁶ Matthew P. Taylor, op.cit.

⁸⁷ Musharraf’s interview with Karan Thapar in the *CNN-IBN*, January 13, 2006.

dealing with militancy but a matter of genuine freedom struggle, and therefore it must be addressed in that perspective.

Musharraf's shift in strategy on Kashmir was a tactical response to the changed US foreign policy outlook after 9/11 and India's showing of its military muscle after the terrorist attack on the Indian parliament. The post 9/11 international environment coupled with the developments in the South Asian region presented Pakistan's Kashmir policy with both challenges and opportunities. The challenge was to save Pakistan's stand on Kashmir and the legitimacy of the freedom struggle; the opportunity was to review Pakistan's decades' old strategy of aiding the freedom movement that had failed to yield any considerable results. Five reasons have been proffered for this assessment.

- First, Pakistan came to the realization that the use of militant proxies runs the risk of jeopardizing higher priority national security interests.⁸⁸ The Kargil War exposed the inherent limitations of Islamabad's strategy of sub-conventional war against India in a nuclear environment.
- Second, there has been sustained American pressure on Islamabad to bury the hatchet with India over Kashmir.⁸⁹ The renewal of the U.S.-Pakistan partnership provides Pakistan with incentives to restrain its strategy in Kashmir in exchange for the assistance and leverage the United States can provide it.

⁸⁸Syed Rifaat Hussain, "Pakistan's Changing Outlook on Kashmir". Retrieved from <http://acdis.illinois.edu/assets/docs/222/articles/Pakistan39sChangingOutlookonKashmir.pdf>

⁸⁹ Ibid.

- The third factor pushing Pakistan towards peace with India is the need to display reasonable nuclear custodianship. Resumption of the India-Pakistan dialogue seems to be the only credible way of easing world concern over the safety and security of the Pakistani nuclear arsenal.
- Fourth, the U.S. declaration that regimes that harbor terrorists will be held responsible created an opportunity for India to try and halt Pakistan's proxy war with the threat of escalation.
- The fifth factor underpinning Islamabad's new approach to Kashmir is the "boomerang" effect of jihad as an instrument of Pakistan's Kashmir policy.⁹⁰The jihad strategy became an untenable proposition for Islamabad after the terrorist strikes against the United States on September 11, 2001. Musharraf described the threat from religious extremism as the primary security challenge facing Pakistan.

Although Musharraf has stated that he is willing to meet India "halfway" and put aside the U.N. Security Council Resolutions,⁹¹ that should not be interpreted as tacit acceptance of the LoC as the border. Pakistan's claim to Kashmir has survived fifty years, two failed military operations, civilian and military governments, economic and military sanctions, and the threat of nuclear weapons. Even when the threat of war loomed in January 2002, President Pervez Musharraf stated in unequivocal terms Pakistan's policy on Kashmir:

⁹⁰ Ibid.

⁹¹ "Pakistan Ready to Meet India Halfway on Kashmir," *Reuters*, 18 December 2003, <http://www.reuters.com/printerFriendlyPopup.jhtml?type=topNews&storyID=4011964>.

*Kashmir runs in our blood. No Pakistani can afford to sever links with Kashmir. The entire world knows this. We will continue to extend our moral, political and diplomatic support to Kashmiris. We will never budge an inch from our principle stand on Kashmir. The Kashmir problem needs to be resolved by dialogue and peaceful means in accordance with the wishes of the Kashmiri people and the United Nations resolutions. We have to find the solution to this dispute.*⁹²

However, Kashmir would always be a key issue for Pakistan because of its roots in its ideology and society and its implications for Pakistan politics. Musharraf repeated the Pakistani mantra that the Kashmir problem must be resolved “in accordance with the wishes of the Kashmiri people and the United Nations resolutions.”⁹³ He continues to stress that “Kashmir and strategic assets are our national interests and we will not give them up [...] There is no sell-out, I have said a hundred times, I am not a man to sell out.”⁹⁴

The Kashmiri people who thought that Musharraf had damaged the Kashmir cause hoped that the elected civilian government in Pakistan would reverse his Kashmir policy. However, the very first statement of Asif Ali Zardari, aroused suspicions in the minds of the people when he

⁹²“Text of President Musharraf’s Address to the Nation,” *Dawn*, 12 January 2002, <http://www.dawn.com/2002/01/12/speech02112.htm>.

⁹³“Text of President Musharraf’s Address to the Nation,” 12 January 2002, *Dawn*, <http://www.dawn.com/2002/01/12/speech020112.htm>.

⁹⁴ Quoted in “Musharraf Says No Sell-out on Kashmir,” *Dawn*, 20 January 2004, <http://www.dawn.com/2004/01/20/toph4.htm>.

stressed that the normalization of relations between India and Pakistan should not become hostage to the Kashmir cause.⁹⁵ Resolving to “replace the infrastructure of conflict with the architecture of peace”, it declared that peaceful bilateral relations were “imperative” for Pakistan’s and indeed South Asia’s prosperity.⁹⁶ In his interview with an Indian TV channel, he said that “Kashmir issue should be left aside for future generations to solve and right now India and Pakistan should focus on improving the bilateral relations by strengthening trade and economic ties.”⁹⁷ This statement attracted a strong and unprecedented reaction from all circles in Pakistan and Kashmir. As a result of the immense pressure and criticism from religious political parties and Kashmiri groups, Asif Zardari had to go on the defensive. He later clarified his statement and explained the significance of Kashmir for Pakistan. He said that PPP would not betray the trust of 90,000 martyrs who had lost their lives in Kashmir.⁹⁸ However, with broad support from the political opposition, the PPP led government thus advanced the peace agenda, but its efforts to resume the composite dialogue came to an abrupt halt following the 26 November 2008 terror attacks in Mumbai.

While becoming Prime Minister for the 3rd time after May 2013 election, Prime Minister Nawaz Sharif invited India to engage in a "comprehensive, sustained and result-oriented" dialogue with Pakistan to resolve the

⁹⁵*Hindu*, India, March 10, 2008, www.thehindu.com/mp/2008/03/10/chenindx.htm (accessed July 23, 2010).

⁹⁶PPP Manifesto 2008, p. 20, <http://www.ppp.org.pk/manifestos/2008.pdf>.

⁹⁷*Rising Kashmir*, Srinagar, March 3, 2008, www.risingkashmir.com/index.php (accessed July 23, 2010).

⁹⁸Nirupama Subramanian, ‘Kashmir an ‘Integral Part’ of Pakistan: Zardari,’ *Hindu*, March 9, 2008, <http://www.thehindu.com/2008/03/09/stories/2008030955000900> (accessed July 23, 2010).

Kashmir issue. In his winning election campaign, Nawaz Sharif had declared, “If India takes one step for good relations, Pakistan will take two. We even want to put an end to visa requirements between the two countries...We want peace with India.”⁹⁹ His emphasis that ‘he is open to any proposal on the Kashmir dispute’ is indicative of desire to find a solution earlier rather than later as per the aspirations of Kashmiri people. While addressing the joint session of Azad Kashmir Legislative Assembly and Kashmir Council held in connection with the Kashmir Solidarity Day¹⁰⁰, the Prime Minister said that “the future of Pakistan and Kashmir is linked with each other. Uncertainty and confrontation will continue in the region till peaceful resolution of the Kashmir issue casting negative impacts on regional development and stability.”

While Modi’s rise in the recent election has been watched with trepidation by India’s Muslims, the Kashmiris and Pakistan.¹⁰¹ The Indian Muslims have not forgotten his role in the 2002 Gujrat massacre of Muslims, even if Indian courts failed to indict him of complicity on procedural grounds. The Kashmiris resent his desire to abrogate even the token special status they were accorded under Article 370 of the Indian constitution. Pakistanis recall Modi’s words in 2002: “Hindu militancy will destroy Pakistan”.¹⁰² However, in his electoral campaign, Modi projected his economic credentials and moderated the extremist rhetoric — an obvious tactical adjustment to broaden his appeal beyond his core Hindu constituency. It

⁹⁹ George Perkovich and Toby Dalton, “India and Pakistan: A thin line between War and Peace,” June 3, 2014. Retrieved <http://nationalinterest.org/feature/india-pakistan-thin-line-between-war-peace-10584>

¹⁰⁰ Kashmir Solidarity Day is celebrated every year on 5th May.

¹⁰¹ Munir Akram, “Engaging Modi” *Dawn*, May 25, 2014.

¹⁰² Ibid.

was also dictated by priorities of the Indian tycoons who funded the multimillion-dollar, high-tech electoral campaign that secured Modi's landslide.¹⁰³

Premier Nawaz said that the neighbours should use their common heritage¹⁰⁴ to help overcome their differences. "No two nations have ever possessed so much of cultural and traditional similarities as India and Pakistan. Why not turn the similarities into our strengths?" He promised to pick up the threads of a failed peace process which went on during his second term in office — which coincided with the last BJP government in India.¹⁰⁵ In 1999, the then Indian prime minister Atal Bihari Vajpayee rode a bus to Lahore to sign an accord with Nawaz, but three months later the two countries nearly went to war over Kargil. Fortunately, Modi and Sharif, along with their electorates, understand that both countries would be much better off if they could expand mutual trade and other forms of peaceful interaction.¹⁰⁶ Both societies and governments recognize that the perpetrators of violence and perpetual conflict are a small minority that threatens the internal well-being of each country as well as security and prosperity between them.¹⁰⁷ The prime minister was quoted as saying, "I am regarded as a friend of businessmen and we are regarded as a business-friendly government. Modi, too, is perceived as a business-friendly person. He has a model of development."¹⁰⁸

¹⁰³ Ibid.

¹⁰⁴ "Turning a new page Nawaz to Modi: Let's turn similarities into strengths," *The Express Tribune*, May 27, 2014.

¹⁰⁵ Ibid.

¹⁰⁶ George, op. cit.

¹⁰⁷ Ibid.

¹⁰⁸ "Turning a new page Nawaz to Modi: op.cit

However, opposition parties in Pakistan are criticizing Nawaz for not mentioning of Kashmir in stark contrast to Modi. Even PM Nawaz did not meet with representatives of the All Parties Hurriyat Conference nor discussed Kashmir and instead focused on trade, his Indian counterpart insisted on talking about security. **Senior leader of PTI and Former foreign minister Shah Mehmood Qureshi said that**“This uni-dimensional focus of Sharif’s India policy – which is in fact not a policy but a collection of short-term measures – on business interests betrays a lack of understanding on the overarching dynamics of the Pakistan-India relationship and the real conflicts that need resolution.”¹⁰⁹ “It also begs the question of whether the PML-N government has put the composite dialogue on the back burner to further certain business interests with India.”¹¹⁰ Pursuing economic cooperation and trade wherever this is beneficial for Pakistan is a legitimate aim. But this will not in itself assure peace and stability. Kashmir remains a time bomb in Pakistan-India relations and requires an equitable solution. India’s conventional and nuclear build-up, and its Cold Start doctrine of sudden attack against Pakistan, have created a hair-trigger strategic environment and must be addressed in any bilateral/multilateral dialogue. And Islamabad should have the courage to call for an end to India’s interference in Balochistan¹¹¹ and support for the TTP¹¹², especially in response to India’s loose talk of Pakistan’s ‘sponsorship’ of terrorism.

¹⁰⁹ “India trip: ‘Nawaz turned win-win situation into disaster,’” *The Express Tribune*, May 29, 2014.

¹¹⁰ Ibid

¹¹¹ Munir Akram, op.cit

¹¹² Ibid

Internationalization of the Kashmir Issue

The Kashmir issue internationalized, as it was referred to the United Nations by the government of India on January 1, 1948. While it was India that originally went to the UN to get Pakistani tribal forces to vacate Kashmiri territory, however, Pakistan saw itself as the potential beneficiary of international involvement. The UN Security Council established its Commission for India and Pakistan (UNCIP) through its resolution of April 21, 1948, and called for a plebiscite to ascertain the wishes of the Kashmiri people.¹¹³ Since its inception, Pakistan focused on mobilizing international support for its demand for a plebiscite in Kashmir.¹¹⁴ The Commission itself adopted a more elaborate and detailed resolution on August 13, 1948, outlining a plan for a ceasefire, a truce agreement, and the proposed plebiscite.

Pakistan adopted the following four pronged approach to facilitate the process of internationalization:

1. Pakistan allowed the local as well as the international press including the Indian media to cover the consequences of the crisis on this side of the LOC. All interested visitors and human right activists are allowed to visit AJK and talk to the unfortunate victims of the crisis.¹¹⁵

¹¹³See Husain Haqqani, "Pakistan's End game in Kashmir," Carnegie Endowment for International Peace in Washington, DC Published online: 04 Jun 2010.

¹¹⁴S. M. Burke, *Pakistan's Foreign Policy: An Historical Analysis* (Oxford University Press, 1973), pp. 226-30.

¹¹⁵ See Dr. Pervaiz Iqbal Cheema, "Changing Dynamics of the Kashmir Dispute," *Margalla Papers 2006*, NDU, Islamabad.

2. The second aspect of this approach consisted of Pakistani government's efforts to place the dispute before a number of international organizations including NAM, OIC, UNCHR etc.¹¹⁶
3. The third aspect was to send delegations consisting of parliamentarians and journalists to various countries with a view to educate those governments. The establishment of Kashmir Committee was another development, which did contribute enormously towards Pakistan's Kashmir Policy.¹¹⁷
4. In the aftermath of 1998 nuclear tests Pakistan has linked the Kashmir dispute to a nuclear flash point to attract the attention of the world to stress the need for the indulgence of the international community to resolve the problem.¹¹⁸

The strategy worked initially. To gain international sympathy and legitimacy for its Kashmir policy, Pakistan stresses the human aspects of the dispute as much as the territorial. Conscious also of the changed international environment after 11 September, Pakistan seeks to justify support for Kashmiri militants by distinguishing between the Kashmiri struggle for self-determination and terrorism. Under intense Pakistani lobbying, the Organization of Islamic Countries (OIC) voted for sanctions against India for human rights violations in Kashmir in May 1993. In Britain, the Labour Party raised the Kashmir issue in the Parliament and called on the British government to put pressure on India to honour the Kashmiris' right to self-determination under UN supervision. In the United States, the Clinton Administration also criticized India for human rights

¹¹⁶ Ibid

¹¹⁷ Ibid

¹¹⁸ Ibid

violations in Kashmir leading to strains in India-US ties. However, as the conflict dragged on, Pakistan's diplomatic initiatives failed to bring about international pressure on India to hold a plebiscite in Kashmir for a number of reasons.

CONCLUSION

There is virtual consensus that peace and political stability cannot be achieved in nuclear South Asia until the Kashmir issue is resolved. Kashmir has been a flashpoint between India and Pakistan for more than 67 years. In 1947-8 India and Pakistan fought their first war over Jammu and Kashmir. Under United Nations' supervision, they agreed to a ceasefire along a line which left one-third of the state - comprising what Pakistan calls Azad Jammu and Kashmir, and the Northern Areas administered by Pakistan and two-thirds, Jammu, Ladakh and the Kashmir Valley, administered by India. In 1947 India and Pakistan agreed that the allegiance of the state of Jammu and Kashmir would be decided by a plebiscite. However the demand for a plebiscite to be held, as recommended by the Governor-General of India, Lord Mountbatten in 1947, and endorsed by the United Nations Security Council, is still considered by some as a way of letting Kashmiris exercise their right of self-determination. Historically, the Government of Pakistan has maintained that J&K has been a disputed territory. The state's accession to India in October 1947 was provisional and executed under the coercive pressure of Indian military presence. The disputed status of J & K is acknowledged in the UN Security Council resolutions of August 13, 1948 and January 5, 1949, to which both Pakistan and India agreed. These

resolutions remain fully in force today, and cannot be unilaterally disregarded by either party.

However, Pakistan cannot ignore global trends. It should consider changed geopolitical environment where military concepts are receding and theories of economic interdependence are gaining currency. Given the ineffectiveness of past approaches, Pakistan should be cautious in adopting step by step approach alongside the Kashmir issue. It should continue to support the Kashmiri people and should encourage the intra Kashmir dialogue. Pakistan needs to revisit its Kashmir policy and realign its domestic, foreign and defence policies accordingly to succeed in failing Indian designs on Kashmir and creating favourable domestic and international environment to make India willing to resolve the Kashmir dispute according to the wishes of the people of Kashmir.