

---

As India and Pakistan “enter their sixth decade of independence, it is time to close a tragic chapter that has bedeviled their relations from the very outset.”

## An Opportunity for Peace in Kashmir?

SUMIT GANGULY

After a four-year standoff, India and Pakistan agreed in June 1997 to resume bilateral talks with a view toward improving long-strained relations. In a significant concession, India agreed to place the Kashmir dispute on the negotiating table.<sup>1</sup> Despite India's seeming willingness to address a perennial Pakistani concern, any hopes of quick movement on this highly contentious question were soon dashed. In the wake of the talks, the Indian foreign secretary, Salman Haider, made it clear that while India was prepared to discuss Kashmir, the discussions would have to focus on the Pakistani-controlled portions of the disputed territory. The Pakistani press greeted Haider's surprise announcement and negotiating stance with understandable dismay. The government's reaction was more muted: though expressing disappointment, the Pakistani political leadership said that the talks would nevertheless continue.

In late July Indian Prime Minister Inder Gujral, in his first official visit to Jammu and Kashmir, offered to hold talks with Kashmir-based insurgents and cautioned Indian forces about human rights violations. The prime minister also reiterated his government's commitment to continue talks with Pakistan. In September high-level bilateral talks were held, despite a backdrop of escalating violence

along the Indian-Pakistani border in Kashmir.

Regardless of the diplomatic minuet that the two sides will no doubt engage in, the prospects for a quick resolution of the Kashmir dispute are close to nil. Domestic politics in both countries and a legacy of mutual mistrust will hamper movement toward a resolution. Yet a propitious moment may at last have arrived for taking incremental steps toward a final Kashmir settlement. With a degree of imaginative diplomacy, and despite their decades-old formal positions, India and Pakistan may finally be able to bottle the genie that has tormented their relations since they gained independence from Britain in 1947.

Is this optimism unfounded? A number of past attempts to settle the dispute through peaceful means have been unsuccessful. The two Indo-Pakistani wars that were fought over Kashmir (in 1947–1948 and 1965) also failed to achieve a lasting solution. The past is strewn with the detritus of wars and failed negotiations. Despite this dismal history, a plausible argument can be made that an opportunity now exists for a meaningful and viable resolution of the Kashmir dispute. Structural conditions at the international level and more immediate factors at the regional and local levels could finally provide enough impetus to reach a settlement.

At the international level, none of the great powers are prepared to expend significant resources to help resolve the Kashmir dispute. The United States, which had a pronounced pro-Pakistani bias during much of the cold war, has adopted a dispassionate position on the question, and Russia does not have any compelling interest in helping resolve the issue. More to the point, India's relationship with Russia lacks the same closeness that characterized the Indo-Soviet nexus. As a consequence, India lacks the support of a veto-wielding power to protect it from possible international censure on the Kashmir issue in the United Nations Security Council.

---

SUMIT GANGULY is a professor of political science at Hunter College and the Graduate Center of the City University of New York. His books include *The Crisis in Kashmir: Portents of War, Hopes of Peace* (Cambridge: Cambridge University Press, 1997). The author gratefully acknowledges support received in producing this article from the Woodrow Wilson International Center for Scholars.

---

<sup>1</sup>Kashmir's status has been disputed since the partition of the subcontinent in 1947. The Indian state of Jammu and Kashmir is composed of three districts: the Kashmir Valley, which is predominantly Muslim; Jammu, which is largely Hindu; and Ladakh, which is mostly Buddhist. The Pakistani portion of Kashmir is composed of the northern territories of Gilgit and Hunza and the nominally independent Azad Kashmir ("Free Kashmir").

At the regional level, in spite of concerted support for the Kashmiri insurgency since 1989, Pakistan has been unable to loosen India's grip on the territory. Though the uprising has cost more than 25,000 lives, it now appears to be on the wane. India's strategy of repression followed by national and local elections has largely undermined the driving forces behind the insurgency. An elected government is now in place in Jammu and Kashmir. Some guerrilla groups, most notably the Hizb-ul-Mujahideen, the Harkat-ul-Ansar, and the Laskar-i-Tulba, remain utterly unreconciled to Indian rule. Nevertheless, today they do not command the degree of support that they did at an earlier stage of the insurgency.

### THE ROOTS OF CONFLICT

What animates this seemingly intractable conflict that has been so costly and bloody? The origins of the dispute are closely linked to the subcontinent's British colonial heritage. As the British Labour government of Prime Minister Clement Attlee, bowing to the rise of Indian and Pakistani nationalist sentiment, prepared to depart from South Asia after World War II, Lord Mountbatten, the last viceroy, made a critical pronouncement. He declared that the 562-odd "princely states," which were nominally independent but recognized the "paramountcy" of the British crown, had to join one of the two emergent states of India or Pakistan. The option of independence was effectively ruled out. The state of Jammu and Kashmir posed a particular problem because it shared borders with both India and Pakistan, and had a predominantly Muslim population but a Hindu monarch, the Maharaja Hari Singh.

Pakistan's claim to Kashmir was irredentist.<sup>2</sup> Its nationalist leadership in general, and the architect of Pakistan, Mohammed Ali Jinnah, in particular, had espoused the "two-nation" theory. Jinnah had argued that the Hindus and Muslims of the subcontinent constituted two distinct, primordial "nations." According to this principle, he had propagated the idea that the Muslims of South Asia deserved a separate homeland.

In keeping with this belief, Jinnah believed that Kashmir should be merged with Pakistan based on its demographic composition and geographic contiguity. India's political leadership was, however, equally interested in Kashmir's accession to India.

Prime Minister Jawaharlal Nehru and many others in the nationalist Congress Party desired Kashmir's merger into India to demonstrate that a Muslim-majority state could thrive under the aegis of a secular polity.

To the dismay of both Indians and Pakistanis, Maharaja Hari Singh harbored visions of independence and proved unwilling to accede to either state. As the maharaja vacillated on the question of accession, the Pakistani authorities aided a tribal rebellion that had broken out in the western reaches of Kashmir. As the rebels approached the capital city of Srinagar, Singh appealed to India for assistance. India's Nehru agreed to help Singh on two conditions: Kashmir had to accede to India and the accession had to receive the imprimatur of Sheikh Mohammed Abdullah, the leader of the Kashmir National Conference, the largest secular and popular political party in Kashmir. Only after these two conditions were met did Nehru send troops to Kashmir. The introduction of these forces stopped the Pakistani-assisted tribal advance but not before the invaders had occupied a significant portion of the state. On January 1, 1948, on the advice of Lord Mountbatten, Prime Minister Nehru referred the case to the UN Security Council. A series of UN resolutions designed to end the conflict were passed but to little avail. Eventually, on January 1, 1949, the two sides agreed to a UN-sponsored cease-fire. Over the next 15 years the Security Council generated a plethora of proposals for a negotiated settlement to the dispute, but none proved acceptable to the two parties.

### RESORTING TO WAR, AGAIN

A congeries of international and domestic factors prompted the Pakistani military dictatorship of General Ayub Khan to try to wrest Kashmir from India in the early 1960s. At the international level, the UN had steadily lost interest in the conflict. A series of bilateral negotiations held in 1963 under Anglo-American pressure ended in stalemate. And the Indian defense modernization program in the aftermath of the 1962 Sino-Indian border war provoked Pakistani fears that over the longer haul India's expanded military capabilities would effectively foreclose any possibility of seizing Kashmir by force.

An incident in the Kashmir Valley was the catalyst that led Pakistani decision makers to forge a strategy to attack, occupy, and seize the territory. In December 1963 anti-Indian demonstrations were held in Srinagar. The demonstrations stemmed from the theft of the *moe-e-moqaddas* (a hair of the

<sup>2</sup>On this point see Sumit Ganguly, *The Origins of War in South Asia: The Indo-Pakistani Conflicts since 1947*, 2d ed. (Boulder, Colo.: Westview, 1994).

Prophet Mohammed) from the Hazratbal mosque. The Pakistani leadership incorrectly construed the anti-Indian tone of the demonstrations as a manifestation of widespread pro-Pakistani sentiment. Their attack proved to be a complete failure. Local Kashmiris turned the Pakistani infiltrators in to the authorities and the Indian army promptly moved to seal the border. Full-scale war erupted on September 1, 1965, but a Security Council resolution brought the fighting to a close later that month. American unwillingness to mediate enabled the Soviet Union to enter the breach. Soviet President Leonid Brezhnev negotiated a postwar settlement enjoining the two parties to return to the status quo ante. The Pakistani leadership nevertheless remained committed to its claim on Kashmir.

In 1971, India and Pakistan again went to war. On this occasion, however, Kashmir was not the focal point of the dispute. Internal developments within Pakistan and the violent repression of Bengali demands for autonomy in East Pakistan had culminated in the emergence of a secessionist movement in East Pakistan. Pakistan's continued repression resulted in the mass exodus of refugees into India. Faced with this extraordinary burden and little tangible support from the international community, Indian leaders decided that it would be cheaper to resort to war than absorb the refugees into India. India emerged as the clear-cut victor in this war. In the aftermath of the conflict, Indian Prime Minister Indira Gandhi and Pakistani President Zulfikar Ali Bhutto reached a settlement in the town of Simla. Under the terms of the Simla Accord, the UN Cease-Fire Line in Kashmir was converted into the Line of Actual Control (LOC). Both sides agreed not to use force to settle the Kashmir dispute.

The breakup of Pakistan in 1971 dealt a fatal blow to Jinnah's "two-nation" principle. The linguistic solidarity of the Bengalis of East Pakistan had proved more powerful than the bonds of Islam. With Indian assistance, the new state of Bangladesh was created. Consequently, the irredentist basis of Pakistan's claim to Kashmir suffered a critical setback, although its rhetoric and commitment remained intact.

### **A NEW LEVEL OF CONFLICT EMERGES**

In the 1980s, the secular features of the Indian state eroded. The exigencies of electoral politics led

Prime Minister Indira Gandhi and her son and successor, Rajiv Gandhi, to pander to the Hindu majority. India's continued commitment to Kashmir's status in the Indian union stemmed more from the imperatives of statecraft than from adherence to a normative principle.

The abrupt rise of a violent, secessionist, ethnoreligious movement in Kashmir in 1989 can be traced to the related processes of political mobilization and institutional decay in India. India's investments in literacy, higher education, and mass media in Kashmir had led to a dramatic transformation of the political consciousness of the electorate. For example, the overall literacy rate in Jammu and Kashmir grew from 17 percent in 1961 to 36 percent in 1981. Overall college enrollment expanded from 2,779 people in 1950–1951 to 34,000 in 1992–1993. Finally, in 1965 a mere 46 newspapers were published in the state; by 1984 the number had climbed to 203.

This growth in educational standards and media exposure contributed to heightened political awareness and led to increased demands for political participation by a new generation of Kashmiris. Earlier generations, though discontented with various aspects of misrule, mounted only sporadic challenges. They lacked the political consciousness and the requisite organizational skills to launch a

full-scale movement designed to undermine the established political order. Furthermore, as political consciousness and, concomitantly, an increased drive for participation, grew in Kashmir, the central government in New Delhi initially attempted to address these aspirations. Specifically, following the release of the former chief minister of Kashmir, Sheikh Mohammed Abdullah, in 1974 after a long period of incarceration, he and Indira Gandhi reached an agreement under which he would be returned to the chief ministership. In exchange, Abdullah agreed to work within the framework of the Indian constitution and uphold India's territorial integrity.

In 1977 Sheikh Abdullah and the National Conference won an overwhelming victory in the Kashmir state assembly elections. According to all observers, this election was free from the political chicanery that had long characterized electoral politics in Kashmir. The sheikh's return to office was cut short by his death in 1982; his hand-picked successor, son Farooq, a physician with little or no political experience, took over. Despite his inexperience, as the inheritor of the sheikh's mantle

---

*The tortured  
history of the  
Kashmir dispute  
virtually precludes  
a prompt  
settlement.*

---

Farooq managed easily to win a wide mandate in the state assembly elections of 1983. This election, too, was largely free of charges of coercion and voter intimidation.

Prime Minister Indira Gandhi's decision to dismiss Farooq's regime on specious grounds in 1984 proved to be a catalytic event for political developments in Kashmir. The dismissal was a crass attempt to obtain a toehold for the national Congress Party in Kashmir. Within two years Rajiv Gandhi, Indira's son and political successor, brought Farooq back as chief minister. Farooq's dismissal and subsequent alliance with Rajiv and the Congress dramatically undermined his standing in Kashmir. The Congress–National Conference alliance jointly contested the state assembly elections of 1987. Widespread electoral malfeasance characterized this election, effectively denying the expression of popular discontent through institutional channels. Younger Kashmiris, embittered by the undermining of democratic institutions, came to the ineluctable conclusion that the government in New Delhi was unprepared to extend the same rights to Kashmiri Muslims that other Indians enjoyed in most parts of the country. With no other avenue for the articulation of their grievances, significant numbers of disaffected young Kashmiris organized a violent ethnoreligious movement.

Sensing an opportunity to undermine India's hold on Kashmir, Pakistan's political and military leadership decided to fuel the existing discontent through propaganda and material support. It is clear that Pakistan's involvement in Kashmir was opportunistic and not the source of the insurgency. Nevertheless, Pakistani training, weaponry, and sanctuaries provided considerable succor to the insurgents.

The Indian state's initial response to the insurgency, pursued by the New Delhi–appointed governor, Jagmohan Malhotra, was ham-fisted and counterproductive. Far from curbing the insurgency, it inflamed passions further and resulted in extensive human rights violations as poorly trained and ill-equipped soldiers panicked or used inordinate force (there have also been allegations of torture). In May 1991 Jagmohan was replaced by Girish Saxena, the former head of the Research and Analysis Wing, India's counterintelligence service. Saxena, with considerable experience in counterinsurgency operations, pursued a more calibrated strategy that sowed discord among the insurgents.

Saxena was replaced in 1993 by General Krishna Rao, a former chief of the Indian army, but the gov-

ernment's tactics remained similar. By early 1996, despite a number of tragic incidents, including the destruction of a fourteenth-century shrine in May 1995, the Indian counterinsurgency strategy was yielding the desired results. The constant harrying of the rebels had left them in disarray. Long-standing tensions among some of the principal insurgent groups, most notably the Jammu and Kashmir Liberation Front and the Hizb-ul-Mujahideen, had come out in the open, certain insurgent groups had been co-opted, and a degree of war weariness was settling into the local population. Sensing an opportunity to restore a modicum of legitimacy to its writ in Kashmir, the government in New Delhi decided to hold elections in conjunction with India's eleventh general election in May 1996. This electoral effort proved to be stillborn. In an attempt to ensure a significant turnout, the security forces goaded voters to show up at the polls. Most observers called into question the results.

The newly elected Indian national coalition government of Prime Minister H. D. Deve Gowda was quick to realize the folly of the earlier electoral effort. In September 1996, assembly elections were held in Kashmir. These elections, apart from minor incidents of fraud, were indubitably fair. The various insurgent groups did attempt to disrupt the voting but to little avail. The only other discordant note was struck by the All Party Hurriyat Conference (APHC), an agglomeration of Kashmiri political parties and activists opposed to Indian control of Kashmir, which boycotted the elections.

## **SETTLING THE DISPUTE**

The tortured history of the Kashmir dispute virtually precludes a prompt settlement. Despite the current atmosphere of bonhomie in New Delhi and Islamabad, significant impediments to a resolution remain. In India, the coalition government of Prime Minister Gujral depends on the Congress's parliamentary support. It is unclear whether a future regime, especially one dominated by the jingoistic Bharatiya Janata Party, will continue the policies that the present regime has initiated. In Pakistan, segments of the military still harbor a sense of implacable hostility toward India. These factions would prefer to pin India down indefinitely in Kashmir rather than settle the dispute and improve relations. These impediments notwithstanding, the relative isolation of both states in the international system, the marked weakening of the insurgency, and the renewed willingness of the present political establishments in both states to start negotiations augur well for the future.

What are the contours of a potential settlement? No resolution can entirely accommodate the divergent positions of the three key protagonists, namely the Kashmiri insurgents and the Indian and Pakistani governments. All sides will have to make concessions if this dispute is to be settled without further violence.

Contrary to popular assertions, there is no unified Kashmiri opinion about the terms of a possible settlement. The insurgents are deeply divided, the APHC's seeming unity is tenuous, and the inhabitants of Jammu and Ladakh have little in common with the inhabitants of the Kashmir Valley. Nevertheless, since most of the disaffected population does live in the valley, some effort has to be made to assuage its discontent and sense of alienation. To this end, any government in India will have to restore popular faith in a variety of local political institutions and processes. Strategies for achieving this might include aggressively recruiting Kashmiri Muslims for positions in the state bureaucracy, restoring the local judiciary's independence, rein-

ing in the paramilitary forces, and punishing those members of the security forces involved in human rights violations. Also, the regime in Kashmir needs to carefully and adroitly seek to bring the APHC into the political fold. In the interest of bringing a degree of normalcy to political and civic life in Kashmir, the National Conference should seriously entertain some power-sharing arrangement with the APHC.

At the national level, New Delhi must move toward restoring Kashmir's compromised autonomy. Finally, at the bilateral level, India should reiterate its offer to Pakistan to accept the LOC in Kashmir as an international border and permanently renounce its claim to the Pakistani-controlled portions of the territory. Pakistan, in turn, must abandon its quixotic quest to wrest Kashmir from India and instead focus on addressing its myriad domestic problems. As the two nations enter their sixth decade of independence, it is time indeed to close a tragic chapter that has bedeviled their relations from the very outset. ■

## Announcing the Current History Audiocassette Series

*Current History's* editors have excerpted choice articles from recent issues and are making them available in 90-minute audio presentations.

Use the order form on the back cover to add *Current History* to your audio library today at the special price of \$9.95 each!

Catch up on key regions and events in recent history—as viewed by the experts at *Current History*. Each 90-minute audiocassette features the best of our coverage of a major region to give you the insight you need into the trends and events that are shaping our world—and our future.

### Volume 1: "The Disintegration of the Soviet Union"

Chart the course of the Soviet Union's demise with *Current History's* esteemed coverage.

### Volume 2: "China Rising: A Superpower Awakes"

*Current History's* experts guide you through China's dramatic economic and cultural evolution.

### Volume 3: "The Fundamentalist Challenge in the Middle East"

A survey of religious fundamentalism's impact on Egypt, Israel, and the Palestinian Authority.

### Volume 4: "Latin America: Open for Business?"

The prospects for economic integration after NAFTA along with the economic travails of Mexico and the market successes of Chile are among the topics covered.

### Volume 5: "The Cold War: Beginnings"

Historic interpretations of Soviet and American maneuvering in the first decade of the cold war.

### Volume 6: "The Pacific Century?"

Has East Asia's phenomenal economic growth made it the new center of global civilization?