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to South Asia; Strategic Insights, v. 5, issue 4
(April 2006)**

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Strategic Insights, v.5, issue 4 (April 2006)

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Pakistan's Kashmir Policy after the Bush Visit to South Asia

Strategic Insights, Volume V, Issue 4 (April 2006)

by [Peter R. Lavoy](#)

Strategic Insights is a monthly electronic journal produced by the [Center for Contemporary Conflict](#) at the [Naval Postgraduate School](#) in Monterey, California. The views expressed here are those of the author(s) and do not necessarily represent the views of NPS, the Department of Defense, or the U.S. Government.

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Introduction

The visit by U.S. President George W. Bush to India and Pakistan during the first week of March this year is rightly viewed as a turning point in U.S. relations toward South Asia for two reasons: first, for formally “de-hyphenating” India and Pakistan in Washington’s worldview; and second, for producing a landmark agreement on civilian nuclear cooperation between India and the United States that will “legitimize” India’s status as a nuclear weapon state, open the door for foreign reactor sales and technological assistance, and bring India more fully into the international nuclear export control regime.

Both of these landmark changes have been subject to tremendous debate and criticism inside India, the United States, and many other countries; but perhaps the most notable outcome of the President’s trip was a dog that did not bark—the absence of any major U.S. policy initiative on the longstanding India-Pakistan dispute over the political and territorial status of Kashmir.

In the joint statements issued by President Bush and Indian Prime Minister Manmohan Singh in New Delhi and by President Bush and Pakistani President Pervez Musharraf in Islamabad, no reference was made to Kashmir.^[1] In India, Bush told reporters, “India and Pakistan have an historic opportunity to work toward lasting peace. Prime Minister Singh and President Musharraf have shown themselves to be leaders of courage and vision. And I encourage them to continue making progress on all issues, including Kashmir.”^[2] Bush made a similar remark in Pakistan in response to a journalist’s question about the long-standing dispute: “The best way for Kashmir to be resolved is for leaders of both countries to step up and lead.”^[3] In other words, Washington now sees Kashmir as a bilateral matter between India and Pakistan. The United States will surely try to nudge the composite dialogue forward, but it will not play a major role in trying to mediate a political settlement in Kashmir.

On the one hand, the reluctance of the Bush administration to take a more active stance on the Kashmir dispute when so much already occupies its foreign policy agenda is understandable. After all, Kashmir has proved to be the most intractable territorial dispute in the world,^[4] and attempts by previous U.S. presidents to resolve the issue (especially Eisenhower, Kennedy, Johnson, and Clinton) had ended in frustration and bitter feelings among all of the interested parties. On the other hand, this dispute has been the cause of three major India-Pakistan military

conflicts and is the main obstacle that stands in the way of India realizing its ambition of playing a major political role on the world stage, an ambition that many in the Bush administration share.

The unwillingness of the U.S. government to take a strong stand on Kashmir not only makes the dispute that much more difficult to resolve. But it also could have the unintended consequences of exacerbating political tensions between New Delhi and Islamabad, possibly producing greater instability inside Indian-held Kashmir, complicating what already is a precarious military situation along the Line of Control (LoC) that divides the portions of Kashmir that India and Pakistan administer, and reducing the capacity of the United States to manage the next Indo-Pakistani crisis.

This essay analyzes Pakistan's frustration with the diplomatic dialogue with India over Kashmir and shows how the Bush visit to South Asia, and especially the U.S. administration's reluctance to take on the Kashmir question, has set in motion certain dynamics that could make South Asia one of the world's most dangerous place once again unless all three governments—Washington, New Delhi, and Islamabad—act quickly and decisively to put the normalization of Indo-Pak relations back on the front burner.



President Bush with the leaders of India and Pakistan in early March this year.

Pakistan's Kashmir Policy before the Bush Visit

Over the last few years, Pakistani President Pervaiz Musharraf has led a radical transformation of Pakistan's position on the Kashmir dispute. Soon after the moribund political dialogue between Pakistan and India resumed in early 2004, President Musharraf jettisoned Pakistan's fifty-plus-year insistence that the final political disposition of Kashmir must turn on the outcome of a plebiscite, as mandated by the United Nations in 1948, with Kashmiris themselves deciding to join either India or Pakistan. Instead, Musharraf offered several fresh ideas—demilitarizing all or parts of Kashmir, parceling Kashmir into seven geographical regions (five currently under Indian control and two with Pakistan), and considering novel political formulas for each, possibly including joint control or a United Nations mandate. Most importantly, these novel negotiating positions were backed by a pledge to end Pakistani support for militancy as a means to weaken India's hold over Kashmir. The dramatically reduced infiltration of Pakistan-based militants across the Line of Control (LoC) and the significantly lower incidence of violent attacks in Indian-held Kashmir would suggest that President Musharraf was sincere and that he had the power to overcome political and military lobbies opposed to giving up Pakistan's covert management of the fifteen-year armed struggle for Kashmir.^[5]

Pakistan's radical departure from past policies on Kashmir raises an important pair of questions that have bearing on the future of the Kashmir dispute, India-Pakistan relations, and the role of the United States in South Asia.

- First, why did President Musharraf abandon Pakistan's military approach to the Kashmir dispute? Was this a fundamental policy shift or a temporary, tactical reorientation? In particular, what role did the Kargil conflict, the 2002 India-Pakistan military standoff, and the U.S.-led global war on terrorism play in altering Pakistan's strategic calculations?
- Secondly, if India fails to reciprocate Pakistan's recent flexibility at the negotiating table, how long will President Musharraf remain committed to a peaceful settlement of the Kashmir dispute? If the Indo-Pak political process breaks down again, what new policy will Pakistan pursue toward India and Kashmir? Should we expect a renewal of military instruments, such as the resumption of Pakistani support for the insurgency or even another Kargil-like military adventure?

This essay draws on information gained by the author on a trip to Islamabad and Rawalpindi during December 13-22, 2005. What follows are two main sections organized around each of the question sets identified above.

Understanding Musharraf's Policy Shift on Kashmir

Pakistan's shift in strategy on Kashmir, which began in late 2001 and continues to evolve even now, was in part a rational response to Washington's dramatically changed foreign policy priorities after the September 11, 2001 terrorist attacks. It also was a reaction to India's intense military pressure after the December 13, 2001 terrorist attack on the Indian Parliament. But it was just as much an outcome of the Musharraf government's carefully calculated strategy to alleviate Pakistan's strategic overreach on its eastern and western borders and to concentrate resources on its economic growth and internal security.

During the 1990s, Pakistan's support for the Kashmir insurgency—just like its embrace of the Taliban in Afghanistan—had its roots in a strategic mindset that was shaped by isolation from the West and by a new sense of military opportunities revealed by the dramatic victory of the *mujahideen* over Soviet armed forces in Afghanistan. If religiously inspired militants trained and equipped by Pakistan's Inter-Service Intelligence Directorate could defeat a superpower, surely they could make the Indian government pay an excessively high cost for retaining the portion of Kashmir it has held since the conclusion of the first Kashmir war in 1948. Especially during a period of "self-help" when Pakistan was isolated from the United States and other Western powers (after Washington's imposition of Pressler amendment sanctions in 1990), this approach to the Kashmir issue made sense to a wide swath of Pakistan's political and military leadership.

Significantly, nobody seemed to mind. Throughout the 1990s, the United States referred to Kashmir as a bilateral dispute between India and Pakistan, and did not put any real pressure on Islamabad to curtail its support for the insurgency.^[6] Similarly, Europe, Japan, and even Russia seemed to share Washington's concern for the plight of the Muslim majority population in Kashmir under an often-harsh Indian occupation and refrained from condemning Pakistan's involvement in militancy. Pakistan's policy also enjoyed China's tacit support and Saudi Arabia's active financial assistance and moral backing. Even India tolerated the insurgency. Although it blamed Pakistan for aiding the militants, it did not apply any real pressure on Islamabad to back off.

However, international opinion changed dramatically after the Indian and Pakistani nuclear weapons tests of May 1998, a revision that Pakistan's leadership did not fully appreciate until its troops were found in occupation of a 400 square kilometer section in the mountains of Indian-controlled Kashmir in the Spring of 1999. Many complicated considerations and calculations

motivated Pakistan's Kargil operation, including a desire by some senior military officials (most notably General Musharraf's Chief of General Staff Lt. General Muhammad Aziz, who himself is an ethnic Kashmiri) to resuscitate what had become a flagging insurgency in Kashmir. However, none of Pakistan's military or civilian leaders appreciated that the international community now viewed military conflict between nuclear-armed India and Pakistan as unacceptable and would move against the initiator of irresponsible military action. The Indian government also came to view the competition along the LoC in different terms after 1998. New Delhi was loathe to permit the Pakistan army to manipulate the risk of nuclear escalation to alter the territorial or political status quo in Kashmir, and thus reacted with unprecedented determination to oust the intruders from the Kargil heights.

General Musharraf, who had approved the Kargil operation very early in his tenure as Chief of Army Staff, subsequently recognized that this operation had been poorly planned and/or executed. To this day, it is not clear if the main reason for the over-extended tactical position and poor preparation of Pakistani troops along the Kargil heights was caused by the exuberance of younger officers and terrain conditions that made oversight difficult or by the decisions of operational commanders, such as the 10 Corps Commander, Lt. General Mahmud Ahmed, and the Commander of the Force Command Northern Areas (FCNA), Major General Javed Hassan, who might have pushed the incursion deeper for their glory and ambition. In any event, in a climate of rapidly deteriorating civil-military relations in Pakistan, General Musharraf was unwilling to acknowledge the army's culpability in the Kargil fiasco—in part because Prime Minister Nawaz Sharif had approved the operation.^[7]

Simultaneously, he was eager to revive the political normalization process that had begun with Indian Prime Minister Atal Behari Vajpayee's impromptu bus ride to Pakistan and the Lahore declaration, but which just as rapidly foundered during the Kargil crisis.

In the aftermath of Pakistan's withdrawal from Kargil, and with tensions growing at the same time between the Taliban regime in Afghanistan and the Pakistan government, and intensifying U.S. pressure on Islamabad to distance itself from the Taliban and its al Qaeda clients, President Musharraf began to reconsider Pakistan's strategy toward its eastern and western flanks. And then the September 11, 2001 attacks occurred. Although Pakistan's policy toward Afghanistan and India had changed precious little on the ground prior to September 11th, the mindset of the Pakistan leadership had changed appreciably.

Musharraf's strategic nightmare scenario is for the United States to support India and Afghanistan in their political hostility and territorial ambitions against Pakistan. After the September 11 attacks this became a distinct possibility, thus Musharraf moved quickly and aggressively to alter Pakistan's policies toward Kashmir and Afghanistan. To address the question this section began with, this was a fundamental policy shift, not a temporary, tactical reorientation of Pakistan's strategic priorities. Most significantly, Pakistan no longer believes in the strategic or political utility of arming and training militants to fight against Indian authority in Kashmir.

This is not to suggest that Pakistan has turned *against* these militant groups. Pakistani military and intelligence agencies now appear to be pursuing a policy of keeping close contact with all of the militant groups operating in and out of Pakistan. The concern in Islamabad and Rawalpindi is that if Pakistani authorities ban a particular group, it quickly will splinter, and once it splinters, then the new organizations will become more radical and less susceptible to governmental influence. Thus, the government continues to stay engaged with militant groups, but through its engagement policy, it attempts to wean them away from militant activities.

Pakistan's policy shift on Kashmir is very significant, but it is not necessarily permanent. The next question to examine is if India does not show an appreciation for the Musharraf government's altered approach to the Kashmir militancy or reciprocate its positive overtures at the negotiating table, how long will Pakistan remain committed to a peaceful settlement of the Kashmir dispute?

Anticipating the Future: a Return to the 1980s?

President Musharraf has braved a considerable amount of public political opposition, and presumably plenty of internal dissent, in pursuing a softer policy on Kashmir. In previous statements, he has said that he believes that Indian Prime Minister Manmohan Singh is sincere about the peace process, and he has indicated his hope that Singh could prevail upon the Indian military and bureaucracy to accept a compromise solution with Pakistan on the Kashmir dispute.[8] This view of Singh was still implicit in more recent Pakistani statements, but it appears that after the Bush visit, Islamabad is more pessimistic about the progress of Indo-Pakistani talks.[9] The Pakistan leadership now seems to consider that the composite dialogue with India is a “fleeting opportunity” to resolve the Kashmir issue and normalize bilateral relations.

President Musharraf seems to be genuine in his desire to permanently settle the Kashmir dispute, but he also now has mounting reservations about India’s sincerity and commitment to the peace process. He recently has discussed the proposal he made to his Indian counterpart to demilitarize three cities in the Vale of Kashmir. He has indicated that in order to make this a significant step toward peace, if India agreed, he would respond by “asking” the militants not to attack in those cities. He has argued that in the event of any violence from demilitarized cities, the military garrisons could be moved quickly back into the city, thus it did not constitute a serious concession by India. If successful, his proposal would ease the pressure on residents inside the city. Musharraf and other Pakistani leaders are frustrated that India has not responded to this, or any of Pakistan’s other proposals.

After President Bush’s recent trip to South Asia, it seems clear—especially to the Pakistanis—that India’s leadership believes that time is on its side and thus does not feel any more pressure to make meaningful concessions to Pakistan on Kashmir or any other bilateral dispute (e.g., Siachen, Sir Creek, river dams).[10] As Islamabad probably sees it, the situation is much like it was in mid-June 1999, when a back-channel agreement between New Delhi and Islamabad calling for the withdrawal of Pakistani forces from the Kargil heights together with an explicit formula for reaching an agreement on the territorial status of Kashmir, was trashed by the Indian government after the United States had declared its support for India’s position on the Kargil crisis.[11] In other words, with the Bush administration firmly in its corner, the Indian government is believed to be likely to continue to stonewall Pakistani negotiators if in fact it doesn’t take an even harder line on Pakistan and the Kashmir issue. So where does this leave Pakistan? If a negotiated settlement is impossible, is the choice between conceding Kashmir to India (probably by accepting the LoC as a permanent international border) or reviving the military struggle for Kashmiri independence?

In the first place, accepting the *de facto* territorial division of Kashmir as a *de jure* political arrangement is not a realistic option for President Musharraf; nor would it be for any other Pakistani military or civilian leader. It is well known that politically such a concession would be suicidal (maybe even literally, too, as any number of jihadis would be willing to avenge the loss of Kashmir by trying to take the lives of those responsible). There is also an economic security consideration: Pakistanis fear that India’s current territorial control in Kashmir gives it the ability to cut off or divert vital sources of water needed for Pakistani agriculture. Military logic also governs Pakistani policy toward Kashmir. Rightly or wrongly, the Pakistan army believes that unrest in Kashmir ties down 400,000 to 500,000 Indian soldiers, which could otherwise be positioned on the border against Pakistan. Another consideration is that in the event of a future conventional war between India and Pakistan, Kashmiri militants could be expected to rise against India from its rear positions, thus complicating India’s military strategy and negating, at least temporarily, India’s otherwise superior firepower and manpower. Most importantly, if Islamabad abandons the Kashmir card, the leadership’s concern is that Pakistan would be defenseless to prevent India from asserting its growing military, economic, and political advantages in a concerted coercive campaign to turn Pakistan into a “West Bangladesh,” a weak country that must meekly comply with India’s will. Obviously, such an outcome is totally unacceptable to Pakistani leaders, who

believe themselves responsible for protecting the nation's sovereignty and ensuring that Pakistan remains a safe haven for the Muslims of South Asia.

If submission is not an option, is revival of the armed insurgency a likely response to the failure of the political normalization process? Fortunately, the answer is probably not. Although there are no doubt advocates within senior Pakistan army ranks for a return to the heady military strategy of the 1990s, President Musharraf almost certainly would oppose such an approach. It would complicate his efforts to revive the country's economy; it would empower the jihadi groups that already threaten Pakistan's internal security; and most importantly, it would enable India, perhaps this time aided by the United States, to mount ferocious military pressure on Islamabad. Especially at a time when tensions are so high between the Afghan and Pakistani governments, the Musharraf government is looking for ways to alleviate foreign pressures, not to aggravate them.

Islamabad's probable response to a breakdown of the Indo-Pak political process is thus not likely to be a significant revival of violence in Kashmir. Nor will it be a concession. The most likely outcome will be a return to the wait-and-see policy of the 1980s. During this period, Islamabad maintained its contacts with militant groups, but discouraged militant violence and instead pursued a largely moral and diplomatic strategy toward the Kashmir dispute. Such an approach, if it occurred again, would not be an end in and of itself, but rather a strategy to gain breathing space and buy time for Islamabad to shore up its economic, political, and military might in order to fight for Kashmir on another day.

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