

Kashmir Solution: Now, More than Ever

by Ramtanu Maitra

In late February, Indian Prime Minister Atal Behari Vajpayee extended the cease-fire in the Indian part of Kashmir till the end of May, indicating a time frame within which India and Pakistan must begin talks to seek resolution of the five-decade-old conflict. The decision has been widely welcomed in India, but the question remains: When will India and Pakistan spell out the next steps which would begin the actual peace process?

It was evident last November, when India had first called for a month-long cease-fire, that while India's intent was positive, the government did not have a game-plan to begin the talks. Pakistan, on the other hand, was not politically prepared to begin negotiations, although it demanded talks.

The militants, afraid of losing out, raised the stakes, making it clear that they intend to call the shots on Kashmir. It was also evident that a "third force," that would like Kashmir to be an independent nation, backed the militants, some of whom are just mercenaries. In addition, the complex intertwining of the Pakistani Inter-Services Intelligence (ISI) with British Intelligence and the international narcotics network, which is supporting those clamoring for an independent Kashmir, made the situation even worse. In fact, hundreds of British citizens are regularly visiting Kashmir and participating in terrorist acts. A large number are also in Kashmir to provide logistical support to the *jihadis*. These Britons raise money, lobby the British Parliament, and carry out kidnappings and assassinations in Kashmir to weaken the state apparatus of both India and Pakistan.

Recently, some of these seekers of an independent Kashmir took to streets in Britain to protest the detention of comrades in the Pakistan-held part of Kashmir. They warned the Pakistani government: "We convey our warning to launch a Europe-wide campaign against this suppression of civil liberties and human rights in the territories of Kashmir under the control of your administration if the detentions continue." This letter was signed by representatives of the JK NLF (Europe and U.K. Zone), JKLF (Europe and U.K. Zone), JKPNP, and JK Plebiscite Front (Europe and U.K. Zone).

Knotty Problems

The failure of both the Indian government in New Delhi and the Pakistani government in Islamabad to come to the negotiating table, therefore, does not surprise anyone. It is

also not surprising that the militants went on a rampage against Indian security forces in an attempt to end the cease-fire. While Islamabad resorted to calling the cease-fire a "fraud" and an exhibition of India's "political opportunism," New Delhi laid down a precondition for talks, namely, that Islamabad must put a stop to terrorists crossing into India to carry out massacres. New Delhi knew full well that Islamabad is too weak to take on the terrorists, hence, it was a precondition which cannot be met, however fair it may sound.

In addition, New Delhi found it politically difficult to bring about an understanding between Farooq Abdullah of the National Conference, the ruling party in the Indian part of Kashmir, and the All-Party Hurriyat Conference (APHC), a political-militant grouping with strong ties to Pakistan. Islamabad, in return, found it necessary not only to support the APHC's views, but also all other anti-India tirades issued by other terrorist organizations based inside or outside of Pakistan. The APHC, on the other hand, wasted no time in criticizing the excesses by the Indian Army, which were no doubt plentiful, but made it a point not to condemn the massacres by the militants and Islamabad's support to the *jihadis*. In other words, it is impossible in the present context to find a party which has always been right, and never wrong. In fact, that is not the issue here.

Those were certainly negative and cynical views that came out of New Delhi and Islamabad. But, there are also some positive and constructive developments. The Pakistani Army has exercised "maximum restraint" along the Kashmir borders during the cease-fire. The Indian Army has suffered a large number of casualties, and has restrained itself from serious retaliation. As if echoing the feelings of the Kashmiris, Indian Army Chief of Staff S. Padmanabhan has made it clear recently that he would like the cease-fire to continue.

Reports from Islamabad indicate that the Pakistani government, in an effort to crack down on the Pakistan-based terrorists who were involved in the killings in Kashmir, has decided to implement a 20-point code of conduct. All the *jihadi* outfits would be asked to sign a document prepared by the Interior Ministry, which would bind the *jihadis* not to publish provocative material that promotes the "gun culture." They would also not be allowed to use military uniforms or indulge in graffiti. However, it would be naive to believe Islamabad is in a position to follow through on the crackdown to an effective end. What this does indicate, is that Pakistan recognizes the problem that the *jihadis* pose in the Kashmir negotiation process.

Another positive development is that contacts between Indian and Pakistani scholars and strategic thinkers have increased. Track II discussions are proliferating, and that is a good sign. Recently, Pakistan's former Finance Minister, Dr. Mubashir Hussain, praised the Indian Prime Minister for taking "solid steps" in seeking a solution to the Kashmir imbroglio by extending the cease-fire for another three months. Dr.

FIGURE 10

The Afghanistan and Jammu and Kashmir Areas of Conflict



Hussain rebuffed the Indian proposal of fencing the Line of Control between Indian and Pakistani-held Kashmir, saying that Pakistan will not accept that at a time when the need of the hour is to reduce hostilities along the borders. The most appropriate tribute to the memory of those who sacrificed their lives for the cause is to usher in a durable peace, Dr. Hussain said.

The Next Move

Despite the goodwill and hopes expressed by many, it is evident that both sides need to come up with concrete proposals to change the status quo. The status quo, as it existed prior to the cease-fire self-imposed by New Delhi, is untenable, and will eventually lead to the formation of an independent Kashmir, in a strategically highly sensitive area. Kashmir is located at the junction of India, Pakistan, and China, and an independent Kashmir would pose a serious security threat to the region.

A solution to Kashmir must come about through agreement on a permanent border, which would demarcate India from Pakistan. The process, however, needs a lot of help from the Kashmiris. As they want peace more than anyone else, it is they who should provide the input on how the border needs to be demarcated, and whether it should be a “soft” or a “hard” one.

The process will no doubt be an arduous one. The Pakistani elite, for one, has not made it clear to the people that Kashmir cannot be annexed militarily, and that, hence, Pakistan will not be able to have all of Kashmir. The elite should also make it clear to the people that Islamabad cannot afford to fund the militants any longer because its economy is in tatters (see article in this issue). Those who are funding the Kashmiri militants from the outside, have no intention of making Kashmir a part of Pakistan. What those forces want is to establish an independent Kashmir.

In this context, the Indian situation is better. Most Indians have accepted the fact that part of Kashmir will remain with Pakistan. For the Indians, turning the Line of Control, with little changes here and there, into a permanent border, is the more acceptable option. But it is not so in Pakistan.

Hence, new ideas have to come to the fore. A proposal for trifurcation of Kashmir is making the rounds in India. The proposal calls for the Jammu and Ladakh districts to become part of India, while the Kashmir Valley and the Pakistan-held part of Kashmir will be combined and put under the joint custody of India and Pakistan.

Although the Vajpayee government has no reason to embrace such an idea at this stage, it is something that can be worked on. Again, Islamabad will have to be specific about what it can, and what it cannot concede.

Islamabad must also realize that it is now caught between a rock and a hard place. On the one hand, Pakistan has been bankrupted, and the International Monetary Fund is systematically squeezing out its future potential. On the other, the nightmare that was Afghanistan is now a reality in Pakistan. The ISI-controlled extremists and terrorists are now inside Pakistan, and they are using Kashmir as a base of operations just the way they used Afghanistan.

The Time Factor

It is important for both India and Pakistan to consider the time factor very seriously. The cease-fire cannot be extended forever. And, it is not the end-all, but something to build upon. Therefore, both sides should seize the time and start the negotiation process. No single proposal will be acceptable to both sides, but if a number of proposals are placed on the table, and through goodwill, generosity, and use of better political sense and understanding of the strategic importance of resolving the conflict, a solution will emerge. The process, however, must start now.

The benefits of resolving the Kashmir issue do not lie simply with the victimized Kashmiris. Resolution of the conflict will help both India and Pakistan immensely. India, for instance, has emerged in the post-Cold War days a more matured nation. Its ability to carry out the nuclear tests in 1998, and to withstand political and economic pressures exerted by almost the entire world, is commendable. Out of that experience, India has emerged as a more confident nation, one seek-