

## The Kashmir Dispute: Key to South Asian Peace

Pervaiz Iqbal Cheema\*

### Abstract

Not only the future of Indo-Pak relations but prospects of peace in South Asia hinge on resolution of the Kashmir dispute. The seeds of the dispute were sown by the British and all efforts by Pakistan and international agencies have been frustrated by Indian intransigence which rejects arbitration and uses all diplomatic guiles to delay efforts towards a negotiated settlement. Pakistan policy has been consistent all along and achieve success in internationalizing the issue which India wishes to maintain as a bilateral tussle. The on-again off-again composite dialogue process together with backdoor diplomacy all seem to be getting nowhere. In such a situation out of the box strategies need to be tried towards which a beginning was made by general Musharraf resulting in some softening of communication between the two Kashmirs. Deep rooted distrust, differing security perceptions and chosen ideologies continue to mark all thresh approaches. The history of these trends and developments are discussed and the pros and cons of various approaches together with the China like strategy of putting problems on the back burner and pursuing CBMS are discussed with implications.

**Keywords:** Approach, Dialogue, Kashmir, Security, Peace.

Even after the passage of nearly 66 years, not only the Kashmir dispute continues to occupy a paramount position in Indo-Pak relations but it is becoming clearer by the day that unless it is resolved, the peace of South Asia would remain elusive.<sup>1</sup> To have a proper understanding of how the dispute affects the peace of South Asia, one needs to be aware of all of its shades including the different approaches, the dialogue, the multilateral and bilateral efforts, factors contributing to the slow progress and its impact

---

\* The author is Dean, Faculty of Contemporary Studies, National Defence University (NDU), Islamabad.

<sup>1</sup> *Nawa-e-Waqt*, October 27, 2013. According to a recent poll 76% Pakistanis think that the resolution of Kashmir dispute is necessary for the peace of with India. See "National Issue, Kashmir," Gilani Research Foundation's Opinion Poll, Press Release, Islamabad, December 11, 2012, <http://www.gallup.com.pk/Polls/11%20Dec%202012%20PR.pdf>

on regional peace. Following this discussion the final section presents a recipe to move forward.

## I

### Approaches

The seeds of the Kashmir dispute were sown at the time of the partition of the subcontinent into Pakistan and India by British Viceroy Louis Mountbatten's role in securing the accession of most of the princely States to India, in disregard of the principles he himself had laid down for the processes of partition. Technically, the fundamental principle of accession was that the power to accede to one or the other of the new dominions would vest in the personal decision of the ruler but it was also recognized that the decision of the ruler would be guided by considerations of geographic contiguity to one of the dominions, composition of the population and, above all, the wishes of the people. India insisted upon accession of Junagadh and Hyderabad on the basis of their being Hindu majority states overruling the fact that the ruler of Junagadh had opted for Pakistan and the ruler of Hyderabad had preferred to retain his state's independent status. By this criterion, Kashmir should have automatically joined Pakistan. But India applied a different criterion towards the Kashmir dispute by maneuvering the state's territorial contiguity and securing the consent of the Maharajah to join India. Once the Maharajah had supposedly signed the instrument of accession, India relegated the principles of majority and wishes of the people as well as geographic contiguity to a secondary position and pushed the legalistic approach to the forefront.

Compared to India's, Pakistan's Kashmir policy has all along been consistent. India has been changing its tactics with the passage of time according to developments of even lesser significance. Yet Kashmir dispute is a complex issue for both sides that has exercised overwhelming influence over their policies since partition. **For India:** Kashmir is a Muslim majority state whose ruler opted to accede to India. India did not apply the same principle to Junagadh whose ruler opted to accede to Pakistan but India forcibly occupied the state. The intensified freedom struggle of the Kashmiris is often termed as Pakistani inspired rather than acknowledging it as a genuine expression of Kashmiris' desire for self-determination. **For Pakistan:** Kashmir has become a symbol of Indian highhandedness and broken pledges. All Pakistan wants and insists upon is that the people of Kashmir are allowed to exercise their right of self-determination under a UN supervised plebiscite in accordance with the resolutions of August 13, 1948 and January 5, 1949. The uprising in the 1990s and the current struggle are not only viewed as the expression of extreme discontentment of

the Kashmiris but also as a renewed assertion to secure their legitimate right of self-determination. All that Pakistan seeks is to ascertain the wishes of the Kashmiris.

The Indian interpretation of the intensification of the Kashmiris' freedom struggle since 1990 is that it has been externally fuelled — more specifically they tend to place the blame on Pakistan. It is intriguing that many Pakistanis and Azad Kashmiris accuse the Pakistani leadership for not doing even the basic minimum in the area of supplying weapons or even providing training whereas the Indians tend to over credit the Pakistanis in that respect.

As against India, which has systematically eroded the special status it gave to the State of Jammu and Kashmir (J&K), Pakistan did not absorb either the Northern Areas or the Azad Kashmir though in case of the Northern Areas only recently a special status has been assigned as the Gilgit-Baltistan region. Determined not to allow Kashmir's possible accession to Pakistan and to retain it as a part of the Indian Union, India undertook a series of well calculated moves to erode the special status it had given to J&K under the Constitutional articles with the intention of finally merging the state completely into the Indian Union.<sup>2</sup> This was facilitated initially by British surrender of its impartial role in partition processes enabling India to gain the necessary foothold there in the state towards this end.

Over the last 25 years, Pakistan has successfully managed to internationalize the Kashmir dispute. A three-pronged approach adopted by Pakistan facilitated the process of internationalization. To begin with, 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. 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, and UNHCR etc. The third aspect was to send delegations consisting of parliamentarians, thinkers, analysts and journalists to various countries periodically with a view to educating those governments. The establishment of a Kashmir Committee was another measure, which did contribute enormously towards Pakistan's Kashmir policy.

Five other factors somewhat inadvertently facilitated the process of internationalization of the dispute. First, many research organizations,

---

<sup>2</sup> For detailed analysis of moves directed to absorb Kashmir into the Indian Union see Pervaiz Iqbal Cheema, 'India's Kashmir Policy' in *Perspectives on Kashmir*, ed. Dr. K. F. Yousaf (Islamabad: Pakistan Forum, 1994), 97-118.

foundations, institutes and universities all over the world began to hold seminars and conferences on the Kashmir crisis. Second, many Kashmiris living outside South Asia began to step up their efforts to educate the public in those countries. Third, many marches were organized to cross the LOC over the last 25 years which, in turn, accelerated the process of internationalization. Fourth, the negative attitude of the Indian governments with regard to opening Indian Held Kashmir (IHK) to international journalists, representatives of various human rights groups and OIC contact group further facilitated the process of internationalization of the dispute. Five and perhaps the most important was the inadvertent internationalization of the dispute as a consequence of acquisition of nuclear weapons by both India and Pakistan.

Compared to Pakistan's successful pursuit of internationalization of the dispute, India tried to paint it as an effort directed to highlight the Islamic character of the conflict. Indeed these were crude attempts to divert the attention from the real issues. The employment of terms like international Islamic Mujahedeen tended to generate the impression that some kind of Islamic conspiracy exists which is continuously working against the established order.

There exist two sets of approaches. One consists of military and political approaches and the other entails bilateral and multilateral routes. The Kashmir dispute is essentially a political dispute requiring a political approach if the parties involved are genuinely interested in resolving it. It needs to be stated here that both parties have employed political as well military approaches with a varying degree of emphasis. Until the peace process that began in 2004 and the current initiation of bilateral dialogue process, India seems to have opted to focus more on a military than a political approach. While the freedom fighters claim that they have been compelled to take up arms by the state government's and India's policies, the Indian government had opted for a military approach right from the beginning of the crisis. The IHK had remained under the Governor's/President's rule for quite some time though half-hearted attempts to introduce the political approach had been made from time to time. Whenever Indian efforts to employ the political approach had failed, they had immediately accused Pakistan for that instead of looking for the real causes. However, it needs to be mentioned here that Pakistan had also employed the military approach in 1965.

The government of Pakistan frequently expressed its willingness for a dialogue focused on Kashmir exclusively, while the Kashmiri umbrella organization APHC also repeatedly expressed its willingness to talk to the Indian government but India's negativism effectively impeded any progress in that direction.

## II

### Dialogue

Ostensibly both governments of India and Pakistan have repeatedly expressed their desire for a dialogue on Kashmir. India does not want to hold a dialogue with Kashmiri leaders as it relegates their status and regards them as militants. As far as dialogue with Pakistan is concerned, Indian leaders have off and on expressed willingness but have refrained from demonstrating even a small gesture of goodwill that could give the necessary boost to the dialogue process. However, it needs to be stressed here that many leaders and prime ministers of India have expressed from time to time the desire to normalize relations with Pakistan to which the counterparts in Pakistan have always responded quickly and positively. Besides, at times the leadership in Pakistan has thrown positive feelers but the Indian response invariably has either been mute or half-hearted. Soon after taking over, Prime Minister Nawaz Sharif once again stressed that he 'wants to resolve all issues with India including the Kashmir dispute through dialogue.'<sup>3</sup>

It seems pertinent to state here that dialogue between the Indians and the Pakistanis has been held from time to time in which many issues including the Kashmir dispute have been discussed. The Simla Agreement, the Lahore Declaration, Agra Summit and the peace process following the 12<sup>th</sup> SAARC Summit all bear testimony to periodic bilateral discussions. Pakistan goes to such dialogues with a view to resolving the disputes whereas the Indians frequently use the occasion either to extract Pakistani consent to their cleverly devised solutions or to further delay the resolution by injecting additional complications.

A serious, if it can be called serious, effort to initiate a process of dialogue aimed to resolve the dispute was made in January 1994 when the two foreign secretaries met in Islamabad to discuss Kashmir. The talk resulted in an anticipated deadlock. As expected both sides accused the other for failure of the talks. Blaming Pakistan for the failure of January 1994 bilateral talks, the Indian Foreign Secretary, at the time, Mr. J.N. Dixit, expressed his government's willingness to resume talks within the next four months. The former Pakistani Foreign Secretary, Mr. Shaharyar Khan, who was leading the Pakistani side, clearly and firmly highlighted that there was neither any progress on Kashmir nor the Indian side appeared to be equipped with any specific proposals. Obviously, it meant that the Indians were not really interested in making any progress. They were only

---

<sup>3</sup> *Express Tribune*, November 24, 2013.

keen to appear to the world that India is not only always ready for bilateral negotiations but frequently takes initiatives to resume such talks.

Another somewhat similar attempt was made in May 2001 when the Indian Prime Minister invited the Pakistani President for Summit level dialogue at Agra. While Pakistani President's candid and logical approach at Agra earned him widespread and positive media coverage, the Summit was unable to agree upon a road map for the resolution of the dispute. On the contrary, Pakistan's acknowledged sincerity to resolve the dispute was not only misinterpreted by the Indian counterparts but they successfully sabotaged another major effort towards the desired objective of peace in the region.

The April 18, 2003 initiative by Vajpayee apparently reflected another sincere attempt to start the much-delayed dialogue between the two estranged neighbours. So far things had been moving in the right direction. Both Prime Ministers had expressed determination to move forward though with caution. The first tangible reflection of their desire to resume dialogue appeared to be the quick appointment of the two High Commissioners. The newly appointed High Commissioners soon took up their job in both capitals. The next step revolved around the resumption of communications and transportation links. Initially, the bus began to ply between New Delhi and Lahore and a little later the rail and air links were also restored.

Vajpayee made his offer in Srinagar, imbuing it with great symbolism because Kashmir embodied the chief contention between the two countries and had been the scene of major wars over the dispute. Prime Minister Vajpayee's offer of April 18, 2003 for a dialogue with Pakistan had not only been generally welcomed by almost all the peace lovers but had also raised hopes of early resumption of dialogue. However, many Pakistanis could not just overlook the irresponsible and somewhat provocative statements made by some BJP cabinet members intermittently. In fact such statements began to inject doubts in their minds. Nevertheless, the majority remained optimistic and began to look forward to anticipated positives moves from both sides.

This offer was followed by appointing High Commissioners by both India and Pakistan who had been recalled during the period of tension. Later, an offer was made to increase the staff strength in the respective High Commissions. The next major steps revolved around how to restore transportation and communication links. After intense negotiations the two sides managed to restore air, rail and bus links. The process of normalisation was facilitated by the visits of many delegations from both sides which included parliamentarians, journalists, academics, women, labour leaders, students, businessmen etc. These steps not only succeeded in reviving the situation that existed before the attack on the Indian Parliament

and the border confrontation crisis but also generated enormous goodwill. The atmosphere rapidly improved. Apart from minor setbacks, the normalisation process continued to make impressive strides.

From April 2003 onward, the situation made positive improvement resulting in restoration of all communication and transportation links that were discontinued during the period of the troop's confrontation but also in successful conclusion of the 12<sup>th</sup> SAARC Summit at Islamabad. Perhaps the most important development, at the time, was the signing of the Joint Statement by President Musharraf and Prime Minister Vajpayee. As a consequence of the Joint Statement the initial procedural round of talk took place in February 2004. However, the substantive talks were postponed because of the Indian general elections. New dates were given to start the substantive dialogue on various issues.<sup>4</sup>

The year 2004 started with two momentous developments; the successful conclusion of the 12th SAARC summit and the Joint statement by President Musharraf and Prime Minister Vajpayee. Both leaders welcomed the steps towards normalisation of relations and expressed the hope that the positive trends set by the CBMs would be consolidated. This was a welcome thaw in Indo-Pak relations as both sides expressed the determination to move the process forward to its logical conclusion.

The Foreign Secretaries of the two countries met in February 2004 and decided the procedural aspects of the composite dialogue. Cognizant of approaching Indian elections the initiation of a dialogue was postponed till after the elections. The Indian elections produced unexpected results which brought a Congress coalition government in power. This of course implied that a new team has to be installed. Because of the change in government the initial dates for meeting were slightly advanced.

From June 2004 onward several meetings dealing with contentious issues were held till the process was completely derailed by the Mumbai carnage in November 2008. While the peace process did register some progress in three areas of the dialogue, almost all conflict areas demonstrated no progress. Among the areas which registered some progress included the Confidence Building Measures (CBMs), trade and people to people contact. It needs to be mentioned that no progress was registered on the main Kashmir dispute. Similarly linked issues like water problems and Siachin continued to remain illusive commodities.

Since 2008's Mumbai tragedy, no serious attempt has been made to resolve the Kashmir dispute. Not only the Indian authorities have tried to capitalize as much as possibly they could on the Mumbai tragedy they have

---

<sup>4</sup> The new dates for nuclear issues are June 19-20, whereas new dates for Secretary level talks are June 27-28, 2004. *News International* and *Nation*, June 2, 2004.

also disrupted the on going peace process that has remained stalled for nearly four years. However, it needs to be mentioned here, that developments of somewhat limited significance (such as Amritsar-Nankana Sahib Bus Service or release of prisoners from both sides or screening of films being allowed on a limited scale etc.) continued to take place. The advent of PPP government headed by President Zardari in 2008 once again tried to improve Indo-Pak relations by highlighting the significance of improved relations. Similarly, the visit of Indian foreign minister Krishna in 2012 further improved the atmosphere. Soon after forming his government, Prime Minister Nawaz Sharif also reiterated his resolve to improve relations with India and categorically stated that ‘if India moves one step towards normalizing ties, Pakistan will move two steps’.<sup>5</sup> While such sentiments have been periodically aired by both sides but no tangible developments appeared to have been witnessed so far and both sides seem to be hostage to certain operative impediments.

### III

#### **Multilateral and Bilateral Efforts**

India and Pakistan cannot afford to remain hostile forever. They cannot change the geography but they can certainly adjust their foreign policies in order to move towards the much-desired normalcy. Similarly the Kashmir dispute cannot be whisked away. It must be solved in order to make South Asia a peaceful region. The past is filled with a series of broken pledges, failed efforts and missed opportunities. ‘We can’t forget the past, but neither should we be the prisoners of the past. The past has been stewed with booby-traps on the ground, and high-tension wires in the air. We want to put an end to it. The relations will be based on trust, not mistrust, on frankness, not fear’, asserted the former Indian Foreign Minister Natwar Singh.<sup>6</sup> Indeed this was a positive approach. But the doubts persisted whether or not the two parties will be able to move forward, especially on the Kashmir dispute.<sup>7</sup>

Efforts to resolve the Kashmir dispute started almost immediately after its emergence. Since partition both bilateral and multilateral attempts have been made but success seems to have eluded both types of efforts.

---

<sup>5</sup> Prime Minister also stated ‘I want to resolve all issues with India including the Kashmir dispute through dialogue’. *Express Tribune*, November 24, 2013.

<sup>6</sup> *Dawn*, June 2, 2004.

<sup>7</sup> Many Pakistanis are beginning to entertain a notion that India wants progress sans Kashmir issue. *Nation*, May 29, 2004.

As far as multilateral efforts are concerned, these mostly revolved around the UN role. India took the case to the UN under article 35 of its Charter on January 1, 1948. Although the early years of UN involvement saw active UN participation in efforts to secure a quick resolution, but with the passage of time the UN gradually lost its interest and the Kashmir dispute continued to take a heavy toll of all peace efforts. After having been frustrated in securing a quick resolution of the dispute during the early years, the UN Security Council decided to appoint a special representative to seek an amicable solution. As UN representatives Sir Owen Dixon, Dr. Frank Graham, and Gunner Jarring all tried their skills successively to secure a resolution but even their efforts resulted in failure. After these failed efforts of the UN representatives, the UN gradually began to lose interest. Apart from citing the existence of the dispute as one of the oldest and encouraging the parties involved to seek a solution bilaterally, the UN has done nothing in this regard.

The fate of the bilateral efforts has been no different from the outcome of the multilateral. Among the bilateral efforts perhaps the most important was the meeting between Lord Mountbatten and Quaid-I-Azam Mohammad Ali Jinnah at Lahore in November 1947. A three point formula was suggested by Mr. Jinnah stressing a ceasefire within 48 hours, departure of all foreign forces including Indian forces and the tribesmen, taking over of the administration of the state and arranging a plebiscite under the joint control of the two Governor-Generals.<sup>8</sup> The meeting ended inconclusively as Mountbatten pleaded his inability to accept the proposal without the consent of the Indian cabinet which eventually turned down all these proposals.

Following the failure of the first bilateral effort, three more attempts were made by the Pakistanis during the early phase of the dispute. These included Chaudhry Muhammad Ali's India visit in November 1947, Liaquat Ali's participation in the Joint Defence Council's meeting, and the meeting of the two prime ministers. In each of these meetings, attempts were made to arrive at some feasible formula but the result was no different than Mr. Jinnah's meeting with Mountbatten.

The second phase of tangible bilateral efforts started after the Commonwealth meeting of June 1953. Initially the two prime ministers met in London and discussed the dispute though without any result, but they also met later in August 1953 and agreed that the most feasible solution was to hold the promised plebiscite.<sup>9</sup> The announced agreement was followed by

---

<sup>8</sup> G.W. Choudhury, *Pakistan's Relations with India 1947-1966* (London: Pall Mall Press, 1968), 105.

<sup>9</sup> *Ibid.*, 123-124.

exchange of 27 letters and telegrams (between August 10, 1953 to September 21, 1954) that only reflected the increasing disagreement and revealed failures to reach agreement even on most of the preliminary issues.<sup>10</sup>

The third phase of bilateral efforts started following the India-China war of 1962 in which India was badly mauled. Six rounds of talks were held but no solution was found despite the fact that President Ayub had opted for a very flexible attitude and stressed that he was prepared to consider a solution other than plebiscite.<sup>11</sup> Since India was not interested in resolving the dispute and was merely trying to appease the donors of military aid, it soon reverted to its pet theme that Pakistan be declared an aggressor and asked to vacate the aggression.

The fourth phase that initiated bilateral talks came after the signing of the Simla Agreement (July 1972) which stipulated that both sides should meet at a mutually agreed date and time in order to secure a settlement of the Kashmir dispute. From 1972 to 1994, the two sides met 45 times to discuss various issues but only once, in 1994, the dispute was subjected to exclusive discussion and resulted in total disagreement.<sup>12</sup>

The next phase started after the Joint Statement by President Musharraf and the Indian Prime Minister Vajpayee in 2004. The Joint statements issued by the leaders of the two countries in January 2004, September 2004, and April 2005 clearly reflected the determination of the two sides to carry forward the peace process and subject the Kashmir dispute to a purposeful and sincere discussion with the aim to secure a final settlement of the dispute.<sup>13</sup>

While there is no doubt that the Kashmir dispute was regularly discussed in the peace process, but no progress was registered during the meetings that were held between 2004 and 2007. However it needs to be mentioned here that in 2003 President Musharraf suggested a four stage formula with a view to subjecting the dispute to a dialogue process. The four-stage formula included recognition of the Kashmir dispute as the main impediment on the road to India-Pakistan peaceful relationship, initiation of a dialogue, elimination of whatever is unacceptable to India, Pakistan and

---

<sup>10</sup> Ibid.

<sup>11</sup> S.M. Burke, *Pakistan's Foreign Policy: An Historical Analysis* (Karachi: Oxford University Press, 1973), 275-288.

<sup>12</sup> For details of various meetings see Pervaiz Iqbal Cheema, "The Kashmir Dispute and the Peace of South Asia," *Regional Studies*, vol. XV, no.1 (Winter 1996-97), 170-188.

<sup>13</sup> The Joint statements in *Dawn*, April 19, 2005 and January 7, 2004. Also see *News International*, January 7, 2004 and April 19, 2005.

the people of Kashmir, and efforts to secure a win-win situation.<sup>14</sup> The main objective of this formula was to initiate debate on the Kashmir dispute. Later President Musharraf put forward a four point formula to resolve the Kashmir dispute. The formula implied soft borders, demilitarization, self-governance and a joint mechanism.<sup>15</sup> Perhaps the most important aspect of these suggestions was that Pakistan no longer insisted on plebiscite/ resolution of the Kashmir dispute as a prerequisite for progress on other issues.<sup>16</sup> Besides President Musharraf, the Chairman of APHC, Mir Waiz Omar Farooq, suggested the establishment of a United States of Kashmir.<sup>17</sup>

The unfortunate Mumbai incident effectively halted the dialogue in 2008. It has been only recently decided to resume the dialogue at the Thimphu Meeting (February 6, 2011). For almost three to four years the Indian government has delayed the resumption of the peace process and tried to paint Pakistan in adverse terms.

## IV

Impediments causing unnecessary delay in resolving the Kashmir dispute are many and varied. Among them are the haunts of history, differing security perceptions, domestic dynamics, images and perceptions, internal disunity in APHC, delay in associating Kashmiris with the on going peace process etc.

### **Haunts of History**

Many writers contend that the roots of Indo-Pak conflict go back to the day when Hindu-Muslims clashed for the first time. Three distinct periods of history are quoted which seem to have injected unnecessary complexities; the pre-partition period, the inept partition processes, and the divergent policy pursuits following the partition. The initial argument, particularly among the Pakistani writers, revolved around the inability of Hinduism to overwhelm Islam with its infinite reservoir of flexibility and absorbing qualities as it had already done vis-à-vis Buddhism and Jainism which left deep scars on the Hindu psyche. Islam's ability to trigger large scale conversions and its rise to power caused an injury to the Brahmin's sense of pride which eventually shaped the Hindu attitude towards Islam and the

---

<sup>14</sup> Pervaiz Iqbal Cheema, "Musharraf's recipe for Kashmir," *News International*, July 6, 2003.

<sup>15</sup> Pervaiz Iqbal Cheema, "Fresh ideas on Kashmir," *Post*, November 27, 2005.

<sup>16</sup> P. R. Chari, Pervaiz Iqbal Cheema, Stephen P. Cohen, *Four Crises and a Peace Process* (New Delhi,: Harper Collins Publisher, India, 2008, 2009-2010).

<sup>17</sup> Pervaiz Iqbal Cheema, "Fresh ideas on Kashmir."

Muslims in South Asia.<sup>18</sup> While having been juxtaposed, the two communities (the Hindus and the Muslims) interacted with each other and even mixed with one another but they also maintained an identifiable distinctiveness. Despite the conciliatory efforts of many Muslim Sufi saints along with their Hindu counterparts, the cleavage continued to widen. During the course of the freedom movement the existing Hindu-Muslim cleavage was transformed into Congress-League rivalry. To make things more complicated, the ill planned and hurriedly prepared partition mechanism of the British contributed enormously towards the conflict cobweb. Towards the end of the British rule it seems that their policy of 'divide and rule' degenerated in to 'divide and run' leaving many complex issues for the successor states to sort out.<sup>19</sup> The divergent policy pursuits after the partition further took them away from each other which seemed to have been the product of the asymmetrical power balance. The three wars, of course, only further widened the existing gulf.

Deep rooted suspicions and distrust are the legacies of history with which nations have to contend with. To make things little more complicated, histories written in both countries and the syllabi adopted in some schools seem to project negative images of the other. Many history books written by the Indian authors tend to give a lopsided projection of the golden periods of ancient Indian history, like that of the Mauryas and the Guptas and drastically reduce the long periods of Muslim rule of Delhi Sultanate and the Mughals and thus tend to ignore the positive contributions of the Muslim rule in India. Similarly histories written in Pakistan tend to start with the advent of the Arabs rather than beginning with the ancient Indian period which is dumped in the realm of archaeology. Such histories present distorted images of our rulers. A historian has to be meticulously accurate with his facts. Unless the histories are written with objectivity, the lessons they teach would also be biased and difficult to correct.

### **Differing Security Perceptions**

Conflict and tension also arose in South Asia because of different security perceptions and strategies adopted. The differing approaches to security could be viewed as the second most important hurdle effectively arresting the peace processes. Both countries have legitimate security concerns which need to be acknowledged and accommodated. South Asia has an unbalanced and asymmetric power structure. The nature of the incumbent

---

<sup>18</sup> Hasan Askari Rizvi, *Pakistan and Geostrategic Environment*, (London: The Macmillan Press, 1993), 18-20.

<sup>19</sup> Ziring, Lawrence, *Pakistan: The Enigma of Political Development*, (Folkestone and Colorado: Dawson, Westview, 1980), 19-40.

imbalance and asymmetry is such that India is far superior in terms of size, population, resources, and military strength compared to its neighbours. On account of this asymmetry India envisaged for itself a place of pre-eminence in the area and was not only keen to assert its position but also expected to be thus acknowledged by its regional neighbours. Apprehensive about India's intentions and overwhelmed by feelings of insecurity, Pakistan joined the Cold War defence alliance system with hopes and intentions to contain India on the one hand and on the other to be able to equip its own forces with qualitatively superior weaponry as it had realized that it could never match the Indians in quantitative terms. Pakistan's security drive was misinterpreted by the Indians as the former's attempt to attain parity. What Pakistan was, and in some sense, is still striving for, is not parity but sufficient capability to defend its territorial integrity, a recognized right of every nation. To interpret Pakistan's efforts to strengthen its defence capabilities as an attempt to match Indian military strength or to attain parity was indeed an unrealistic and ludicrous notion.

Almost all independent smaller states living under the shadow of a bigger and ambitious neighbour that frequently acquires unfriendly postures, tend to concert with other powers or with multinational groupings in order to cushion the force of the pressures emanating from the presence of a big power in the area. Later, following the Sino-Indian war and improved Sino-Pakistan relations thereafter that India began to dub as some kind of collusion against India further generated complications. Despite the improved Sino-Indian relations, especially following the signing of the troop's withdrawal treaty, Indian decision makers still employ their perceived threat from China and Pakistan as a justification for increase in allocation of resources to the defence sector. In May 1998 the Indian defence minister, describing compulsions behind the nuclear tests, pointed to China as a major factor. Both India and Pakistan seem to have been caught in an action-reaction cycle. Not only the increase in the defence budget of one automatically propels the other to follow suit but such action-reaction syndrome has been witnessed in other areas too. Invariably a buying spree of sophisticated arms by India would prompt the Pakistanis to seek viable and affordable balancing approaches. With India's vastly improved economic situation and its strategic partnership with the US along with the Indo-US nuclear collaborative treaty, the gap between Indo-Pak military capabilities, especially in the conventional realm, has rapidly increased.

## Periodic Domestic Developments

The third factor that often adversely affects the pace of normalization is the periodic domestic developments. Sometimes unforeseen developments in domestic politics can force one regime to modify its existing stances in international relations or adopt totally different policies from those that were mandated by either the previous regime or by external considerations. Just as there exist countless examples in which attempts were and still are being made by one nation to influence the behaviour of the other, history is studded with instances in which developments in domestic politics have led to significant changes in foreign policy. The importance of linkage between foreign policy and domestic politics was admirably highlighted by Prime Minister, Gladstone, when he said, “the first condition of a good foreign policy is a good domestic policy.”<sup>20</sup> Admittedly, it is not easy to define what good domestic policy is, but one can still safely assume that a good domestic policy implies a reasonable level of stability, security and economic growth. While stability, security and economic development could help in producing a good domestic policy, three other factors may contribute to or effectively impede the desired directions of both domestic and foreign policies. These factors are ideology, images and perceptions, and public opinion.

Both India and Pakistan tend to strictly adhere to their chosen ideologies. While Pakistan tends to project its Islamic identity, India highlights its secular ideology in their respective foreign policies. Despite periodic setbacks and discouraging responses of some of the Muslim countries to Pakistani initiatives, Pakistan has remained steadfast in its approach to cement closer ties with all Muslim countries. In addition, Pakistan has also regularly demonstrated support for the plight of Muslim minorities. While no government in Pakistan can afford to ignore the sufferings of the Indian Muslims, most Indian governments have invariably viewed such concern as attempts to weaken the internal unity of India. The rise of Hindu militant nationalism has further complicated the situation in India. In fact, it has made it difficult for secular-minded ruling groups to demonstrate the magnanimity expected of a bigger country towards a smaller neighbour and offer some concessions to Pakistan. Similar constraints afflict Pakistan where the religious elements would exploit any gesture aimed at accelerating the process of normalization.

---

<sup>20</sup> Quoted in Hill, Norman L., *International Politics*, (New York: Harper & Row Publishers, 1963), 199.

## **Images and Perceptions**

Another factor that has complicated matters is the existing images and mutual perceptions. Both countries tend to entertain adverse images of each other. The Indians tend to view and paint Pakistanis as fundamentalists continuously engaged in weakening the internal unity of India and see the on going struggle in Kashmir as part of Pakistan's designs. They refuse to accept the reality that the freedom movement in IHK is indigenous and also a result of the state government's mismanagement. No movement can last long even with external injections unless the people themselves are not convinced in the righteousness of their cause. On the other hand, many Pakistanis still believe that India is still not reconciled with the creation of Pakistan and is determined to destroy it and, to support their argument, they cite Indian involvement in the dismemberment of Pakistan in 1971. Public opinion in both countries hardly contributes to issues of foreign affairs but vis-à-vis each other its share would look exceedingly impressive. While the press in both countries is quite independent, the radio and some television networks are state owned instruments. Admittedly in recent times independent television and radio channels have begun to function but they are yet far from and short of the desirable level of rational and neutral approaches.

With the advent of the peace process and the contributions of track two diplomacy, there is no doubt that the tone and manner in portraying the other has undergone some marginal transformation but well established images and hardened attitudes would certainly take sometime to dissipate.

## **Inability to Associate the Kashmiris**

It is my perception that no solution would be a lasting one unless the Kashmiri representatives are directly involved in the negotiations on the dispute.<sup>21</sup> While Pakistan has been consistently insisting that the time has come to associate the Kashmiri representatives with the peace process, the Indians appear to be dragging their feet. India continues to blame Pakistan for causing trouble in the Indian held Kashmir (IHK). However, it needs to be stressed here that following the internationalization of the Kashmir dispute during the last decade of the 20<sup>th</sup> century, the on going liberation movement in IHK has clearly demonstrated its indigenous character. Despite Indian measures to stifle the liberation movement in Kashmir and employing diversionary tactics of blaming Pakistan or Pakistan-based groups, the movement has demonstrated and continues to demonstrate its

---

<sup>21</sup> Pervaiz Iqbal Cheema, "No durable peace sans Kashmir solution," *Pakistan Observer*, July 17, 2007.

ability to sustain, all primarily because of its local character. The expressions of Kashmiri resentment and discontent find regular expression in one form or the other.

## V

### Regional Peace

Apart from its strong domestic linkages, the global and regional dimensions of the dispute are equally important. At the regional level, the Kashmir dispute has been taking a very heavy toll of almost all peace efforts. Both India and Pakistan cannot move forward on the path of normalization unless the dispute is resolved. The peace of South Asia continues to remain hostage to this dispute. A Russian finance minister once said at the Davos annual economic forum that there could not be peace in the subcontinent without solving the Kashmir dispute.<sup>22</sup> Even Senator and presidential front-runner Barack Obama, during his electioneering speeches, recognized the need and importance of resolving the Kashmir dispute and stressed that the US should make efforts towards this end.<sup>23</sup>

While both India and Pakistan have repeatedly expressed their deep yearnings for peace and stability in South Asia, at the practical level they have often acted less pragmatically. Many factors account for the discouragingly slow progress of the peace process. It has already been mentioned in the section entitled 'impediments' that haunts of history, differing security perception, periodic domestic developments, images and perceptions, and non-involvement of Kashmiri representatives contribute towards the existing complexities of the dispute. Besides these, three other factors — national interest, outsider's involvement and the peculiar nature of South Asia — play no less a part in hindering progress. Every country tends to promote and secure its national interest the way it deems fit in the regional and global context. If the efforts to promote national interests are tempered with realism and due consideration is given to the other party's sensitivities, it may arrest the creeping negativism and promote a healthy atmosphere.<sup>24</sup>

The second, outsiders, often exploit regional strife to their own advantages. But it needs to be stressed that the exploitable situation is not the outsiders' handiwork. However, if the global community focuses on

---

<sup>22</sup> *News International*, January 31, 1994.

<sup>23</sup> *Dawn*, November 3, 2008.

<sup>24</sup> Pervaiz Iqbal Cheema, "South Asia needs peace and pragmatism," *News International*, March 2, 1992.

preventing human rights violations and ending the suffering of the Kashmiri people, it would certainly facilitate the peace process.

The third factor that often impedes regional pragmatism from developing is the nature of the region. South Asia is an Indo-centric and asymmetrical region. The tyranny of geography is that while almost all the regional states have common border with India, they have no physical proximity among themselves; except Pakistan and Afghanistan if the latter is considered a part of South Asia (as it has already become a member of SAARC). Besides, India is the largest, most populous, and most powerful country of the region. But, as said earlier, it has not shown the magnanimity that was expected of it in terms of cooperation and helpfulness.

For the last sixty six years the Kashmir dispute has been dogging Indo-Pak relations causing all kinds of problems. Over the years the dispute has built up a set of attitudes and a way of thinking in both India and Pakistan which largely ignores the ground realities and invariably reflects the official policies. This, in turn, has mortgaged their future relationships to this dispute. Unnecessarily hardened attitudes on both sides have effectively prevented any substantive stride towards resolution of their disputes.

Since both Indians and Pakistanis, at least at the non-official levels, recognize that Kashmir is a dispute that has gone on far too long and has consistently taken an unacceptably high toll of desired Indo-Pak goodwill, it is indeed time to subject it to concentrated efforts aimed at securing some form of working solution. Compared to India, Pakistan has been suggesting practical and out of the box solutions but India has consistently avoided treading the solution-seeking path. For example, President Musharraf's various proposals reflected a genuine desire to resolve the dispute.<sup>25</sup> India, on the other hand, continued and still continues to stress that Kashmir is an integral part of the Indian Union. Whatever may be the interpretations of the disputants, the dispute deserves to be accorded concerted efforts aimed at its resolution and be placed at the top of the priority ladder. To ignore it

---

<sup>25</sup> Musharraf initial four point suggestion implied the recognition of Kashmir as a dispute, the initiation of a dialogue, shedding of unacceptable solutions, and securing a win-win situation. To have the dialogue on Kashmir dispute move forward a three-point suggestion containing identification of the region, demilitarization of the identified region and changing the status was put forward. President Musharraf's final proposal implied soft borders, demilitarization, self governance as a joint control mechanism. For further details see Pervaiz Iqbal Cheema, "Kashmir: A Way Forward," in "Prospect of Peace, Stability and Prosperity in South Asia," Institute of Regional Studies, Islamabad (2005), 85-107. Also see "Musharraf recipe for Kashmir," *News International*, July 6, 2003. Also see "Resolving the Kashmir Dispute" in *News International*, October 17, 2004.

or to put it far too down the list of priorities would certainly be unrealistic and that would only further contribute towards the unnecessary hardening of attitudes.

## VI

### Way Forward

Although there exist many viable solutions and many scholars have come up with interesting panaceas which were subjected to serious considerations by both India and Pakistan at official as well as unofficial levels but none could receive their concurrence.<sup>26</sup> Most of these solutions were rejected by India. Given the Indian intransigence demonstrated over the years, it appears that the key to the dispute lies with the policy pursuits of India. To make India realize the advantages that would accrue from the resolution, it is imperative for the great powers to continue to apply their influence on India to keep it engaged in the dialogue process.

Undoubtedly, Kashmir needs pragmatic and realistic approaches by both the Indians and the Pakistanis. The following initiatives come to mind that could accelerate the development of the desired pragmatism:

- Recognizing the changed realities in the region as well as in Kashmir and opt for realpolitik,
- Introducing flexibility in attitudes and approaches promoting the idea of soft border between the two parts of Kashmir (AJK and IHK),
- Extending due considerations to each others' sensitivities,
- Avoiding dependence upon outsiders,
- Strengthening SAARC,
- Respecting the expressed sentiments of the people of Kashmir,

---

<sup>26</sup> More than 40 solutions are in circulation which can be easily grouped into six groups; status quo option, plebiscite option, partition option, independent option, autonomy option and UN administered option. Some of these options can also be further sub-divided into few sub groups.

See Syed Riffat Hussain, "Proposals for Resolving the Kashmir Dispute," Briefing Paper no. 19, June (2005), Pakistan Institute of Legislative Development and Transparency (PILDAT), Islamabad. Also see Moeed Yusuf and Adil Najam, "Kashmir: Identifying the Component of a sustainable solution," in Sustainable development and Governance in the Age of Extremes, Sustainable Policy Institute (2005), Pakistan. Also see Pervaiz Iqbal Cheema, "Solving the Kashmir Dispute: Is there a way out," Working Paper no. IV, October (2005), New Delhi, India at Women in Security, Conflict Management and Peace (WISCOMP).

- Supporting a continuous dialogue aimed at resolving the on going outstanding dispute on realistic terms, and
- Preventing negative promotion of each other's images.

It has now become abundantly clear that neither India nor Pakistan can impose a desired settlement through force.<sup>27</sup> This implies that the only viable option to resolve the dispute is through negotiations which is the most logical and rational approach, and perhaps the most attractive way to do that would be to keep the dialogue going. The ground realities after the passage of 66 years clearly point towards the need for a consistent and continuous dialogue between India and Pakistan in which efforts should also be made to involve Kashmiris from both IHK and AJK. For such a dialogue to produce any results it would be necessary that all parties came to it with a flexible mind and with options to discuss.

However, one should not ignore the fact that both India and Pakistan are hostage to their repeatedly announced positions from which they can deviate only at the risk of losing the government seat. Both sides are well aware of this eventuality. I personally think, and it is just a conjecture that I am aware can be wrong, that some kind of an interim solution is needed that buys time to educate people on the lines of 'give and take' and create awareness about the advantages of a compromise formula. The media can foster understanding by avoiding the projection of negative images.

An interim solution that suggests itself is making the LOC a soft border to allow people from both sides to interact and trade with each other but without violating the sanctity of the LOC which either the UN or SAARC could monitor and maintain considering the blame game that was seen during 2013. After the passage of this interim period, of let's say, five years, it is hoped that people on both sides of the LOC would have been sufficiently educated regarding the advantages of normalized relationships allowing the two governments to focus on the dialogue with greater clarity and purpose to seek a permanent solution. To ensure the peace of South Asia — the great powers should also play their role and contribute by extending continuous support and encouragement to all parties towards the continuity of the focused dialogue.

Will India with its given record of intransigence and its refusal to budge an inch from its rigid stand on the issue give a chance to such an interim arrangement? It is hard to say. Then, what remains on the table is the status quo that in any case is the present state of affairs though it is unacceptable to the Kashmiris as well as to Pakistan. It is indeed not an

---

<sup>27</sup> Recent Gilani Poll/Gallup Poll, December 17, 2012 stated that only 13% Pakistanis support war as a solution to Kashmir.

option unless the disputants agree to place the dispute on the back burner at the moment allowing the status quo to remain undisturbed till a more conducive time and atmosphere when the issue could be discussed on its merits. Placing the dispute on the back burner does not imply that one was moving away from one's principled stand. China's stance on Hong Kong and presently on Taiwan is cited in support of this option but Kashmir is different as it is not a territorial but a human rights issue. Moreover, India doesn't seem to have that kind of vision. Currently, not only is she carefully evading any negotiations on Kashmir but also employing meticulously crafted diversionary measures to keep the issue in limbo, Pakistan's efforts for a solution that alone would ensure peace in South Asia notwithstanding. ■