

**PAKISTAN'S KASHMIR POLICY (2016-2019): A
CRITICAL ANALYSIS**

By

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TABLE OF CONTENTS

CANDIDATE DECLARATION FORM	ii
THESIS AND DEFENCE APPROVAL FORM	iii
TABLE OF CONTENT	iv
ACKNOWLEDGEMENTS	vii
DEDICATION	viii
LIST OF ACRONYMS	ix
ABSTRACT	xi
Introduction	1
1.1. Statement of Problem	3
1.2. Research Objectives	3
1.3. Research Questions	4
1.4. Literature Review	4
1.5. Research Gap	6
1.6. Core Argument	6
1.7. Theoretical Framework	7
1.8. Methodology	12
1.9. Significance of the Study	12
1.10. Delimitation of the Study	13
1.11. Organization of the Study	14
Chapter One	15
Kashmir Dispute and Pakistan's Policy in Historical Perspective	15
1.1. The Dispute	15
1.2. War of 1947 between India and Pakistan	17
1.3. Kashmir Dispute and United Nations	18
1.4. Impact of Ideology on Decision Making	19
1.5. Pakistan's Kashmir Policy from (1949 to 1998)	20
1.6. Lahore Declaration	25
1.7. Musharraf Regime and Kashmir Policy (1999-2008)	27
1.8. Kashmir on the Backburner (2008-2016)	29

Chapter 2	34
Pakistan Policy towards Modi Regime Since 2016	34
2.1. Sharif’s Four-point formula in UNGA	35
2.2. Kashmiri Insurgencies	35
2.3. Sharif Government and Military Establishment	39
2.4. Human Rights Violation and UN Report	43
2.5. Change in Political Government and Kashmir Policy	46
Chapter 3	53
Pakistan’s Response Towards Revocation of Article 370	53
3.1. Hindutva Ideology and Modi Regime	56
3.2. Khan’s Pacifist Approach	57
Chapter 4	72
Challenges to Pakistan’s Kashmir Policy	72
4.1. Leadership Approach	73
4.2. Major Power’s interests	75
4.3. Indian Sponsor Terrorist Activities	78
4.4. Military Preparedness	79
4.5. Modi’s Religio-Nationalistic card	81
4.6. Lack of long-term Goal	82
4.7. Economic Instability	83
4.8. Globalized Economy	85
4.9. Normative Approach towards Kashmir	87
Chapter No 5	89
Pakistan’s Possible Options	89
5.1. Avoid International Political Isolation	90
5.2. Proactive Legal Response	91
5.3. International Water Treaty (IWT)	92
5.4. Flexibility on the Peripheral Issues	92
5.5. Highlight Human Rights Violations	93
5.6. Internal Political Stability	94
5.7. Role of Kashmiri Public Opinion and Diaspora	95

5.8. Maintaining relations with Major Power	95
5.9. Multi-Track Policy	96
5.10. Avoid Military Engagements	99
5.11. Tourism Opportunities	101
5.12. Economic Engagements	102
5.13. Post Script Scenario	102
Conclusion	107
Recommendations	111
Bibliography	112

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DEDICATION

I dedicate this thesis to my parents and my supervisor who helped me to achieve this goal.

LIST OF ACRONYMS

AFSPA	Armed Forces Special Powers Act
APHC	All Parties Hurriyat Conference
BJP	Bharatiya Janata Party
CARs	Central Asian Republics
CPEC	China Pakistan Economic Corridor
GB	Gilgit Baltistan
INC	Indian National Conference
IOK	Indian Occupation Kashmir
IWT	Indus Water Treaty
KSA	Kingdom of Saudi Arabia
LoC	Line of Control
OHCHR	UN Office of the High Commissioner on Human Rights
OIC	Organization of Islamic Countries
PDP	People Democratic Party
PMLN	Pakistan Muslim League (N)
POK	Pakistan Occupied Kashmir
POTA	Prevention of Terrorism Activities
PSA	Public Safety Act
PTI	Pakistan Tehreek-e-Insaf
SAARC	South Asian Association Regional Cooperation
TADA	Terrorists and Disruptive Activities
UN	United Nations
UNCIP	United Nations Commission for India and Pakistan

UNGA	United Nations General Assembly
UNMOGIP	United Nations Military Observers Group for India and Pakistan
UNSCR	United Nations Security Council Resolution
USIP	United States Institute of Peace

ABSTRACT

PAKISTAN'S KASHMIR POLICY (2016-2019): A CRITICAL ANALYSIS

This is a qualitative research critically analysing Pakistan's Kashmir policy since 2016. This study empirically investigates the phenomenon by objectively analysing Pakistan's decisions on Kashmir post 2016. The study is analysed by employing the theory of Neo-Classical realism coined by Gideon Rose. India changed the status quo ante in Kashmir by unilaterally annexing it in August 2019 by revocation of article 370 of the Indian constitution which gave Kashmir a special status. This policy shift in India brought India and Pakistan again at the logger heads and the cold war between the two has intensified ever since with Pakistan initiating a diplomatic battle against India. The study finds that Pakistan's confused response against India's decision was because of geopolitical environment which limited Pakistan's options, for instance it lacked economic resources to wage a war against India, the country's economy was in distress, furthermore, the geo-strategic limitations like internal political instability and the presence of the US in its backyard in Afghanistan also influenced its decisions. This study recommends Pakistan to take dual approach of hard and soft power in achieving its ends. Soft power in the short run, where it exploits variables of human rights violation, genocide, demographic change, and legality of the dispute. In the long run, Pakistan must improve its economy by increasing its exports and openness to the world with increased regional and global trade. Similarly it also needs to enhance its military power to prepare for the hard power solution of Kashmir.

Introduction

India and Pakistan always show an aggressive approach towards each other especially when it comes to the Kashmir issue. Kashmir is a legal dispute having 17 United Nations resolutions on it. Apart from that India and Pakistan have a bilateral arrangement post Shimla agreement of 1972. Since then, even the UN has not taken any proactive measures to resolve the issue. Pakistan always tried to put Kashmir dispute at the international level and supported the Kashmir freedom movement for the right of self-determination in Kashmir. India on the other hand accused Pakistan for supporting cross border terrorism in the valley. It got that confidence post 9/11 and equated Kashmiris just struggle for independence protected by the international law with terrorism. Thereby, India did not engage with Pakistan in any dialogue too till post Mumbai attacks in 2008. Only Musharraf-Vajpayee era was considered as cooperative for it's out of the box resolutions towards Kashmir dispute. In 2015, comprehensive dialogue was resumed after the Mumbai attacks for peace process; however, it too was stalled after the militants struck the Indian air force base in Pathankot in 2016. After that attack, on September 18, 2016, militants struck an Indian army camp in Uri. India claimed of a surgical strike in response to it, which was denied by the Pakistani Inter Services Public Relations (ISPR). Moreover, the death of Burhan Muzaffar Wani makes the year 2016 significant as well, as it brought a new wave of insurgency in Jammu and Kashmir, where Wani is regarded as a Kashmiri hero.¹

In Kashmir, India has over the last several decades violated human rights, liberty, and dignity of Kashmiris. It has used pallet guns on civilians and blinded hundreds of them. The apartheid by the Indian state in Kashmir has resulted in panic in Kashmir, the population feels hate-redness for the Indian authority and numbers of youths have even joined the neo-insurgency, especially after the death of Burhan Wani. Kashmiris started a new digital wave Intifada to show the atrocities of Indians in Kashmir. In June 2018, the UN also issued a report on Human right violation in Kashmir and serious abuse from India of the Kashmiris. Pakistan highlighted the injustice by the

¹ Muhammad Abdul Qadeer, "United Nations Resolutions on Kashmir and their Relevance," *Journal of Strategic Affairs*.

Indian state on various forums, even though it was rhetorical only. Pakistan also sought third party mediation to the conflict, however, India always rejected and opposed the third-party mediation in Kashmir issue and considered it as a bilateral issue. In 2017, the United State offered to mediate but India rejected it, moreover, Tayyip Erdogan proposed a solution by supporting multilateral approach, but India rejected it as well.² Pakistan's Kashmir Committee, headed by Maulana Fazal-ur-Rehman till 2018. He did not come up with any concrete solutions regarding brutalities of India in Kashmir. United Nations High Commissioner for Human Rights published a report from May 2018 – April 2019, which stated atrocities of India in Indian Occupied Kashmir. There was no appropriate response to it from India as well.

Within India, Modi came to rule with his aggressive manifesto in his election campaigns against Kashmir and promoting Hindutva policies.³ This manifesto shifts the slow-going policy towards Kashmir to a sudden twist to Kashmir policy and altering the status-quo after revoking the special status by amending article 370 and 35 A, which creates instability in the South Asian region. In Pakistan, in 2018, Prime Minister Imran Khan took charge of the office with manifesto of Change. He highlighted the Kashmir issue on international platforms; moreover, in his visit to US in 2019, President Trump also offered to mediate on Kashmir issue. In response to that India showed an aggressive attitude. Trump also backtracked by saying it was complex bilateral issue. On August 5, 2019, India revoked the special status of Indian Occupied Kashmir and implemented curfew.⁴ In response to it Pakistan took this issue to UN General Assembly to put an international pressure on India, Organization of Islamic Cooperation (OIC) also showed solidarity with Kashmir and supported Pakistan. Prime minister Khan also gave a very influential speech in 74th session of the UN General Assembly. However, all diplomatic means did not deter India from annexing Kashmir.

To show solidarity with Kashmiri population, Khan started a campaign to stand for Kashmir for one hour on every Friday. However, the practice was forgotten in the first month. The diplomatic efforts of Khan also came up with no results as the United

² Ibid.

³ Aazeem Ibrahim, "Modi's slide towards Autocracy," FP, July 13, 2020. <https://foreignpolicy.com/2020/07/13/modi-india-hindutva-hindu-nationalism-autocracy/>

⁴ Raising the stakes in Jammu and Kashmir, Brussels: International Crisis Group, 2020. <https://d2071andvip0wj.cloudfront.net/310-raising-the-stakes.pdf>

Nations Security Council did not issue any joint statement after Pakistan approached it and recorded its protest on the Indian unilateral decisions on Kashmir. Pakistan's policy on Kashmir post August 2019 was merely reactive where no proactive steps were taken by the leadership. Pakistan's prime minister repeatedly stated that war on Kashmir was not a solution as both states had the nuclear weapons and any miscalculation can lead the region to a catastrophe. He maintained that Pakistan would fight Kashmir cause at the diplomatic front by exposing Indian transgressions and disregard for the international law. He also pointed out that Pakistan is a responsible state and wants peace, however, If India showed any aggressive designs and tried to attack the Azaad Jammu and Kashmir or Gilgit-Baltistan, and then Pakistan would respond vis-a-vis.

1.1. Statement of Problem

Pakistan's Kashmir policy is the result of geopolitical environment in each time and space. Kashmir remains a core issue between India and Pakistan since 1947. As a matter of fact, Pakistan could not come up with effective policies to counter Indian hard power policies on Kashmir. The significant factor that emerged post 9/11 is the argument of cross-border terrorism, which bypasses international focus from the Kashmir issue. In 2016, after Wani's death new wave of freedom struggle had been started, Pakistan supported the freedom movements and their leaders in Kashmir, while India considered them as terrorist and threat to Indian sovereignty. Major powers ignored India's suppressive policy towards Kashmir and showed indifference towards the sufferings of Kashmiris, especially after the revocation of article 370. This research aims to critically analyse Pakistan's Kashmir policy since 2016 when Modi regime started to undertake extraordinary measures towards Kashmir.

1.2. Research Objectives

- To analyze the Pakistan's policy towards Modi regime's repressive measures in Kashmir since 2016.
- To analyze Pakistan's response towards revocation of article 370 by Modi's government.
- To find out the possible policy options for Pakistan after abrogation of Kashmir's special status.

1.3. Research Questions

- How did Pakistan respond towards Modi's oppressive policy towards Kashmir since 2016?
- How did Pakistan react towards abrogation of special status of Kashmir by Modi's regime in India?
- What policy measures Pakistan should take to counter India's action vis-à-vis Kashmir?

1.4. Literature Review

The literature on Kashmir dispute is widely available in shape of journal articles and books. However, as my research is contemporary, most of the secondary sources used in my study were from the newspapers. Still, the significant works in shape of journal articles and books are discussed below.

Muhammad Ishaque Fani in his article "Pakistan's Foreign Policy: Challenges and Opportunities after 9/11," describes the post 9/11 cross border challenges to its policy towards Afghanistan and Kashmir as well. As U.S. was focusing on war on terror and India has taken the privilege to that situation and considered Kashmir freedom movement as terrorism, at that time Musharraf had taken diplomatic steps regarding this issue and shown flexibility on the orthodox position as well, his main reason for that was taking legitimacy from the US.⁵ Similarly, Sumaira Shafiq's article "Pakistan's Policy toward Kashmir Dispute (2001-2014)" focused on the militancy and civilian government's policy towards Kashmir. She stated that Pakistan policy vary government to government. The research showed that short-term policies by the governments were not effective.⁶

Waqar-un-Nisa in her article "Pakistan- India Equation Determinants, Dynamics and the Outlook" shed light on the roots of enmity and the economic relations to avoid the future nuclear war between the Pakistan and India; she opined that they must focus on

⁵ Muhammad Ishaque Fani, "Pakistan's Foreign Policy: Challenges and Opportunities after 9/11," *Pakistan Horizon*, 58, (October 2005):53-64.

⁶ Sumaira Shafiq, "Pakistan's Policy Towards Kashmir Dispute (2001-2014)," *Margalla papers* (2015): 133.

the socio-economic activities.⁷ Meanwhile, Sumantra Bose in his book *Kashmir Root of conflict, Paths to peace* highlights Kashmir issue as a root cause of the animosity between India and Pakistan. It is also considered as a threat to sovereignty of both states. Deadly dimensions have been added since 1990 with the rise of a Kashmiri independence movement and guerrilla war waged by Islamist groups. These issues cannot be negated Bose opined, and suggested a bold and innovative solution: composite negotiations.⁸

J. N. Mohanty and S.K. Mohanty in their article “Pakistan’s Kashmir Policy: The Smoke-Screen of Fundamentalist Agenda?” discussed about the agenda of *Kashmiriyat* and Jihadi Movements. It is considered that Pakistan supports jihadi movements in Kashmir and waging a proxy war against India. This become a great challenge to the Pakistan’s foreign policy after 2001 in a global counter-terrorism regime.⁹ Whereas, Hafeez R. Khan in “The Kashmir Intifada” stated that in view of the successful liberation movement in Iran, Kashmiris thought to start their own liberation movement from Indian repression.¹⁰

Khurshid Khan and Pervaiz Iqbal Cheema in their article, “Modi’s Kashmir Policy: The Probable Consequence for the Security of South Asia” stated that India had shown an aggressive approach in their foreign policy towards Indian Occupied Kashmir after the revocation of article 370 which abrogated the special status of Kashmir in India. Pakistan resisted on this act and tried to highlight this issue at different forums. Khan and Cheema feared that Modi’s rigid and offensive approach towards Pakistan and IOK can create unrest in the whole South Asian region.¹¹

Khinraj Jangid in his article, “Under Modi, the 'New' India Prioritizes Aggression – and Prizes Israel's Example” explained the Indian aggressive doctrine towards Pakistan. Use of Pallet guns, arrest of freedom movement leaders, response to Uri

⁷ Waqar-un-Nisa, “Pakistan-India Equation Determinants, Dynamics and the Outlook,” *Policy Perspectives*, 14, (2017): 23-57.

⁸ Sumantra Bose, *Kashmir Roots of Conflict, Paths to Peace* (USA: Harvard University press, 2009).

⁹ J. N. Mohanty, and S.K. Mohanty, “Pakistan’s Kashmir Policy: The Smoke-Screen of Fundamentalist Agenda?” *The Indian Journal of Political Science* 68, no. 1 (2007): 137-44, www.jstor.org/stable/41858826. (Accessed February 10, 2020).

¹⁰ Hafeez R. Khan, “The Kashmir Intifada,” *Pakistan Horizon*, 43: 2, (1990): 87-104, www.jstor.org/stable/41403969. (Accessed February 10, 2020).

¹¹ Khurshid Khan and Pervaiz Iqbal Cheema, “Modi’s Kashmir Policy: The Probable Consequence for the Security of South Asia,” *Strategic Studies* 37: 3, (2017): 1-21, doi:10.2307/48537554 (Accessed February 10, 2020).

attack, and violation of LOC are all aggressive steps inspired by Israel and are accelerating the Hindutva nationalistic policies of India towards Pakistan.¹² Imran Iqbal, in his article “India’s New Normal” explained similar idea as Jangid, Iqbal narrated that idea of Modi’s new normal approach would never be acceptable for Pakistan. That new normal approach is advocated by Israel which is a recipe for instability of the region where a powerful state is a norm giver whereas the weaker is a receiver, such a scenario might be practical in Israel-Palestine issue, however, as far as South Asia is concerned, the rival of India is not as weak as Palestine, it has a nuclear capability with a capable army which can respond through hard power as well if pressed.¹³

1.5. Research Gap

The scope of most of the existing studies are limited to Human rights violation, freedom movements, violation of Line of Control, and particularly on cross border terrorism post 9/11. Moreover, there are very few studies done on the Pakistan’s Kashmir policy which is mostly influenced by international pressures. On the other side, India is adopting more and more aggressive attitude towards Indian Occupied Kashmir. Recently, revocation of article 370 by Indian government and imposing curfew in IOK leads to instability in the South Asian region. This study aims at filling the research gap by examining Pakistan’s policy and response towards Modi regime’s oppressive policy vis a vis Kashmir till 2019. This research will help in providing information on Pakistan’s Kashmir policy by covering all policies chronologically since 1947. This study analyses the post 2016 policies in-depth and provide recommendations to boost Pakistan’s performance diplomatically as well as militarily. It also covers the period of 2016-2019, thereby aiding in historical research as well.

1.6. Core Argument

Modi regime has been undertaking coercive measures against Kashmiris since 2016 and in August 2019 has revoked special status of Kashmir through abrogation of Article 370 and 35 A. While Modi regime has consistently been attempting to change

¹² Khinvraj Jangid, “Under Modi, the 'New' India Prioritizes Aggression – and Prizes Israel's Example,” (2019).

¹³ Imran Iqbal, “India’s New Normal,” *The News*, March 10, 2019.

the dynamics of the Kashmir conflict, Pakistan's political and diplomatic response on the other hand has been inconsistent and reactionary rather than proactive.

1.7. Theoretical Framework

Theoretical framework adopted for this study is based on the theory of Neo-Classical Realism, given by Gideon Rose in 1998. It is the combination of classical and neo realist approaches.

Neo-Classical Realism is a new approach based on the combination of systemic approach of Waltz and the factors existing at state level and sub-state level. It believes that the states behavior is dependent on the relative power and internal factors, which influence the foreign policy of the state.¹⁴ The main goal of Neo-Classical realists is to know the distribution of power and its subjective structure of the state. Thucydides concept regarding state's foreign policy considered as the first version of Neo-Classical realism. The perception and fear of threat and relative power were the main variables between Sparta and Athens. Therefore, the relative power is considered as the main subject in foreign policy of the state. Moreover, International system is anarchic and all states are in competition with each other to become more and more powerful. The decisions made on the relative power led to the competition among states. Perception of the decision maker towards the threat is the main motive in framing the foreign policy of the state.¹⁵

Mediating factors refers to the structures of the state, its decision maker's perception towards the threat and behavior of the states as well.¹⁶ It also reflects the institutions of the state. How the social actor like political leaders and interest groups within the state influence the state's decision? All these mediating variables in the internal and international system influence directly the foreign policy of the state. Moreover, the Phenomenon of security is always dominant in realism, but in neo-classical realism security can be achieved by becoming more powerful state in the international system. Might is right formula, as the powerful one has less threats. States need to focus on

¹⁴ "Neoclassical Realism," In *obo* in Political Science, <https://www.oxfordbibliographies.com/view/document/obo-9780199756223/obo-9780199756223-0187.xml> (accessed 18 Dec. 2021).

¹⁵ Firoozabadi, Jalal Dehghani, and Mojtaba Zare Ashkezari, "Neo-classical realism in international relations," *Asian Social Science* 12, no. 6 (2016): 95-99, accessed May 20, 2016, doi:10.5539/ass.v12n6p95.

¹⁶ *Ibid.*

their opportunities and structures to emerge as dominant one. It influences the states behavior to cope the shortcomings and threats. The more powerful states become it will be more secure and ambitious as well.¹⁷

Threats are always perceived in international system and based on the cognitive variable as well. The threats are deal with the capabilities of the states and the ideas given by the elites of the state. The personality and capabilities of an elite individual and its approach reflects its attitude towards other states and also in shaping foreign policy. Ideas to be dealt with the shortcomings are very important if it comes from the states institution, bureaucrats, and the leading individual. Statesman role in establishing foreign policy is very important as he calculates the threats and opportunities by focusing several factors. It is also believed that the structural factors: historical backgrounds, relation between military and civil sector, all influences leader's perception towards issue or a threat and then he decides how to mobilize the resources.

States play a vital role in understanding the internal threats, mediating internal variables and decision maker characteristics. States mainly focuses on the outcome opportunities in shaping the policy. Both internal and external factors influence the states' policy. Moreover, the analysis is based on individual, internal mediators and systemic level all together. It explains the relative power and the capabilities of the other states.¹⁸

In the theory, firstly, independent variable refers to relative power of states in the anarchical system i.e. Pakistan and India in South Asian region and their core issue is Kashmir dispute. Both states contest with each-other on their stance. Moreover, if we look in to the relative power, India is more ambitious than Pakistan. Secondly, mediating variables refers to military institutions, political leadership interests and role of insurgents as well. Thirdly, dependent variable refers to the outcome that in this regards results when India is taking extra-ordinary measures and, on the other side, Pakistan with its structural constraints and other mediating variables could not

¹⁷ Rose, Gideon, "Neoclassical Realism and Theories of Foreign Policy," *World Politics* 51, no. 1 (1998): 144–72, doi:10.1017/S0043887100007814.

¹⁸ Firoozabadi, Jalal Dehghani, and Mojtaba Zare Ashkezari, "Neo-classical realism in international relations," *Asian Social Science* 12, no. 6 (2016): 95-99, accessed May 20, 2016, doi:10.5539/ass.v12n6p95.

come up with the proactive responses. In short, the theory encompasses the long term structural factors, predictions and calculations. Moreover, it includes short term approach that focuses on the internal characteristics, expectations and shortcomings. A state's foreign policy response is determined by the combination of these short term and long term factors.¹⁹

In pursuit of power foreign policy can be analyzed at three levels. One, Individual level, Human being is studied and man controls power. The role of comprises of cognitive abilities and behavior of an individual. For example, after 9/11 the policy options were limited for Pakistan. Had it been anyone else in the place of president Musharraf, the foreign policy decision might have been the same. This perception can be said to be generated for Imran Khan's election campaigns where they contend to revamp the foreign policy outlook of the country and usually criticize their political opponent. Second, State level of analysis, try to understand state as a political entity to apply in international system. Every nation and a state are distinctive given some unique trait, and that manifests in the decision-making and subsequently in the overall foreign policy conduct of that state. Third, Systemic variable in this regard is highly significant. International structure dictates and shapes the decision-making orbit of the states. For instance, no state after 9/11 was in the position to support Taliban given the dynamics of the international structure. The systemic influence may affect the foreign policy in multiple ways. International system can be interpreted in abstract terms as non-unit specific factors like anarchy, the arms race, the balance of terror and security dilemma.²⁰

India and Pakistan have their own stance on Kashmir issue regarding the special status as well. In 2014, Modi came to power with self-centered approach and his manifesto regarding Kashmir is always aggressive and blunt.²¹ He adopted changed and more aggressive policies rather to maintain status quo. He ended with the revocation of article 370 which gives special status to Kashmir. While on the other side, Nawaz Sharif and Imran Khan both state leaders follow their own policies

¹⁹ Ibid.

²⁰ Khan, Raja Qaiser Ahmed. "Competing Discourses in India: Impact on Policy Towards Pakistan." PhD diss., 2018.

²¹ Aazeem Ibrahim, "Modi's slide towards Autocracy," FP, July 13, 2020.

<https://foreignpolicy.com/2020/07/13/modi-india-hindutva-hindu-nationalism-autocracy/>

regarding Kashmir. Nawaz Sharif's policies were considered as the soft power policy towards India because of the economic interests. He is a businessman by nature and used his skills in the field of economic diplomatic ties. In his foreign policy approach, Economic and political engagement became the central priority to ease tensions. But, Imran Khan came up with a different approach. His foreign policy approach does not based on economic ties with India; instead, he gives central importance to Kashmir issue. He never put Kashmir agenda aside in Indian policy, but still his government could not come up with an effective policy towards Kashmir.

The action of the state's foreign policy is constrained by the relative power of the state. Both states have to pursue their fundamental stance regarding Kashmir. Pakistan's policy to hold special status of Kashmir and plebiscite in Kashmir always challenge the stance of India. It became the clash of interest in diplomatic ties of India and Pakistan. In the context of Kashmir, the strategic and economic capabilities of two states are important considerations. In this respect, India has advantages over Pakistan as it is more strategically aligned to the US and offers far more economic opportunities and incentives to international community.

Moreover, there are different mediatory factors involved in the foreign policy. Sometimes military sector remains important and at another time it is economy. If we examine the recent scenario, India is more structurally dominant in South Asian region in economic trade and its capacity. This is why it is more important to major stake holders. Pakistan always pursues normative approach towards Kashmir. Since 2016, a new wave of insurgency started in Kashmir towards the Modi's aggressive policies based on Rashtriya Swayamsevak Sang ideology. A massive number of human rights violations were observed in Indian Occupied Kashmir. Pakistan highlighted human rights violations and the use of pallet guns in Kashmir to international platforms. In 2018, the UN published its detailed report on human rights violations in Kashmir, but Pakistan could not come with a proactive response to it. Meanwhile, to strengthen his regime, Modi took more repressive measures and increased the number of military troops in Kashmir and took a blunt step by revoking article 370 and 35 A. As India violated the United Nations resolutions and Imran Khan tried to expose Indian intentions but still international community condemned it very meagerly. Pakistan failed to adopt a proactive policy in this regard. As for

international stakeholders have their materialistic interests with India and no place for morality so the formula of might is right fitted in this scenario.

In theoretical perspective, it is concluded that to maintain their dominance in South Asian region, both states have their own nuclear capabilities. Regarding Kashmir issue both states have their own stance and they both are not ready to come to a compromise. Pakistan's structural constraints translate into structural advantages to India. Pakistan has less policy options regarding war. It is the structural compulsion for Pakistan to pursue United Nations resolution and normative approach at this time. To conclude, Pakistan could not come up with a proactive policy on Kashmir because of both structural and domestic factors as explained above.

1.8. Methodology

This is an empirical research objectively observing Pakistan's Kashmir policy since 2016. In this study, positivist approach of social sciences in dealing with my research problem. Kashmir phenomenon can be analyzed scientifically by keeping in view various variables like India, Pakistan, and geo-politics. Throughout this study the observation and validation of the facts are without my personal biasedness. All generalizations are made based on documented facts rather than merely interpreting the events. Care has been taken to keeping aside the emotions and doing analysis based on realpolitik. As a research approach, qualitative technique was employed and the events are narrated chronologically in a coherent manner. Thus, my research approach is narrative; furthermore, thematically examine Pakistan's Kashmir policy since 2016 and its implications.

As far as data collection technique is concerned, documentary research technique was followed and relied on the secondary published sources such as journal articles, newspapers, and books and primary data such as United Nations Resolution and UN Office of the High Commissioner on Human Rights published reports. The journal articles were collected on-line through resources like JSTOR and Taylor and Francis Online, some hard copies of the articles were collected from the library of NUML as well. Meanwhile, newspapers were available on-line as well which were surfed on the internet and notes were taken of them. In my analytical framework, this study relied on the techniques of description and exposition. Coding technique used in this study was deductive where the themes from the literature were deduced and then described it with critically validating and invalidating the argument by employing the technique of generalization.

1.9. Significance of the Study

Kashmir issue is not just a bilateral territorial dispute it involves the international actors as well, United Nations Security Council (UNSC) needs to mediate on this issue. International community must look at the security and humanitarian crises in Kashmir. Pakistan though took several steps to highlight the agenda in international community but could not come up with its war-free solutions. The decision of revocation of article 370 taken unilaterally by Indian government leads to distrust between Indian occupied Kashmir and so-called Indian democratic government. Use

of pallet gun in Kashmir leads to more hatred for India among Kashmiri people and insurgencies and rebellions can occur. On August 2019, a blatant decision was taken by India in IOK and from over a month, curfew was imposed. International community negated to mediate under Indian pressure as India is considered as a big market. This research can help to understand the Indian aggressive approach towards Kashmir and how can Pakistan counter it. It will also help students for their research work and academic purposes.

1.10. Delimitation of the Study

States sharing their common borders have geopolitical significance. Despite United Nation's resolution, Kashmir issue remains a core issue between the two sworn enemies: India and Pakistan in South Asian region. In post 9/11 era, Pakistan's Kashmir policy is influenced by the international stake holders on the concept of Terrorism. India considered the liberation movements which are seeking for their rights in Indian occupied Kashmir as terrorist organization and threat to Indian state. India took a coercive policy towards Kashmir and started to blame Pakistan as terrorist sponsored state.

This study is limited to the Pakistan's Kashmir policy, 2016-2019. Pakistan is not able to counter India's extra ordinary actions vis a vis Kashmir. Modi is prevailing in its Hindutva ideology. In his first tenure, a severe human rights violation was done by using pallet guns. It is considered that the continuation of these pallet gun caused permanent blindness in Kashmir, moreover, it is backed by United States. In his second tenure, Modi took a very blatant decision for Kashmir in 2019; abrogation of special status of Kashmir. Pakistan strongly condemned this action and raised this issue in International forums. United States took their steps back to pressurize India on this issue, but still now a little miscalculation and any further steps by India can lead to a great instability in the whole region. These fast-changing events are the limitations of this study as well, while the future of India-Pakistan dispute on Kashmir is very much predictable, however, the influence of extra regional powers in geopolitical maneuverings can be unorthodox as well forcing both India and Pakistan to take unpredictable decisions.

1.11. Organization of the Study

Chapter one of this study deals with the historical background reflected the historicity of Kashmir problem and how India and Pakistan presented it. This chapter also contains discussion on Pakistan's policy on Kashmir since 1947 and how it diplomatically handled the issue. In chapter two focuses on Pakistan's Kashmir policy since 2016 towards Modi's government. Prime Minister Sharif's peace gestures and backdoor talks between the two states, brought light as well as Pakistan's internal political instability is also analyzed, specifically the Dawn Leaks and subsequent civil military clash. Chapter three is about Pakistan's response towards revocation of article 370 in which it consider issues of Pakistan's diplomacy, Imran Khan's rationale for not opting the military means and dealing through pacifist means. In chapter four Pakistan's major challenges are revealed which range from geopolitical to geo-strategic and geo-economic. It identifies various problems in these arenas and generalizes them. Finally, in the last chapter recommendations are provided for Pakistan's Kashmir policy. Lastly, suggested policy options from the prism of neo classical realism by advocating short term and long term political, diplomatic, military, and economic solutions.

Chapter One

Kashmir Dispute and Pakistan's Policy in Historical Perspective

This chapter is divided into two sections, the “dispute” and “Pakistan’s Policy” providing a historical summary of the Kashmir dispute and Pakistan’s response to it. In the first section, It deal with the aspects of internal struggle in Jammu and Kashmir for freedom from Dogra rule, the partition of Indian subcontinent in 1947, the Instrument of Accession (IOA) by Maharaja Hari Singh, the subsequent war between India and Pakistan in 1947-1948, and the intervention of the United Nations (UN) in January 1948.¹ Meanwhile, the section two of this chapter discusses Pakistan’s Policy towards Kashmir from 1947 to 2016. Briefly shed light on the different phases of that policy and changes in it. The earlier policy in 1950s is concisely provided, followed by a discussion on war of 1965 and subsequent turning of the matter into bilateral arrangement post Shimla agreement of 1972. This chapter also highlight the Kashmir freedom struggle started in late 1980s and surging in the decade of 1990s before moving on to the Lahore Declaration of 1999 and its derailment with Kargil war in May 1999. In the last sections of this chapter, discuss Musharraf’s policy towards Kashmir and how Pakistan’s subsequent Kashmir policies were shaped post Musharraf’s regime from 2008 to 2016.

1.1. The Dispute

Kashmir was one of the 562 princely states in the British India on the eve of independence in 1947, covering the areas of Jammu, the valley of Kashmir, Ladakh, and Gilgit Baltistan region in the northern most part of Indian subcontinent bordering China. The state had the total area of 86,023 square miles with a population of approximately 70% Muslims. According to the Indian Independence Act of 1947, the princely states in Indian subcontinent had only two options – either to merge with India or Pakistan, they had no third option of independent status given by the Raj.² Basically, two fold criteria was adopted in 3rd June Plan which is considered as the

¹ Mangrio, Naghma, "A historical and political perspective of Kashmir issue," *Dialogue* 7, no. 3 (2012): 256.

² Hamid Khan, *Constitutional and Political History of Pakistan* (Karachi: Oxford University Press, 2009), 56-57.

Indian Independence Act. This criteria was based on cultural affinity which includes population. Secondly, geographic proximity is towards India or Pakistan. The Ruler of the princely state should align with of the state on the basis of these two criteria. The merger had to be based on geographical contiguity and religious kinship.³ Kashmir was geographically linked to Pakistan as well as had the Muslim majority.

At the time of partition in 1947, there was a tussle going on within Kashmir for greater rights of the population initiated by the National Conference (NC) of Shaikh Abdullah against the Dogra regime of Hari Singh, Abdullah was inspired by the socialist ideology which he wanted to implement in Kashmir under his *Naya Kashmir* manifesto. Abdullah, it is stated sent a delegation of his party members to Karachi to meet Jinnah. He was advised by Jinnah that everything will be decided as per the Indian Independence Act of 1947. This led Abdullah to tilt towards Indian National Congress (INC) that under Nehru offered him self-government and a separate status.⁴ Therefore, from within Kashmir valley, the Indian state had an ally in shape of Sheikh Abdullah as early as in September 1947. The Maharaja of Kashmir on the contrary wanted to remain independent, and for that matter he was also in talks with Pakistan, nonetheless the resistance posed by the National Conference of Abdullah, and British officials' soft stance for the INC, could not materialize his dreams.⁵

Consequently, the anarchy within Kashmir and festering hold of Maharaja over the Muslim population resulted in the insurrection in Jammu and Gilgit-Baltistan regions. The insurrection in Jammu was aided by the Pathan tribesmen from the then North-West Frontier Province (now Khyber Pakhtunkhwa). Maharaja fled the valley for his life to Delhi, upon reaching the Delhi airport on October 27, 1947, he signed the "instrument of accession" providing a so-called legitimacy to India to enter the territory.

India in alliance with Maharaja of Kashmir framed the accession in its advantage and invaded the valley in October of 1947. It is stated that India has not an original document of the instrument of accession. They have never produced the original at the

³ Ibid, 56-57.

⁴ Margaret Bourke White, *Halfway to Freedom: A Report on the New Delhi in the Words and Photographs of Margaret Bourke-White* (New York: Simon and Schuster, 1949), 202-203.

⁵ Nyla Ali Khan, *Islam, Women, and Violence in Kashmir: Between India and Pakistan* (New York: Palgrave Macmillan, 2010.), 28-29.

official level, and rather have shown a photocopy of the original, which itself is dubious.⁶ As a matter of fact, Kashmir was rather of a strategic advantage to India than a political necessity. It was thought of a defence line between India and China, a buffer zone which would absorb any advance of the Chinese army. For Maharaja, the instrument of accession was a necessity in a hope for regaining control of the state one day. The document for Maharaja, therefore, was not meant to integrate the state into Indian union; rather it gave only foreign, defence and communication sectors, while the sovereignty had to vest in Maharaja of Jammu and Kashmir. Thus, by incorporating articles 370 for special status of Jammu and Kashmir and 370 for hundred members legislative assembly in the Indian constitution, a special arrangement was made.⁷

1.2. War of 1947 between India and Pakistan

Hence, to consolidate the erstwhile state of Jammu and Kashmir, India launched major offensives in Jammu region killing hundreds of thousands of Muslims and forcing hundreds of thousands other to migrate to Pakistan. This offensive act was in addition to what the Maharaja Hari Singh had started earlier by taking back arms from the Muslims and giving those to Hindus and Sikhs. Singh's intention was to disarm Muslims so that in case evident war they cannot harm his power. In response to this, the Poonch jagir and Mirpur district Muslims acquired weapons from Northwest Frontier Province of Pakistan and challenged the troops of Maharaja, they were successful in acquiring capturing area which is now known as Azad Jammu and Kashmir. The new state of Azad Jammu and Kashmir went into an alliance with the Pakistani government. Thus, Pakistani army was dispatched to defend along with the people.⁸ Initially, the British commander in chief did not allow Pakistan army to move into the conflict on the pretext that India had got the instrument of accession – however, in 1948 Pakistan army had to be sent to consolidate the area. The clashes continued till the ceasefire was reached in December 1948.

⁶ Alastair Lamb, *Kashmir: A Disputed Legacy, 1846-1990* (Hertfordshire: Roxford Books, 1991), 135-140.

⁷ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the unending war* (London: I. B. Taurus, 2010), 73-75.

⁸ Christopher Snedden, "What happened to Muslims in Jammu? Local identity, "the massacre" of 1947' and the roots of the 'Kashmir problem'," *South Asia: Journal of South Asian Studies*, 24: 2 (2001), 111. <https://doi.org/10.1080/00856400108723454>

Same situation was witnessed in the northern areas of Gilgit, Hunza and Skardu as well where the Gilgit Scouts rebelled and took control of the area under the leadership of Major Brown who ceded the territory to Pakistan. There are conflicting views on this episode, Indian scholars point to the fact that Gilgit's lease was ended on August 1 1947 and that it was legally and politically part of the state of Jammu and Kashmir, therefore, the area is disputed and occupied by Pakistan.⁹ However, from the locals' point of view it was Gilgitis who led the sedition and forced the British officials to raise Pakistani flag in the headquarters of Gilgit Scouts, and subsequently it was them who ceded the territory to Pakistan through Major Brown.¹⁰

1.3. Kashmir Dispute and United Nations

It was India that went to the UN on January 1, 1948, by invoking article 35 of the UN charter. It claimed Pakistan was an aggressor in the Jammu and Kashmir and had captured land in the region. Pakistan on the other hand also submitted its charges in response to India two weeks later; it claimed that India broke universal norms and treaties. Nonetheless, the UN passed UNSCR 38 on January 17, 1948, and UNSCR 39 on January 20, 1948 respectively, refers to the pacific settlement of dispute. It provided for an independent commission of three members in Jammu and Kashmir, the United Nations Commission for India and Pakistan (UNCIP) to investigate the claims made by both India and Pakistan. Resolution adopted by UNCIP on November 9, 1948 which deals with Cease-Fire line and led to the Karachi Agreement 1949. Later, the UN adopted UNSCR 47 on April 21, 1948, which provided for the referendum in Jammu and Kashmir to decide which state among India and Pakistan the Kashmiris wanted to join. Both India and Pakistan agreed to the UNSCR 38, 39, and 47.¹¹ Similarly, in 1949, the UN also sent a United Nations Military Observers Group for India and Pakistan (UNMOGIP) whose duty was to monitor the incidents of ceasefire violations in Kashmir.

⁹ Prateek Joshi, "Who Is Responsible for the Gilgit-Baltistan Dispute?" *The Diplomat*, last modified March 29, 2017, <https://thediplomat.com/2017/03/who-is-responsible-for-the-gilgit-baltistan-dispute/#:~:text=Major%20William%20Brown%2C%20the%20commandant,the%20British%20government%20in%201948.>

¹⁰ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the unending war* (London: I. B. Taurus, 2010), 73-75.

¹¹ Tareknath Das, "The Kashmir Issue and the United Nations," *Political Science Quarterly*, 65: 2 (June 1950): 269-270, <https://www.jstor.org/stable/2145524> (accessed December 20, 2020).

In initial years state practice UNSCR on the basis of its content and it also determine its implementation regarding any issue. United Nations decided to adopt the title for the chapters whether they are based on recommendation or the resolution is binding. Kashmir's dispute resolutions under United Nation Security Council are considered as recommendatory. Resolutions under the chapter VI 'Pacific Settlement of Disputes' was considered as not binding. Ahmed Bilal Soofi justifies the resolutions are not just recommendatory but the nature of the resolutions are binding.¹²

1.4. Impact of Ideology on Decision Making

Sameena Yasmeen has eloquently explained the philosophy of Kashmir in Pakistan and how it impacts its decision-making. Pakistan's Kashmir policy is the outcome of various divergent ideologies within Pakistan. Though theoretically it is based primarily on the UNSCR 47 (April 21, 1948), yet it is also subjected to the wishes of leader in power. Ideologically, there are three different viewpoints within Pakistan, 1. The Orthodox, 2. The Liberals, and 3. The Islamists.¹³ For the orthodox, India is an enemy that tries to outmanoeuvre Pakistan every now and then. For them, India still could not get out of the pain of division of subcontinent in 1947. It is India's dream to undo Pakistan at any cost. Therefore, orthodox view Kashmir as an unfinished agenda of partition which must be merged with Pakistan. They advocate plebiscite in Kashmir for the resolution of dispute amicably. Furthermore, the orthodox prefer legal channels above any other.¹⁴

As far as the Islamists are concerned, they invoke Muslim Ummah (polity) to gain their attention on Kashmir. They also ask Organization of the Islamic Countries (OIC) to play its part in pressuring India in reaching a conclusion on Kashmir. This paradigm believes that it is their religious duty to help Kashmiri brethren in distress who are fighting Indian occupation. Meanwhile, the liberals of Pakistan think that distrust in India can be changed by engaging them in dialogue – the liberals stress on the need to look for the solutions not through the lenses of geo-strategy but geo-economics, they think that Pakistani economy does not allow it to pursue realist

¹² Ahmer Bilal Sufi, "Binding resolutions," DAWN, September 14, 2019, <https://www.dawn.com/news/1505094>.

¹³ Samina Yasmeen, "Kashmir: The Discourse in Pakistan," *Economic and Political Weekly*, 37: 7 (February 2002): 611-613, <http://www.jstor.org/stable/4411739> (accessed March 22, 2021).

¹⁴ Ibid.

policies. Furthermore, they also argue in favour of equal participation of Kashmiris in the political process in Kashmir which can result in an outcome acceptable to all the parties, Kashmiris as a significant party among all. Liberals say that such an approach does not isolate Pakistan internationally, and moreover it also brings economic prosperity in the region.¹⁵

The above-mentioned groups are in constant struggle with each other on the perfect policy for Kashmir. It also depends on the leader of Pakistan in each time as to what specific worldview he follows, thus, there are more chances of him following a specific ideology. For instance, Zia and Musharraf are anti-thesis of each other. While the former was a staunch Islamist, the latter tend to believe more in the liberal ideology. Often, these various ideologies inter-lap each other as well. The liberals in Pakistan while arguing for the interdependence in global economy cite example of Pakistan's high defence spending which comes at the cost of less spending in health, education, and other vital sectors of human development. For liberals, even the division of Kashmir is acceptable which is famous as north of Chenab division.¹⁶

1.5. Pakistan's Kashmir Policy from (1949 to 1998)

Nevertheless, at the state level, Pakistan's stance from the late 1940s has been to resolve the issue under the auspices of the UN resolutions. Whereas India while itself going first to the UN for resolution of the issue has subsequently backtracked and did not honour the resolutions. Kashmir has remained paramount in Pakistan's foreign and defence policies. In fact, Pakistan has fought two major wars and a low intensity conflict over Kashmir.

In its early era, Pakistan had to experience political instability as its founder died only after one year of its inception in September 1948. While Pakistan was busy in constitution making, India on the other hand was consolidating itself in the valley and Ladakh regions of the state of Jammu and Kashmir. Abdullah was in favour of IOA and had also conflict with Maharaja Hari Singh over the tenets of IOA and governance issues within the state as a head of Emergency administration post October 1947. As far as India was concerned it supported Abdullah and forced

¹⁵ Ibid.

¹⁶ Ibid.

Maharaja Hari Singh to accept him as Prime Minister of Kashmir. Abdullah was appointed as the Prime Minister of Kashmir by replacing Mehar Chand Mahajan in March 1948. The first political decision of Abdullah was to take part in elections of 1951 conducted under the watch of India. Pakistan protested at this and stated it was against the UNSCR 47. India could not conduct those while the UN asked for referendum in Jammu and Kashmir. However, India went ahead with its decision and declared Kashmir as its integral part.¹⁷ Similarly, in 1952, Abdullah went in agreement with India known as “Delhi Agreement,” this changed the outlook of Kashmir. As per Delhi Agreement, India’s sovereignty over Kashmir was accepted by Abdullah, even though Kashmir was permitted to have a separate flag, but Indian flag had to be considered as the dominant one. In addition to this, Indian President was termed as the head of state of Kashmir as well, whereas the governor of Kashmir though selected by the Kashmiri legislature but had to be given consent by the Indian President.¹⁸

Things did not go smooth between Nehru and Abdullah, Sardar Patel and then Home Minister of India and Amar Singh (son of Hari Singh) advised Nehru to not trust him, as according to them he seemed ambitious and was in contact with Pakistan as well. India imprisoned Abdullah in Kashmir after hatching a conspiracy with his brother-in-law Bakhshi Ghulam Muhammad in 1953, who was also appointed as the Prime Minister of Kashmir by deposing Abdullah. Eventually, India got the IOA passed from the Kashmir Legislative Assembly under Bakhshi, and Kashmir’s separate constitution was passed in 1957. At the end of Bakhshi’s rule in 1963, India changed the constitutional status of Kashmir, and the legislative assembly of Jammu and Kashmir was transformed into a state assembly, the office of Prime Minister was abolished, and the Chief Minister’s office was introduced. Moreover, the jurisdiction of Indian Supreme Court and Election Commission was also extended to Jammu and Kashmir.¹⁹

The change in constitutional status of Jammu and Kashmir changed Pakistan’s policy towards Kashmir as well. Pakistan earlier protested at the UN that India’s political

¹⁷ Gowher Rizvi, “Nehru and the Indo-Pakistan Rivalry Over Kashmir,” *Contemporary South Asia*, IV: 1 (March 1995), 27.

¹⁸ Ibid.

¹⁹ Schofield, *Kashmir in Conflict*, 93-97.

interference and constitutional amendments in Jammu and Kashmir was against the UN resolutions and that it was Kashmiris' principle of self-determination that must decide their fate. The UN passed the resolution of UNSCR 53 regional arrangement and UNSCR 56 terming India's constitutional arrangements against the spirit of the UN's earlier resolutions on Kashmir. Yet, whenever Pakistan approached the UN, India relegated the matter either by giving reference of ratification of IOA by Kashmir assembly or invoking clause 2 of the UNSC resolution 39 which provided for the complete withdrawal of troops from the state.²⁰

After not getting anything positive from the UN, Pakistan decided to explore other avenues. It is significant to mention here that Pakistan took advantage of its geography and decided to form an alliance with China keeping in view the principles of realism. Therefore, Pakistan signed its first pact on delimitation of the boundary in the northern most region of Jammu and Kashmir with China by gaining 750 square miles of territory from China and ceding 250 square miles of Kashmir's territory to it in March 1963 in a diplomatic move to make China a permanent party in the conflict.²¹

Pakistan's rationale for this change other than the motives stated above was Indo-China war of 1962 as well which made India weaker, it was defeated by China and was low in morale. Pakistan's then foreign minister Zulfikar Ali Bhutto initiated these talks with China.²² The policy proved fruitful, and Pakistan was able to gain diplomatically and militarily in Rann of Kutch in Sindh, in April 1965 which boosted Pakistan's confidence. Consequently, it decided to use hard power and planned "Operation Gibraltar" in August 1965.²³ Altaf Gauhar in his book *Ayub Khan: Pakistan's First Military Ruler* stated that it was Bhutto who planned that operation in Rawalpindi's Satellite Town along with the then Foreign Secretary, Aziz Ahmad.²⁴ The plan was causing a rebellion within Kashmir and taking hold of the major

²⁰ Ibid.

²¹ *Dawn*, January 9, 2010.

²² Pervez Iqbal Cheema, "Significance of Pakistan China Border Agreement of 1963," *Pakistan Horizon*, 39: 4 (1986), 41-52.

²³ Farooq Bajwa, *From Kutch to Tashkent, The Indo-Pakistan War of 1965* (Lahore: ILQA Publishers, 2014), 74.

²⁴ Altaf Gouhar, *Ayub Khan: Pakistan's First Military Ruler* (Lahore: Sang e Meel Publications, 1993), 319.

governmental institutes and declaring independence.²⁵ For that matter ten companies of Special Services Group (SSG) of Pakistani army were sent inside the valley. However, the plan could not materialize and escalated into a full-blown war – India launched attacks at the international border.²⁶ Thus, it resulted in second Indo-Pak war on Kashmir. International powers stepped in like the US, the UK, and the former Soviet Union and made rapprochement between India and Pakistan in Tashkent, also known as Tashkent declaration.

Post 1971 war, Pakistan was not in a strong position to challenge India as it was witnessing a political turmoil internally after the separation of East Pakistan. Thence, its policy towards Kashmir was merely a rhetoric.²⁷ It was Bhutto's regime in power which signed Shimla agreement with Indian Prime Minister Indira Gandhi in 1972. Sattar in his work *Pakistan's Foreign Policy* is of the view that foundation for bilateral talks between India and Pakistan were set here. The cease-fire line was converted into Line of Actual Control.²⁸

However, the agreement accepted Pakistan's stance that its position on UN monitored referendum would not be changed. Importantly, the agreement also declared Kashmir as an unfinished agenda of partition. It also provided for the up keeping of a line of control because of cessation of hostilities in the war of 1971, "without prejudice to the recognized position of either side." Post Shimla agreement, India-Pakistan held dialogue for 44 times, and Kashmir was discussed only three times.²⁹

Meanwhile, in late 1970s and through the decade of 1980s, Pakistan was busy securing its backyard in alliance with the US against the former Soviet Union in Afghanistan. Thence, its policy was not proactive regarding Kashmir, it lacked any realist pursuits. Similarly, the UN too went soft on the issue and there were no major proceedings, in fact, the UN chiefs went on to claim that how unfair the borders are drawn in Jammu and Kashmir, this was the fate of the state. They also termed the

²⁵ Schofield, *Kashmir in Conflict*, 110-120.

²⁶ Gauhar, *Ayub Khan*, 319-321.

²⁷ Sardar Muhammad Ibrahim Khan, *The Kashmir Saga* (Lahore: Ripon Printing Press, 1965), 30-34.

²⁸ Abdul Sattar, *Pakistan's Foreign Policy 1947-2012: A Concise History* (Karachi: Oxford University Press), 111.

²⁹ Nasim Zehra, *From Kargil to Coup: Events that Shook Pakistan* (Lahore: Sang-e-Meel Publications, 2018), 41.

calls for plebiscite no more a practical approach.³⁰ In that scenario, India was able to capture Siachen glaciers in April 1984 in “Operation Meghdoot” as well as also took hold of the high peaks around district Kargil by entering two to three kilometres inside the LoC on Pakistani side.³¹

In late 1980s and early 1990s, Pakistan started to support the Kashmir’s insurgency which initially was nationalistic in design and was started in protest to the rigging of elections in 1987 by India in favour of Farooq Abdullah. However, soon it transformed into a religious struggle and different Mujahideen groups were formed to fight Indian security forces. The then Prime Minister of Pakistan, Benazir Bhutto openly argued in favour of Jihad in Kashmir. Pakistan gained that confidence in Afghanistan by successfully defeating the former Soviet Union through a proxy war. The realists in Pakistan had a high morale, they thought same results could be achieved in the valley of Kashmir as well. Therefore, they started supporting insurgency in Kashmir and even trained groups in AJK to cross over LoC and fight for self-determination.

The initial plan was only to train indigenous Kashmiris so that foreign nature of the movement could be avoided, but gradually many volunteers from Pakistan joined the cause too and started infiltrating in Kashmir. However, things did not go as planned, and India was able to create a rift between the Mujahideen movement within the valley by forming *Ikhwanis* (fake Mujahideen) who would infiltrate the Mujahideen groups to give information to the Indian security forces. Therefore, India successfully dented Kashmir Jihad as early as in 1997. It was the time when Nawaz Sharif came to power in Pakistan and started warming up for peace with India by initiating dialogue at the side lines of SAARC summit in 1997 with Inder Kumar Gujral, the then Prime Minister of India.³²

The more recent militancy in Kashmir started in 2008 after the agitation against Amarnath land acquisition in Jammu. The Hindutva forces subsequently blocked all roads to Kashmir, thus blockading essential supplies, the repeated clashes between the authorities and people in 2009 and 2010 alienated many young persons who do not

³⁰ John Braithwaite and Bina D'Costa, “Recognizing Cascades in India and Kashmir,” in *Cascades of Violence: War, Crime and Peacebuilding Across South Asia* (ANU Press, 2018), 254-256.

³¹ Zehra, *From Kargil to Coup*, 41.

³² *Ibid.*, 59.

subscribe to Indian state. Similarly, the Indian state continued with the oppressive laws enacted in late 1980s and 1990s like Prevention of Terrorism Activities (POTA), Terrorists and Disruptive Activities (TADA) and Armed Forces Special Powers Act (AFSPA) which has created resentment in the valley, thereby influencing youth to militancy.³³ This new wave culminated with the killing of a young militant Burhan Wani (22 years old) in 2016. However, without any tactical support by Pakistan, it is not able to create any difference within the valley.

1.6. Lahore Declaration

In February of 1999, both India and Pakistan agreed to resolve major issues bilaterally including Kashmir. It was agreed that Shimla agreement would be respected in letter and spirit. Furthermore, the issue of Kashmir was recognized as a harbinger for peace in South Asia. There was no mention of the UN resolutions in draft of Lahore declaration. The talks on Kashmir were part of bilateral dealings between India and Pakistan. Similarly, India was also able to incorporate clause on recognition of terrorism in the region, and joint effort to eradicate it.³⁴ This clause was later exploited by India as it framed the entire Kashmir freedom movement as terrorism.

The Lahore Declaration was a result of Pakistan's Prime Minister Sharif's soft policy interest in the issue as well, as he made his intentions clear even before coming to power in 1997 that he wanted better relations with India and was even willing to discuss Kashmir issue bilaterally. As Sharif was easing the tensions between India and Pakistan, there was resistance to his plans by Pakistan's military establishment as well as the orthodox and Islamist political parties. Nonetheless, in his talk at the event of declaration, Sharif said that both India and Pakistan needed to move ahead from their traditional stance over Jammu and Kashmir. Similarly, Vajpayee also announced that he meant friendship and was willing to find the solution of Kashmir for peace and stability in the region.³⁵

³³ Simple Mohanty, "The New Wave of Mobilisation in Kashmir: Religious or Political?" *Social Change* 48, no. 1 (March 2018): 59–71. <https://doi.org/10.1177/0049085717743838>.

³⁴ The Lahore Declaration, *Peacemaker, UN*, https://peacemaker.un.org/sites/peacemaker.un.org/files/IN%20PK_990221_The%20Lahore%20Declaration.pdf.

³⁵ Amjad Abbas Maggsi, "Lahore Declaration February 1999: A Major Initiative for Peace in South Asia," *Pakistan Vision*, 14: 1 (2001), 180-187.

The bilateral formula that is speculated to have reached an understanding between Sharif and Vajpayee was dividing the territory across the Chenab River, where the eastern flank of it, having Hindu majority population would be held by India, while northern areas (region of Gilgit Baltistan) and Azad Jammu and Kashmir to be given to Pakistan. As far as the valley of Kashmir was concerned, it was decided it would be given greater autonomy. The United Nations appreciated India-Pakistan handling the situation bilaterally.³⁶

The Lahore Declaration was a major policy shift in Pakistan. It left behind the calls of UNSC resolutions and prepared to take friendship with India seriously. However, the setback came right after three months of the declaration when Mujahideen captured several mountain tops in the Kargil district by crossing over LOC. The Indian Prime Minister Vajpayee termed it a major blow to the trust. The Pakistani Prime Minister was taken by surprise too. He offered the Indian side of resumption of talks and mutually deescalating the situation, however, there resulted a huge gap in the trust between the two states. The “Operation Koh Pema” the secret code name of the Kargil war was a tactical level decision taken by Pakistan’s army chief, General Pervez Musharraf.

Naseem Zehra in her work *From the Kargil to the Coup* stated that Kargil operation was picked from a cold storage by Musharraf and that it was initially meant to retake Siachen planned by Pakistan’s former President General Zia ul Haque. Post the failure of indigenous freedom struggle within Kashmir valley in 1997, Pakistani army generals had decided to use force in Kashmir at Kargil sector to stop the Indian supply lines to Siachen. The reading of General Head Quarters (GHQ) was that since Pakistan achieved nuclear capability, India would be forced to sit on the negotiating table and cede to Pakistan demands. Thus, in December 1998, the troops from Northern Light Infantry (NLI) then a civil defence force were dispatched from seven locations to cross the LoC.³⁷ Zehra claims that the discourse of Mujahideen capturing peaks in Kargil and Drass is an official rhetoric which is not based on reality.

Nevertheless, the operation brought embarrassment for the civilian administration that was undergoing a dialogue stalled for decades. It also revealed how Pakistan’s civil-

³⁶ Ibid, 193.

³⁷ Zehra, *From Kargil to Coup*, 101.

military leadership was not on the same page regarding defence and foreign policies. Furthermore, it was kept so secret that even institutional go ahead was also not provided by the GHQ. Regardless of the political outcome of the operation, strategically and tactically the Operation Koh Pema too was based on realist assumptions just like Operation Gibraltar in 1965, the aim was set to capture and hold territory which was achieved. Sharif on the other hand claimed that it was conducted to sabotage the peace process by the military establishment which eventually led to his ousting from power as well when he tried to replace Musharraf as an army chief while he was on a plane travelling from Colombo to Karachi. Consequently, Musharraf declared martial law and suspended the constitution and took over as a chief executive of Pakistan on October 27, 1999.

1.7. Musharraf Regime and Kashmir Policy 1999-2008

Yasmeen claimed that Musharraf initiated a policy shift after taking over Pakistan in 1999. He tore down the traditional framework of the Inter-Services Intelligence (ISI) of Pakistan which worked in close association with the Jihad Council of Kashmir, the Taliban, and the ideological support base for these groups within Pakistan. Musharraf's reform agenda was not only limited to altering the framework, but he also started purging the army and the ISI from those officers having a Jihadist ideology.³⁸ Simon Jones, on the other hand also revealed that Musharraf took Kashmir chapter from the ISI and handed it over to the Military Intelligence.³⁹

Musharraf had become so hasty to resolve the Kashmir dispute that he offered many proposals repeatedly to the Indian side which could not materialize. There are many experts like Jones who believe that Musharraf's restart of dialogue with India over Kashmir was in fact for his own advantage that was to take legitimacy from the international players as he was a dictator and came into power by toppling a democratic regime of Sharif in Pakistan.⁴⁰

³⁸ Samina Yasmeen, "Kashmir: The Discourse in Pakistan," *Economic and Political Weekly*, 37: 7 (February 2002): 611-613, <http://www.jstor.org/stable/4411739> (accessed December 22, 2020).

³⁹ Simon Jones, "India, Pakistan, and Counter Insurgency Operations in Jammu and Kashmir." *Small Wars and Insurgencies*. 19: 1 (March 2008): 16, <https://doi.org/10.1080/09592310801905736> (accessed October 18, 2019).

⁴⁰ Ibid.

Musharraf started official dialogue with India in July 2001 at Agra, there were reported five rounds of talks between the foreign ministers of the two countries. It was thought to be of a practical nature dialogue, however, the Bhartiya Janata Party's (BJP) leader, Lal Kishan Advani sabotaged the talks on the pretext that the draft did not contain the issue of cross border terrorism.⁴¹ The Agra draft prepared on July 15, 2001 was dubbed as a pragmatic step for solution to Kashmir problem where both India and Pakistan agreed on the notion that resolving the dispute of Jammu and Kashmir was indispensable for the peace between the two countries. The draft contained nine clauses where Jammu and Kashmir issue were the top priority, it was decided as a political issue needed to be discussed on the urgent basis between the top leaders. Similarly, issue of Siachen was also recognized to be discussed at the foreign ministers' level.⁴² Many in Indian scholarly community termed the failure of Agra draft as a success for India by not giving in to Pakistan which they thought was eyeing for concessions from India.⁴³

This was Pakistan again leaving its traditional approach of plebiscite and willing to negotiate Kashmir bilaterally with India. Pakistan's President Musharraf in 2003 stated that he was ready to take up the case of Kashmir bilaterally with India without the presence of any third party, not even considering the UN resolutions over Kashmir.⁴⁴ In 2004, INC came into power in India under the premiership of Manmohan Singh – Musharraf was quick to put forward the idea of relooking the boundaries of Jammu and Kashmir and installing an impartial administrative setup – however, Singh did not agree to the proposal.

In 2006, Musharraf regime again started Composite Dialogue with India, it was agreed that boundaries of Jammu and Kashmir would be respected as per the ceasefire agreement, while mutual trust building was stressed to be built gradually by initiating the programs like joint administration, reduction of troops from the region to achieve

⁴¹ "Advani admits he sabotaged Agra summit," *Dawn*, March 18, 2008,

<https://www.dawn.com/news/294167/advani-admits-he-sabotaged-agra-summit>

⁴² "Agra Declaration," *Frontline*, July 5, 2005, <https://frontline.thehindu.com/the-nation/article30205599.ece>

⁴³ Jayanta Kumar Ray, "The Agra Summit," *India Quarterly*, 57: 2, (2001), 17-28. <https://www.jstor.org/stable/45073257?seq=1> (accessed October 11, 2020).

⁴⁴ *Dawn*, December 18, 2003.

complete demilitarization, and introduction of the self-government.⁴⁵ In that scenario Musharraf presented a four-point agenda: 1. Detection of seven locations within Jammu and Kashmir; 2. After detection of seven key localities, the next step was to demilitarize them in order to keep the movement across LoC free; 3. Making the LoC irrelevant gradually over the time for the free movement of Kashmiris even though it did not provide for permanency of it or converting it into an international border; 4. Introduction of the self-government within Kashmir.⁴⁶ However, these points were not accepted by the Indian side, hence no agreement could be reached.

1.8. Kashmir on the Backburner (2008-2016)

Post 2001, India played shrewdly to implicate Pakistan as a state sponsoring terrorism in the valley of Kashmir. Its Prime Minister, Vajpayee even requested George W. Bush, the then President of the United States to include Kashmir as the region greatly affected by the terrorism. India at the policy front started exploiting the narrative of terrorism to its advantage. It portrayed the indigenous freedom struggle of Kashmir which is even recognized by the UN as a just struggle, as terrorism.

All the efforts carried out under the Musharraf administration vanished after the Mumbai attacks in 2008 where hundreds of people were killed by the gunmen. India blamed the attacks on Pakistan and backed off from the dialogue. Significantly, just a day before the attack, the foreign minister of Pakistan Shah Mahmood Qureshi and Indian external affairs minister, Pranab Mukherjee agreed to play a cricket series as a part of track II diplomacy.⁴⁷

Post 2008, Pakistan's Kashmir policy was in the doldrums, its military was busy fighting Tehreek-i-Taliban Pakistan (TTP) a terrorist group operating from within former Federally Administered Tribal Areas (FATA) South and North Waziristan tribal agencies. In addition to this, the military was just ousted from the power in Pakistan after a Lawyers Movement for restoration of democracy in Pakistan. As a result, both civil and military leadership was not able to define any policy. Yet, at the

⁴⁵ Syed Rifaat Hussain, "The India Factor," in *Pakistan: Beyond A Crisis State*, ed. Maleeha Lodhi (Karachi: Oxford, 2011), 333.

⁴⁶ Dr. Ghulam Nabi Fai, "Musharraf's four-point formula: The devil in the details," *Foreign Policy News*, March 4, 2017.

⁴⁷ Samarjit Gosh, "India-Pakistan Composite Dialogue-2008: A Review," *Institute of Peace and Conflict Studies*, Special Report 65 (February 2009), 7-9.
https://www.jstor.org/stable/resrep09309?seq=1#metadata_info_tab_contents (accessed June 10, 2020).

change of administration in Pakistan various sections in Kashmir and Pakistan hoped that Pakistan People's Party (PPP) would carry on with its historical stance on Kashmir that is clear from Benazir Bhutto's statements and her father's Zulfikar Ali Bhutto's struggles for Kashmir. However, its chairman Asif Ali Zardari, also the President of Pakistan in 2008 stated that "Kashmir cause should not become an impediment to normalization between India and Pakistan."⁴⁸

Therefore, the response from Pakistan on Mumbai attacks was banning of the Jamaat-ud-Dawa (JuD) which was believed by India to be responsible for the attacks in Mumbai. However, the Mumbai attacks internationalized the Kashmir issue, and more so the policy of PPP on Kashmir was also diplomatic efforts rather than use of hard power or using proxies in Kashmir, even though in 2010, the situation in Kashmir was anarchic and there was room for Pakistan to flame a militancy, yet it avoided that approach. Pakistan on the contrary requested the US to play its part in resolving the issue. However, the support from the US only came in shape of careful statements meant to encourage both India and Pakistan to give dialogue a chance. This influenced PPP too to opt for bilateral agreement and internationalizing Kashmir at the same time.⁴⁹

To the All Parties Hurriyat Conference (APHC) PPP's message was it supports the Kashmir movement for self-determination and will continue to provide moral and political support. Back in AJK, PPP colluded with the military establishment in political engineering by interfering in AJK's politics. It halted Sardar Attiqur Rehman from coming to power for his support for Musharraf's four-point agenda. Meanwhile, PMLN leadership was also discouraged for its support of the Lahore Declaration, as for PPP this meant sending Indians a message that Pakistan merged AJK.⁵⁰ Shafiq states that however PPP's significant political decision in Pakistan administered Kashmir was introducing administration reform in the northern areas by giving provincial status to area. It was also meant to tell India that it was ready for backdoor negotiations on Kashmir.⁵¹ In April 2012, Asif Ali Zardari also visited India, a visit

⁴⁸ Nirupama Subramanian, "Rights of Kashmiris suppressed: Zardari," *The Hindu*, January 6, 2010.

⁴⁹ Sumaira Shafiq, "Pakistan's Policy Towards Kashmir Dispute (2001-2014)," *Margalla Papers*, 2015, 133-150, https://www.ndu.edu.pk/issra/issra_pub/articles/margalla-paper/margalla-papers-2015/07-Pakistan%27s-Policy.pdf (accessed November 10, 2020).

⁵⁰ *Ibid.*, 143

⁵¹ *Ibid.*, 144.

by any Pakistani head of state after the Agra Summit in 2001, however, there were no decisions made on Kashmir openly or secretly. Apart from that the tenure of PPP did not see any meaningful or out of the box policy for Kashmir – it was regular diplomatic speeches at the UN reiterating Pakistan’s official stance since 1949.

Meanwhile, in May 2013 the PMLN came back to power after fourteen years since its ouster by Musharraf in October 1999. The PMLN’s immediate concern was the scourge of terrorism Pakistan was facing. Furthermore, 2013 also witnessed increased ceasefire violations at the LOC as well. India alleged that Pakistan was sending militants inside the valley from the platform of Difah-e-Pakistan Council (DPC) which many believed was created by the Pakistani military establishment to pressure the government of Sharif. Even before Sharif could have initiated any significant dialogue with India, the DPC and other orthodox elements lamented Sharif for his past decisions of Kashmir and that he was aiming for the same. This was believed to be the concern of military establishment as well.

Sharif met his counterpart Singh in New York on the side lines of UN General Assembly meeting in September 2013 and agreed on the mechanism to be decided by the Director Generals Military Operation (DGMOs) of both states to stop infiltration across the LoC from Pakistan administered Kashmir.⁵² Just before the meeting, an insurgent attack was carried out on a convey of Indian security forces killing 13 of them, it was suggested by analysts that it was meant to disrupt the peace process, which both sides were claiming to be constructive. Singh raised the issue of terrorism with Sharif and demanded punishment for the alleged culprits of Mumbai attacks. Guardian reported that Sharif claimed it was his aim too.

Kamran Yousaf, a Pakistan based journalist in May 2014 claimed that Pakistan had initiated backdoor diplomacy with India after the BJP’s government came into power in 2014. Sharif sent the message through Pakistan High Commissioner in Delhi Abdul Basit, who conveyed to Prime Minister Narendra Modi that Pakistan was seeking “new beginning” with India. Meanwhile, Pakistan’s foreign minister Sartaj Aziz claimed that PMLN was looking for economic development and cooperation and that

⁵² Indian and Pakistani PMs meet in New York in shadow of Kashmir violence,” *Guardian*, September 29, 2013, <https://www.theguardian.com/world/2013/sep/29/india-pakistan-meeting-new-york-unga-kashmir>

it was the policy of BJP too in India, therefore both had the point of convergence to restart a result-oriented dialogue.⁵³

The message was well received by India, earlier on May 25, 2014 Sharif was invited to Indian Prime Minister Narendra Modi's inauguration where both leaders formally met and decided to keep the decision making in their hands. Afterwards, the backdoor diplomacy started and both Sharif and Modi met at the side lines of SAARC summit in Nepal in November 2014 for almost an hour. This was a secret meeting which was not disclosed to the press. In the meeting both leaders realized that they had political limitations, but they showed resolve nonetheless for overcoming challenges. The meeting was made possible with the influence of Sajjan Jindal, a steel tycoon who had personal friendship with Sharif. On Kashmir, while Modi was reluctant to initiate anything openly, Sharif too claimed that his pain in decision making came from the military establishment which did not allow him a free reign.⁵⁴

These secret talks had positive impact on the relationship between the two leaders which was revealed for anyone to see in December 2015 when Modi landed in Lahore on a private visit to see Sharif at his Raiwind's residence. Though in personal capacity, yet this visit came after a decade by any Indian Prime Minister.⁵⁵ The visit while appreciated by the international players and diplomats, was criticized in both states internally. In Pakistan, Sharif was lamented for receiving Modi, a "butcher of Gujarat" who killed hundreds of Muslims in 2002. Similarly, the orthodox and rightists termed Sharif as "Modi ka yar," slogans such as "Modi ka jo yar hai ghaddar hai" (whoever is Modi's friend is anti-Pakistan) were shared across the social media platforms. Similarly, in India Modi was criticized as well for keeping the public in dark, the INC criticized Modi for not taking the parliament on board while taking such big steps.

Summing up the discussion, it is evident that Pakistan formed its Kashmir policy depending on factors such as international pressure and international geo-political

⁵³ Kamran Yousaf, "Backdoor diplomacy: Pakistan seeks 'new beginning' with BJP-led India," *The Express Tribune*, May 18, 2014, <https://tribune.com.pk/story/710225/backdoor-diplomacy-pakistan-seeks-new-beginning-with-bjp-led-india>

⁵⁴ "Sharif, Modi had deniable secret meeting in Kathmandu: book," *Dawn*, December 2, 2015, <https://www.dawn.com/news/1223705>

⁵⁵ Mayank Aggarwal, "Narendra Modi Diplomatic Dare Revives Hopes for Peace," *The Mint*, December 26, 2015, <https://www.livemint.com/Politics/1TfU94WuqqTpRqdE35EF6K/Narendra-Modi-to-make-unscheduled-stop-in-Pakistan-to-meet-N.html>

environment, its strategic options, the economic aspects, and significant of all as an unfinished agenda of partition. Throughout history, its policy was not uniform – it had the element of pragmatism as well, whenever the situation demanded Pakistan moulded its stance, which is reflected in the decision of 1972's Shimla agreement, Sharif's peace initiatives in 1997-1999, Musharraf four-point agenda and Sharif's reengagement with the BJP post 2013. It is important to mention here that Pakistan's policy had the element of realism as well, specifically its military establishment always wanted to take Kashmir by force. In fact, it followed all the assumptions of relative power and mediating domestic factors, whenever it had the military capability, national morale, and leadership it went ahead with its designs of realism. Similarly, when it lacked in one or more principles of national power it reverted its decisions, and again followed the discourse of neo-classical realism which was inspired by economic conditions of Pakistan. Thus, when Pakistan was in a stronger geo-political position, and the geo strategy allowed it to go hard on Kashmir it went ahead with military or violent options, meanwhile, when in political distress itself internally, Pakistan pushed forward the UN option and stressed on the need to resolve the issue keeping in view the UNSC resolutions. The following chapters consider Pakistan policy on Kashmir post 2016 in detail.

Chapter 2

Pakistan's Kashmir Policy Since 2016

This chapter discusses Pakistan's stance over Kashmir with Modi's regime in India. It deals with the dualistic approach of Sharif on Kashmir abroad and within Pakistan. It also explains the outcome of Sharif's continued friendly soft policy approach towards India and subsequent optics carried forward after his ouster in 2017 till 2018 by his successors. Then this chapter aims to analyse the renewed Kashmir's insurgency and how it was different than the insurgency of 1980s and 1990s. This study also highlights the international organizations like OHCHR's and OIC's reports on the human rights violations in Kashmir. It also explores PTI's government's policy towards Kashmir and what ingredients it contained? Were those different from the previous governments or continuation of the orthodox policy? After providing a discussion on PTI's initial stance on Kashmir, which consider India-Pakistan brief clash in Kashmir in February 2019 and ensuing relations till the revocation of article 370 by the BJP's government in August 2019.

As discussed in the previous chapter Pakistan's policy was shifting gear to take the issue of Kashmir from backburner to the front. Sharif had started cooperation with Modi's regime and outcomes of the back door diplomacy were positive as well with Modi stopping at Lahore for Sharif's granddaughter wedding in December 2015. However, during this time there were heightened tensions along the LoC in Jammu and Kashmir. The ceasefire violations had become a routine and it made both India and Pakistan go in the blame game mode on media.¹ There is no objective assessment of the number of ceasefire violations by both states in Jammu and Kashmir, both India and Pakistan maintains their own official figures, and since India does not cooperate with the UN, the UNMOGIP cannot independently verify the incidents of ceasefire violations. However, it is estimated by the journalists that each year the violations at LoC are in thousands.

¹ Khurshid Khan, Pervez Iqbal Cheema, "Modi's Kashmir Policy: The Probable Consequence of the Security of South Asia," *Strategic Studies*, 37: 3 (2017), 1-21.

2.1. Sharif's Four-point formula in UNGA

In September 2015, Sharif in UN General Assembly (UNGA) also presented his four-point formula. However, it is argued by many that there was change in the official stance of Sharif on the military establishment's pressure. Sharif towed the orthodox approach at the UNGA sessions of 2015; he stated India was an occupier and oppressor of the Kashmiris. Their lives were made miserable by the Indian army. Sharif also presented a four-point formula on Kashmir in UNGA; but it was rejected by India.² The formula stated: abiding by 2003 ceasefire agreement; no use of force under any circumstances in Kashmir; demilitarization of Kashmir; and withdrawal of troops from Siachen. This was indeed a different formula than the one agreed upon by Sharif and Vajpayee in 1999 at the Lahore declaration. Sharif at one hand was eyeing for the backdoor diplomacy to be successful with Modi, and at the other was projecting Pakistan's official stance at the UN in general assembly's speeches.³

2.2. Kashmiri Insurgencies

In January 2016, Kashmiri insurgents struck the Indian air force base in Pathankot killing officials and damaging millions of dollars' worth aircrafts. India alleged that the attack was conducted by Pakistan's based terrorists. The BJP's general secretary in a fairy social media post on Facebook went on to state that, "“For one tooth, the complete jaw. Days of so-called strategic restraint are over.”"⁴ *The New York Times* raised serious concerns over the jingoism in India's ruling party cadres. It argued that it can create an atmosphere of permanent conflict between India and Pakistan while both states had nuclear weapons. Pakistan rejected Indian allegations and demanded evidence from India.

Back in the valley of Kashmir, the new insurgency erupted after the killing of innocent civilians in 2010 by the Indian army. It was sporadic but got some momentum in the year 2016 when its young commander from Hizbul Mujahideen Burhan Wani, was killed by the Indian security forces. There were incidents of large-scale protests within Kashmir since the killing of Wani whom the Kashmiris

² “From Gen Musharraf's 4-point formula to Sharif's peace plan,” *Early Times*, December 19, 2021.

³ Khurshid Khan, Pervez Iqbal Cheema, "Modi's Kashmir Policy: The Probable Consequence of the Security of South Asia," *Strategic Studies*, 37: 3 (2017), 14.

⁴ “Rising Tensions in Kashmir,” *The New York Times*, September 23, 2016, <https://www.nytimes.com/2016/09/24/opinion/rising-tensions-in-kashmir.html>

romanticized in these mass gatherings.⁵ Importantly, Wani, a young and educated southern Kashmiri from Pulwama district also inspired many others educated to join the militancy.

This new insurgency was totally different than the insurgency of 1980s and 1990s, it had the element of religion as a binding force in contrast to the nationalistic outlook of the 1990s. The insurgents were young and educated (even PhDs were part of the resistance) and hailing from middle- and upper-class families in the valley. But it is significant to mention here that these insurgents were on their own. The number estimated by Kashmir journalists was hardly around 300 total insurgents within the valley with least amount of sophisticated weaponry necessary for any meaningful insurgency to succeed or to dent India's security apparatus in the valley, given the fact that it had more than seven hundred thousand army established in the valley.⁶

As far as Pakistan's role is concerned, it did not provide any financial or military support to the insurgents. The Jihad apparatus disbanded by Musharraf was not in place after 2002 in AJK therefore, the physical support was also not given from Pakistan. Even weapons were not provided. The trend showed that most militants were forced to pick up guns by the treatment of Indian security forces and indiscriminate killing of the civilians. Furthermore, the psychological warfare initiated by the Indian state in the valley also forced them to join militancy. The Indian security forces is conducting search operations in the valley for the last three decades where they cordon off the entire villages and search houses, even during midnight where incidents of sexual harassment are also reported. In addition to this humiliation, there are laws like AFSPA, and PSA which allow security forces to detain people at will, these developments have made Kashmiris aliens in their own land. Thereby, the youth of Kashmir started to join militancy. But as the number was not significant as well as they also did not have advanced training and weapons, India was able to locate and eliminate most of them. In the meanwhile, India also

⁵ Khan and Cheema, "Modi's Kashmir Policy," 4.

⁶ "Number of listed militants crosses 300 in Kashmir for first time in 10 years: Report," *Greater Kashmir*, May 9, 2021, <https://www.greaterkashmir.com/news/kashmir/number-of-listed-militants-crosses-300-in-kashmir-for-first-time-in-10-years-report/>

successfully portrayed Pakistan as a state sponsoring terrorism in the valley through its lobby firms in western capitals.⁷

Indian army lost 65 personnel to militant attacks only in 2016 which was the highest fatality rate since 2010.⁸ In the subsequent years, 2017 and 2018, the trend of militants' attacks continued and about 100 other Indian security forces were killed by the militants with Indian official figures reporting 200 militants killed. It is significant to mention here that the number of insurgents the Indian security forces killed in the valley was replaced by the same number within a year; however, there was no exponential growth in the insurgents as reported by the Pakistani media.⁹

Khan and Cheema opined that the new insurgency would force India to rethink its policy over Kashmir. However, it was a wishful thinking which could not stand the test of time. The buying of arguments like insurgents were highly trained shows the lack of analysis on their part, as the only weapons they had were mostly robbed from the security forces, and the bombs they made were often kitchen bombs inspired by the tactics of other militants globally. However, Khan and Cheema eloquently explain the psychological trauma the heightened security presence of India in Kashmir brought. People are panicked every now and then in Kashmir.¹⁰

In September 2016, Kashmiri militants attacked the Indian army headquarters in Uri in Jammu sector where 18 soldiers were killed, and scores wounded. In the same month, India claimed that it had conducted a surgical strike on a so-called terror launch pad in AJK's Neelam valley to avenge Uri. The DG ISPR rubbished the idea and termed it propaganda by the Indian side. He took UNMOGIP and international journalists to the alleged place of strike and showed them evidence if anything like what India had claimed happened at all at the said place. The surgical strike was romanticized by the Indian media, and the BJP's government too regularly made

⁷ Abu Arqam Naqash, "Kashmiri militants call for Pakistani military intervention in disputed region," *Reuters*, September 1, 2019, <https://www.reuters.com/article/us-india-kashmir-pakistan-militants-idUSKCN1VM1K0>

⁸ *Greater Kashmir*, May 9, 2021.

⁹ "Over 270 terrorists currently active in Jammu and Kashmir: Official sources," *The Economic Times*, January 14, 2021, <https://economictimes.indiatimes.com/news/defence/over-270-terrorists-currently-active-in-jammu-and-kashmir-official-sources/articleshow/80269366.cms>

¹⁰ Khan and Cheema, "Modi's Kashmir Policy," 16.

public speeches, that India was not ready to go soft on Pakistan and that it would enter its territory and strike at will.¹¹

Such was the scenario when Sharif went to the UNGA in the last part of September 2016 to represent Pakistan. Pakistani state was not ready to accept India's terrorism exploitation and terming a just struggle in Kashmir to be terrorists. Rather it raised serious concerns over manipulation of the term by India and equating self-determination with it. Sharif in UNGA session in 2016 termed the Indian state terrorism in Kashmir as New Intifada as well as demanded the UN to inquire about the Indian brutalities meted out to Kashmiris. Furthermore, Sharif also termed Burhan Wani as the face of Kashmiri resistance and a hero. It is stated that Sharif's owning of Wani was on the military establishment's pressure.¹²

Sharif's address in UNGA in was the product of collective arrangement made for the occasion by the Pakistani state. Sharif was also handed over a dossier by the Pakistani establishment to present to the UN general secretary. Sharif's key concerns over Kashmir in that address were:

Pakistan wants peace with India. We have gone the extra mile to achieve this, repeatedly offering the dialogue to address all outstanding issues, but India imposed unacceptable preconditions to engage in a dialogue. Let us be clear, talks are no favour to Pakistan, talks are in the interest of both countries. They are essential to resolve our differences especially in Jammu and Kashmir dispute and to avert the danger of any escalation. Mr. President, peace and normalization between Pakistan and India cannot be achieved without the resolution of Kashmir dispute. This is an objective evaluation not a partisan position. Our predictions have now been confirmed by the events, a new generation of Kashmiris have risen spontaneously against India's illegal occupation demanding freedom from occupation. Burhan Wani, the young leader murdered by Indian forces has emerged as a symbol of the latest Kashmiri Intifada of popular and peaceful freedom movement led by Kashmiris, young and old, men and women, armed only with an undying faith in the legitimacy of their cause and a hunger for freedom in their hearts. Mr. President, this

¹¹ Nitin A. Gokhale, "The Inside Story of India's 2016 'Surgical Strikes'," *The Diplomat*, September 23, 2017, <https://thediplomat.com/2017/09/the-inside-story-of-indias-2016-surgical-strikes/>; Syed Sammer Abbas, "Army rubbishes Indian 'surgical strikes' claim as two Pakistani soldiers killed at LoC," *Dawn*, September 29, 2016, <https://www.dawn.com/news/1286881>

¹² Shafiq et al., "Pakistan's Dilemma of Kashmir Policy," 6.

indigenous uprising of the Kashmiris has been met as usual with brutal repression of India's occupational force of over half a million soldiers.¹³

Sharif also talked about the self-determination under the watch of the UN. He asked the UNSC to carry out its pledges on Kashmir. However, despite the taking up of Kashmir issue emphatically at the UN, the military establishment was not happy with Sharif. It was alleged that he did not mention Indian state terrorism in Balochistan deliberately where Pakistan's ISI captured an Indian serving commander Kulbushan Yadav of the Indian Navy indulged in espionage activities. This was not a surprise for Pakistan since Modi publicly declared his endorsement for Balochistan's separatist movements on the eve of Indian Republic Day in 2016.¹⁴ Pakistan's internal instability post 2007 had given Modi room to exploit Pakistan's internal matters; therefore, Modi started funding elements to spread discord in Pakistan. This was done in Balochistan by funding anti Pakistan separatist groups as well as funding was also provided to groups indulged in terrorist activities in the tribal areas through Afghanistan's intelligence agency National Directorate of Security (NDS).¹⁵

2.3. Sharif Government and Military Establishment

Nawaz Sharif's government was unable to maintain and exercise their democratic rule and preserve the electorate mandate and onslaught by the military. In National Security Committee was established to maintain Civil-Military relation but it also failed to synchronisation of statecraft between the Civil and Military in Pakistan during Nawaz Sharif's term of government. The incidents like trail of COAS Musharraf, implementation of National Action Plan and Dawn Leaks showed tension and contradiction between two sides. While on the other side, Civil-Military relations were reconstructed when PTI leader Imran Khan took the charge. The relation often consider as on one page. The special priority was given to maintain Civil-Political-Military stability in post 2019. The legislative body, Judiciary, media and armed forces started to minimize the contradiction and resolve the pertinent issues.

¹³ "Full text of Nawaz Sharif's speech at UN general assembly," *Hindustan Times*, September 21, 2016, <https://www.hindustantimes.com/india-news/full-text-of-nawaz-sharif-s-speech-at-un-general-assembly/story-bdlcijC6NbfJgnjYupBBhN.html>

¹⁴ Suhasini Haider, "In Policy shift, Narendra Modi brings up Balochistan again," *The Hindu*, September 20, 2016, <https://www.thehindu.com/news/national/In-policy-shift-Narendra-Modi-brings-up-Balochistan-again/article14572650.ece>

¹⁵ Khan and Cheema, *Modi's Kashmir Policy*, 5.

Sharif was concerned at the approach of military establishment in dealing with Kashmir issue. His anxiety came from the fact that element of cross border terrorism was becoming a hindrance in moving in a meaningful direction with India. This was creating problem for Pakistan as post 2001 terrorism was unacceptable phenomenon for the US and other western capitals. Therefore, Sharif wanted to restart Mumbai attacks trial in a Rawalpindi's anti-terrorism court as well as starting an investigation on the attacks in Pathankot district of Indian Punjab. The press in Islamabad reported that these developments came after verbal clashes between the ISI and PMLN's leader Shahbaz Sharif, and the presentation of the foreign secretary Aizaz Chaudhary who is reported to have said that Pakistan's official stance on the issue of terrorism was not bought by the international diplomatic community. He emphatically concluded that international demands from Pakistan were banning of militant organizations like Jaish-e-Muhammad (JeM), arresting militant leaders like Masood Azhar and Hafiz Saeed, as far as Kashmir chapter was concerned. On the other hand, the demands from the US too were action against the Haqqanis on the western front in bordering areas of FATA. It was reported that the ISI was concerned on the timing of the operations by the government. Lieutenant General Rizwan Akhtar, the then head of the ISI believed that it was akin to abandoning Kashmiri brothers in distress as well as leaving behind Pakistan's conservative approach on Kashmir. However, Sharif prevailed, and Akhtar was sent to provinces to issue new directives and explanation of the policy change.¹⁶

The news story proved to be a bombshell in Pakistan deriving a lot of criticism for the writer and Sharif. It was alleged that the state secrets were disclosed by the highest office of the state itself, the prime minister's house. Sharif negated the story to be made up and no such arguments took place. However, observes of the Pakistani politics believed that the cat came out of the bag and yet another tussle of the military establishment and Sharif was about to happen.

There was criticism on Sharif that he was having foreign and defence portfolios of the cabinet himself thus Pakistan was not sufficiently projecting Kashmir cause at the international level. It was also alleged that in his bids of friendship with

¹⁶ Cyril Almeida, "Exclusive: Act against militants or face international isolation, civilians tell military," *Dawn*, October 6, 2016, <https://www.dawn.com/news/1288350>

India, Sharif was ignoring internal security by keeping quiet on the Indian sponsoring of terrorism in Balochistan and FATA. There was fumbling up in the UN by Pakistan's permanent representative Maleeha Lodhi in showcasing injustices of Indian army to the world. Lodhi wrongly showed a picture of a Palestinian girl with a disfigured face as a Kashmiri pellet victim. This brought embarrassment to Pakistan, and the Indian media manipulated the scenario by terming Pakistan's ambassador trying to frame India with wrong information. In 2017, Sharif was disqualified from office by the order of Supreme Court of Pakistan. His party remained in the office till May 2018 and the Kashmir policy afterwards was a mere rhetoric. In June of 2017, India had imposed emergency in the valley. PMLN's president Shahbaz Sharif criticized the imposition of governor rule by India and stated that even If India cannot cooperate with the party of its choice in the valley (People Democratic Party, PDP) then it only means that India is not able to win the hearts and minds of people.¹⁷

Post Sharif, Pakistan's foreign policy was headed by Khawaja Muhammad Asif, a politician from Sialkot, and a Kashmiri himself. Asif's was tenure of continuation of Pakistan's typical orthodox stance on Kashmir. He while commenting on the Kashmir issue to the media in August 2017 claimed that Pakistan was willing to negotiate Kashmir with India, but it was not responding to Pakistan's repeated calls. Asif claimed that Pakistan was better equipped than in the past to defend its territories, but they wanted an enduring peace for which the resolution of Kashmir issue was a must.¹⁸ Similarly, in October of 2017 while at the United States Institute of Peace (USIP) in Washington D. C., the Pakistani foreign minister Asif responding to normalization of ties with India stated that it was sad that PMLN's effort could not bear any result despite the fact that Sharif had earlier visited India in 2014 and was also in constant contact with the Indian government. Asif stated, "what is going on in Kashmir since last July [2016] was the biggest roadblock in normalization of relations with India... I will quote what exactly are the Indian intentions today, yesterday the Indian air chief said that we will hit through another surgical strike on Pakistan's

¹⁷ Muhammad Shafiq, Razia Sultana, Muhammad Munir, and Muhammad Shoaib, "Pakistan's Dilemma of Kashmir Policy, Trouble Spots: The Post 2016 Perceptions and the World Response," *FWU Journal of Social Sciences*, 13: 1 (June 2019), 1-13.

¹⁸ "Let's talk on Kashmir, new FM Khawaja Asif tells India," *The Express Tribune*, August 6, 2017, <https://tribune.com.pk/story/1475370/lets-talk-kashmir-new-fm-khawaja-asif-tells-india>

nuclear installations, if that happens nobody should expect restraint from us, that is the most diplomatic language I can use.”¹⁹

It was apparent in Pakistan that the civilian government of PMLN wanted to ease tensions with India, it was indulged in backdoor diplomacy as well, however, it did not go public with their policy for not inviting the ire of orthodox and military establishment. Nevertheless, this change of mind-set regarding India was not only a civilian initiative, but Pakistan’s army chief was also hinting a change in military’s thinking towards India. In March 2018, the famous Pakistani columnist and analyst, Suhail Warraich who has a keen eye on Pakistani political landscape published a news story *The Bajwa Doctrine: from chauvinism to realism* detailing the thinking of Qamar Javed Bajwa, Pakistan’s army chief appointed by Sharif in November 2016 on a strategy regarding India. Bajwa hinted for friendship with India. Warraich explained that Bajwa believed that there could be no war between India and Pakistan given the fact that both had nukes. Bajwa was of the view that while India would continue its extremist posture under Modi for some time, but it cannot keep that for long because of the economic stakes and India was a big economy. Therefore, sooner or later India would sit on the negotiating table with Pakistan, so Pakistan must wait for the time and play its cards accordingly.²⁰

Similarly, during this time, the statements, and calls from Kashmiri leaders on were requests to Pakistan to put pressure and stop the tightening grip of India over Kashmir. Farooq Abdullah issued a harsh statement against Modi, he responded to Modi’s assertion "Kashmiris have a choice of terrorism and tourism" by saying Kashmir is not the property of Modi's father. Abdullah stressed on the need to talk to Pakistan or lose Kashmir in the long run. Similarly, Mehbooba Mufti too questioned tackling of Kashmir by India and termed that by doing so India was further alienating the Kashmiris.²¹

In the meantime, Pakistan opposition’s leader Imran Khan criticized Sharif government for not taking a proper stand on Kashmir, he also questioned the

¹⁹ “Pakistan’s Foreign Minister on Relations with the U.S.,” *The United States Institute of Peace*, October 5, 2017, <https://www.usip.org/events/pakistans-foreign-minister-relations-us>

²⁰ Suhail Warraich, “The Bajwa Doctrine: from chauvinism to realism,” *The News*, March 18, 2018, <https://www.thenews.com.pk/print/293885-the-bajwa-doctrine-from-chauvinism-to-realism>

²¹ Khan and Cheema, “Modi's Kashmir Policy,” 17.

usefulness of parliament's Kashmir committee then headed by Molana Fazlur Rehman of Jamiat-e-Ulema-e-Islam (JUI). Khan argued that Kashmir's solution is only in the fulfilment of the promise of plebiscite agreed between India and Pakistan after the UNSCR 47.²²

2.4. Human Rights Violation and UN Report

The UN Office of the High Commissioner on Human Rights (OHCHR) started interrogating the abuse of human rights law in the valley after the killing of Burhan Wani. Its detailed report was published in June 2018. It stated that the killing of Wani had resulted in the wide scale protests in all Indian occupied Jammu and Kashmir and the Indian state responded with sheer force to quell the protests. The OHCHR observed that the violence in Kashmir was unprecedented and so were the protests, as these were totally different than that of 1980s, 1990s, or 2008-2010. This time there were more young people with even women part of the protests. The OHCHR repeatedly requested India to let it observe the human rights situation in Kashmir, but its requests were denied, on the contrary Pakistan granted it access to AJK to monitor the situation on ground.²³

The OHCHR documented incidents of violence by the Indian security forces and reported that more than hundred civilians were killed indiscriminately by the troops, and hundreds of others were injured. It especially gave attention to the use of "12-gauge pump action short-gun" which sprayed metal pellets. This gun spread havoc in the protests with blinding hundreds of protesters including women and children. As far as the activities of armed groups were concerned, the OHCHR confirmed that the number of militant groups had greatly reduced in the valley. Furthermore, the OHCHR also noted impunity to human rights violations by the Indian army in shape of laws like AFSPA and Public Safety Act (PSA) 1978 which created legal lacunas in pursuing justice in the valley. Only in 2016, more than 1000 persons were detained under PSA in the valley. Indian army even interfered in provision of medical care to

²² Khan, Imran (@ImranKhanpti), My statement on the situation in Indian Occupied Kashmir," Twitter, July 14, 2016, <https://twitter.com/ImranKhanPTI/status/753523932993622016>

²³ "Report on the Situation of Human Rights in Kashmir: Developments in the Indian State of Jammu and Kashmir from June 2016 to April 2018, and General Human Rights Concerns in Azad Jammu and Kashmir and Gilgit-Baltistan," *Office of the United Nations High Commission for Human Rights*, June 14, 2018, <https://www.ohchr.org/Documents/Countries/PK/DevelopmentsInKashmirJune2016ToApril2018.pdf>

the injured members of protests. Communications continued to remain suppressed by the Indian authorities with no provision of internet services. Furthermore, media and journalists were also targeted for collecting and disseminating any information contrary to the official discourse.²⁴

Similarly, the OHCHR also held India responsible that it was not able to prosecute and punish the members of its armed forces involved in sexual exploitation of women and girls in the valley. In July 2017, the armed forces tribunal gave bail to five Indian army soldiers who were court martialled by a military court for extra judicially killing innocent civilians in Baramulla district of the valley. As far as the pellet guns were concerned, the OHCHR findings were telling, it was noted that they were not used in any other part of India, while in Kashmir this gun was being used for the second time after the protests of 2010 where 100 protesters were killed also. The single pellet cartridge contains several steel ball bearings which are indiscriminate and have a spread of significant area. There were reports that as many as 6000 people were injured by the pellets and as per Mehbooba Mufti, chief minister Jammu and Kashmir 728 had eye injuries. The OHCHR called on both India and Pakistan to abide by the right of self-determination of Kashmiris.²⁵

Other than the OHCHR, the OIC also repeatedly called India to respect human rights in the valley and show restraint in deliberate use of force in its 42nd and 43rd sessions. OIC reiterated that Kashmir was not the internal matter of India and that it was a disputed territory which needed to be resolved under the UNSC resolutions. OIC also documented the incidents of violence committed by Indian security forces in the valley. OIC lamented the fact that its repeated requests to the Indian government about the visit of its Council of Foreign Ministers (CFMs) to visit Kashmir for a fact-finding mission were not entertained. Meanwhile, the OIC through collecting data from the international media and its fact-finding mission in AJK learnt that India committed gross human rights violations by killing civilians and then burying them in mass graves in Kashmir which is a war crime. OIC also raised concerns on the killing of more than hundred civilians only in 2016 in the valley. OIC condemned that India did not respect right of self-determination of Kashmiri population, a right which is

²⁴ Ibid.

²⁵ Ibid.

even accepted by the UN and agreed by both Pakistan and India. Denial of the right of self-determination and denying democratic freedom to Kashmiris to choose their fate is violation of international law, the OIC fact-finding mission observed.²⁶

OIC continued its support for Kashmir and expressed solidarity with the people of Kashmir and asked India to respect international norms and respect the dignity of lives and liberty of Kashmiri people by observing values of human rights. Similarly, Turkish President Erdogan also offered to mediate between India and Pakistan over Kashmir, but the offer was rejected by India saying it was akin to interference in its internal matter.²⁷ Even the Iranian Supreme Leader, Ayatollah Khamenei issued statements in support of the people of Jammu and Kashmir and asked India to refrain from using force against the peaceful protesters. The supreme leader's statement came after the gap of seven years, he previously asked India to respect human rights and liberty of Kashmiris in 2010 which irked New Delhi. However, this time Khamenei was up front, and the tone was direct too with demanding India to stop violence against the innocent civilians. Pakistan was pleased to hear Iranian leader coming in its support after a long time.²⁸

Within Pakistan, the appeal and state support for the Mujahideen groups was dim. The appeal also faded away internally because of TTPs terrorist activities against the Pakistani state and its citizens. Post 9/11, the policy of the state regarding these groups had changed significantly and they were not having any mass following nor did they have enough funding or permission by the Pakistani state to carry out independent activities across LoC. However, there were occasional political debates within Pakistan by these groups in a bid to pressure the government to change stance over Kashmir. Difah-e-Pakistan Council (DPC) was one such platform where all orthodox and pro Jihad forces united. It was believed that the platform had the support of Pakistan's military establishment too. The DPC criticized PMLN's approach on

²⁶ "Report of the OIC-IPHRC Fact Finding Visit to the State of Azad Jammu and Kashmir To Assess Human Rights Situation in the Indian Occupied Kashmir," *Independent Permanent Human Rights Commission, Organization of Islamic Countries*, March 27-29, 2017, <http://na.gov.pk/uploads/content/OIC%20Report%20on%20Kashmir.pdf>

²⁷ Khan and Cheema, "Modi's Kashmir Policy," 16.

²⁸ Ahmad Majidyar, "Khamenei's Kashmir Remarks Draw Praise in Pakistan, Rebuke in India," *MEI @ 75*, July 7, 2017, <https://www.mei.edu/publications/khameneis-kashmir-remarks-draw-praise-pakistan-rebuke-india>; Muhammad Pervez Bilgrami, "Iran's Conflicting Stand on the Kashmir Issue," *Center for Iranian Studies in Ankara*, January 9, 2018, https://iramcenter.org/en/irans-conflicting-stand-on-the-kashmir-issue/?send_cookie_permissions=OK

Kashmir and blamed it for not doing enough on Kashmir. In December 2017, Hafiz Saeed leader of the banned Jamaat-ud-Dawa and part of DPC lamented Pakistan's Shimla agreement of 1972 as a hurdle in Kashmir's independence, he was of the view that freedom of Kashmir comes through Jihad. Fazlur Rehman Khalil, leader of Kashmir Jihad Council while addressing a gathering of DPC in Lahore in January 2018 also stated that Jihad was the spirit of Muslims and it must be taught to all children so that they can know about their duties towards the oppressed Muslims.

2.5. Change in Political Government and Kashmir Policy

After winning election in 2018, Khan received a congratulatory call from Indian Prime Minister Modi. While talking to journalist Hamid Mir in an interview, Khan said that Modi did not mention Kashmir; however, he [Khan] was devoted to Kashmir's resolution.²⁹ Khan, while in his televised address to the nation after forming government in August 2018 called for peace with India. He asked his counterpart Modi to come to table and negotiate Kashmir as without it no sustainable peace in the region was possible. Khan was of the view that If India took one step towards it, Pakistan would take two to reciprocate,³⁰ however, Modi was in no mood to reconcile, significant reason for Modi's hard approach on Kashmir was general elections in 2019 which Modi was rooting to win by serving his core Hindu extremist base that wanted integration of Kashmir with India and removal of special status to them. Modi promised his core that after winning election he would integrate Kashmir with India. Nonetheless, Pakistani premier repeated his stance through social media platform Twitter on August 21 by conveying his wish for peace through the act of public diplomacy by reaching out to whole of India. He stressed that for alleviation of poverty and sustainable growth in the region India and Pakistan must resolve their issues, including Kashmir so that better trade relations could be built.³¹

However, Modi did not respond to the call of Khan. In fact, the former test cricketer of India, Navjot Singh Sidhu who attended Khan's inauguration ceremony in Islamabad was heavily criticized by the BJP cadre and supporters for indulging in

²⁹ Hamid Mir, "The Imran Khan I know," *The News*, August 7, 2018, https://www.thenews.com.pk/amp/351498-the-imran-khan-i-know?_twitter_impression=true

³⁰ "Complete text of Imran Khan's maiden speech," *The News*, August 20, 2018, <https://www.thenews.com.pk/latest/357736-complete-text-of-imran-khans-maiden-speech>

³¹ "PM Khan says India, Pakistan 'must dialogue', resolve differences," *Dawn*, August 21, 2018, <https://www.dawn.com/news/1428400>

anti-state activities and warming up to the enemy. Sidhu was even replaced from a comedy show he judged at the Indian Sony Television with famous Indian comedian, Kapil Sharma.

Even after the change of the government in Islamabad, the state's official stance continued unchanged at the official forums like the UN. Pakistan's foreign minister, Shah Mahmud Qureshi in his address to 73rd UNGA session stated that Indian leadership was playing politics rather than working for peace in the region. Qureshi was speaking in Urdu, Pakistan's national language, which happened for the first time in Pakistan's history that any of its leaders was speaking in a national language at the UN. Perhaps this was also to show back home that the new government was different than the PMLN and it cared for its cause of Kashmir. It was highly appreciated in Pakistan. Qureshi, while speaking on Kashmir and India's non-cooperation stated:

Pakistan desires a relationship with India based on sovereign equality and mutual respect. We seek resolution of disputes through a serious and comprehensive dialogue that covers all issues of concern. We were to meet on the sidelines of this UNGA Session to talk about all issues with India- India called off dialogue the third time for the Modi Government — each time on flimsy grounds. They preferred politics over peace. They used the pretext of stamps issued months ago, of Kashmiri activist and depicting grave human rights violations, including pellet gun victims, as an excuse to back out from the talks... The unresolved Jammu and Kashmir dispute hinders the realization of the goal of durable peace between our two countries. For over seventy years now, it has remained on the agenda of the UN Security Council and a blot on the conscience of humanity. For seventy years the people of occupied Jammu & Kashmir have struggled for their rights of self-determination in the face of overwhelming oppression and gross violations of their fundamental human rights by the Indian occupation forces. There can be no lasting peace in South Asia without a just settlement of the Kashmir dispute based on the UN Security Council resolutions and the will of the Kashmiri people.³²

Qureshi also welcomed the report published by OHCHR on violations of human rights in Kashmir by the Indian security forces. Moreover, Qureshi also objected to

³² “Complete text of statement by Pakistan Foreign Minister Shah Mahmood Qureshi at UN,” *The News*, last modified September 30, 2018, <https://www.thenews.com.pk/latest/374948-complete-text-of-statement-by-pakistan-foreign-minister-shah-mahmood-queshi-at-un>; “Global order ‘under assault,’ Pakistan Foreign Minister tells UN Assembly,” *UN News*, last modified September 29, 2018, <https://news.un.org/en/story/2018/09/1021722>

linking Kashmiri just freedom struggle with terrorism by the Indian state. Meanwhile, Qureshi warned India that If any military adventure was planned of at the LoC, Pakistan would not sit quiet and respond in kind.³³ Qureshi's energetic stance at the UN was reflective of his discussion at his visit to ministry of foreign affairs in Islamabad after taking oath as a foreign minister where he argued in favour of "institutional memory" while formulating PTI's foreign policy. It was a clear hint to the country's military establishment that PTI was looking to work with them closely; therefore, his subsequent speech at the UNGA as explained above was well received in military circles too.³⁴

On February 14, 2019, a Kashmiri insurgent blown himself up in a suicide attack on Indian military convey in South Kashmir's Pulwama district, 50 Indian soldiers died in the attack.³⁵ India blamed it on Pakistan and alleged that JeM orchestrated the attack and threatened Pakistan with a response. Thereby, on February 26 in early hours of the day its air force crossed the LoC in Kashmir and dropped payloads which could not be exploded at a religious seminary in Balakot tehsil of district Mansehra in Khyber-Pakhtunkhwa province. This was the first time since 1971 that India crossed international border. Pakistan vowed of retaliation. Its Director General Inter Services Public Relations (ISPR) while commenting at a press conference in Rawalpindi said to India, "wait for our surprise," and the subsequent morning its Mirage and JF-17 thunders aircrafts crossed the LoC and dropped bombs at the marked empty ground near its military installation in Rajouri sector while its army chief was present there.³⁶

DG ISPR briefed the press that Pakistan showed its potential to the Indian forces and that it deliberately avoided escalation by dropping bombs in the empty space. Indian air force jets chased Pakistani jets in the battle, two of which were downed by Pakistan air force, one fell on the Indian side of the LoC while the other at Pakistan's side. Its pilot Wing Commander Abhinandan was captured by the locals and handed

³³ Ibid.

³⁴ "Pakistan first' at the core of new foreign policy, asserts Shah Mahmood Qureshi," *Dawn*, August 20, 2018, <https://www.dawn.com/news/1428173>

³⁵ Madhuri Adnal, "Pulwama attack: Complete list of martyred CRPF jawans," *One India*, February 15, 2019, <https://www.oneindia.com/india/pulwama-attack-complete-list-of-martyred-crpf-jawans-2851894.html>

³⁶ Muhammad Abdul Qadir and Moiz Khan, "Pakistan-India crisis: Why it isn't over yet," *Strategic Studies Institute*, March 12, 2019, <https://ssii.com.pk/2019/03/12/pakistan-india-crisis-why-it-isnt-over-yet/>

over to the army. Pakistan's prime minister in a friendly gesture released the pilot the next morning who was sent back from Wagah border to India even though Pakistanis highly objected to releasing him and turning friendly towards India amid a battle. CNN reported that it was US President's intervention that resulted in the release of Abhinandan, he was in Hanoi in a meetup with North Korean leader Kim Jong Un when he stated that, "attractive news is coming from Pakistan and India," and that the US was looking forward to ease in hostilities between the two neighbours.³⁷

Khan in his address to Pakistani parliament opined that his country cannot afford any miscalculation given both India and Pakistan had nukes and any wrong move could lead to a potential catastrophe in the region. He also asked Indian government that the arms both countries had provided for a reasonable dialogue over the longstanding issues rather than going to war. Khan stated that any war would neither be in his control nor in the control of Modi.³⁸

The Indian quest encouraged by the federal cabinet of Modi put the entire South Asia at the verge of nuclear catastrophe had Khan not acted maturely. Logically, this raid by the Indian air force did not change much of the strategic dynamics between the two nuclear states, however, it demonstrated India's aspiration to achieve big against Pakistan. India under Modi was willing to go extra mile and check Pakistan's resolve and its military preparedness.

India conducted Balakot strike in an attempt to tell the international community that it could select and hit targets of its preference inside Pakistan. It seems that the move was also to reveal to Pakistani armed forces that their nuclear deterrence meant little to India. In addition to this, it was also aimed to dissuade Pakistani military from giving any kind of assistance to Kashmir's freedom fighters. However, the question arises could India deter Pakistan with a lone strike, that too a botched one? The South Asian analysts believed that India's actions were meant for electoral gains rather than any strategic shift in their doctrine regarding Pakistan.³⁹

³⁷ Halen Regan, Swati Gupta, and Tara John, "Pakistan to free captured Indian pilot in effort to defuse Kashmir standoff," *CNN*, March 1, 2019.

³⁸ *Ibid.*

³⁹ Nathan Ruser, "Were India's airstrikes in Pakistan a strategy for public approval?" *Australian Strategic Policy Institute*, March 1, 2019, <https://www.aspistrategist.org.au/were-indias-airstrikes-in-pakistan-a-strategy-for-public-approval/>

Where does India's "No First Use Policy" stand after Balakot strike? Not long ago, in an essay by a prominent Indian Strategic think tank promoted to discard the strategy and be ready for a nuclear clash. Promotion of such a policy in the regime of an Hindu extremist Modi is telling who was even placed on a designated list of terrorists by the US before he came to power in India. Substantially, this promotion is not limited to influential think tanks in India but have turn out to be ordinary.⁴⁰

As far as Pakistan's nuclear policy is concerned, nobody knows what it is exactly. Because Pakistan has not even signed the no first use agreement. It is stated in Pakistani strategic circles that there is a threshold outlined by the Strategic Plans Division (SPD). Tughril Yamin states that it has four comprehensive zones: Space (that India violates it in an offensive and seizes a major part of space); military (India obliterates a huge part of army); economic (India financially choke Pakistan); internal (civil + political unrest within Pakistan).⁴¹ Still, in the face of India crossing this threshold multiple times, Pakistan not once retaliated in nukes.

General (ret'd) Khalid Ahmed Kidwai, the former head of the SPD contended on Balakot strike: It was an irresponsible act of foreign policy by Modi to attain political benefits. It was persuaded by Israel, however, India overlooked that Israel had an edge over air forces of Syria, Lebanon, and Palestinian territory. Kidwai further stated that escalation to first step of stair is simple but the next step would be determined by Pakistan. Afterwards, nobody has an idea that what exactly can happen at the third step. Modi's blunder risked the stability of whole of South Asia. Crucially, Pakistan's policy is not shape by mere hopes when India is ruled by fanatics and have childish tactics at play in diplomacy. Pakistan's response after Balakot strike was quick, deliberate, and skilled, preventing escalation yet delivering a suitable response to India and its international sponsors.⁴²

⁴⁰ "India may abandon 'no first use' nuclear policy: Expert," *Times of India*, March 21, 2017, https://m.timesofindia.com/india/india-may-abandon-no-first-use-nuclear-policy-expert/amp_articleshow/57748250.cms

⁴¹ Tughril Yamin, *The Evolution of Nuclear Deterrence in South Asia* (Islamabad: Pakistan Army Press, 2014), 224.

⁴² Khalid Ahmed Kidwai, "Strategic stability in South Asia: IS India a responsible nuclear state?" Keynote Speech, *Institute of Strategic Studies*, Islamabad, June 13, 2019, <http://www.issi.org.pk/remarks-by-lt-general-khalid-ahmed-kidwai-seminar-on-strategic-stability-in-south-asia-is-india-a-responsible-nuclear-state/>

India's nuclear weapons are today controlled by religious fanatics... are no longer safe and have become a real threat to regional and world peace. They have been deployed and used to threaten Pakistan and indirectly world peace in pursuit of winning an election.⁴³

Furthermore, Kidwai also stated that one botched strike by Modi is not a message that Pakistan's deterrence was ripped apart. Pakistan has a complete range nuclear deterrence which is inclusive of "strategic, operational and tactical nuclear weapons on land, air and sea."⁴⁴

In a surprising twist of the events, in April 2019, former chief minister of Jammu and Kashmir, Mehbooba Mufti also raised concerns on Indian policy on Kashmir, she tweeted in response to the public litigation in India's supreme court for debarring Farooq Abdullah and Mufti from contesting Lok Sabha's elections in 2019. She was of the view that If India scrapped article 370 it would automatically delink Kashmir from India, as it was the only constitutional clause making Kashmir in political union with India.⁴⁵ Mufti also claimed that If India abrogated article 370, not only Kashmir but the entire region would burn.

In conclusion it can be easily said that like always, Pakistan's Kashmir policy is a "prisoner of circumstances." In fact, post 9/11 Pakistan's defence policy has been defensive.⁴⁶ There are scholars like Khan and Cheema who believed that Pakistan successfully internationalized the issue of Kashmir, however, more than Pakistan the Kashmir issue was highlighted by the injustices of Modi regime in India, even then neither the UNSC nor the international community moved an inch to play their part in resolving the issue between the two nuclear powers of South Asia, where Kashmir has been rightfully termed as a nuclear flashpoint by the Pakistani leaders. Furthermore, Khan and Cheema also argued that since Pakistan and China led CPEC was a game changer therefore India could not flex its muscles towards Pakistan. They were also convinced that Kashmir's freedom struggle was uniting and would pose a potential threat to India. However, the suppositions proved not right with India annexing the

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Mufti, Mehbooba, (@MehboobaMufti), "Why go to supreme court revoke 370 it will automatically finish our relation," Twitter, April 8, 2019, <https://twitter.com/MehboobaMufti/status/1115212475941756928>

⁴⁶ Khan and Cheema, "Modi's Kashmir Policy," 2.

valley in August 2019, similarly, there is no significant resistance from within the valley.⁴⁷

⁴⁷ Ibid., 4.

Chapter 3

Pakistan's Response towards Revocation of Article 370

This chapter is composed of variables like revocation of the special status of state of Jammu and Kashmir enshrined in article 370 of the Indian constitution on August 5, 2019 by the Indian Lok Sabha (parliament), Pakistan's official response to it – how the Pakistani Prime Minister took the issue and declared himself as an ambassador of the Kashmiri people, advocating for their rights at every platform internationally, and what official policy it formulated at the UN and at home in Pakistan? How Kashmiris viewed the change, specifically across the LoC in AJK? Significantly, this chapter also consider the nature of uncertainty the Indian unilateral decision has brought to the region which is often termed as a nuclear flashpoint. Lastly, I also examine the recent backdoor diplomacy started in the last and first quarters of 2020 and 2021 respectively in a bid to ease tensions between India and Pakistan which many analysts equate to the abandoning of Kashmir by Pakistani establishment.

Post February 2019 failed airstrike at Balakot by the Indian air force; the diplomatic channels between India and Pakistan were halted. Pakistan called back its envoy from New Delhi and asked the Indian high commissioner in Islamabad to leave the country as soon as possible. Similarly, Pakistan also banned its air space for Indian flights for indefinite period along with every type of trade activity. The political atmosphere between both states was in rumbles. In May 2019, India went into elections and the BJP government in its manifesto promised that it would integrate the state of Jammu and Kashmir with the Indian union by abolishing articles 35-A and 370 of the Indian constitution, thus abolishing its special status. The BJP got a landslide two third majority for its second term, and the fears were looming in the valley that Modi will go for the kill.

In July 2019, India started arresting Kashmiri leaders in the valley. Most of APHC senior leadership were either house arrested or sent to Tihar jail in India. The curfew was imposed throughout the valley so that there could not be any processions or protests. India had already imposed the emergency to give free reign to its security forces. It was an atmosphere of uncertainty in the valley. All sort of communication

was banned, including internet and telephone services. Meanwhile, the schools and universities were also closed for the indefinite period. Furthermore, India also deployed tens of thousands of additional security forces in the valley as well as called off annual Amarnath Yatra (a Hindu pilgrimage of Shiva temple in the valley).¹ Though it was clear that Modi's intentions were not peaceful for Kashmir but there was confusion among the analysts and journalists from Kashmir as to what might come their way. There were reports of merger, bifurcation (Valley and Ladakh + Jammu) and trifurcation (Valley + Ladakh + Jammu) all at once. Many journalists in India claimed confusion was deliberate, spread by the Indian home minister Amit Shah, so that Pakistan could not pre-empt.

Within Kashmir former chief ministers, Mehbooba Mufti and Omar Abdullah alleged that revocation of article 370 meant that Jammu and Kashmir were not part of India as the only legal way to keep Kashmir with India went through that article and India itself had made Kashmiris alienated by taking such a step. Furthermore, the APHC claimed that it was done to change the demography of the state by giving land in Kashmir to Indian settlers, thus relating it to the colonization project of Hindutva forces in India who had this dream for a long time. The Indian home minister Amit Shah while talking to the Lok Sabha after revocation proclaimed that democracy had been introduced to the state and it would see development and progress. The new arrangement merged Jammu and Kashmir as a state of India while Ladakh was declared a union territory.² Within Lok Sabha, the INC criticized the move and termed it a disaster for future. Meanwhile, the constitutional experts in India also believed that the step was extra constitutional because any changes to article 370 required the consent of the Kashmir legislative assembly which had been suspended since June 2018 and India only took consent from the governor of Jammu and Kashmir, a puppet of India.³

As discussed in chapter 1, article 370 provided for Kashmir a special status which allowed Jammu and Kashmir to have a separate flag and freedom to promulgate laws

¹ “Article 370: What happened with Kashmir and why it matters,” *BBC News*, August 6, 2019, <https://www.bbc.com/news/world-asia-india-49234708>; “Kashmir special status explained: What are Articles 370 and 35A?” *AlJazeera*, August 5, 2019, <https://www.aljazeera.com/news/2019/8/5/kashmir-special-status-explained-what-are-articles-370-and-35a>

² Ibid.

³ Ibid.

for the state by the legislative assembly. Moreover, the article also barred Indian citizens from buying land in the former state of Jammu and Kashmir. Similarly, the article 35-A incorporated into Indian constitution under the article 370 provided for law making of the Kashmir legislature related to land rights. After the revocation of article 370, all Indian laws were extended to Kashmir and the Indian citizens could buy lands in the state.

As far as Pakistan was concerned, neither its civil leadership nor the intelligence agencies had any clue of what was about to happen in Kashmir (at least at the public front). It was a surprise for the Pakistani nation that India had unilaterally annexed Jammu and Kashmir. The public in Pakistan was outraged and asked its government to take tough actions. The opposition parties criticized the PTI government that India went for Pakistan's jugular vein and it could not do anything. The opposition politician from the PMLN Ahsan Iqbal alleged that the PTI government had sold Kashmir. It was a difficult situation for Pakistan, the then US president, Donald Trump warned Pakistan as well of any kind of infiltration in the valley from across the LoC. Trump also pushed the usual rhetoric of not allowing terrorism from its soil against India in a situation where the Indian government was clearly an aggressor, thus making any sort of armed support by Pakistan grim.⁴

The joint session of the Pakistani parliament was called on August 6, 2019, with president and prime minister of AJK in attendance. The discussion was started on motion presented by senator Azam Khan from the PTI on revocation of articles 35-A and 370 of the Indian constitution. Interestingly the session began with the recitation of the verses from the Holy Quran guiding Muslims to conduct Jihad (holy war) against the oppressors of Muslim brethren in distress in occupied territories. The Prime Minister of Pakistan, Imran Khan in his speech started giving policy statement of Pakistan on Kashmir after the illegal step of India. Khan stated that he offered India dialogue immediately after coming to power because he wanted progress and economic development in the country. He informed the session that in his earlier engagement with Modi, India raised issue of militant camps in Pakistan to which Khan responded that those were history and Pakistan after Army Public School

⁴ “US warns Pakistan against any infiltration, says Trump govt is watching India's Kashmir move,” *India Today*, August 8, 2019, <https://www.msn.com/en-in/news/world/us-warns-pakistan-against-any-infiltration-says-trump-govt-is-watching-indias-kashmir-move/ar-AAFv8ZU?ocid=st>

terrorist attack in Peshawar in 2014 was not interested in using its soil against the neighbouring countries, but India did not show any interest in the dialogue.⁵

3.1. Hindutva Ideology and Modi Regime

Hindutva is a political philosophy based on the Hindu Indian religion is superior to all. The political manifestation of Hindutva dates back to Hindu reform movements such as the Brahmo Samaj (1828) and the Arya Samaj (1875).⁶ Hindutva believer's view regarding Kashmir is that there is no Muslim majority in Kashmir and it is the land of Hindu ritual spaces which needs to be recover from the Islamic occupiers. It considers Kashmir as Integral part of Akhand Baharat (unbroken or entire India). And it believes in "Ek Parcham, Ek Vidham and Ek Nishan".⁷

Hindu nationalism is a cultural, social and political expression embedded in Hindu's spiritual and cultural traditions. In its simplest definition, it can be termed as Hindu polity. It holds that the unifying character of Hindu identity will predominate resultantly overcoming all the regional and cultural diversities and the espousal to Hindu ethos will define the fundamental character of identity between Indians and non-Indians. The Kashmir factor further tinted the perception of Hindu nationalist about Pakistan.⁸ Modi came up with the Hindutva ideology to revoke Indian constitutional guarantee and special status. He emphasizes on legal demographic change in his election campaigns as well. In his first tenure, his policies reflect soft Hindutva policies. He focuses on the business, developments and economic prosperity in India. The use of anti-Pakistan rhetoric to remains the BJP electoral strategy. He introduced citizenship Amendment Bill on the religious basis for Indian citizenship. In second tenure, Modi seems to seek for its hard Hindutva policies to revoke the

⁵ "Joint Sitting of the Majlis-e-Shoora (Parliament)," *Majlis-e-Shoora of Pakistan*, August 6, 2019, http://www.na.gov.pk/uploads/documents/1566890877_378.pdf

⁶ Vaishnav, Milan, "The BJP in power: Indian democracy and religious nationalism," Washington, DC: Carnegie Endowment for International Peace, Retrieved from https://carnegieendowment.org/files/BJP_In_Power_final.pdf accessed June 18 (2019): 2020.

⁷ Shyamlal Yadav, "RSS and the idea of Akhand Bharat," *The Indian Express*, January 4, 2016, <https://indianexpress.com/article/explained/rss-akhand-bharat/>.

⁸ Khan, Raja Qaiser Ahmed. "Competing Discourses in India: Impact on Policy Towards Pakistan." PhD diss., 2018.

special status of Kashmir. Zero talks or any conditional talk from Indian side was not seen. He took a blunt unilateral step to abrogate article 370 and 35 A.⁹

Khan also talked about the Hindutva inspired ideology of Modi and intentions of ethnic cleansing of Kashmiris. Khan lamented the fact that Modi went against the constitution of India by taking such a drastic step, he stated that Modi even went against the judgements of Jammu and Kashmir high court, he did not take care of the 17 resolutions of the UNSC on Kashmir, and furthermore he also did not care for Shimla agreement. Khan also raised concerns on demographic changes in Kashmir planned by India which he stated were against the article 49 of Geneva conventions and considered as war crimes. Khan predicted that with these actions Kashmir's resistance will heat up even more than the past. Khan also termed the Kashmir as a nuclear flashpoint and added that it was not a nuclear blackmail but a reality. He was of the view that world has not acted on the repeated violations of human rights in Kashmir even after report by the UN itself in June 2018. Therefore, if the UN did not act in time this would have serious repercussions for the world peace.¹⁰

3.2. Khan's Pacifist Approach

Khan while elaborating Pakistan's policy options stated that it would opt for peaceful means through going to the UNSC and through it to the international court of justice. His other options presented in front of the parliament were traditional Pakistani approach of meeting with head of states around the world and raising the issue at the UNGA. He was of the view that Pakistan will inform the western world that it was their values that were not upheld, and west must take note of it. They cannot advise Pakistan of avoiding nuclear blackmail in the clear environment of disregard for the international law and the UN by the Indian government. This is akin to considering India as a rational superior to Pakistan which Pakistan would not ever consider it, so where did it lead then? Khan stated it would then definitely go to war.¹¹

Khan in parliament was under extreme pressure. Leader of the opposition Mian Shahbaz Sharif questioned Pakistan's strategy on Modi's assault. Shahbaz Sharif of PMLN wanted to act meaningfully on Kashmir; he was of the view that talks would

⁹ Ming Wai Sit, "Hindu Nationalism and Its Impact on Kashmir," Opinion, December 17, 2019, <https://www.geopoliticalmonitor.com/hindu-nationalism-and-its-impact-on-kashmir/>.

¹⁰ Ibid.

¹¹ Ibid.

not be sufficed over annexation of Jammu and Kashmir. Shahbaz Sharif also criticized Khan for not having any solid policy and strategy for Kashmir. Shahbaz Sharif believed bowing down was not an option for Pakistan as it was not only related to the freedom of Kashmir but the security of Pakistan as well. Shahbaz Sharif was also concerned that Pakistan's foreign policy was in isolation as even China did not comment on the annexation of Kashmir. At the end of his speech Shahbaz Sharif recommended to engage UNSC, OIC, and bilateral channels to resolve the matter. Because "it is not all about military action, 'no' it is diplomacy, it is economy, it is everything." Shahbaz Sharif also claimed that the annexation would not be reversed easily and advised Pakistanis to not live-in fool's paradise on it, however, as a party to Kashmir conflict the Pakistani state must never back off from its stance.¹²

Khan while responding to Shahbaz Sharif answered his allegations of lack of policy. Khan stated that he had done everything in his power to address the issue from approaching the UNSC to OIC to engaging foreign diplomats. Khan asked Shahbaz Sharif what else should he do? Should I attack India? Shahbaz Sharif told Khan that he had not asked for the military action against India. If the prime minister wants to take that course, he has the authority. Shahbaz claimed that all he meant was to give a proper message to the Kashmiri population that Pakistan was behind their backs.¹³ The joint session witnessed emotional speeches from the prime minister and leader of the opposition; however, they occasionally indulged in the rhetoric as well. The prime minister consumed much of his discussion on history rather than elaborating the current dynamics. Similarly, Shahbaz Sharif too was more interested in his brother's Nawaz Sharif's past peace processes with India rather than giving solid recommendations. The house while taking a start from the verse of holy Quran about Jihad ended up deciding to go to the same diplomatic channels Pakistan was never heard at properly and nor did India gave any weightage to them. It is significant to mention here that given the Pakistani economic conditions it had less options of a conventional war with India at the stage.

Sardar Masood Khan, the president of AJK while commenting on the statements by the UN of showing restraint by Pakistan criticized it by questioning its intentions. He

¹² Ibid.

¹³ Ibid.

was of the view that Pakistan had demonstrated that it did not mean any kind of offensive, yet the UN was asking Pakistan to cool down. He said that it was India that not only ignored the UN's resolutions but also bilateral commitments with Pakistan, even then Pakistan had to keep cool, and the UN was not asking India to take back its decisions. For Masood, the UN was favouring an unnatural balance of power by keeping quiet on the Indian occupation of Kashmir and subsequent annexation by the fascist government of Hindutva inspired BJP. Masood also sought help from the Arab countries as he stated that it was their responsibility to aid their Muslim brothers under occupation in Kashmir. Significantly, Masood said that India was able to delude the western states that it was the world's largest democracy and takes care of its diverse religious population; therefore, the indifference is seen in the western world towards people in Kashmir.¹⁴

After a week of the joint session, on August 14, 2019, Khan visited AJK's legislative assembly in Muzaffarabad along with the speaker of the national assembly, the chairman of the senate, his senior cabinet members, and chief minister of Khyber-Pakhtunkhwa. The Kashmiri leaders made passionate speeches about the need to take military action. Raja Farooq Haider, the prime minister of AJK, made an emotional and fiery speech in which he said that article 370 does not impact Kashmiris in any way, it was not the alternative of a referendum of Kashmir; rather, it was introduced by the Indian government to save Abdullah from the embarrassment. The real cause of concern for Kashmiris was article 35-A of the Indian constitution, which provides for the law of the state subject for Jammu and Kashmir. Haider also lamented the use of sexual assault as a tactic of the Indian army to break the resolve of the Kashmiri population to resist the illegal occupation of India. Haider raised his concerns that after the emergency imposed in Jammu and Kashmir post August 5, 2019, India will treat Kashmiris inhumanely and commit serious human rights violations as many of the Indian leaders openly announced to rape Kashmiri Muslim women.¹⁵

Haider was of the view that after the revocation of article 370 and 35-A, India ended all bilateral agreements with Pakistan, and that now the line dividing AJK and Indian

¹⁴ Saima Shabbir, "UN's artificial balance between India and Pakistan 'deeply disappointing' – AJK President," *Arab News*, August 12, 2019, <https://www.arabnews.pk/node/1539026/pakistan>

¹⁵ 24 News HD, "PM Azad Kashmir Raja Farooq Haider Hard Speech On Kashmir Issue," August 14, 2019, video, 22:40, <https://www.youtube.com/watch?v=h7nkGXhuJS0>

occupied Jammu and Kashmir is not an LoC but ceasefire line. Haider said that AJK's legislative assembly would issue a notification in which it would declare LoC as ceasefire line. He advocated Pakistan to change its strategy regarding Kashmir and take a hard stance rather than posing soft and willing to do talks. Haider stated that Modi considered himself as a successor of British in South Asia and that his aspirations were based on economic and military superiority; however Pakistan was a hindrance in his way. Haider was of the view that if Kashmir were left as an easy prey for India, even Pakistan would not be safe from Indian designs as Kashmir acted as a buffer between India and Pakistan. India had placed more than half a million troops only in Kashmir valley, and If those troops moved back to Pakistan's eastern border it will alter the balance of power between the two states. He requested the Pakistan's premier present in the assembly in energetic tone to look for military options as all of Kashmiris were looking at Pakistan for a decisive role. Therefore, if Pakistan wants to grab the opportunity to take Kashmir this was it and it must decide, and Kashmiris would be the front runners in the campaign as they are willing to cross the LoC at any cost to help their brethren in distress under the Indian occupation. In concluding his speech Haider stated that the UN resolutions gave right to the Kashmiris to pick arms for their self-determination.¹⁶

On that special session, Khan also gave a speech at AJK's legislative assembly where he proclaimed himself as the ambassador of the Kashmiris to the world, advocating for their case at every forum available to Pakistan. He gave example of Tipu Sultan as well, the Raja of Mysore (a kingdom in south of subcontinent) in 18th century who died fighting the British East India Company but did not give up. Khan was of the view that Pakistan would fight till the very end on Kashmir and never give up its cause. He criticized India of turning Muslim youths of South Asia into extremists by taking political decisions based on religious hatred. At AJK's assembly Khan termed the August 5 unilateral decision as a "strategic blunder" by the Indian prime minister which would pave the way for Kashmir's freedom. Similarly, Khan was also of the view that he was a pacifist and would never opt for an offensive war in any case as it causes destruction and brings poverty which he wanted to eradicate from the country. However, he also made it clear that if the war was imposed on Pakistan by the Indian

¹⁶ Ibid.

government, then he would have no other way but to fight like Tipu Sultan did.¹⁷ Most of Khan's arguments in the legislative assembly were repetition of what he already said at the joint session, highlighting the history of Hindutva's fascism and Modi's ideological base. Khan's example of Tipu Sultan was criticized by many in Pakistan by stating that Tipu Sultan being a weaker force compared to the British fought rather than making excuses like Khan.

Meanwhile, in September 2019 Khan went to address the UNGA, there he presented the case of Jammu and Kashmir forcefully in a speech that was appreciated internationally as well as back home in Pakistan. Pakistan's leading English daily *Dawn* called it a speech where Khan did not mince any words.¹⁸ *The New York Times* termed it an emotional address where Khan presented the case of Kashmir to the world.¹⁹ He equated Modi with Hitler and criticized him at the highest diplomatic forum for committing gross human rights abuses in the valley. Khan asked the world to play its part and stop Indian aggressive designs in the region dangerous for not only regional peace and stability but international peace as well, as in case of nuclear war between India and Pakistan all the world would suffer. Khan informed the world about Indian state terrorism in Pakistan's Balochistan province as well where he talked about the Indian agent Kulbushan Yadav captured in the province who was a serving officer of the Indian Navy and was deployed for sabotage activities in the province.²⁰

Khan said in the UNGA that he waited for the Indian general elections to over and perhaps the Indian nationalistic government would decide for the shared future, however, he stated that the BJP issued statements on failed Balakot airstrike in their rallies like, "this was just a trailer, and the movie is yet to come." Khan at the UNGA repeated the narrative of Modi's fascist links of Hindutva and criticized the curfew imposed in the valley by Modi's government. Khan stated that, "What kind of a

¹⁷ Sophia Saifi and Bianca Britton, "Pakistan prepared to 'fight to the end' over Kashmir, says PM Imran Khan," *CNN*, August 15, 2019, <https://edition.cnn.com/2019/08/14/asia/pakistan-independence-day-kashmir-intl/index.html>; "PM Imran addresses AJK assembly, sends warning to Modi," *The News*, August 14, 2019, <https://www.thenews.com.pk/latest/511984-pm-imran-address-ajk-assembly>

¹⁸ "PM Imran minces no words at UN, calls out Modi govt for oppression of Kashmiris," *Dawn*, September 27, 2019, <https://www.dawn.com/news/1507675>

¹⁹ Rick Gladstone and Kelly Virella, "Imran Khan Warns of Kashmir 'Blood Bath' in Emotional U.N. Speech," *The New York Times*, September 27, 2019, <https://www.nytimes.com/2019/09/27/world/asia/khan-modi-united-nations.html>

²⁰ Ibid.

mindset locks up 8 million people? i.e. women, children, and sick people. What I know of the west, they wouldn't stand for 8 million animals to be locked up. These are humans."²¹ Khan warned the UNGA that curfew was not a solution to the aspiration of Kashmiris for self-determination and that the freedom movement in Kashmir would be restarted. The struggle, he said in the presence of 800,000 Indian troops could easily result in the bloodbath. Khan also informed the world that India was manipulating the so-called Islamic terrorism in the valley to its advantage by playing with the concept as it is used in the west. He asked the leaders how they would react if they were locked in for indefinite period. And raised question that were Kashmiris the children of lesser god?²²

Khan told the UN that it was test of the international organization itself that whether they repeat the mistake of 1939 by appeasement of the fascists or stand with the justice. Khan was of the view that western states were not taking any stand because of the Indian market, however, he made it clear to the leaders of the world that in case of war with India his country would not surrender and fight till the end as "my belief is 'La Ilaha illAllah', there is no God but one," Khan said.²³

Khan's speech clearly presented Pakistan's policy to the world on Kashmir. It revealed to the world that it was not an aggressive country and did not want any offensive against the Indian occupation, however, it was the responsibility of the international organizations like the UN and world community to hold India accountable otherwise the faith of many weaker states in the global south would evade from the UN. In Pakistan people said that after Bhutto Khan was the first leader to present the case of Pakistan in such an emphatic tone. This address while it comes to Kashmir contained all the traditional elements of Pakistan's foreign policy, like internationalization of the issue, stressing on the need to hold referendum, reminding the world that India was an aggressor and occupier, as well as highlighting the constructive role of Pakistan for peace.

Apart from considerations on policy options from the highest legislative and executive offices of the state like parliament and prime minister's office, the foreign

²¹ "Full Transcript of Prime Minister Imran Khan's speech at the UNGA," *Business Recorder*, September 28, 2019, <https://www.brecorder.com/news/524851>

²² Ibid.

²³ Ibid.

office of Pakistan under Qureshi was also activated to spread Pakistani message to the UNSC and capitals around the world. Qureshi on August 14, 2019 wrote a letter to the UNSC under article 35 of its charter to intervene in the conflict and demanded setting of an immediate agenda under “India-Pakistan question.”²⁴ Qureshi met with Polish counterpart as well on August 14 to aid Pakistan in arranging an emergency session of the UNSC. Poland had the rotatory chair of the UNSC then and its foreign minister assured Pakistan of looking into the matter by encouraging peace, furthermore, the Polish foreign minister also stressed on India to take dialogue seriously. Prior to the letter to UNSC, Qureshi visited China to obtain its support and advise in going to the UNSC where Qureshi was assured of cooperation by the Chinese side.²⁵

Notwithstanding, Qureshi reminded Pakistanis at home to not live in a fool’s paradise as no one was standing with garlands in their hands for Pakistan at the UN.²⁶ Qureshi sold the narrative of Ummah to Pakistanis that he would approach heads of Muslim states to force India to the dialogue. His anxiety in early August was vetoing of Pakistani move in the UNSC by either the US or Russia. Pakistan’s call however was accepted by the UNSC, but it did not do anything extraordinary. It was a closed session among the members of the UNSC where China urged for a release of declaration on the issue, however, rest of the members did not agree, and rather asked both India and Pakistan to resolve the matter bilaterally.²⁷

After the meeting, Zhang Jun, the Chinese ambassador to the UN told the press that members of the UNSC were worried about the unilateral activities taken in the disputed territory of Jammu and Kashmir. Furthermore, he also expressed the members’ concerns over human rights abuses in the valley. Maleeha Lodhi, the then permanent representative of Pakistan at the UN also talked to the press and stated that India can jail Kashmiris and cut their communications, but Pakistan would never leave their backs. Moreover, she was also of the view that UNSC consultations were a

²⁴ Alasdair Pal, “Pakistan requests U.N. Security Council meeting on Kashmir,” *Reuters*, August 14, 2019, <https://www.reuters.com/article/us-india-kashmir-pakistan-un-idUSKCN1V400U>

²⁵ Baqir Sajjad Syed, “Pakistan seeks emergency UNSC meet on Kashmir,” *Dawn*, August 14, 2019, <https://www.dawn.com/news/1499417>

²⁶ “Don’t live in fool’s paradise, hard to get support against India: Qureshi tells Pakistan,” *The Print*, August 13, 2019, <https://theprint.in/india/dont-live-in-fools-paradise-hard-to-get-support-against-india-queshi-tells-pakistan/276280/>

²⁷ “UNSC meeting on IHK,” *Dawn*, August 18, 2019, <https://www.dawn.com/news/1500174>

reminder to India that Kashmir was a disputed area.²⁸ Akbar-ud-din Ahmad, the Indian diplomat at the UN criticized the Pakistani and Chinese envoys for misleading the press and talking on the behalf of all the members of the UNSC even though they had not declared anything publicly. Ahmad stated that it was clear for India that article 370's revocation was an internal matter of India, and that India would discuss anything concerning Pakistan bilaterally rather than involving any outside party to the dispute.

The significant twist to the issue came in shape of tweets by the Russian deputy foreign minister Dimitry Polyanskiy who India thought would side with its decisions, but he took a neutral approach and advised both India and Pakistan to resolve the matter through dialogue bilaterally and reduce tensions. He was of the view that before taking any decisions on Kashmir the Shimla agreement of 1972 and Lahore declaration of 1999 must be considered. He stressed that Russia was friends with both states and would do anything in its domain to keep their relations cordial.²⁹ Similarly, on August 26, 2019, the US president Trump while talking to the press at the White house also stated that he believed that India and Pakistan would resolve the issue bilaterally without the need of third-party intervention. Trump had been repeating this stance even before the revocation of article 370.³⁰

Ironically, internationally Pakistan's push at the UNSC resulted in a failure, yet its foreign minister came back home in a manner that he conquered Kashmir by telling the people that it had become an international issue, which already was given the fact that UN had 17 resolutions over it. Qureshi could not even convince the UNSC to force India to reverse the August 5 decisions by India. Yet Qureshi claimed that it was Pakistan's great success that Kashmir was being discussed at the UNSC after 50 years, and that it also negated India's stance that it was an internal matter. India following the Thucydides philosophy of "might is right" in international relations

²⁸ Devirupa Mitra, "UNSC Discusses India-Pak Dispute for First Time Since 1971, No Statement Issued," *The Wire*, August 17, 2019, <https://thewire.in/diplomacy/unsc-holds-informal-discussions-on-kashmir-no-statement-issued>

²⁹ Polyanskiy, Dimitry (@Dpol_un), "On the basis of Simla Agreement of 1972 and Lahore declaration of 1999, in accordance with UN Charter, relevant UN resolutions and bilateral agreements between India and Pakistan," Twitter, August 16, 2019, https://twitter.com/Dpol_un/status/1162375790631239680

³⁰ "Trump says India, Pakistan can handle Kashmir dispute on their own," *Dawn*, August 26, 2019, <https://www.dawn.com/news/1501797>

played with Pakistan at every front. At the UNSC India claimed that Kashmir was a bilateral issue, whereas in front of Pakistan it portrayed the issue as an internal matter over which India's sovereignty was exercised, and thereby Pakistan had no right to question its constitutional reforms.

Back in the country in a bid to sell rhetoric to the public, the PTI's government decided to observe every Friday as a Kashmir solidarity day by observing silence for two minutes at 12:00 noon. The move was criticized by the rights activists as well as opposition for its usefulness. It was termed that such moves were akin to pouring salt on the injuries of Kashmiris. Not only that, but Pakistan also changed the name of a major highway in Islamabad from Kashmir highway to Srinagar highway, the rationale of which was incomprehensible as well, as it already had the same meaning, so the government was criticized as to what exactly the move meant?

Meanwhile, the AJK's prime minister on Kashmir's solidarity day in February 2020 in a special session of AJK's legislative assembly told prime minister Khan that Pakistan must not accept US's offer of mediation between India and Pakistan as the US did not want to benefit Pakistan. Haider also asked Khan to end political divide within Pakistan and work for the independence of Kashmir.³¹ Khan again addressed the legislative assembly and argued that "it was his faith that Kashmir will get independence," he said that rationale for this thought was India's step of revocation of article 370, because if India did not take that step how could have Pakistan internationalized the issue. He said, it was "a fatal mistake of India" which would bite Modi. Khan also told the legislative assembly of what he had done over the last five months post August 5 for Kashmir cause: "I not only talked to head of states but also raised the issue at every international forum from UN general assembly to the convention on refugees in Geneva." He also accused Modi of not being a normal person when he said that he could conquer Pakistan in 11 days, this was not the statement of a normal person, Khan said. He was saying that because he took such a big step for his nationalistic designs and now was not able to consolidate the gains and change the demography of Kashmir. Thus, he wanted to trap Pakistan of reacting aggressively and then blame it of sponsoring terrorism, and in the garb of it achieving

³¹ "Modi's annexation of IOK will lead to its independence: PM Imran," *Dawn*, February 5, 2020, <https://www.dawn.com/news/1532624>

his design of demographic change. Khan while closing his remarks related Modi with an English saying, “the last refuge of every scoundrel is patriotism.” He advised Kashmiris and Pakistanis to not lose hope and do not give a chance to Modi for exploiting them by taking emotional steps.³²

Haider’s repeated calls to Pakistan’s leadership for a decisive action did not prove fruitful and Pakistan opted for a peaceful solution to end the crisis. This made Haider suspicious, and he is reported to have said to the journalists that it seemed that he was the last prime minister of the AJK and Pakistan might absorb AJK as its province in the future.

China again conveyed the session of UNSC in August 2020 on the request of Pakistan to discuss Kashmir, however it was reiterated by members that it was a bilateral issue and do not deserve more time. Ironically, the meeting was informal like the previous one post August 5, 2019 and did not record any proceedings. Indian permanent representative to the UN T. S. Tirumurti stated that “another attempt by Pakistan fails at the UN” over the outcome of the meeting. He was of the view that Pakistan sought support of intervention by the UNSC however it was declared that both states need to resolve it among each other without using the force. As far as Qureshi was concerned, he said, it was a message by the UNSC that it still cares for Kashmiris. Qureshi also thanked all the members of the UNSC for listening to Pakistan’s positions and targeted India’s claim of “internal matter” after the UNSC declared it a bilateral problem.³³

Interestingly, the developments in India-Pakistan relations took a swift turn at the last quarter of 2020 when heads of intelligence agencies of both countries started meeting to discuss bilateral issues. These developments were kept hidden for months. *The Express Tribune* in September 2019 reported that the pressure on Pakistan was put by the international players through KSA and UAE to engage with India in a backdoor diplomacy and for those matter foreign ministers of both these states visited Islamabad on September 3, 2019. It was revealed that the meeting was so secretive

³² 24 News HD, “PM Imran Khan Historical Speech to AJK Assembly Kashmir Day,” February 5, 2020, video, 26:55, <https://www.youtube.com/watch?v=xayP9xZjpGY>

³³ “J&K: UN Security Council asked India, Pakistan to solve Kashmir dispute bilaterally, says envoy,” *Scroll.in*, May 17, 2020, <https://scroll.in/latest/969562/j-k-un-security-council-asked-india-pakistan-to-solve-kashmir-dispute-bilaterally-says-envoy>

that even the senior officials of the foreign office Pakistan were not allowed to sit in the meeting. The delegation met Khan, Qureshi and COAS in their visit and offered them their help in defusing the tensions.³⁴

Consequently, the formal backdoor diplomacy started in the United Arab Emirates (UAE) in January 2021, the Pakistani and Indian intelligence officers met in Dubai for easing the tensions between the two militaries at the LoC. The American media house *Bloomberg* reported in March that after arriving at the understanding on ceasefire at the LoC between the militaries of India and Pakistan, the UAE's foreign minister dashed to New Delhi for a day long visit to further convey messages to the Indian top leadership. The media house reported that the ceasefire was only a steppingstone for the lasting peace between India and Pakistan. In subsequent arrangements, it was reported that both India and Pakistan would resume their diplomatic relations by inviting each other's envoys to the capitals, whereas, after that milestone, the trade relations between the two would also resume.³⁵ The hint of improving relations also came after the Pakistani COAS issued a statement in Islamabad on March 15 which stressed on the need to forgetting the past and moving forward in a better environment. The *Bloomberg* also reported that the Dubai dialogue was in fact started in the last quarter of 2020 when UAE invited Indian foreign minister Subramaniam Jaishankar in November that year, after Jaishankar's visit Qureshi visited Dubai in December to decide on the modalities which eventually led to the ceasefire announcement in February 2021.³⁶

Furthermore, the foreign ministers of both states also met in April in Dubai and held talks which were facilitated by the ruler of UAE, Shaikh Zayed bin Al Nahyan. At the official level, Qureshi told the press that Pakistan never engaged with the Indian officials at UAE in backdoor diplomacy. He denied the press reports that emerged in March 2021 in Pakistan and India. Qureshi categorically stated that dialogue with India was in the interest of both nations, however, Pakistan would start talking to India at the Track I level only if it takes back the decision of August 2019 and put

³⁴ Kamran Yousaf, "Pakistan seeks 'clear' Saudi, UAE stand on Kashmir," *The Express Tribune*, September 4, 2019, <https://tribune.com.pk/story/2048869/saudi-uae-foreign-ministers-arrive-pakistan-today>

³⁵ Sudhi Ranjan Sen, "Secret India-Pakistan Peace Roadmap Brokered by Top UAE Royals," *Bloomberg*, March 22, 2021, <https://www.bloomberg.com/news/articles/2021-03-22/secret-india-pakistan-peace-roadmap-brokered-by-top-uae-royals>

³⁶ Ibid.

back the article 370 in its place. Qureshi was of the view that Pakistan cannot keep quiet at the injustices and violence committed by the Indian army against the innocent civilians of Kashmir. He demanded India to release all the imprisoned Kashmiri leaders and activists in jails of Jammu and India. Qureshi's denial come after the statement by the UAE's foreign minister Yousef Al Otaiba in which he stated that his government was facilitating the official backdoor diplomacy between India and Pakistan on Kashmir.³⁷

Pakistani journalist, Najam Sethi criticized the foreign minister Qureshi for blurring the official stance of Pakistan and that it was contrary to the statements provided by two friendly nations of Pakistan, KSA, and UAE. Sethi was of the view that there is some sort of understanding between India and Pakistan on the article 370 which reflects in the contradictory statements of Qureshi where he termed the article as an internal matter of India. However, Qureshi later clarified that it was not an internal matter of India and that Kashmir was still a dispute recognized by the UN.³⁸ Shashi Tharoor, INC's leader praised UAE's ruler Nahyan for his efforts to bring India and Pakistan closer and stated that he deserved Nobel peace prize for this initiative.³⁹

Kingdom of Saudi Arabia (KSA's) foreign minister also stated that it was facilitating talks between India and Pakistan on Kashmir. In a joint statement issued after the visit of Khan to KSA in early May read that both KSA and Pakistan valued the need to have good relations between Indians and Pakistanis for the peace and stability of the South Asia and resolution of lingering issues, especially the issue of Jammu and Kashmir through talks. The ceasefire between the two states was also appreciated by the KSA.⁴⁰

The ceasefire agreement was reached on February 25, 2021.⁴¹ In the agreement it was agreed between India and Pakistan that both militaries will stick to the decisions

³⁷ "Pakistan rebuts backdoor diplomacy with India," *The Nation*, April 19, 2021, <https://nation.com.pk/19-Apr-2021/pakistan-rebuts-backdoor-diplomacy-with-india>

³⁸ Sethi, Najam, (@najamsethi), Tweet, SMQ says no mediatory role for Saudis in Indo-Pak relations. But Saudi For Min says Saudis playing such a role..." Twitter, May 10, 2021, <https://twitter.com/najamsethi/status/1391676777072889859>

³⁹ "Tharoor bats for Nobel for UAE official after report on secret India-Pak talks," *The Week*, March 22, 2021, <https://www.theweek.in/news/india/2021/03/22/tharoor-bats-for-nobel-for-uae-official-after-report-on-secret-india-pak-talks.html>

⁴⁰ "Joint Statement for the Visit of the Prime Minister of the Islamic Republic of Pakistan to the Kingdom of Saudi Arabia," *Saudi Press Agency*, May 9, 2021, <https://www.spa.gov.sa/2226605>

⁴¹ Sen, "Secret India-Pakistan Meet"

reached in 2003 on the ceasefire in Kashmir. Similarly, the Ministry of Defence of India in a joint statement released read that the contact between the two militaries was established by the Director Generals of Military Operations through a recognized method of hotline. They also agreed to discuss all core issues,⁴² and the analysts believe that when the core issues are referred it means Kashmir as well. The *Bloomberg* also reported that the easing between the two states was ensuing even before the two sides met in Dubai, that is why Modi wished good health for Khan after he tested positive for the COVID-19 in March 2021, as well as allowing his aircraft to use Indian airspace on his visit to Sri Lanka in November 2020.

Pakistan's COAS in a talk given at Islamabad Security Dialogue on March 17 stated that "it is time to bury the past and move forward." He also talked about the need to resolve Kashmir issue for long term stability in the region. Furthermore, he categorically stated that it was time to make Pakistan in order and not using its soil against neighbours. His entire focus was on the geo-economics rather than geo-strategy or geo-politics. *Dawn* also reported that at the same dialogue a day earlier, Prime Minister Khan also wished to see better relations with India however he wanted India to initiate the process first.⁴³

It was interesting to see that shortly after the demand of Khan; Modi sent a letter to him on March 23. Modi stated that India looked for healthy relations, however, there must be trust building in an environment where there is no element of terrorism.⁴⁴ On March 29, Khan replied to Modi's letter and thanked him; Khan stated that Pakistanis also wanted good relations with India. The letter was written in positively and demanded that better relations between the two states could be achieved through talking with each other on every disputed matter, significantly on Jammu and Kashmir.⁴⁵

⁴² Ministry of Defence, "Joint Statement," *Press Information Bureau, India*, February 25, 2021, <https://pib.gov.in/PressReleasePage.aspx?PRID=1700682>

⁴³ "Time to bury the past and move forward: COAS Bajwa on Indo-Pak ties," *Dawn*, March 18, 2021, <https://www.dawn.com/news/1613200>

⁴⁴ "PM Modi sends letter to Imran Khan; greets people of Pak. on Pakistan Day," *The Hindu*, March 24, 2021, <https://www.thehindu.com/news/international/pm-modi-sends-letter-to-imran-khan-greets-people-of-pak-on-pakistan-day/article34148835.ece>

⁴⁵ "Pakistan PM Khan replies to Indian counterpart Modi's letter," *AlJazeera*, March 30, 2021, <https://www.aljazeera.com/news/2021/3/30/pakistan-pm-replies-to-indian-counterpart-modis-letter>

Furthermore, the COAS while in his interaction with Pakistani journalists at an Iftar dinner in late April revealed that India has agreed to discuss Kashmir with Pakistan which was reported in a *Dawn* article by Fahd Hussain. The story testified the earlier news which came in February that India had requested Pakistani Prime Minister Khan to not bash Modi in his speeches as well.⁴⁶

Many western analysts reported that Pakistan was pragmatic and constructive in its approach towards peace in Kashmir. They were of the view that India was badly engulfed between India and Pakistan on the northern and western borders, specifically after the Chinese crossed over into the disputed territory and took more than 5000 square miles of the territory in December 2020. India's military superiority was badly damaged after the incident as well as its military preparedness was exposed too, yet Pakistan did not exploit it militarily and offered them peace.⁴⁷ Analysts also alleged that Pakistan had abandoned the Muslims of Kashmir and was rather more inclined to do trade with India for its own economic benefits. Other than the economic benefits, the newspaper also reported that it was the US's pressure as well on the Pakistani leadership to not act militarily while India was resisting China.

The Pakistani website, *Global Village Space* (GVS) covering strategic and political issues while quoting Pakistan's former general Talat Masood revealed that the détente between India and Pakistan was in fact a tactical move rather than strategic. Masood was quoted as saying that such thaws had been reached in the past as well because of backdoor diplomacy; however, Pakistan would not abandon its conservative Kashmir policy. Similarly, GVS also cited Pakistan's renowned defence analyst Ikram Sehgal, who was of the view that in such circumstances the thaw could not last long. He believed since UAE has economic interests in the South Asia therefore it wanted an environment of peace in the region to keep its economic projects flowing. Both Masood and Sehgal were certain that India would not reverse its August 2019 decisions and that it was only interested in trade and bilateral relations. Similarly, India also wanted to normalize relations with Pakistan but for that matter it desired Pakistan to leave behind Kashmir issue. They believed that it could cause stress in

⁴⁶ Fahd Hussain, "Indian offer led to 'quiet' talks on all major issues," *Dawn*, April 25, 2021, <https://www.dawn.com/news/1620230/indian-offer-led-to-quiet-talks-on-all-major-issues>

⁴⁷ Sushant Singh, "Why China Is Winning Against India?" *Foreign Policy*, January 1, 2021, <https://foreignpolicy.com/2021/01/01/india-china-himalayas-ladakh-standoff/>

relations between China and Pakistan If Pakistan abandoned its traditional Kashmir policy.⁴⁸

More recently in a revealing report in the *South China Morning Post* it was stated that Pakistan's COAS was willing to even back off the demand of pre-August 2019 status of Jammu and Kashmir in his pursuit of friendly and economic relations with India.⁴⁹

Overall Pakistan's policy since the revocation of article 370 on Kashmir was dualistic, its leaders fed one narrative based on its orthodox approach to the public at home, while to the international community and India it was flexible, it is suggested that it is based on the principles of neo classical realism that has emphasis over economic development as military spending consume a significant portion of Pakistan's GDP. Therefore, war for Pakistan was not an option when heavily under debt even though India clearly was an aggressor given the fact that it had taken a unilateral action in Kashmir which was in violation of the UN resolutions and furthermore it also provided Pakistan under international law to use force. There was also an international pressure by powerful countries like the US and the UK and regional players like the KSA and UAE as well apart from economic downturn to coerce Pakistan to not use that option. So, Pakistan's policy post August 2019 was sort of more managing the tensions rather than arriving at a proper policy decision. It reflected confusion, inactiveness, and indecisiveness on part of its civil-military leadership. They missed the strategic window for military action required for forcing the world to intervene in a serious dialogue and rather indulged in the half-hearted diplomatic manoeuvres where the international players stepped in and exonerated the Indian government for their own material interests keeping in view the 1.2 billion people large market of India and considering Pakistan's stance as its weakness.

⁴⁸ "Thaw in Pakistan-India tensions is a 'tactical move': Experts," *Global Village Space*, April 16, 2021, <https://www.globalvillagespace.com/thaw-in-pakistan-india-tensions-is-a-tactical-move-experts/>

⁴⁹ Tom Hussain, "Did Pakistan's top army chief just back down over Kashmir in backchannel talks with India?" *South China Morning Post*, May 15, 2021, <https://www.scmp.com/week-asia/politics/article/3133523/did-pakistans-top-army-chief-just-back-down-over-kashmir>

Chapter 4

Challenges to Pakistan's Kashmir Policy

Pakistan is facing multiple challenges at the policy front on Kashmir post August 2019. This chapter divided into three sections discusses geopolitical, geo-strategic, and geo-economic challenges. Geopolitically, the state has a political divide with pressure groups often dictating the policy to the state institutes in one form or the other. In the geopolitical section emphasis is given to analyse the internal situation of Pakistan as well as external. Meanwhile, geostrategic challenges are complex and not only involve internal military preparedness but also international power politics where geography of Pakistan makes it a significant state for all the major players to seek influence. The significant among the three major challenges is the geo-economics, Pakistan is considered as a cash starved state and there is staggering economic downturn in the country where it must rely on the IMF's packages to run the state. Every government in Pakistan applies for the IMF package after 1990s.

Geopolitics is based on both the internal and external conditions of the state. There could be external pressures on a state to formulate its internal policies as well as internal pressure to make its foreign policy more in-line with the internal demands. Addition of geography to the political landscape of a state often makes a state dependent on the international circumstances as well. Same is the case with Pakistan in overcoming any challenge as it has an international aspect linked to it. That is why many observers explain Pakistan's policies vis-à-vis its geography. Some call it to be a blessing for Pakistan while others think it is a curse. However, given the current circumstances one thing is certain that "Pakistan is a prisoner to its own geography."¹ And the politics Pakistan was indulged in at the time greatly shaped the events and challenges for Pakistan post August 2019. In the ensuing paragraphs, will discuss internal and external challenges faced by Pakistan which are geopolitical in nature and greatly impacts its policy decisions.

¹ Hania Shah, "Pakistan's geographical location: a curse or a blessing in disguise?" *Daily Times*, October 11, 2019, <https://dailytimes.com.pk/481707/pakistans-geographical-location-a-curse-or-a-blessing-in-disguise/>

4.1. Leadership Approach

At the internal level, Pakistan lacked democracy from the very beginning when in 1958 first martial law was declared. Meanwhile, in India they had non-stop functioning of the democracy which helped in consolidating the institutions that dealt with the world. The posture of India was more secular and aligned with the western cultural values as well which benefited in its image building globally. Pakistan on the other hand was in internal mess based on religious vs secular divide. Post 1999, Pakistan was facing a long-term dictatorship which divided the society. There was no political freedom in the country and elections were rigged or engineered in favour of General Pervez Musharraf's king's party, the Pakistan Muslim League (Quaid-i-Azam). The western world kept quiet because he was aiding them in WoT. This help also provided him with legitimacy, and consequently his hold over Pakistani politics widened and strengthened.

As far as Kashmir was concerned, there was no solid Kashmir policy under him enshrined in institutionalism which could not have needed any change with the change of the leadership; rather it was always peace formulas and individual aspirations. Like discussed in chapter one Musharraf too had this dilemma. The stint of democrats (PPP, and PMLN) in power post Musharraf also could not bring any meaningful change to the Kashmir policy. In fact, in Sharif's era, again individualistic economic approach was witnessed.

Imran Khan as a prime minister faces the same dilemma the earlier leaders of Pakistan faced. His grip over power is by a very thin margin in the parliament. He faces multiple political challenges because of this, as neither he is in position of introducing any constitutional amendment nor he can unite the country politically. The divide within Pakistan is widening and it can be gauged by the fact that while India was annexing Kashmir, in Pakistani parliament on the other hand, politicians were alleging each other of usual stuff. And soon after, the Kashmir issue vanished from the discourse in parliament and political shows on television, as if nothing substantial happened at all.

Internally, the performance of Kashmir committee was abysmal. The head of Kashmir committee as a norm has been made a prized chair to favour political allies.² There was no role of it to be seen post article 370's revocation. In fact, its head Ali Amin Gandapur, a member of PTI issued such statements that were literally childish like “countries who are not supporting Pakistan over Kashmir will be hit with rockets” which only showed the resolve and seriousness of the government over Kashmir and functioning of the committee itself.³

Khan internally lost charm after his lukewarm response on Kashmir. Even though he clarified and explained his position every now and then, but the romanticism associated with Kashmir in the popular discourse made Khan look so weak. His policy on Kashmir was more of a professor analysing the situation than of a leader planning and implementing a policy. The lapses in political infighting of rhetoric between the government and opposition made public the policy confusion of Pakistan. While PTI was alleging PMLN of "Modi kai Yar" they in return were targeting Khan of selling out Kashmir. The sold-out narrative has been used historically too, for instance, Bhutto used it against Ayub Khan and later formed his own party. In a country like Pakistan which is formed based on ideology such a narrative becomes a headache for the leader and he is not able to think rationally. In the realpolitik, there are always cost and benefit analyses before jumping to the conclusion - however, in case of Pakistan, the politicians rather than opting for the framework of national consensus opt for public lashing of the political opponent which consequently result in the failure of policymaking and then implementing it. Later Bhutto faced that too at the time of Shimla agreement that he had to publicly swear of not selling out Kashmir. "I tell you as a Muslim and I swear on oath. I swear in the presence of Almighty Allah that there has been no secret agreement...On the vital question of Kashmir ... we have made no compromise. We told them categorically that the people of Kashmir must exercise their right of self-determination." This happened post Bhutto too with every

² Shoaib-ud-Din, “Kashmir Committee is a ‘political bribe’: PTI leader,” *The Nation*, February 6, 2018, <https://nation.com.pk/06-Feb-2018/kashmir-committee-is-a-political-bribe-pti-leader>

³ Hamza Ameer, “Countries backing India over Kashmir will be hit by missile, Pak minister sparks controversy,” *India Today*, October 29, 2019, <https://www.indiatoday.in/india/story/countries-backing-india-over-kashmir-will-be-hit-by-missile-pak-minister-sparks-controversy-1613796-2019-10-29>

leader of Pakistan whether it was Benazir, Nawaz Sharif, Musharraf, or even Imran Khan.⁴

Scholars like Sameena Yasmeen as discussed in chapter one has elaborated schools of thought on Kashmir in Pakistan, however, which one of them is dictating state's policy in each time is a real challenge to maintain a "statist policy" for all time. Yet another is institutional role which is so weak that parliament seldom debate the issue and future roadmap. There is no custom of revealing it to the public in Pakistan. But is there any at all by the institutes responsible for shaping the future of Pakistan? Thus far the only narrative officiated more often is the strategic belief that India is an enemy and needs to be balanced at all costs.

Naazir Mahmood is of the view that Pakistan is obsessed with India and its Kashmir policy is flawed too which is primarily based on the outdated model of 20th century where nationalism and religion were the main prisms to analyse a state's standing in the international system. Furthermore, Mahmood also believes that by not maintaining cordial relations with its neighbouring countries Pakistan has eventually spent more on the defence which cost its human development sector. Mahmood says that keeping people in utopia of Kashmir for the last seven decades has made them question the resolve of the state and its lofty claims like, "Kashmir is a jugular vein of Pakistan," people in Pakistan after the annexation of Kashmir by India mocked this famous quote by Muhammad Ali Jinnah, the founder of Pakistan. They believed that it was the state of Pakistan that not only failed Kashmiris but Pakistanis as well.⁵

4.2. Major Power's interests

At the external level Pakistan was not able to take advantage of its geography in international politics over unilateral annexation of Kashmir. Pakistan earlier used the terminology of genocide and told the world that it would go to any extent to stop it. Pakistan's former ambassador, Ashraf Jehangir Qazi while analysing the Pakistani quagmire on Kashmir gave an example of Prime Minister Khan's speech at the UN that he would choose war if India threatened it. However, Qazi says that only after a year of that speech there was no proactive policies about genocide in Pakistani official

⁴ Zaigham Khan, "The Kashmir Challenge and Pakistan's Politics," *The News*, August 11, 2019.

⁵ Naazir Mahmood, "Pakistan's changing geopolitics," *The News*, January 12, 2020,

<https://www.thenews.com.pk/tns/detail/597008-pakistans-changing-geopolitics>

narrative in meetings, similarly Pakistan's claims of war for Kashmir were also nowhere to be seen.⁶

Back in Kashmir, the pro India Kashmiri leaders like Farooq Abdullah, his son Omar Abdullah, and the former CM Mehbooba Mufti were all making pro Pakistan statements after annexation of Kashmir by India, they were hinting alliance with Pakistan in case it was to go for war. In addition to secular pro India Kashmiri leaders, the APHC was optimistic too initially of Pakistan's strong response. Its leaders made painful appeals to Pakistan. However, Pakistan could not decide anything in time. Whether it was confusion, a backdoor peace deal or acceptance of defeat will need a test of the time.

But the impact is clear; the lack of response has spread cynicism within the valley about Pakistan. They are not buying Pakistan's leader rhetoric and now gradually accepting the new normal. The NC and PDP are again slowly turning friendly to India, a hint that they are over the emotional setback and ready to take part in politics by accepting the annexation. Qazi says there was great opportunity for Pakistan within Kashmir this time because of its majority of youth aspiring for Pakistan and *azaadi*, however, Pakistan did not keep their trust.⁷ Yet another geopolitical challenge is what If India does not reverse the August 2019 decisions as demanded by Pakistan? Where does Pakistan stand then? There is no clarity on this in Pakistan. Neither it is asked of nor it is spoken by. The challenge is "fighting for its survival" but is Pakistan willing to fight is a real challenge within a challenge. Qazi demanded a two track Kashmir strategy: 1. Dialogue; 2. War.⁸

At the diplomatic front internationally, Pakistan has been outsmarted by Indian diplomats repeatedly. Of course, there are other variables attached to high Indian performance like the economy which will be discussed in the next section. But India was able to refrain from engaging with Pakistan bilaterally as per Shimla agreement of 1971. All of Pakistan's calls for dialogue and resolving the dispute were unheard by the Indian state. Like discussed in the previous chapter too, the stand of India on Kashmir is dualistic where it tells the international community that it is bilateral while

⁶ Ashraf Jehangir Qazi, "The Kashmir Challenge," *The News*, September 11, 2020, <https://www.thenews.com.pk/print/713012-the-kashmir-challenge>

⁷ Ibid.

⁸ Ibid.

to Pakistan it says it is internal. Where does this go from here? It has a clear meaning which is shown in India's resolve too that it is not interested in giving up Jammu and Kashmir at any cost.

Another prominent geopolitical challenge noted by observers is lack of proactive approach at the diplomatic front by Pakistan. Pakistan's entire Kashmir policy is simply reacting to Indian actions in the valley. While it-self from the state apart from rhetoric nothing practical is seen. The slow-paced approach after revocation of article 370 bore some results with many regional and international actors coming to Pakistan's support but gradually that support faded away and major regional allies of Pakistan like Kingdom of Saudi Arabia and United Arab Emirates became neutral.

The challenge for Pakistan here was that the narrative of its internationalisation of Kashmir issue also got exposed. Pakistan was struggling to internationalize the issue for two decades after 9/11 without much success, and here it got internationalized with India's unilateral move. But to what benefit for Pakistan. It did not lay down as strong a rebuttal of India by the international community as envisioned by Pakistan. There-by creating yet another dilemma for policymakers.⁹ Moreover, India always came up with the counter policy of bi-lateralization instead of internationalization of Kashmir dispute. India gave the excuse of Simla Agreement that issue will resolve through bilateral mechanism, moreover ignore the statement i.e. Kashmir issue will resolve bilaterally but accordance with the United Nation Resolution provided in Chapter VI and VII. The US too did not support Pakistan at the UNSC or any stage post August 5, 2019. The reason was geopolitical, it earlier forced Pakistan to pick a side between the US and China as its interests were only to choke China through Pakistan which was sitting at the junction of east and west, Pakistan went with China.¹⁰ Therefore, Pakistan was not invited to climate conference by Biden administration scheduled in Washington D. C. in first quarter of 2021, a message to the Pakistani leadership. Similarly, the UK also placed Pakistan in red list countries from where travellers were not allowed to arrive and go because of COVID-19

⁹ Majid Alam, "Pakistan's Kashmir Policy Post Article 370," *The Diplomat*, July 09, 2020, <https://thediplomat.com/2020/07/pakistans-kashmir-policy-post-article-370/>

¹⁰ Shah, "Pakistan's geographical location"

restrictions. Ironically, the variant came from the UK to Pakistan triggering a third wave of the pandemic within the country in March 2021.¹¹

Geo-strategically, over the last two decades the US presence in Afghanistan created problems for Pakistani realist's designs over Kashmir. Pakistan's backyard was not secure, so in realist sense it stopped Pakistan from taking any military action on Kashmir. Not only that, the use of proxies was also not in its interest as the US and other western countries were the norm makers in the concept of global terrorism – they influenced every major international governmental organization to work in halting terrorism in any of its kind. Therefore, India benefitted from the discourse of western terrorism greatly; it allied itself with the west and started exploiting the terminology of terrorism. Kashmir's struggle for self-determination was linked to terrorism by India and sought world help in combating it by posing as a victim. Thus, it reduces every minute option for Pakistan to take leverage in sending militants from its soil to Kashmir.

The US and other western states supported India in a bid to secure strategic relations with it to counter China in the region. Thereby, they acted deaf and dumb on the Kashmir issue. As far as the UN was concerned it was bypassed by the UNSC. The US entered a strategic alliance with India in 2015. Pakistan on the other hand went close to China. It gave China access to deep sea Gawadar seaport which has been completed. Along with-it China also started helping Pakistan in building its infrastructure and resolving the energy crisis the state was undergoing for more than a decade.

4.3. Indian Sponsor Terrorist Activities

The primary geostrategic challenge therefore was securing Afghanistan first to even think of Kashmir in military terms. The reason was simple, that Afghanistan impacted the internal stability of Pakistan. It had the potential to divide Pashtun society in north-west of Pakistan along religious and nationalistic lines. Pakistan had earlier seen the consequences of Afghan-Jihad (1979-1989) where millions of Afghan refugees entered Pakistani cities. Not only that the aftermath of war brought Kalashnikov

¹¹ Musharraf Zaidi, "A rough start for 'geoeconomics'," *The News*, April 6, 2021, <https://www.thenews.com.pk/print/815578-a-rough-start-for-geoeconomics>

culture, drugs and internal stability based on Pashtun nationalism. India was able to foment hostilities in Afghan new leadership against Pakistan after the ouster of Taliban regime in Kabul in late 2001. The new administration was working against the Pakistani interests continuously by playing in the hands of India. It started supporting terrorism in Pakistan in two of its regions, i.e., Balochistan and former tribal areas (then known as Federally Administered Tribal Areas, FATA).

It took more than a decade for Pakistan to completely eradicate the scourge of terrorism from the FATA, which pushed the waves of violence into mainland Khyber-Pakhtunkhwa occasionally as well. There were numerous military operations conducted against the terrorists in FATA by the Pakistani army. It is reported that more than 100,000 of Pakistani army were engaged in the FATA from 2004-2020. Seen realistically India made sure Pakistan remains busy at the western front. This gave them time to consolidate the valley without Pakistan spending its energies there. Pakistan was so much at the back foot that Indian policy makers started saying, “time is on our side.”¹² Believing in the principle of International anarchic system “abstract moral values cannot be employed in politics” India used every tactic of repression against the Kashmiri populace to strengthen its grip over the land.

4.4. Military Preparedness

Furthermore, as far as the military preparedness was concerned, Pakistan’s army was also not ready to fight a conventional war. There was a huge gap in the strength of army as well as equipment. For a conventional war Indian army was considered as a great threat to the Pakistani army. India has a standing army of 12,37,000 soldiers, half of which are stationed in the valley, while Pakistan has only 600,000 soldiers. The military equipment of both states is also highly contrasted with Pakistan lacking in many departments. India’s huge investment in air force and air defence to revamp were a major concern for Pakistan. India’s 64 billion dollars defence budget and a lot of military spending remained a challenge as Pakistan’s annual defence budget was 10 billion dollars. India is modernizing its military. Its 2018 Land Warfare Doctrine is “quick, swift and intense limited war by Integrated Battle Groups (IBGs) to carry out

¹² Stephen P. Cohen, “Kashmir: The Roads Ahead,” *Brookings Institute*, March 1, 1995, <https://www.brookings.edu/articles/kashmir-the-roads-ahead/>

the operations below the Pakistani nuclear threshold.”¹³ Similarly, it is buying T-90 tanks worth 2 billion US dollars to deploy in Punjab and Rajasthan sectors. By 2020, India acquired 35 regiments of T-90s.¹⁴

Furthermore, India also replaced Bofor guns at the LoC with Danush 155mm/52 with 35 KM of range. Meanwhile, they also acquired M777A2/LW155 Ultralight Howitzers, worth 737 million US dollars from the US with range of 30 KMs. Apart from that ATAGS, 155mm/52, designed for hilly areas were deployed at the LoC as well. Additionally, K9 Vajra 155mm/52 from South Korea worth 700 million US dollars were made part of Indian weaponry by 2020. As far as the Indian air defence is concerned, they are intending to acquire S-400... These are game changers and threat for Pak air force. Meanwhile, USD 2 billion Barak - 8 air defence system from Israel was to be deployed on INS Vikrant, the Indian aircraft carrier. These air defence systems put Pakistani aircrafts at grave danger unless Pakistan had better air defence technology. Currently India has 33 air force squadrons which it plans to increase to 42 to gain air superiority vis-a-vis Pakistan. For that purpose, they have signed a deal of US dollars 8.7 billion with France to purchase modern Rafale aircrafts. They are also acquiring US dollars 733 million worth Chinooks helicopters as well as USD 2 billion Apache helicopters.¹⁵

There is a nuclear weapons dilemma as well for Pakistan. They help Pakistan in thwarting India's cold start doctrine, but they do not guarantee Pakistani state a hold over Kashmir. Why? It is because neither state would ever go to a nuclear war over Kashmir, as it is a mutual assured destruction, hence madness. Either it is Pakistan's military preparedness or simply its resolve over Kashmir that even after China made incursions into the Ladakh and took over approximately five thousand square miles of territory by beating Indian troops with iron roads, it did not use the opportunity and attack India in Kashmir.

¹³ Masood ur Rehman Khattak, "Indian military modernisation: Implications for Pakistan," *Strategic Studies*, 39: 1 (2019), 20-40, <http://issi.org.pk/indian-military-modernisation-implications-for-pakistan/> (accessed July 22, 2019)

¹⁴ *Ibid.*, 24.

¹⁵ *Ibid.*, 25.

4.5. Modi's Religio-Nationalistic card

Within India, Modi was playing a religio-nationalistic card; his politics was based on jingoism to gather more people. Modi repeatedly blamed Pakistan for terrorism in India in his political rallies. And, He vowed to hit inside Pakistan at the source of that so called terror which according to him was militant camps. The February 26 failed airstrike in Balakot in 2019 was part of that policy. Modi said in his political meetings that he had given the armed forces a free hand in dealing with Pakistani military. Many Indian defence experts and generals called this an irresponsible step. External observers also raised questions on the silly approach by a prime minister of a populous country and called it a tactic to win election.¹⁶ That careless approach took India and Pakistan to a potential war in February 2019 had the Pakistani leadership did not show restraint.

Hindutva's inspired Modi left no stone unturned to isolate Pakistan at the international arena. He proudly announced many a times within India that all his energies would be spent to achieve that task. Meanwhile, within India there was rising war rhetoric against Pakistan, the narrative of *Akhand Bharat* was given typical flare. *Akhand Bharat* is a belief system that all of subcontinent followed Hindu faith and Islamic usurpers took it by force and converted the local population, therefore, it is duty of Hindus to take back the lands of their forefathers. Under the framework of Hindutva Modi and his followers took on the modern-day Pakistan, ignoring the fact that it occupied an important geostrategic location and such a politicization of the Indian society based on religious hatred could start an arms race in the region.

Andrei Kadomtsev while writing for the *Modern Diplomacy* opined that from geostrategic perspective, the Indian move in Kashmir is very significant because of Pakistan's political and strategic leverage in Afghanistan. Therefore, for achieving balance of power, India went ahead with annexing Kashmir unilaterally and testing Pakistan's military preparedness, or in other words to exhaust Pakistan by encouraging it to escalate the conflict to the next level. Kadomtsev believed that Indian strategists thought that Pakistan would respond militarily and give India a reason to use full might and capture the parts of former Jammu and Kashmir state

¹⁶ Zahid Hussain, "Geopolitical challenges," *Dawn*, February 20, 2019, <https://www.dawn.com/news/1464935>

under Pakistan's administration.¹⁷ Within Kashmir valley, India cannot have complete control of the territory politically unless it achieves numerical balance in the population. Unless that happens, the hearts and minds of Muslims of the valley will be with Pakistan. Therefore, to change that for strategic good, the Indian state has started giving domiciles to the Hindus from mainland India.

4.6. Lack of long-term Goal

Qazi stated that strategists and political scientists while observing Pakistan often conclude that Pakistan lacks a long-term goal regarding Kashmir, that its policy is just based to achieve short term aims because of which Pakistan faces long term challenges. Its leaders prefer status quo ante rather than thinking beyond the orthodox approach on Kashmir. Therefore, its leaders keep the people in dark by employing deception and never letting them know the real picture of Pakistan's standing on Kashmir at the international diplomatic forum.¹⁸ Similarly, the recent PTI's government too applied this deceptive technique to tell people that they are doing something over Kashmir. Some of the laughable steps taken by the PTI government as discussed in previous chapter too like standing in solidarity for two minutes on every Friday and changing of the name of Islamabad's Kashmir highway are part of the same strategy.

Pakistan's Kashmir policy is captive of Pakistan's elite who use it for political mileage rather than having real sense of the issue, the Kashmir policy is more sort of "symbolic" and "rhetorical" having little purpose beyond that. And ironically, this happens at the cost of Kashmiris struggle for self-determination where hundreds of thousands have been killed just for this cause. The fine piece of diplomacy chalked out at the foreign office Pakistan is mostly derailed by indifference of the leaders and external governance of the state. Furthermore, patterns of national power and system of politics within Pakistan also created hurdles for a smooth policy on Kashmir. Qazi believes because of this "the force of Pakistan's legal, political, diplomatic and moral arguments on behalf of the Kashmiri right of self-determination diminished, and no

¹⁷ Andrei Kadomtsev, "Kashmir in Geopolitical Context," *Modern Diplomacy*, September 26, 2019, <https://moderndiplomacy.eu/2019/09/26/kashmir-in-geopolitical-context/>

¹⁸ Qazi, "The Kashmir Challenge"

longer constrained the economic, political and strategic inclinations of the big powers in support of India – with the exception of China.”¹⁹

4.7. Economic Instability

Pakistan is in bad shape economically, every new government as a religious duty knocks the door of IMF for bailout packages. The debt to GDP ratio of the state is staggering 87% where imports are higher than the exports.²⁰ The WoT in Afghanistan impacted Pakistan’s economic sector as well. It lost 123 billion dollars to that war. It is the loss which is irreparable for a developing state, Pakistan.²¹ Significantly, the losses apart, Pakistan could not tap its geographic potential for making economic progress, given the fact that it is a gateway to east and west of Asia, connecting the world to Asia through land. Therefore, it had only one ally in a time of need in shape of China as its economic interests and financial infrastructure in the state is at stake in case of war with India. However, had Pakistan got benefit of its geography to the fullest, all the central Asian states, the Russian federation, and much of the ASEAN economies could have been on Pakistani side as it would have acted as bridge for their finished products to reach the middle eastern, European, and African markets through land and could have pressurized India from unilateral actions.

More recently, specifically after Bajwa's tenure as COAS of Pakistan, there is policy shift within Pakistan, and it is said that the civil military establishment now want a transition from geopolitics and geo-strategy to geo-economics where Pakistan has a soft power. The decision has been made in the backdrop of accumulating debt and the label of a security state. From geo-economics the Pakistani policy makers give an impression of an integrated economy of the region. It seems that going soft on Kashmir is part of this new Bajwa doctrine discussed in chapter 2. India is considered more of a trade partner than a foe. That India and Pakistan can jointly take out the region from poverty. Pakistan's foreign minister announced in March 2021 that it has decided to make a shift from geopolitics to geo-economics. Qureshi hinted at a new

¹⁹ Ibid.

²⁰ “Debt-to-GDP ratio stands at 87%, NA told,” *The Express Tribune*, March 2, 2021, <https://tribune.com.pk/story/2287080/debt-to-gdp-ratio-stands-at-87-na-told#:~:text=%E2%80%9CIn%202020%2D21%20the%20debt,%2C%E2%80%9D%20the%20parliamentary%20secretary%20said.>

²¹ Israr Khan, “Pakistan suffers \$123.1 bn losses in terror war,” *The News*, May 20, 2017, <https://www.thenews.com.pk/print/206709-Pakistan-suffers-1231-bn-losses-in-terror-war>

"economic security paradigm" which was explained as peace in the country, development partnerships with other states, and opening to the region.²²

But is that achievable in current dynamics? Many observers like Arif Rafiq think that the outcome of this will not likely be positive, and that it is yet another idealistic policy of Pakistani leadership, this time from the COAS. Rafiq states that post US withdrawal from Afghanistan there is a potential for yet another civil war, similarly, he also believes that neither India nor Pakistan would show any kind of flexibility over Kashmir and this will lead to a dead end. Without India there is no meaning to the Pakistani geo-economic rhetoric. Yet another variable is US-China cold war which Pakistan cannot bypass sitting. Post 9/11 the US aided Pakistan militarily and spent \$3 billion, however, post India-US strategic partnership, the amount has been reduced significantly. The US is against China supplying arms to Pakistan which Pakistan will potentially use against India according to the United States Institute for Peace as quoted by Rafiq.²³

Pakistan sees CPEC as a grand geo-economics activity being carried out in Pakistan which will potentially reward Pakistan with estimated 8 to 9 billion dollars annually just in providing connectivity to landlocked Central Asian Republics (CARs) and the Chinese western parts. Rafiq points out that CPEC on part of Pakistan was poorly planned as for mega infrastructural and energy projects the state had to import a lot of machinery which emptied the state's foreign exchange and it had to go back to the IMF. But is the dream of geo-economics a realist one? Rafiq thinks Pakistan has a lot of bottlenecks which might push Pakistan to the status quo as it benefits the civil-military establishment. And significantly, only provision of regional logistic support would not end Pakistan's economic distress, but a clear economic regime will. A regime which must be exports based with quality goods.²⁴

The first set back to Pakistan's geo-economic doctrine came when the federal government could not implement its decision of opening the trade with India. In late March, the prime minister who is also the commerce minister announced resumptions

²² "Pakistan's focus shifting from geopolitics to geo-economics, Qureshi informs Hungary Dialogue," *Dawn*, March 25, 2021, <https://www.dawn.com/news/1614535/pakistans-focus-shifting-from-geopolitics-to-geo-economics-queshi-informs-hungary-dialogue>

²³ Arif Rafiq, "Pakistan's Geo-economic Delusions," *Foreign Policy*, April 5, 2021, <https://foreignpolicy.com/2021/04/05/pakistans-geo-economic-delusions/>

²⁴ *Ibid.*

of trade with India, and the next day took back the decision when the pressure mounted by the public. In India, the "Jaishankar strategy" of India did not give that importance to Pakistan. The strategy is to "ignore, isolate and intimidate Pakistan." While Pakistan was discussing resumption of trade with India which was even ordered, India on the other hand did not even discuss it as a business of state. This reveals how the geo-economic challenge of Pakistan is undermining its geopolitical and geostrategic objectives.²⁵

The Financial Action Task Force (FATF) is another major challenge to not only Pakistan's geo-economic aspirations but its Kashmir policy as well. Since late 1980s, Pakistan heavily relied on the militants in a proxy war scenario in Kashmir. However, India managed to lobby successfully against Pakistan in the western capitals which eventually led to putting of Pakistan in FATF's grey list which means Pakistan is not able to do business freely with the western capitals. Therefore, Pakistan was unable to send any physical support to the Kashmiris' indigenous struggle. Neither it was able to smuggle arms and ammunition across the valley which could have aided the freedom fighters. This was all happening by design, and India was the brain behind it. So, when the time arrives to grab Kashmir, Pakistan is no position to react physically and left only to cry foul which it would manage for its own geo-economic significance. And as Morgenthau rightly claims there is no such thing as ethics in international politics, Pakistan lost ground.

4.8. Globalized Economy

The geo-economic challenge of India is a real one. In a globalized economy, every state is in search of large consumers and India even if it is not a large producer is a large consumer, so it plays to its advantage. For instance, the US sells arms to India, the Gulf countries sell huge volume of oil, while even China needs India to cater its huge population with cheap electronics to find a relevant market for its own producers. On the contrary in Pakistan, too much focus on geo-economics without the actual groundwork will prove to be another problem for Pakistan in the long run. The state sandwiched between competing religio-political ideologies and institutional infighting for power is mostly managed by the geostrategic considerations. The geo-

²⁵ Musharraf Zaidi, "A rough start for 'geo-economics'," *The News*, April 6, 2021, <https://www.thenews.com.pk/print/815578-a-rough-start-for-geoeconomics>

economics in Pakistani scenario cannot be practiced with ignoring the geopolitics and geo strategy, which is why when a geo strategic challenge arose in August 2019, the civil military leadership could not act in time and remained unclear and confused in its policy objectives. It can be speculated that it was done to follow Bajwa's doctrine of geo-economics as explained by Warraich in chapter 2.

Geo-economic policy of Pakistan also advocates staying neutral in US-China cold war as well as taking least interest in what is happening in the Indian Ocean region. Since the COAS's interest in geo-economics became public, there erupted many abstract policy guidelines for Pakistan. A guideline published in February by TabadLab think tank in Islamabad and as quoted by Pakistani journalist Kamran Yousaf advocated economic diplomacy must be Pakistan's main priority. Shift of policy from competition to cooperation. The guideline stressed on the need to partnering with the US on economic turf rather than military which has the potential to boost Pakistan's exports. Furthermore, the guidelines also suggested enhancing people to people relationship with India and giving more space to private sector to push Pakistan's progress.²⁶

However, this is nothing new. In fact, this is what liberalism has been proposing since the establishment of the UN. But the real question is the outcome of that policy? This gets back to the basic question of states relative interests. Taking all the geo economic approach from liberalism is akin to sacrificing Pakistan's realist potential. The doctrine of shunning geopolitics and geo strategy completely does not guarantee Pakistan with economic progress. It can in fact decline more without the much-needed reforms. Observing the new political setup where military and civilian government are portrayed as carrying forward the same policy could not deliver at the economic front. From electricity to food prices everything has shot up in Pakistan, resulting in hyperinflation where more people have fallen below the line of poverty than before this new romanticism of Pakistani establishment which lacks balance.

²⁶ Kamran Yousaf, "Transform Pakistan from geostrategic to geo-economic hub," *The Express Tribune*, February 13, 2021, <https://tribune.com.pk/story/2283795/transform-pakistan-from-geostrategic-to-geo-economic-hub>

4.9. Normative Approach towards Kashmir

Furthermore, in pursuance of geo-economics, the Kashmir issue is relegated to human rights concern only. There are multiple cases in point which suggest human rights have more of a political importance to big powers than actual worries for sufferings of people in conflict. The US has killed hundreds of thousands of Muslims in Afghanistan and Iraq in the name of collateral damage, the Israeli state kills women and children of Palestine in an utter disregard to international law. For example, China, they have profiled Uighur Muslims too in Xinjiang autonomous region. As a matter of fact, all these examples are used as a political tool to score point rather than keeping it at the core to resolve issues. Therefore, thinking that Pakistan will achieve anything with the discourse of human rights violations in Kashmir by India is merely a utopia.

"There's no such thing as stand-alone geo-economics especially when Pakistan's value as an economic partner is anything but obvious."²⁷ All US-Pakistan relations were based on either geo-politics or geo-strategy, in future, these two will be considered supreme by the US.²⁸ It is not clear what exactly would be Pakistan's response to the US demands if things went to instability in Afghanistan. Similarly, with India too: Pakistan's relations stem out of geopolitics and geo-strategy with Kashmir at the helm of affairs. Without resolving it Pakistan cannot move forward in a stable relationship. And presumably if both India and Pakistan have reached some sort of understanding backdoors, it has the potential to get derailed with non-state actors discrediting the state and acting on their own which can lead Pakistan to instability again.

As suggested rightfully that interests are dynamic, and a state must be prudent enough to capitulate its objectives. India exactly did this in Kashmir. While for Pakistan the new strategy with geo-economics also became a policy challenge. It is significant to mention here that economy is a key component in national power but stabilising it through proper means is more essential. International politics is practiced through the principles of realpolitik rather than depending on others and seeking continuous

²⁷ Tauquir Hussain, "Pakistan wants reset in ties with US but there's no such thing as stand-alone geo-economics," *The Print*, March 14, 2021, <https://theprint.in/opinion/pakistan-wants-reset-in-ties-with-us-but-theres-no-such-thing-as-stand-alone-geo-economics/621315/>

²⁸ Ibid.

cooperation which often puts the national security of weaker states at stake. Pakistan faced similar challenge on Kashmir post August 2019, the economy in shambles did not allow it to take any prudent step, furthermore, the half-baked concepts like geo-economy rather than strengthening Pakistan's economy took its traditional shrewdness of geopolitics and geo strategy with it as well.

To conclude, the challenges to Pakistan on Kashmir range from geopolitics to geo strategy and newfound concept of geo-economy. However, none can be weighed without the presence of others for a proper policy mechanism on Kashmir. This lack of balance reflected in Pakistan's official stance on Kashmir as well, where it could not influence the UNSC to release a statement on Kashmir and neither coerce India to reverse its decisions of August 2019. In the meanwhile, Pakistan went on to carry yet another burden of geo-economy.

Chapter No 5

Pakistan's Possible Options

Stephen P. Cohen states, “While history has been unkind with Pakistan, its geography has been its greatest benefit.”¹ In the light of this saying of Cohen I analyse Pakistan's possible policy options on Kashmir post article 370, in doing so, like the previous chapter I divide this chapter into three key areas of geo-politics, geo-strategy and geo-economics. In the previous chapter challenges were identified in these areas, whereas in this chapter a policy guideline has been tried to envision. In the geo-politics section, after suggesting some political options for the short and long term, this research propose a diplomatic mechanism which can steer Pakistan's effective response in front of the international community. Similarly, in the geo-strategy section, I analyse Pakistan's hard power potential, and could it be used in Kashmir in the short run? How its hard power must be utilized in the long run with keeping an option of war open against India? Meanwhile, in the last section of geo-economics, recommended opening to the world in people-to-people relations for increasing productivity of the state and thus not only earning capital but enhancing soft power as well. It is important to mention that all these key issues were analysed and provide recommendations for Pakistan's Kashmir policy from the lenses of Gideon Rose Neo-Classical realism by keeping Pakistan's geography as a significant unit of analysis. Neo-Classical Realist's thought is applied at the end of this chapter to generalize India-Pakistan conflict over Kashmir keeping in view the power politics and self-interests of both these states which keep them at the logger heads.

Geo-politically, scenario-based analysed and options for Pakistan on Kashmir dispute. It is also observe what former ambassadors of Pakistan who dealt with the issue in their service as well as acted on top positions in Pakistan's foreign office are saying on Kashmir and its future. Then move on to critically analyse the scenarios and generalize them with the help of Neo-Classical realism before moving on to discuss geo-strategy.

¹ “Geo-Strategic Significance of Pakistan,” *Pakistan Defence*, August 6, 2013, <https://defence.pk/pdf/threads/geo-strategic-significance-of-pakistan.269246/>

The current policy of power politics by Pakistan is described as “aggressive in rhetoric while empty in content” by *Military Inc.* famed Ayesha Siddiq, a Pakistani origin defence analyst based in London.² Ashraf Jehangir Qazi, the former ambassador called it based on confused narratives. Similarly, Pakistan’s former high commissioner to New Delhi Abdul Basit, termed the policy non-functional and without any real bargain. AJK’s president and Pakistan’s former foreign secretary Sardar Masood Khan is of the view that international community is preferring economics over human rights and occupation. Observing Pakistan’s political narrative on Kashmir, it is clearly revealed that its policy comes from the position of weakness – and India enjoys the support of powerful states by fulfilling their national interests guided by the geo-politics.

5.1. Avoid International Political Isolation

Modern Diplomacy reported in September 2019 that Pakistan's response was pathetic. It suggested that Pakistan was approaching the world from a position of weakness, and as the states are more interested in pursuance of “self-interests through analyzing relative power” Pakistan could not persuade many to its rhetoric. This is exactly what realists talked about the nature of power which is governed by the self-interests. The power politics here can be realized by the fact that Indian prime minister Modi immediately after annexing Kashmir went on to visiting influential capitals in the west and middle east to convey about his actions. In that same moment Prime Minister Khan of Pakistan was only making phone calls to gain support.³ Khan’s diplomatic limitations were Pakistan’s fragile economy and political isolation of Pakistan internationally – meanwhile, India continuously parroted the counter-terrorism narrative along with framing Pakistan as a state sponsoring it.

Within India, for both rightists and leftists, Kashmir was a big win which the Indian state always wanted to merge, and they had achieved that. So, for Kashmir there were no mixed feelings at the national level of analysis within India. In fact, it exactly called this behaviour inspired by power politics which does not see good or bad but

² Ayesha Siddiq, "Pakistan’s Plans for Kashmir Have Become More Quixotic Than Ever," *The Wire*, August 11, 2020, <https://thewire.in/south-asia/pakistan-kashmir-policy-india-article-370-china>

³ Syeda Tranum Bashir, "Abrogation of Article 370 and Pakistan’s Pathetic Response," *Modern Diplomacy*, September 19, 2019, <https://moderndiplomacy.eu/2019/09/19/abrogation-of-article-370-and-pakistans-pathetic-response/>

achievement of objectives. Therefore, in India irrespective of the political philosophy ruling, the core objective was merger of Kashmir. It is evident from this study that Pakistan exhausted all options of diplomacy post revocation of article 370– however; it could not reverse Indian decision so far.

5.2. Proactive Legal Response

But does it even matter if India reverses it or not? For Pakistan, India’s revocation of article 370 does not stand the ground legally, it was a decision taken by the Indian parliament which has no sovereignty over Jammu and Kashmir. So, as long as India and Pakistan have not reached some mutual arrangement or have signed an official document at the bilateral level changing the status mutually – this revocation of article 370 does not affect Kashmir’s disputed status at the United Nations or Pakistan’s historical position. It only confirms Pakistan’s stance that India is an aggressor in the dispute from the very beginning of it. From Pakistan’s historical position, this is a transgression and Pakistan reserves the right for employing force. Therefore, inaction of one government militarily does not mean the future governments would not go for a hard decision either. Nothing is lost on Kashmir for Pakistan legally and politically, even if the national morale is quite low after the grim response. Pakistan just must follow the political realism and stand its ground, even if it is in a position of weakness. What it matters most for the weaker according to neo-classical realist approach is, “a stand,” and raising a voice which he calls as the weapon for relatively weaker state.

For Pakistan, the best option on Kashmir right now is to play a slow game of realpolitik with India. The objective of merger of Kashmir with Pakistan must not be shunned at the official level in Pakistani discourse. The legal means of “keeping Pakistan a party to dispute” must not be altered at any cost, even If the backdoor diplomacy is initiated or track I and track II are conducted among both states. Simply put, there must not be any future road map agreed and signed among both states which affects Pakistan's orthodox position on Kashmir.

5.3. International Water Treaty (IWT)

Kashmir does not only serve as a real estate or legal dispute for Pakistan, but it is also a lifeline because of its rivers, specifically the Indus which flow the entire length of Pakistan. Therefore, giving up on Kashmir is not in Pakistan's national interest in the long run. The water arrangement between India and Pakistan known as Indus Water Treaty (IWT) signed in 1960 is often threatened to be scrapped by the Indian leaders. Under this treaty Indus, Jehlum and Chenab was given to Pakistan. On the other side, Ravi Sutlej and Beas was given to India. India always took the advantage of rivers as the upper riparian country. Both states need to be in constructive engagements and bilateral relations to safeguard their national interest.

Since the BJP's stint in power in India, jingoism has been witnessed publicly at the political rallies by Indian political leaders asking for military action against Pakistan and quitting all the signed treaties with it. Indian media has long advocated that approach too since Mumbai attacks of 2008. If any such decision is taken by the Hindutva inspired BJP there is a war like situation between the two countries which will be unavoidable.

5.4. Flexibility on the Peripheral Issues

So, what can Pakistan do for the short term? There are multiple options geopolitically: the significant of all is sticking to the core issue, while showing flexibility on the peripheral issues to make way for the core issue's resolution which is merger of Kashmir with Pakistan. The two significant periphery issues to core Kashmir issue among many others which are strategically linked to Kashmir's policy are of terrorism and extremism in Pakistan. Pakistan must eliminate all forms of terrorism from within the country, including the groups associated with Jihad in Kashmir. Any policy which involves non-state actors' movement from Pakistan into Jammu and Kashmir has negative consequences for Pakistan at the diplomatic front. It is important to mention here that such a policy guideline is already pursued by the government of Pakistan; Prime Minister Khan as well as COAS Bajwa has reiterated that on multiple occasions that it is not in the interest of Pakistan to use militants in Kashmir. Khan stated back in August 2019 that people were asking him to send Mujahideen to the valley, but he is not in favour of it because Indian repression increases following that

approach. It does not mean to leave use of force altogether from the Kashmir policy. It must be there but at the defensive level for a time when Pakistan's economy and international reputation are enhanced.

5.5. Highlight Human Rights Violations

One of Pakistan's current political policy's tools is to expose India's human rights record in Kashmir. Pakistan has equated BJP with the German Nazi party of 20th century and has also termed Narendra Modi as Hitler on a mission of genocide in Kashmir by turning the valley into an open-air jail and giving a free reign of terror to its security forces. Why human rights approach will fail in Kashmir? That is a liberal argument not a realist, and nothing is more exploited in the modern world by the western powers than human rights. It is so politicized that it often ends up for debates only rather than any concrete actions taken against the offenders. But since most of the human rights abuses are committed by the western states, and they are powerful too, thereby nothing substantial has ever happened. Cases in point are Palestine, Iraq, Syria, and Afghanistan where hundreds of thousands innocent civilians are killed in the name of collateral damage and human shields. Modi simply followed these powers in trying to be a regional hegemon. Therefore, Pakistan's human rights approach no matter how emotional and workable it sounds on the media, does not help achieve its objective in the long run. However, for keeping the international community engaged, it can be used as rhetoric for the short term.

This leads us to the question that what should Pakistan do for the long term? Pakistan must build a democratic face which respects human rights and individual liberty and freedoms, and significantly has a tolerant society. In the long run, Pakistan must balance its relations with the entire global community keeping in view its national interests. The primary goal of Pakistan must be to achieve economic and military might as it increases a state's political clout in the anarchic international system where states compete for political power. It does not matter how long will it take Pakistan to reach an economic potential, more significant is to thrive for that objective, at the right time its moment will arrive where it exploits the Indian state's pain points. That is the moment when Pakistan can exert military pressure too on India.

5.6. Internal Political Stability

For that to happen, Pakistan must finish the internal political divide. Within Pakistan, there is an evident lack of coordination among the state institutes on Kashmir's cause. One of major reasons of Pakistan's policy failure on Kashmir is the policy being formulated behind closed doors, by elites, and without the know-how of public representatives. It is often taken to the parliament at the stage where they just react to Indian steps, for instance proceedings of the Pakistani parliament post August 5, 2019 show a confused house which starts its session with the holy verses of Quran commanding about jihad and ironically the session ended at the political taunt of prime minister saying "*to kiya hamla kar dun Hindustan par*" (shall I attack India?). For a successful political narrative on Kashmir, the policy must be institutionalized where direction flows from the parliament. And it is subsequently updated by the executive every quarterly. This way the policy has the public backing after being part of the public discourse. For the time being Kashmir seems to be at the periphery of Pakistani politics. Kashmir must be treated as a primary geo-political concern by the Pakistani state internally, and policy about it should be above political parties' politics and in front of public to be scrutinized.

After achieving an internal consensus, nothing adds better to a political discourse than sophisticated diplomacy based on realism and striving for the core issue of Kashmir. Qazi says only diplomatic assertions would not suffice on Kashmir as this course requires Pakistan to portray its image perfectly in-line with western values. There are intervening variables from culture to religion and other modern social values of freedom which are different than the west in Pakistan. Pakistan can portray itself as a peace-loving state as Prime Minister Khan has imagined, but Pakistan cannot change its social structure overnight developed over history. This socio-politico power dynamic is also the basis of clash among Hindu and Muslim communities of British India in 19th and 20th centuries that eventually got partitioned in 1947. India exploits Pakistan's state by alleging that it lacks democratic credentials and has a challenge of extremism and terrorism. All significant moves of Pakistani diplomats are diverted to these two variables and Pakistan is framed as a rogue state. In the long term, the significant goal for Pakistan must be to have an image of a democratic country respecting human rights and individual freedoms. This makes half of the work of

diplomats easy. Because rather than answering queries of the global diplomatic community on Pakistan's internal stability, they will be spreading Pakistan's narrative of a responsible and progressive state.

5.7. Role of Kashmiri Public Opinion and Diaspora

From the last decade Pakistan's Kashmir policy is mostly reactionary. On the other hand, India seems more ambitious. Increase in military, human rights violation, ban on E-Media and exploitation of young Kashmiris are going on. In all these circumstances the possible option for Pakistan is collaborating with the public of IoK. In view of these atrocities, Kashmiri people should raise their voice against it. Public walks, photograph exhibition and also apprise the youth about the sacrifices of Kashmiri freedom fighters.

Kashmiri diaspora can play its vital role in this regard. The diasporic organization established unified front and shows solidarity to Indian Kashmiris against the atrocities of Modi government. They should start the registered protest in USA, UK and Canada to display the Indian atrocities in the world. An active support by the Kashmiri public and diaspora can help Pakistan in internationalizing the dispute.

5.8. Maintaining relations with Major Power

Nevertheless, international system is based on competition and anarchic according to neo-classical realism. In such an environment of international mistrust and greed for power, interests dictate the policy. Therefore, the big powers rather than keeping up with the modern democratic values support interests based on the assumptions of political power, and for achieving this end strategic power is utilized. For counterbalancing the western powers, the eastern powers like China and Russia are key for Pakistan to expand the ties from traditional geo-strategic to geo-economics. Pakistan must expand its market to these countries linking the relations with business community which will transform the relation between people to people. There-by strengthening the relations. Not only this, but Pakistan must also cater to the CARs as well which are resource rich in hydrocarbons and Pakistan can benefit from them in the long run. Having such a strong interconnected regional economy pressures India in the long run to not get isolated regionally for the sake of west. It also serves

Pakistan's Kashmir cause, which is more closely linked to the Chinese Belt and Road Initiative.

Riaz Muhammad Khan, Pakistan's former foreign secretary advocated that Pakistan must stick to the UNSC's approach even if it does not do anything substantial. By contacting the UNSC Pakistan will keep reminding the body of Indian transgression. He also advised Pakistan to follow human rights approach where Pakistani diplomats must reveal to the world of India's utter disregard of the human rights in the valley. Khan was also of the view that material support must be provided to the Kashmiri home-grown insurgency if the evidence of genocide is mounting. Meanwhile, for any potential intervention and subversion in AJK and GB, Khan advised to take "pre-emptive political and administrative measures beside vigilance. We are not handicapped to take any advisable measures in consultation with the people, government and administration in these territories, if necessary, with the proviso similar to that adopted in the case of Pak-China boundary agreement that any agreement would be a subject to review in the remote eventuality of a Kashmir settlement."⁴

However, there are many others who believe that changing GB's status will mean change in the status of Kashmir. Pakistan's former high commissioner to India, Abdul Basit in September 2020 advised Pakistan not to merge GB as a response to revocation of article 370. He made these comments after Prime Minister Khan made an election promise in Gilgit to make the region part of Pakistan as a province, which was long demanded by the people.⁵ Basit's contention was that it could alter Pakistan's principled position on Kashmir at the UN.

5.9. Multi-Track Policy

Abdul Basit earlier on August 21, 2019, also recommended Pakistan a four-point solution on Kashmir through his social media post on Twitter. He advised that the National Conference in Kashmir must fight the revocation of article 370 in the Indian

⁴ Riaz Muhammad Khan, "Post-370 options?" *Dawn*, August 11, 2019, <https://www.dawn.com/news/1499274>

⁵ "Provisional provincial status for Gilgit Baltistan top priority: Imran Khan," *The News*, December 02, 2020, <https://www.thenews.com.pk/latest/752586-provisional-provincial-status-for-gilgit-baltistan-top-priority-imran-khan>

supreme court, secondly, he suggested that Pakistan must keep fighting the cause of self-determination diplomatically, thirdly he recommended the role of Pakistani and Kashmiri diaspora in the west to highlight Kashmir, and fourthly he asked Pakistan to help in “sustained political resistance in the valley and If India crosses red line then war.”⁶

Meanwhile, yet another Pakistan’s experienced diplomat, Ashraf Jehangir Qazi suggests a multi-track policy for Kashmir. He believes that “limiting Pakistan’s Kashmir policy to ultimately unavailing diplomacy and ‘lawfare’, is equivalent to a progressive surrender to India-created facts in IHK [Indian Held Kashmir].” For Qazi this is a tough situation for Pakistan, and it is pursuing only short-term policies, continuing with them for the longer run would mean acceptance of de-facto surrender. For Qazi, all approaches on Kashmir will have an element of risk associated with it. His six track Kashmir policy includes: through the UN by mounting continuous pressure on India; keeping India in check by following Genocide Conventions of 1948; helping in an active insurgency within Kashmir; unifying Kashmiri discourse for merger with Pakistan; the enhanced diplomatic battle on Kashmir keeping human rights agenda above all; and finally integrating all above approaches together to consolidating a practical Kashmir policy.⁷

Meanwhile, in February 2021, Abdul Basit criticized the ceasefire agreement between India and Pakistan and called it a wishful thinking by the leadership of Pakistan. He was also of the view that India will not respect the agreement and that it would be enforced for a very short period. He also questioned that why Pakistan was so restless for normalisation of relationship with India? He was of the view that if Pakistani leadership has decided to treat LoC as an international border than "it is okay." But at the same time, he warned Pakistan for having any backdoor diplomacy with India without the role of third-party. His assertions came from the fact that If Pakistan were engaging with India backdoors and at the same time criticizing it of taking unilateral actions, how would the world trust Pakistan? He stated that by doing so not only Pakistan as well as Kashmiris were at the loss. He lamented the PTI government of

⁶ “Backing armed resistance allowed under international law,” *The News*, August 20, 2019, <https://www.thenews.com.pk/print/514571-backing-armed-resistance-allowed-under-international-law>

⁷ Ashraf Jehangir Qazi, "Six-track Kashmir Settlement," *Dawn*, September 26, 2020, <https://www.dawn.com/news/1581701>

not having any real sense of the issue. He said that India was using bilateral bogie to take time and consolidate things in Kashmir. With backdoor diplomacy going, India would also convey to the Kashmiri public that Pakistan has abandoned Kashmir, therefore, they too must shun their resistance and do what India tell them to do.⁸

The symbolic acts like expelling envoys and banning any kind of trade and other cultural activities does not translate into a long-term success for Pakistan other than sensitizing its own population over the issue. The communication blockade, converting valley into prison, and impunity are some of the key areas which are not sustainable in the long run for India, and these are what Pakistan too needs to exploit diplomatically.⁹ It must be understood in Pakistan without any emotionalism that at the international level, Pakistan lacks power of persuasion, and it has a position of weakness if seen through Neo-Classical realism.

Geo-strategically, what happens If Pakistan responds military given the fact that it is a party to the conflict and have every right to stop India from altering the status of Kashmir? There are multiple options in this regard to look for in Kashmir. For an immediate response, a limited war scenario erupted first in February 2019, and then in August 2019 however Pakistani leadership preferred restraint. The public justification for such an approach came in shape of avoiding a nuclear war.

However, there are multiple angles to look for here, one, it was propagated that Pakistan's conventional prowess is not matched with the Indian military therefore war with India is not a realist option, second, it was widely believed that since Pakistan's economic position was not sound hence a war with India will starve it, third, it was also speculated by the liberal intelligentsia that Pakistan has been isolated and even China would not step in, in case of war. Nevertheless, most of these assertions were based on mere assumptions. There was a short window in August 2019 for a military response by Pakistan for a limited scale which could have forced the UNSC to issue a statement on the issue and coerced India for not only reversing the decisions but also resolving the issue. This was Pakistan's chance to internationalize the issue with the

⁸ “‘Kashmir is at loss’: former Pakistan HC to India on Indo-Pak bonhomie,” *The Kashmir Walla*, February 27, 2021, <https://thekashmirwalla.com/2021/02/kashmir-is-at-loss-former-pakistan-hc-to-india-on-indo-pak-bonhomie/>

⁹ Nishank Motwani, "Anticipating Pakistan's Next Move on Kashmir," *War on the Rocks*, January 6, 2020, <https://warontherocks.com/2020/01/anticipating-pakistans-next-move-in-kashmir/>

third-party interference stalled since 1965. The liberal assertion about China also proved wrong as it invaded Ladakh in December 2020 and occupied the disputed territory in the region. More recently, in May 2021, its foreign ministry spokesman has taken a detailed account of Kashmir's historical disputed positions and hinted at China's permanent role in the region.¹⁰

5.10. Avoid Military Engagements

Notwithstanding, for multiple reasons Pakistan did not use hard power and preferred a soft stance, which eventually was taken as a position of weakness by the international community, and India was able to consolidate gains in the valley. Many journalists and advocacy groups in Pakistan with liberal leanings dissuaded Pakistani leadership for taking any tough stance on Kashmir. Their justification was a nuclear war. While the threat of nuclear war is very much real however, it is always the escalation ladder that decide things to go worst from bad. In the current globally connected world where environment is shared by all and its conservation is a shared goal, it is difficult the world can allow two nuclear powers to engage militarily for the long run. This is where serious UNSC's pressure arise too. Otherwise, they have taken it for granted that Pakistan's response would be low key.

It is also significant to note that India's recent strategic shift has taken place from COLD START to engaging Pakistan in a limited war below its nuclear threshold, which means India has offensive designs for the Kashmir region in its policy. Therefore, Pakistan must remain vigilant for a defensive offensive in the long run in Kashmir. It is certain that any future war over Kashmir will neither escalate to a nuclear level nor last for too long before international diplomatic intervention arrives. And furthermore, India will also not risk a full-blown war at the international borders keeping in view the Pakistani nuclear capability and threshold which is unlike 1965. War for India in practical sense would be different than what it has imagined on papers. Ideologically motivated policy decisions based on religious superiority and converting Kashmir back into the abode of Hinduism is a recipe of disaster militarily,

¹⁰ "Senior Chinese diplomat blames British colonialists for injecting 'poison of hatred' in Kashmir's body politic," *The Economic Times*, May 29, 2021, https://m.economictimes.com/news/international/world-news/senior-chinese-diplomat-blames-british-colonialists-for-injecting-poison-of-hatred-in-kashmirs-body-politic/amp_articleshow/83043975.cms

and having the same Hindutva inspired leadership in Delhi with futuristic designs of demographic change such a disaster is eminent.

So, one window of military response is closed for the time being, as if Pakistan flexes its muscles now, it will be taken as an aggressor and India will be supported by the international powers. But there can emerge another window keeping in view the hegemonic designs of the Indian state. For any future aggression of India, Pakistan must show hard power – it is not without the risks of life and economic loss – but then every way has risks. A hard power approach on the other hand revives the national morale and unity, as well as forces the big players to take Pakistan seriously. For any future war on Kashmir, Pakistan must not repeat the mistakes of the past as well by not owning the offensive – for instance in cases of “Operation Gibraltar” in 1965 and Kargil war in 1999. Any military intervention on Kashmir must come from the regular forces by following the international law and showing the world the state of Pakistan means business. This saves Pakistan from terrorism narrative as well, and furthermore, the former Mujahideen of Kashmir can be incorporated in “Mujahid force” of the Pakistan army after disarming, debriefing, and reintegrating them. It saves these Mujahideen from wearing a way of authority as well, as well as halting them from any unilateral moves on Kashmir which may put Pakistan in a difficult situation.

In any future war with India over Kashmir, the Pakistani air force will be a deciding factor. It has been repeatedly observed in wars and minor clashes with India that Pakistani air force made the difference and came out as a success story. In recent clash in Kashmir the Pakistani air force downed two Indian jets in Kashmir. Therefore, it is wise to modernize Pakistani air force with sophisticated technology. Pakistan is already doing it with the help of China in developing fifth generation JF-17 Thunder aircrafts. Moreover, post 2001, it has been the norm world over that war strategies have been changed. It is not the size of the army that decides the winner of a war but a viable strategy, superpower like the US has been forced to leave Afghanistan and the Middle East by insurgents by exhausting the US in a long-term engagement. Therefore, for gains in Kashmir a practical strategy is must. A strategy which involves better equipped ground and air force. Significantly, the indigenous

insurgency is a must for Pakistan in Kashmir to exploit. Similarly, having major regional allies at Pakistan's side will be a plus for manoeuvring.

Keeping long term goals aside, one of the best approaches for Pakistan in the short term is to also monitor silently the mistakes being committed by Modi. His irrational agenda of Hindutva is already being criticized within and outside India. The more he opts for hard-line approach within India the more it gets destabilized. It has been noted in Delhi riots of 2020, the farmers protest of 2020, and handling of COVID-19 response which was one of the weakest among global community. Therefore, there is a great potential of India taking wrong decisions which will benefit Pakistan both militarily as well as diplomatically. As discussed in chapter 2 “Bajwa doctrine” also advocates for wait and see approach however that approach also reduces the possibility of any limited war between India and Pakistan over Kashmir. For tactical reasons, avoidance of war in the short term could be wise, however, not preparing for it in the long run is too idealistic with ignoring the nature of political power and self-interests of Pakistan.

As a policy matter, a political office for Kashmiri political leaders in Islamabad is a must at this moment. It will provide legitimacy to not only Kashmiri leaders in exile but through these dissenters Pakistan has the potential to spread discord among many other Indian politicians dominated by the BJP. Thereby, such a move will make India busy within India, and then Pakistan exploiting it through hybrid warfare. The key here is to highlight India's policy in western media in all its forms so that the coverage is large scale. This helps Pakistan winning over the western people. Unlike the global south, all states in the west are listeners of their people - therefore, even if the western states are aligned with India for geopolitical reasons the people must be won over by Pakistan for achieving the geo-strategic ends in the long run.¹¹

5.11. Tourism Opportunities

Pakistan can achieve it by opening to the world. Its tourism has a great potential, and it can attract many westerners in the country. However, it is important that face of Pakistan is posed as progressive and freedom loving which inspires travellers to visit

¹¹ Motwani, "Anticipating Pakistan's Next Move on Kashmir,"

here. Pakistan state will have to introduce reforms in this regard which makes Pakistan a happy destination for tourists rather than attracting only adventurous visitors interested in mountaineering. Pakistan has multi-cultural society with a lot of history and archaeology to explore, including the religious tourism as it has the most significant artifacts of Buddhism. This creates a separate industry in the country and will result in the economic development of Pakistan as well. But openness and shunning rigidity is the key here. It also helps Pakistan in eliminating extremism from the society.

5.12. Economic Engagements

Additionally, economic development for Pakistan is crucial to stand hard times like unilateral step of India in Kashmir. Pakistan must enhance its trade potential. It has a gifted geography which acts as a bridge between the east and the west. It must use it to its full potential and must open to the CARs, Afghanistan, Iran and Turkey to form a traditional and historic geo-economic alliance of Muslim forces. Pakistan can play a significant part by initiating a visa free regime in this region. This single step will boost trade multiple folds in the region. Textile, agriculture, and IT sectors are crucial areas where Pakistan can invest initially. The key for Pakistan is to not only act as a bridge for these countries but also participate in the industrial economics which will be a sustainable development in the long run. Similarly, Pakistan must also expand its trade ties with the European states by providing them with cheap production houses as well as industries. Textile serves the interest best of Pakistan, but for that it must revive its cotton crop as well so that raw material is not imported. With Latin American and African states Pakistan can keep a defence commercial partnership where Pakistan can sell them weaponry. The focus of the geo-economic policy of Pakistan must be to sell as many Pakistani products as it can in whatever domain it can, all of it benefits in the long run.

5.13. Post Script Scenario

In the most recent decade, India shunned the third party mediation. Its foreign policy seems suspicious. India considered revocation of article 370 as their integral issue. . Although Pakistan's reaction to India's illegal action has been not proactive. Most analysts see Islamabad as having little credibility on Kashmir, given its long history of covertly supporting militant groups there. Pakistan's leadership has limited options,

and renewed Pakistani support for Kashmiri militancy would be costly internationally. Pakistan highlighted the issue as breaching of International law i.e. United Nations Resolution.¹² Foreign Minister of Pakistan announced that Pakistan will bring the Kashmir case to International court of Justice. Although the decision of ICJ will be advisory only till both states agree on it.

In response to the recent abrogation of special status, Beijing's support of Pakistan's request for U.N. involvement led to "informal and closed-door consultations" on August 16, a session the Russian government agreed to join. No ensuing statement was issued, but Pakistan's U.N. Ambassador declared that the fact of the meeting itself demonstrated Kashmir's disputed status, while India's Ambassador held to New Delhi's view that Article 370's abrogation was a strictly internal matter. No UNSC member other than China spoke publicly about the August meeting, leading some to conclude the issue was not gaining traction.¹³ Meanwhile, International community refrained India from human rights violation.

Finally, applying the concept of neo-classical realism to the entire discussion here, recommend that Pakistan must not "escape from power" in a similar manner in which the US was escaping from it in the interwar period. Neo-classical realist stated, "power, however limited and qualified, is the value which international politics recognizes as supreme."¹⁴ Security can be gained by becoming more powerful in the political arena. Therefore, Pakistan must focus more on the strategy and national morale which can prove as significant elements in boosting Pakistan's power. The diplomatic options no matter how eloquently presented will serve only for the short period of time.

Power derived from the all level of analysis is supreme in international politics according to Neo-classical realist. Therefore, international politics is "struggle for power" and states are ambitious in achieving it. They believed that interests and security must be defined in terms of power and a state's foreign policy thus revolves around the variable of power. For realists ethical considerations are valued by a

¹² Kronstadt, K. Alan, "Kashmir: Background, recent developments, and US POLICY," Congressional Research Service (2019): 10-11.

¹³ Ibid.

¹⁴ Hans. J. Morgenthau, *Scientific Man vs. Power Politics* (Chicago: University of Chicago Press, 1946), 101.

weaker state against a powerful state in the international system. Even If a state leaves the “big stick” policy and convert to periphery political and economic issues it does not mean the state has left the pursuance of power. The state adopts an alternative path rather, where it substitutes political power with the economic.¹⁵

So, for, a power policy, keeping in view the code of ethics is irrelevant. For him ethics are not taken care by the strong whereas, the weaker just advocate it for the legitimacy of the argument which however is not respected by the strong. Same has been happened with Pakistan for the last three decades in Kashmir where it championed the cause of showing to the world the Indian brutality against innocent civilians, however, no one listened to make a difference in the lives of Kashmiris.

National interest is an objective phenomenon of foreign policy. Just like drew parallels between former Soviet Union and the US, same scenario is drawn here in case of India and Pakistan. He was of the view that Soviet Union and the US were competitors in every domain of life from power to economics to even political philosophies. Same is the case with India and Pakistan. Perhaps, the rivalry here is more given the fact that both share a shared history.¹⁶ Analysing it in context of India and Pakistan, it is observed that whether INC or BJP ruled India, their policy on Kashmir was same, which was its integration to Indian union and changing the demography of the state. For Pakistan, even If its position does not allow a hard approach for the time being it must prepare to take one in the future.

Communist Russians and Christian Russians rivalry: an example in history. He asks how would the west respond if the Russians started exerting influence across the Rhine River? He answers that it does not matter whatever ideology the Russians follow, the response by the west would have been similar in either case.¹⁷ India and Pakistan have similar situation. The argument of Hindutva and fascism is fashionable as well as the argument from a position of weakness. Pakistan and India fought three wars on Kashmir regardless of the nature of political philosophy in power in India.

¹⁵ Hans. J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace* (New York: A. A Knopf, 1948), p. 22.

¹⁶ *Ibid.*, 62.

¹⁷ *Ibid.*

The legality and illegality of the phenomenon does not matter what it does matter is “incompatible foreign policy objectives.”¹⁸ Neo-classical realists while elaborating self-interest detailed how negotiated settlements are not taken care of by the strong, and that these are always used for the exploitation of the weaker states. Negotiated settlements are not respected most often by an imperialistic power.¹⁹ India too does not honour the international agreements signed with Pakistan. And like discussed on many occasions in this study that on Kashmir it claims "bilateral issue" in front of the UNSC, whereas, to Pakistan it maintains that it is an internal matter not to be discussed with Pakistan. Meanwhile, like discussed above it also hints at not honouring the international treaties in future, for instance the IWT. So, it clearly shows how India is following realist doctrine.

But can Pakistan too follow the same course? Realist is of the view that there are nations that are immune to international “iron law” while others are not.²⁰ The weaker states that are not in position of changing the balance of power must stick to the policy of status quo and should uphold the treaty obligations. Whereas, powerful can disband less powerful. Here in case of Kashmir, India did not care of any treaty or conventions based on universal moral principles. It blinded hundreds of unarmed protesters with the use of pellet guns in various districts of the Kashmir valley. It also did not care about international humanitarian law and has disappeared thousands of Kashmiris without any legal charges.

Concluding the discussion, national interests being above universal moral principles which are binding upon states are significant to mention. He advocated obeying only those moral norms which serves self-interests, and hence national or state interests, based on the objectivity of individualist approach. A significant position which takes is of following prudence in achieving and assessing the relative power. So, what does the prudence advocate for Pakistan post article 370 revocation? Status-quo suits Pakistan in the contemporary situation as asserted. It can dictate its terms openly when it achieves the power parity, till then Pakistan by following short term mediating variables can benefit from exploiting the issue from the angle of human

¹⁸ Ibid., 146.

¹⁹ Ibid., 143.

²⁰ Ibid., 144.

rights, genocide, legal rhetoric and diplomatic manoeuvres as far as soft power is concerned, and in the hard power scenario it must strike back in defensive offensive when India violates either sovereignty of Pakistan or undertake demographic change in the valley, thus causing imbalance to the population by employing methods of apartheid.

Conclusion

Kashmir remains a bone of contention between India and Pakistan even after 73 years since partition of British India in 1947. Both states have fought wars as well as engaged in diplomatic battles but to no avail. India since 1947 followed realism and acted shrewdly to grab the Muslim majority land for its strategic purpose which was based on defence of India against China. Pakistan while pursuing the realist policies could not take hold of the land because of lacking in power. It employed every option in its domain but the international system preferred India and never took an action which could have gone against the wishes of the Indian state. This study has considered Pakistan's Kashmir policy in detail. Not only it focused on the study period from 2016 to 2019 but also provided in-depth historical account to make sense of the current dynamics.

Historically, Pakistan's policy towards Kashmir is not consistent. The disputed territory remains the core issue and cause of mistrust in Indo-Pak relations. Pakistan remains with the stance of internationalization of Kashmir issue based on the United Nations Resolution. Moreover, the Pakistan's Kashmir policy is always influenced by the relative power of two nuclear states regarding disputed territory. Domestic factors like political instability since inception of Pakistan, leader's interest and their cognitive capabilities, insurgencies role and economic distress were the main flaws in Pakistan's policy. International community also did not respond effectively till now. In contrary to that, India who took the dispute to UNSC itself overlooked the resolutions and considered them not binding. It's stance regarding the dispute is bilateralization policy and authenticated their stance with the Simla Agreement. Pakistan authenticated its stance by clearing the fact of referendum policy and remains stick to its traditional policy towards Kashmir.

Pakistan's Kashmir policy from 2016 - 2019 is not proactive. On the other side, Indian policies under the Modi government is different from previous government. It is a roller coaster ride from one extreme to another. By extremes I mean war and peace, where both kill and get killed for the land as well as get into good terms on occasions as well. In 2016, the PMLN government in Pakistan was trying to ease tensions with India and planning to chalk out a mechanism for Kashmir. The policy

erupted out of the historical decisions of Nawaz Sharif which he took back in 1997 and subsequently signed Lahore declaration in 1999 after which he was ousted from power. He wanted to make sure that he remained in the driving seat for making a policy on Kashmir. However, like always he could not move well with the country's strong establishment.

Modi government came into power in 2014. He took coercive measures and came with the specific agenda regarding Kashmir. Massive Human rights violations were started and increase in the militarization was seen. India wanted to follow the footsteps of Israel in Kashmir. However, UN issued a report in response to extreme use of unethical measures in valley. On the other side, Nawaz Sharif's soft policies did not work well. Sharif's government had contradictions with military establishment. It is alleged by various politicians and journalists that he was ousted from power again at the behest of military.

After Sharif's ouster, his party remained in power though, but the policy on Kashmir was not specific. It was simply following Pakistan's orthodox position of UNSC resolutions. He could not convey Kashmir issue effectively on international forums. The ambiguity remains intact and policies and even the representation in international forums were not assertive. The twist to Kashmir policy came when the new government of Imran Khan arrived in Islamabad. Khan offered India talks in his election victory speech and urged it to resolve the longstanding issue of Kashmir; however, Indian Prime Minister Narendra Modi was too arrogant and did not pay heed to Khan's call. Moreover, Khan's government and military relations are considered cohesive and mostly on same page.

Post 2016, new wave of freedom movement was started. India was also terming the indigenous freedom movement of Kashmir as terrorism to the international community. In his speeches to the public, Indian prime minister repeatedly took pride in separating East Pakistan and claimed of fomenting discord in Balochistan against the Pakistani state. In fact, Pakistan captured a serving Indian Navy commander, Kulbushan Yadav on a mission of espionage in Balochistan in 2016. India was doing this to counterbalance Kashmir.

Such was the scenario when the new government of Khan took reigns of Pakistan. India in its bid to pressure new government in Islamabad started war mongering against Pakistan. In mid-February 2019, a suicide attack in southern Kashmir's Pulwama district started a blame game by India. Consequently, on February 26, 2019, in the early hours of morning its air force crossed LoC in Kashmir and even violated Pakistani airspace and dropped bombs at a hilly area in district Mansehra of Khyber-Pakhtunkhwa province. India claimed it was a militant camp, however, later the international media showed it to be a religious seminary with no signs of any militant activity. There were no casualties in the failed attack of Indian air force.

This was a big strategic shift in 50 years, as post 1971 there was no crossing of airspace of Pakistan by India. The attack was celebrated in India, it was said that Pakistan was taught a lesson – India even went on to claim that 300 militants were killed in that facility, however, without any evidence. The next day, Pakistan responded in kind and its jets crossed LoC and dropped payloads in an open field near Indian military installations. While chasing Pakistani jets, two Indian air force fighter planes were shot down by the Pakistani air force as well. Pakistan acted responsibly in the clash with India, it showed the world that it cares for regional and international peace despite having military capability. Pakistan's Prime Minister in a good will gesture even released the Indian pilot in custody who was shot in AJK.

Still, Indian jingoism did not subside. Modi with its anti-Pakistan narrative in April-May 2019 general elections in India. One of his significant election promises was to merge Kashmir with India by removing articles 370 and 35-A providing state of Jammu and Kashmir a unique status in the Indian constitution. Modi secured a two-third majority in the election and went ahead with annexing Jammu and Kashmir on August 5, 2019. Before taking such a step he converted the entire valley into an open-air jail and arrested all prominent Kashmiri politicians so that no protests can be organized against the decision.

Pakistan's response against the revocation of article 370 was diplomatic. It did not employ military means even though it was a party to the conflict and India took a unilateral action in Kashmir. Pakistan immediately went to the UNSC and recorded its protest. The UNSC did not issue any joint statement neither it asked India for reversing its decision. Similarly, Pakistan also halted its diplomatic relations with

India as well as all trade activities were also stopped. Prime Minister Khan told the international community that it was ignoring a regional act of aggression which is endangering not only regional but international peace, because both India and Pakistan possess nuclear weapons and any wrong decision can lead to a catastrophe.

As a policy framework, Khan told the Pakistani parliament that war was not an option with India as his agenda was to take the people out of poverty in Pakistan. He was of the view that going into war is an easy thing but coming out of it is a difficult task. He gave example of Afghanistan and other states in the Middle East who are ravaged by the wars. Khan's policy was to fight Kashmir on the diplomatic ground and make the world aware of the Indian atrocities. Therefore, Pakistan opted to expose Indian human rights excesses in the valley and a planned genocide and demographic change by it to the world.

Why Pakistan's response was so weak? Many observers within Pakistan and outside termed Pakistan's policy weak. But this policy was a result of so many internal and external challenges Pakistan was facing. Internally, it can be termed as Social, economic, political and security instability were there in Pakistan. Pakistan was going through a worst economic crisis, the society was politically divided and had no shared agenda on Kashmir, this reflected quite well in the Pakistani parliament too when a joint sitting of it was convened in early August. Politicians were criticizing each other of domestic issues rather than arriving at a proper policy for Kashmir. Internally, Pakistan's military was also engaged in countering terrorism in two key areas of Balochistan and former FATA. Meanwhile, there was also Afghanistan problem in its backyard as well. So, opening yet another front in the east was unwise. Externally, Pakistan had received only support in shape of China, and even KSA and UAE did not raise any concerns against the Indian step. Yet another variable was the US support for India who supports India as a satellite state against China. Apart from these variables, a significant variable is Indian large market as well which no major state wants to lose. These were Pakistan's major realist challenges both diplomatically as well as militarily in a cold response after revocation of article 370.

Recommendations

However, all is not lost on Kashmir, Pakistan has the entire field open in front of it to play a slow game of realpolitik against India by following short term approach and the mediate the systemic approach towards Kashmir with calculations and predictions. Pakistan must consider the relative power and focus on the capabilities which are supreme for any state and those are achieved through power and power is not acquired through textbook discourse rather it is acquired through shrewdness. In a game of real politics, the policy of soft power will not help Pakistan in the long run because for major powers treaty obligations and ethical considerations such as human rights violations and genocide does not matter. This is exactly what India is following in Kashmir as well. However, Pakistan is a developing power, and it cannot sit idle if it is not as powerful as India. Pakistan from the position of weakness must stick to its rhetoric to keep recording its stance in front of international institutes and global community. In the short term, the diplomatic struggles need to be enhanced by spreading Pakistan's stance widely.

In the long run, Pakistan needs to act shrewdly. Pakistan needs to evaluate the current scenario and adopt the strategy with the consensus of the mediating internal factors and then it can mobilize the resources according to its interest. Attaining military and economic power must be its goal. This can be done through the policy of regional openness with China, Russia, CARs, Turkey, Iran, and Afghanistan. Free trade and military engagement with these states will help Pakistan boost its economy and military potential, as well as isolate India within this region. Importantly, Pakistan also needs to balance its relations with the major players in international system. On Kashmir, Pakistan must never leave its traditional position and shall not agree or sign any document which agrees to the annexation of Jammu and Kashmir by India. The rationale for it is that, Pakistan is not in a strong position today, it will be tomorrow, and then it will need a claim on Kashmir to complete its agenda of merging Kashmir with Pakistan. Therefore, any dialogue with India which accepts annexation is against the national interest of Pakistan.

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