

6-16-2022

India-Pakistan Conflict: The Dispute over the Kashmir-Jammu Border

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Recommended Citation

Nicolson, Simone (2022) "India-Pakistan Conflict: The Dispute over the Kashmir-Jammu Border," *Pepperdine Policy Review*. Vol. 14, Article 1.

Available at: <https://digitalcommons.pepperdine.edu/ppr/vol14/iss1/1>

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India and Pakistan have been locked in conflict since the Partition. The tensions are fueled by religious differences, skirmishes, and decades' worth of distrust and resentment. Despite their history, India and Pakistan could potentially have a cordial relationship if not for the Kashmir-Jammu border¹. A thorn in their sides², Kashmir is the disputed territory that runs along the Indian-Pakistan state border. It is the core of the international conflict, and one of the most contentious places in the world. This report will attempt to explain the conflict, analyze key themes and propose a resolution for India and America.

The historical background will provide the context for the tensions between the two nations, the origins of the conflict, historical evidence and examples of disputes, terrorist acts, and the internal affairs that add to the volatile nature of the conflict. The most noticeable aspect of the history between India and Pakistan, since 1947, is the mistrust and instant suspicion of each other. This historical background³ will follow India and Pakistan from 1947, the Great Partition, right through to the present, with the most recent ceasefire of 2021⁴.

As you will see throughout the historical background, the value of words is insignificant. Agreements and meetings to discuss peace often occur but often fail. When seeking a solution, it is more often the case that any agreement in writing is not followed. Only a few agreements have been seriously respected by either side. Noticeably these agreements have nothing to do with the sovereignty over Kashmir or any peaceful relations, rather they are practical agreements that have devastating consequences if broken. The agreements are the Simla Agreement, the Agreement on the Prohibition of Attack against Nuclear Installations, and the Indus Water Treaty of 1960.

I will then explore the nature of the conflict. Following the historical background and analyzing the themes will assist future diplomats in designing sustainable solutions. America has an interest in this conflict, and I suggest that they take a pro-India stance and propose a three-step resolution to India and take action in this dispute.

HISTORICAL BACKGROUND

The dispute between Pakistan and India began in 1947; however, to understand the tensions between the Muslim and Hindu communities, and the tensions between the ethnicities, we must look earlier in history.

¹ The official name is the Kashmir-Jammu border (at least internationally recognized name, Pakistan just claims it as the 'Kashmir' border), but for the sake of simplicity I shall shorten the border name to just Kashmir throughout this paper

² Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 201.

³ The historical background is long and eventful. I have attempted to summarize the events, sparing extraneous details, with the exception of a few events.

⁴ Refer to Appendix E for the ceasefire joint statement

The first Muslim invasion⁵ to the Indian subcontinent occurred in the 8th Century. The Arabs of the Umayyad Caliphate travelled as far as the Punjab region, which later became a part of Pakistan⁶. The spread of Islam continued through the 18th Century. East of the Indus River Valley, a majority of the Hindu population resisted conversion; this is the beginnings of the tension between the two major religious groups. The native Indians, who practiced Hinduism or Sikhism, began to distrust the Islamic community. Resentment began to grow; thus, sowing the seeds for the eventual Partition.

The British Raj⁷ controlled the Indian subcontinent between 1858 – 1947. This foreign rule angered the Indian public, inciting violence. The British Raj unintentionally inspired Indian nationalism. Indians wanted to rule their homeland again and fought fearlessly against the British Raj. Mahatma Gandhi⁸ led the non-violence movement against the British Raj was considered fundamental to the Indian Independence Movement.

In inspiring Indian nationalism, the tensions between the Muslim community, the Hindu and Sikh communities became more obvious. Following the conflict with the English, they had to decide how to live together. Muhammad Ali Jinnah, leader of the Muslim League, assessed that the parliament and Hindu majority were proposing were pro-Hinduism and anti-Muslim laws that indirectly advocated for religious segregation. In response, Jinnah decided that it was in the Muslim community's best interest to separate from India and form a new nation⁹.

In 1947, the British decided to end their rule for several reasons, specifically the outdated fashion of colonialism, the English debts of World War II, and the Indian Independence Movement. On February 20th, Lord Mountbatten was appointed Viceroy of India. His primary goal was to exit India promptly with minimal reputational damage to the British Empire. English Parliament and the King informed him that his objectives were to help the transfer power to India, preserve independence, and avoid partition. They gave him an exit deadline of June 30th 1948. Upon his arrival, riots broke out. Mountbatten quickly decided that India was too volatile to maintain occupancy, and that it was in the best interests of the English to shorten the exit deadline. The new deadline became August 1947, a whole year earlier.

Since the transfer was no longer a gradual process, negotiations were rushed. Mountbatten conceded to the pressures of the Muslim League and declared that Muslims would have their own state. He reasoned civil war could

⁵ Refer to Appendix A. for a map of the spread of Islam on a 1901 British map.

⁶ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 195.

⁷ British Raj means the British Rule. 'Raj' is Hindu for 'rule'

⁸ Gandhi's full name is Mohandas Karamchand Gandhi. He is known as the honorific 'Mahatma' as it means 'great-souled' or 'venerable' in Sanskrit.

⁹ Nisih Hajari, 'Why Is Pakistan Such a Mess? Blame India.', *Foreign Policy*, May 26th 2016, accessed March 8th 2021, <<http://foreignpolicy.com/2015/05/26/pakistan-india-independence-gandhi/>>.

be avoided by allowing the Muslim communities to have a separate state. Now, Mountbatten had a new major objective in his plan to exit India: to organize new border lines.

British lawyer Sir Cyril Radcliffe was appointed to organize the state lines¹⁰. Eventually, the land was divided between three regions. India would take majority of the land, while Pakistan will be split between two states: West Pakistan and East Pakistan¹¹. Radcliffe drew the lines hastily, reflecting the poor leadership of Mountbatten and the mismanagement of the entire British rule. On June 3rd, 1947, the official announcement was made in the House of Commons that the British would leave. On August 15th, the British Raj officially left the Indian subcontinent. Two days later, the borderlines were announced¹², and chaos ensued.

The Partition was the largest forced migration modern history had ever seen. Anywhere between 200,000 – 1 million people died¹³, with the latter being more plausible to historians. Around 15 million people¹⁴ were displaced. People rushed over the new borders to be with their own. Whole communities would migrate together with columns of people traveling as wide as 30,000-strong on the road¹⁵. Trains were full of refugees as everyone crisscrossed the region, some trains packed with dead bodies. Everyone turned on each other in fear and panic. Multiple riots broke out. There was multiple accounts of violence and sexual assaults. The entire process was disordered.

Ironically, even though the British were tasked with assisting the transfer of power, they offered no assistance in maintaining order during the migration, despite the pleas for help from both Indian and Pakistani leaders¹⁶. The separation of the states was meant to appease the two major religious groups, but the events that occurred at the great Partition left a permanent scar on Hindu-Muslim relations and will be remembered by the two states forever.

The Kashmir province was given full independent sovereignty. They had the choice to either accede to India or Pakistan, or to maintain independence. In Kashmir, the majority population was Muslim; but the state leader, Maharaja¹⁷ Hari Singh was a Hindu. Originally Singh wanted to accede to India, but he knew that the Muslim community would lash out against that decision. The discussion regarding the sovereignty over Kashmir began before

¹⁰ Refer to Appendix C. for a detailed description of the method Sir Cyril Radcliffe used to draw the border lines

¹¹ East Pakistan will later attain independence and rename themselves as Bangladesh.

¹² Refer to Appendix B. for the new border lines of 1947.

¹³ Nisid Hajari, 'Why Is Pakistan Such a Mess? Blame India.', *Foreign Policy*, May 26th 2015, accessed March 8th 2021, <<http://foreignpolicy.com/2015/05/26/pakistan-india-independence-gandhi/>>.

¹⁴ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 195.

¹⁵ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 195.

¹⁶ Ibid.

¹⁷ 'Maharaja' is a Sanskrit title for 'high king' or 'great ruler'.

the official border lines were announced. The ‘Standstill Agreement’ was drafted on June 3rd 1947¹⁸. The intent of ‘Standstill Agreement’ was to allow Kashmir state autonomy, while maintaining friendly relations between Pakistan and India. The details of the Agreement include services of trade, travel and communications to continue so that relations between the people of Kashmir and India and Pakistan would be uninterrupted. India did not sign the agreement, and Pakistan agreed to it on August 15th 1947¹⁹, only to violate that agreement years later.

Pro-Pakistani rebels, mostly Pashtun tribesmen²⁰ funded by the Pakistani government, invaded the north-western Kashmir land. It was more than just a revolt; the rebels were said to be trained militants who organized the invaders “in company-level units and armed with lethal weapons”²¹. Clearly, Pakistan had intentions of claiming Kashmir as Pakistani land. Kashmir Muslims responded to the invasions by revolting against Singh, which resulted in “anti-Muslim riots in southern Kashmir in September”²². In response to the Pakistani invasion, Singh decided to concede Kashmir to India with Indian military support in return. He signed the Instrument of Accession in October 1947, aligning Kashmir with India²³. The special status Kashmir was given meant that they would have “independence over everything but communications, foreign affairs, and defense”²⁴. One third of Kashmir, however, was within the Pakistani region and was called Azad Kashmir, meaning the Free Kashmir. This was a semi-autonomous state in the Pakistan country.

Kashmir was divided, but the violence continued until 1949, when the UN stepped in and arranged a ceasefire. The UN established a ceasefire line; but both states looked upon the ceasefire line as a temporary fix. The dispute wasn’t settled, which meant that neither side was ready to give up. Each state

¹⁸ “Jammu and Kashmir in Legal Perspective”. European Foundation for South Asian Studies, accessed March 8th, 2021, <https://www.efsas.org/EFSAS-Jammu%20and%20Kashmir%20in%20Legal%20Perspective.pdf>

¹⁹ Erin Blakemore, “The Kashmir Conflict: How did it start?” *National Geographic*, March 3rd 2019, accessed March 8th, 2021, <https://www.nationalgeographic.com/culture/article/kashmir-conflict-how-did-it-start>.

²⁰ The Pashtuns are an ethnic group of Iranian descent, native to the north-western regions of Pakistan and the southern Afghanistan.

²¹ “Jammu and Kashmir in Legal Perspective”. European Foundation for South Asian Studies, accessed March 8th, 2021, <https://www.efsas.org/EFSAS-Jammu%20and%20Kashmir%20in%20Legal%20Perspective.pdf>

²² M. Ilyas Khan, “Partition 70 years on: When tribal warriors invaded Kashmir”, BBC News. October 22nd, 2017 accessed March 8th, 2021, <https://www.bbc.com/news/world-asia-41662588>.

²³ “Jammu and Kashmir in Legal Perspective”. European Foundation for South Asian Studies, accessed March 8th, 2021, <https://www.efsas.org/EFSAS-Jammu%20and%20Kashmir%20in%20Legal%20Perspective.pdf>.

²⁴ Erin Blakemore, “The Kashmir Conflict: How did it start?” *National Geographic*, March 3rd 2019, accessed March 8th, 2021, <https://www.nationalgeographic.com/culture/article/kashmir-conflict-how-did-it-start>.

viewed the other side of the ceasefire line as ‘occupied by enemy state’, and no state was going to allow occupancy in what they believed to be their rightful land.

In 1954, the accession of the Jammu and Kashmir to India was ratified by the state’s constituent assembly. The Jammu and Kashmir constituent assembly approved the constitution. India, from the point of the 1954 ratification and 1957 constitution, begins to refer Kashmir as an integral part of the Indian union. Here, India is publicly announcing that they haven’t finished with the Kashmir border dispute yet.

The Indian-China War²⁵ breaks out in 1962. The dispute was over the Himalayan borders. Tensions rose due to the Chinese invasion of Tibet, resulting in India giving refuge to the Dalai Lama. The US begins to show favoritism towards India, as they now begin viewing India as an ally to democratic principles and saw the “potential as an appropriate rival to China”²⁶. US military gave assistance to the Indian army, under Kennedy’s administration²⁷. They were able to stop China from entering too far into Indian territory, with China nearly reaching as far as Assam, close to Indian heartland. But India’s military performance was poor in comparison to China’s large and highly organized forces.

Pakistan, observing the war from afar, mistaking India’s defeat as a sign of militant weakness. They miscalculated, and later decided to go to war with India again in 1965.

Following the Sino-Indian War, foreign ministers of India and Pakistan, Swaran Singh and Zulfikar Ali Bhutto, met to discuss the Kashmir border dispute. They appealed to the UK and America to assist in resolving the dispute with little success. Since appealing to the UK and US proved to be unsuccessful, Pakistan refers the Kashmir case to the United Nations Security Council.

In April 1965, a clash between border patrols in the Rann of Kutch, located in the Indian state of Gujarat, marked the start of the second war. This clash escalates on August 5th when 26 to 33 thousand Pakistani soldiers cross the ceasefire line. Pakistani soldiers were disguised as Kashmiri locals and crossed into the India-administrated district of Kashmir.

On September 6th, Indian troops cross the international border at Lahore. In the end, the war was inconclusive. The UN once again stepped in to end the war. September 22nd, both sides agreed to a ceasefire, but only when they had reached a stalemate. Both sides held some of the other nation’s territory.

²⁵ Also called the Sino-Indian War

²⁶ Karamatullah K Ghort,. “The Role of the US in 21st Century Pakistan-India Relations”. *Pakistan Institute of International Affair*, Pakistan Horizon, January 2014, Vol. 67, No. 1, Pakistan-India Relations A View From Pakistan, 23-41, accessed March 9th 2021 <https://www.jstor.org/stable/23726075>, 24.

²⁷ Karamatullah K Ghort,. “The Role of the US in 21st Century Pakistan-India Relations”. *Pakistan Institute of International Affair*, Pakistan Horizon, January 2014, Vol. 67, No. 1, Pakistan-India Relations A View From Pakistan, 23-41, accessed March 9th 2021 <https://www.jstor.org/stable/23726075>, 24.

The UN intervention and call for another ceasefires reflects both countries unwillingness to take the ceasefire seriously. A ceasefire is only a temporary fix, it allows enough time for either side to reorganize themselves and their armies so that they can attack the problem from another angle on another day.

In 1971 the third war begins, only this time it wasn't over the sovereignty of Kashmir, it was in East Pakistan. East Pakistan wanted to split off from West Pakistan and become an independent state. The tensions between the two states of Pakistan had been growing for years now, but the final straw for East Pakistan was when the Awami League leader, Sheikh Mujibur Rahman, was not allowed to assume premiership in East Pakistan by the central Pakistani government. Rahman had fairly won majority of seats in the 1970 parliamentary elections, yet he was still denied. This angered the East Pakistani people and government. By March, Pakistani military began to crackdown on Dhaka.

India responds angrily after the Pakistani air force launches a preemptive attack on airfields in India's northwest. By December, they become involved in the East Pakistani conflict. India launches a coordinated land, air, and sea assault on East Pakistan against the Pakistani army. Later, the Pakistani army surrenders in Dhaka. It was one of the shortest wars in modern history, with hostilities lasting for thirteen days overall. On December 6th 1971, East Pakistan is now an independent country renamed as Bangladesh.

The following year showed signs of communication improving between the two nations. Bhutto, who is now Prime Minister of Pakistan, and the Indian Prime Minister, Indira Gandhi, sign an agreement in the Indian town of Simla, which later will be named the 1972 Simla Agreement. This agreement designates the ceasefire line to be reclassified as the Line-of-Control (LoC); often nicknamed "Asia's Berlin Wall"²⁸. This agreement was effective August 4th, 1972²⁹. The opening of the statement says that the two states will "put an end to the conflict...and work for the promotion of a friendly and harmonious relationship and the establishment of a durable peace in the sub-continent³⁰". Details of the agreement included that both sides would respect the LoC and seek to resolve all disputes diplomatically.

In writing, the relations between the two nations were improving; but in reality, both sides were preparing themselves for future hostilities. On May 18th, 1974, India flexed their muscular military might and technological progress by detonating a nuclear device at Pokhran. The operation was nicknamed "Smiling Buddha." India claims that the device was a 'peaceful' nuclear explosive, and it was merely testing, but Pakistan knew that it meant India had the upper hand.

²⁸ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 200.

²⁹ "India-Pakistan: Simla Agreement on Bilateral Relations and Statement on its Implementation", *International Legal Materials*, September 1972, Vol. 11, No. 5, <https://www.jstor.org/stable/20690974>.

³⁰ *Ibid.*

Not long after that, “Pakistan followed suit, both to deter any Indian threat and to compensate for its inability to match India’s conventional forces”³¹.

Pakistan is further threatened and angered by India as the Kashmiri state government asserts that the state is part of the Union of India, which Pakistan rejected.

During the military coup of July 1977, Prime Minister Bhutto is deposed by General Muhammad Zia-ul-Haq. Zia was a soldier and a tyrant. He was employed by Bhutto as Chief of Army Staff but took advantage of his position and eventually used the military might to take the seat of head of state for himself by force³². In 1978 he declares martial law over Pakistan.

Zia ended up being a very wily and skilled leader. He saw the opportunity of encouraging the West to rally in Afghanistan for the purposes of stopping the spread of communism. Zia initiated ties with both the US and China, whilst simultaneously emphasizing Pakistan’s role in the Islamic world. His strict domestic leadership, alongside his ability of gaining attention and interest from the international world, will set Pakistan up as a perplexing nation that is difficult to deal with and willing to be friendly with anyone – as long as it’s not India. Pakistan was becoming more reckless.

In 1985 the South Asian Association for Regional Cooperation (SAARC) is convened. The intentions of the SAARC are to develop stronger economic and regional integrations. These meetings are often observed by other countries and the UN.

Diplomatic relations continue in 1988. Both sides agreed it would be in the best interests of both nations to share information on their nuclear programs, including coordinates of all nuclear installations. Not only would they exchange information, but they promised to not attack any nuclear installations, facilities, storing, research bases, etc. The Agreement on the Prohibition of Attack against Nuclear Installations³³ was ratified on December 31st, 1988 and came into effect 1991. Every year both countries exchange information on January 1st. This exchange of nuclear information is perhaps the most regulation there is surrounding both sides nuclear programs and is one of the few negotiations and policies that has remained³⁴. Later in 1991 the two nations will sign another agreement to provide advanced notification of military exercises, maneuvers and troop movements, prevent airspace violations and establish overflight rules. In 1992 they then further agree to prohibit the use of chemical weapons.

1989 would prove to be one of the most eventful years in the conflict. Even more so, the reputation of Pakistan sympathizing with and even supporting terrorism will be garnered throughout this year by India. In the Kashmir valley, tensions are heightened as armed rebels resist Indian rule. Pakistan gives ‘moral and diplomatic’ support to the movement, reiterating their call for the earlier

³¹ Richard Haass, *The World* (New York, NY: Penguin Press, 2020), 106.

³² Malala Yousafzai and Christina Lamb, *I Am Malala* (London, UK: Weidenfeld & Nicolson, 2013), 25.

³³ Refer to Appendix D regarding the details of the agreement

³⁴ The other agreement that has remained is the Indus Water Treaty 1960

UN-sponsored referendum. India reacts angrily and claims Pakistan is supporting the resistance by providing weapons and training fighters, terming attacks against it in Kashmir 'cross-border terrorism'. Here, India begins to foster Pakistan's reputation as a terrorist sympathizing nation, which the US will cultivate later on.

Pakistan denies any cross-border terrorism claims. Despite their denial, more and more Pakistani rebels joined the resistance in Kashmir, particularly those who took part in the Afghan war against the Soviet's in 1980's. These rebels were an organized group and identified as mujahideen³⁵. The mujahideen were identified as a terrorist unit.

On top of their negative reputation, Pakistan experiences more problems within their own borders. Soviet Russia leaves Afghanistan. As a result of the war, there were devastating consequences. Pakistan, having been an ally to the US and militant groups in Afghanistan, is now host to an influx of refugees. Thousands of refugees pour into the country, and with them comes a new range of problems. Not only does Pakistan now have to accommodate them, but multiple refugees have also brought in heroin and weaponry into the state.

India also had their own internal conflict. Religious extremism begins rising up in India and in government. Muslim political parties, after accusing the state government of rigging the 1987 state legislative elections, form activist wings.

Like a swinging pendulum, the 1990's sees a series of talks followed by militant fights followed by more talks by both sides. Military officers from Pakistan and India meet in 1996, after a series of clashes to ease tensions on the LoC, but then in 1998 India detonates five nuclear devices at Pokhran, which in response Pakistan then detonates six nuclear devices at Chagai Hills. That same year, both countries show signs of technological advances as they carry out tests on long-range missiles.

They meet again in 1999, this time the Indian Prime Minister, Atal Bihari Vajpayee and Pakistani Prime Minister, Nawaz Sharif. They sign the Lahore Declaration, which at the time was the next major agreement since the 1972 Simla Agreement. The Lahore Declaration³⁶ reaffirms their commitment to seeking a peaceful resolution to the Kashmir sovereignty issue. Conditions of the agreement included Confidence Building Measures (CBMs) which will aim to improve regulation and security surrounding nuclear weaponry and installation. They both pledged to "take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and

³⁵ Mujahideen is plural for jihadist, who are Muslim extremists. The West considers jihadism as dangerous to Western ideals and as existentially threatening due to the violent nature of jihadists.

³⁶ South Asian Association for Regional Cooperation, *Lahore Declaration*, Inventory of International Non-proliferation Organizations and Regimes Centre for Non-proliferation Studies, February 21, 1999, accessed March 9th 2021
https://media.nti.org/documents/lahore_declaration.pdf.

doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict”³⁷.

This agreement was signed February 21st 1999³⁸. In May, the pendulum swings yet again. Any improvements on trust and friendly relations were broken after the Kargil Conflicts broke out. This is the first armed conflict since nuclear weapon testing has been conducted. Pakistani forces and Kashmiri fighters occupy strategic positions on the Indian side of LoC. India promptly responds with a counter-offensive. Pakistani forces are pushed back to their side of the LoC.

Pakistan internal affairs once again destabilizes as General Pervez Musharraf, the Pakistani Chief of Army Staff, leads a military coup in October. Musharraf places himself as head of the government.

USA, observing the growing tensions and conflict on the LoC, notes the instability of the Pakistani government and fears nuclear weaponry will be used. They finally intervene. The US pressured Pakistan to back down. They had satellite imaging of Pakistan moving nuclear weaponry, which alarmed the US. Before agreeing to intervene, President Bill Clinton demanded that Pakistan stood down. Eventually, Pakistan buckles under international pressure, and the army backs off, leading to the end of war.

The tensions on the LoC still remains. In 2001, in Srianagar, 38 people are killed in an attack on the Kashmiri assembly. Following this attack, Farooq Abdullah, Chief Minister of Indian-administered Kashmir, calls on the India government to launch a full-scale military operations against alleged training camps in Pakistan.

In July, Musharraf and Vajpayee meet for a two-day summit in the Indian city of Agra to resolve tensions. As per usual, they were unable to reach an agreement on the issue of Kashmir and the summit was collapsed after two days. Only a few months after the summit, December 13th 2001, Indian Parliament faces an armed attack, leaving 14 people dead in New Delhi. The attacks are attributed to Lashkar-e-Taiba (LeT) and Jaish-e-Muhammad, terrorist organizations. Naturally India blames Pakistan. The attacks lead to a massing of India’s and Pakistan’s militaries along the LoC. India extends a diplomatic hand out, as the conventional standoff began alarming officials that it could escalate into an existential all-out nuclear war. India also asked for the assistance from US President George W. Bush. Colin Powell, the American Secretary of State, started to talk with India and Pakistan to deescalate the situation. UK Prime Minister, Tony Blair, also assured India that they were applying pressure onto Pakistan to stand down. Eventually, with the assistance of international mediation, the standoff officially ended in October 2002, nearly an entire year after the attacks in New Delhi.

³⁷ Ibid.

³⁸ South Asian Association for Regional Cooperation, *Lahore Declaration*, Inventory of International Non-proliferation Organizations and Regimes Centre for Non-proliferation Studies, February 21, 1999, accessed March 9th 2021
https://media.nti.org/documents/lahore_declaration.pdf.

After 9/11 in 2001, the US presence in Pakistan increased. Colin Powell, the Secretary of State, threatened Pakistan to assist in the ‘War on Terror’ to hunt down the terrorist organization, Al Qaeda, and to fight against the Taliban. This divided Pakistan. Political factions were outraged at Pakistan’s ‘willingness’ – even if it was arm-twisting – at helping the Americans. The Taliban were friends to the Pakistani military, government and ISI. They were mostly of Pashtun ethnicity, the largest ethnic group in Pakistan. They were like family to Pakistan. But pressures from Washington were too heavy to deny. Pakistan will now set on course of double dealing. In his book *Prisoners of Geography*, Tim Marshall says: “By 2004 [the government] was involved militarily against groups in the North West Frontier and privately accepted the American policy of drone strikes on its territory whilst publicly decrying them”³⁹. The Taliban reacted angrily against Pakistan and proceeded to take control over several provinces in Pakistan. Pakistan was an already broken nation, but these events set an even worse precedence for political factionalism.

Pakistan attempts to combat their negative reputation – solidly attached to terrorism – by publicly announcing that Musharraf pledges to combat extremism on his own soil. As he pledges to combat terrorism, Musharraf continues to affirm that Pakistan has sovereign right to the Kashmir province. The president continues to send mixed messages to India and the world as he then claims there should be a ceasefire on the LoC during the 2003 UN General Assembly. After the Assembly on September 2nd, 2003, India and Pakistan meet to cool tensions and cease hostilities at the de facto Kashmir border.

Friendly relations seemingly appear to develop as Vajpayee and Musharraf hold direct talks at the 12th SAARC summit in Islamabad in January. The two countries foreign secretaries meet later in the year.

2004 marks the beginning of the Composite Dialogue Process. These bilateral meetings are held between officials at various levels of government, including: foreign ministers, foreign secretaries, military officers, border security officials, anti-narcotics officials, and nuclear experts.

As their relations begin to show improvement, the new Indian PM, Manmohan Singh, announces that India will reduce its troops deployment in the Indian-administered Kashmir. In 2006, they redeploy another 5, 000 troops from Kashmir, as the situation appears to be improving and there was less of a need for military forces there.

On February 18th 2007, the Samjhauta Express, which is the train service between India and Pakistan is bombed near Panipat, north of New Delhi. 68 people were killed, with dozens injured.

2008 shows signs of relations developing as India and Pakistan agrees on a \$7.6 billion pipeline project, alongside with Turkmenistan, and Afghanistan. CBM’s are also agreed on regarding Kashmir, including the approval of a triple-entry permit facility. Their relations begin to waver,

³⁹ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 205.

however, in July as India blames Pakistan's Inter-Services Intelligence (ISI) directorate for a bomb attack on the Indian embassy in Kabul, which left 141 people injured and 58 dead.

Later in 2008, any form of trust and respect that was made, however weak that trust may be, was immediately broken when an armed gunmen open fire on civilians at several sites in the financial city of Mumbai, India. The gunmen opened-fired on November 26th, prompting a three-day siege at the Taj Mahal Palace and Tower. The gunmen were holed up until all but one of them are killed in an Indian security forced operation. The numbers are inexact, but more than 165 people were killed in the attacks⁴⁰. The only surviving member, Ajmal Kasab, says they were members of the Lashkar-e-Taiba⁴¹. In light of these attacks, an enraged India breaks off talks with Pakistan.

Pakistani government admits that the Mumbai attacks may have been planned partly on their soil, while vigorously denying allegations that the plotters were sanctioned or aided by Pakistani intelligence agencies.

In 2009, Pakistani Prime Minister Yousaf Raza Gilani and Indian Prime Minister Singh meet on the sidelines of a Non-Aligned Movement (NAM) summit in Sharm el-Sheikh, Egypt. Once again, they issued a joint statement charting future talks. Still angered over the Mumbai attacks, Singh rules out the resumption of the Composite Dialogue Process at the present time: India will talk to Pakistan when Pakistan starts to show evidence that they are combatting terrorism in their country. In August, India gives Pakistan a new dossier of evidence regarding the Mumbai attacks. They demanded that Pakistan to prosecute Hafiz Mohammad Saeed⁴², the head of Jamaat-ud-Dawa, an Islamic charity that has with ties to the LeT. In the end, Saeed⁴³ was placed under house arrest by Pakistani government but was then released after six months as "no criminal charges were brought against Mr Saeed"⁴⁴.

Pressure came from all over the globe for Pakistan to reign in the LeT⁴⁵. For a country with a history of martial law and militant leadership, it is obvious that the Pakistani government is capable of stricter ruling and punishments, but they refuse to do so on terrorist organizations. Pakistan once again shows that despite claiming to be dedicated to combatting terrorism, they are unwilling to take action. In truth, the government says one thing, but they do another. The ISI runs the country behind the scenes.

⁴⁰ "Who are the Kashmir Militants?", BBC News, August 1st, 2012, accessed March 8th, 2021. <https://www.bbc.com/news/world-asia-18738906>.

⁴¹ Ibid.

⁴² "Hafiz Saeed: Pakistan's \$10m 'bounty man'", BBC News. January 31st, 2017 accessed March 8th, 2021, <https://www.bbc.com/news/world-asia-17607784>.

⁴³ Saeed later on in 2012 will be given a \$10 million USD bounty on his head by Washington.

⁴⁴ Ibid.

⁴⁵ "Hafiz Saeed: Pakistan's \$10m 'bounty man'", BBC News. January 31st, 2017 accessed March 8th, 2021, <https://www.bbc.com/news/world-asia-17607784>.

In May 2010, Ajmal Kasab is found guilty of murder, conspiracy and waging war. He later is executed in November 2012, days before the 4th anniversary of the Mumbai attack.

In the next year, Indian Home Security shared information with Pakistan regarding the 2001 Samjhauta Express bombing. This improved relations and later the foreign secretaries met in Thimpu, Bhutan, in February and agreed to resume peace talks on all issues.

In 2013, both countries accuse each other of violating the ceasefire in Kashmir. Pakistan claims that Indian troops crossed the de facto border and killed one of their soldiers, and India charges Pakistani with destroying a home on the Indian side. The UN General Assembly proves to be a useful platform and location for the countries to talk civilly, as the two prime ministers talk on the sidelines in New York. They agree to end military tensions in Kashmir, and both reign in their armies.

These civil relations continued into 2014. May 1st, Pakistan's Army Chief, General Raheel Sharif, the Kashmir dispute should be resolved in accordance with the wishes and aspirations of Kashmiri's and in line with the UNSC resolutions for lasting peace in the region.

Relations continue to improve. As a goodwill gesture to the swearing-in ceremony of Narendra Modi as Prime Minister in India, Pakistan releases 151 Indian fishermen from its jail. A couple days after, Modi talks with Pakistan's Prime Minister Sharif in New Delhi where both sides expressed willingness to begin a new era of bilateral relations. Modi continues to show amity by attending Sharif's birthday in Lahore.

These good relations quickly turned around as the Indian army base is attacked, leaving 19 dead. India responded by launching a series of 'surgical strikes'⁴⁶ against terrorist units⁴⁷. The Pakistani government denied India's surgical attacks had ever occurred. The prime minister said: "The notion of a surgical strike linked to alleged terrorists' bases is an illusion being deliberately generated by India to create false effects"⁴⁸. Pakistan denied the surgical strikes occurred so that they are not linked to terrorist organizations. They claimed that it was only the usual exchange of fires between the borders, nothing too out of the ordinary. Part of their denial was to paint India as unstable. Pakistan said that India would go as far as "stag[ing] the attack itself to distract [others] from

⁴⁶ Surgical strikes were night-time raids with the aim of targeting the objective and causing minimal damage

⁴⁷ "2016 Surgical Strike a 'Figment of Indian Imagination', there was no such event: Pakistan", *The Economic Times*, January 4th, 2019, accessed March 8th 2021
<https://economictimes.indiatimes.com/news/defence/2016-surgical-strike-a-figment-of-indian-imagination-there-was-no-such-event-pakistan/articleshow/67376909.cms?from=mdr>.

⁴⁸ "India says troops cross Kashmir border to attack as crisis escalates", *The Guardian*, September 30th 2016, accessed March 9th 2021
<https://www.theguardian.com/world/2016/sep/29/pakistani-soldiers-killed-surgical-strikes-kashmir-india>.

the protests in Kashmir”⁴⁹. Due to these hostilities, the 19th SAARC summit was cancelled.

India begins to show more signs of aggression. In the summer of 2016, India enforces a brutal militant lockdown on the Kashmir province. Soldiers displayed indiscriminate and brutal violence. In the span of four months, “17,000 adults and children have been injured, nearly five thousand have been arrested”⁵⁰. These violent accounts placed India on the UN Office of the High Commissioner of Human Rights watchlist. They also raise some eyebrows in Washington as India violates the democratic spirit.

26th February, in the early hours, India conducts air attacks against what it calls a Pakistan-based rebel group Jaish-e-Mohammad (JeMZ)’s ‘biggest training camp’, killing a very large number of ‘terrorists’.

At the 2019 G7 convention, US President Donald Trump said to Modi that India and Pakistan could sort out the problem on their own. He reportedly encouraged Modi into playing India's trump card for the first time in 70 years on Kashmir. Later, on August 5th, Modi played the card. He revoked the special status of Kashmir. Article 370 was revoked from the Indian constitution, which specified the autonomous status of Kashmir. India annexes the disputed territory and continues to keep Kashmir under lockdown.

Pakistan is angered. They claim that this contravenes the UN resolutions on the conflict and was contradictory to India’s own principles of a democratic government. India further bares their teeth by hinting that they may abolish India’s “no first use” doctrine.

In 2020, Trump offered to mediate an agreement between India and Pakistan to Modi. This is only after a year of claiming that India and Pakistan could resolve the problem on their own. This triggered Modi. India does not want the US to interfere as don’t want to be treated as a ‘client state’ like Pakistan; they want to be seen as equals with the US.

In 2021, India reversed their aggressive stance. The two nations agreed to a ceasefire that was effective at midnight on the 24-25th February. This indicates positive signs for the security of South Asia, and possible signs of future talks of peace. Pakistan Army Chiefs statement said it was time to extend peace in all directions.

The recent ceasefire is a relief to the Kashmiri’s, who have been suffering under the lockdown from the Indian army and the isolation from the rest of the world. The ceasefire is a necessary action for the pandemic, as it allows both countries to focus on fostering economic growth and caring for the public health of either side. However, history has shown , multiple times, that a ceasefire is only a temporary fix.

⁴⁹ Mirza Waheed, “India’s crackdown in Kashmir: is this the world’s first mass blinding?”, *The Guardian*. November 8th, 2016 accessed March 7th, 2021, <https://www.theguardian.com/world/2016/nov/08/india-crackdown-in-kashmir-is-this-worlds-first-mass-blinding>.

⁵⁰ Ibid.

There is a noticeable pattern in the relationship between India and Pakistan: when the word ‘peace’ is declared, violence typically follows. This indicates a couple things; firstly, if a solution was to be long-lasting, there has to be someone willing to enforce it, which the United Nations is incapable of doing so; thus they are eliminated as a mediator (at least for discussions regarding peace, ceasefire, and the Kashmir dispute). Secondly, Pakistan is an unstable nation that does not honor agreements, thus it will be difficult to resolve this dispute purely through negotiation.

NATURE OF CONFLICT

Key themes to the India-Pakistan conflict include the religious, existential nature of the conflict, geography as the object of the dispute, and relations with neighboring countries.

Religious Conflict

The India-Pakistan tensions are steeped in religious overtones. The two major religions, Hinduism and Islam, have been the crux of the conflict since 1947⁵¹. There are signs that the religious communities can live together, as they have done so for hundreds of years before 1947, but as nationalism grows, the divide between the religious groups widens.

Specifically, there has been an increase in Hindu extremism in India in recent years. This has caused a shift in Parliament and a push towards discrimination against Muslims. During his campaign speeches, US President Joe Biden condemned India’s bigotry against Muslims, and claimed that Kashmir ought to be an independent state. He did so with the intention of gaining the Muslim vote in the US, but his statement made India aware that America was going to ease off their friendly relations with India if they didn’t stop mistreating Muslim communities.

When considering a resolution for the conflict, religion is going to be a major theme. It is the source of the tension, but it can also serve as the basis for communication. For example, a contentious decision that was made by the Radcliffe border line was the decision to declare Kartarpur as Pakistani land. Kartarpur contains a holy land for the Sikh community⁵², so it was considered a loss for India. In 1999, Pakistan and India agreed to allow Indian Sikh’s to cross the state border without a visa⁵³ to make their holy pilgrimage to the

⁵¹ Sikhism is also a major religion in India, but they live harmoniously with Hindu communities and are not as populous as Muslims and Hindus.

⁵² Sikh’s travel between two holy lands, Kartarpur and Amritsar (which is within Indian borders) as a holy pilgrimage.

⁵³ Note that Pakistani-Sikhs were still required to obtain a visa to cross the border to the Indian side.

Gurdwara Darbar Sahib. The little notch in the border became known as the Kartarpur Corridor⁵⁴.

This diplomatic example reveals that although religion sparks tension, it can also be a platform for the two countries to discuss. Overall, the solution to the territory dispute should take into account that both countries hold religion in high regard. It also indicates their dedication to rituals. If either side holds something sacred, they will take care in upholding that ritual. If an agreement isn't consecrated and is seen as conventional or temporal, then it won't be seriously accepted.

On the flip side, the religious extremism also reveals that individual groups and political parties are willing to defy their national government and act violently. The problem with this is that the country is usually blamed for those independent groups straight away, such as what happened with the Mumbai attacks in 2008 when India was quick to blame Pakistan. Whether these accusations are true or not, it usually allows no time for passions to subside.

When seeking a solution, it would be wise to keep the religious beliefs, extremities and rituals in mind. It would also be prudent for the diplomat to realize that what seems rational to western secular thinking may seem irrational to others.

Existential Conflict

Existential conflict⁵⁵ is one in which the survival of one or both parties are at risk of obliteration. Since both India and Pakistan hold nuclear weaponry, they hold leverage over each other in any dispute.

As Richard Haas notes in his book *The World*, India developed nuclear weapons “in part as response to China’s development of nuclear weapons”⁵⁶ and to send a clear warning and threat to Pakistan. Obtaining nuclear weaponry was Pakistan’s only option to match the might of India. It was a way for a small country like Pakistan with low GDP and economic strength, and a much smaller conventional army compared to India, to level up to India. But Pakistan with a nuclear arsenal is alarming to the US as it is an unstable nation with a frequent turnover of leadership. There have been multiple military coups in Pakistan, and terrorist organizations appears to have an influence in the domestic affairs. This alarms the US. They fear that Pakistani government may even lose control of nuclear weapons or materials due to the political instability. The soldiers and government have divided loyalties, with some of their soldiers “suspected of sympathizing with radical Islamic groups and terrorist”⁵⁷. Overall, a nuclear Pakistan is “a proven proliferation risk, because the principal architect of its

⁵⁴ The corridor is about 2.9 miles away from the India-Pakistan border.

⁵⁵ Robert G Kaufman, *Lessons of International Relations Theory*, n.d., 4.

⁵⁶ Richard Haass, *The World* (New York, NY: Penguin Press, 2020), 105-6.

⁵⁷ *Ibid.*, 106.

nuclear program, A.Q. Khan, sold information on nuclear weapons to North Korea, Libya, and Iran”⁵⁸.

India historically abides by a “no first use” doctrine, but more recently, that doctrine may be overturned.

Geographic Conflict

Geopolitics is at the center of this conflict. As neighbors, they have easy access into each other’s territory, and at the middle of the dispute is the sovereignty over the Kashmir-Jammu province. Both states have a lot to gain from full sovereignty. They also have a lot to lose if they do not gain sovereignty.

Kashmir-Jammu Province

The most disputed territory is the Kashmir-Jammu province. This area wasn’t deemed as ‘Muslim’ or ‘Hindu’ by Radcliffe as it was classified a ‘princely state’. A princely state was a term used during English occupation to identify provinces that had semi-autonomous rule for the Indians whilst in alliance with the British Raj. According to the Indian Independence Act of 1947, “the suzerainty of His Majesty over the Indian States lapses, and with it, all treaties and agreements in force at the date of the passing of this Act between His Majesty and the rulers of Indian States”⁵⁹. All relations between the British Rule and the tribal territories that held internal autonomy, the princely states, were terminated: meaning that the territories could decide for themselves whether to accede to either Pakistan or India or claim independence.

As we read earlier, Kashmir ended up being controlled by the Indian dominion with special status, but also with one third of the province being semi-autonomous within the Pakistani region. Both countries hold some piece of Kashmir and are unwilling to let go.

Two things are clear: both India and Pakistan have a lot to gain if they had sovereignty in Kashmir, but more crucially, both sides have too much to lose if they *did not* have sovereignty in Kashmir. For this reason, Kashmir can never be an independent state.

There are several reasons why the Kashmir province is fought over. For starters, it is a symbolic status of sovereignty. At this point, they have been fighting too long to simply give up their stance. This would weaken their national pride. But more importantly, the location is strategic to geopolitical power.

If India were to have full control, then this would give them a window into Central Asia, allowing more trade. They have been building their economy for decades now and slowly emerging as a global superpower due to their trade.

⁵⁸ Richard Haass, *The World* (New York, NY: Penguin Press, 2020), 106.

⁵⁹ India (Dominion), 1947, *Indian Independence Act, 1947*.
<https://www.legislation.gov.uk/ukpga/Geo6/10-11/30>.

This would also give them a border with Afghanistan. If they were to lose the Kashmir border, then they run the risk of Pakistan and China's relationship growing.

For Pakistan, this would "strengthen Islamabad's foreign policy options and deny India opportunities"⁶⁰. Their relationship with China would strengthen, thus giving Pakistan a reliable ally in case India does decide to go to conventional war with Pakistan. Control over Kashmir would also guarantee water security, which naturally would secure more economic security. The Indus River originates from the Himalayan Tibet and passes through Indian controlled part of Kashmir before entering Pakistan, running the length of the country and emptying into the Arabian Sea at Karachi⁶¹. This water source provides for two-thirds of the country, and "without it, the cotton industry and many other mainstays of Pakistan's struggling economy would collapse"⁶².

The Indus Water Treaty of 1960 is one of the few agreements that has been untouched and unbothered. This treaty will not last for much longer, however, as both countries population increase at a rapid rate. The treaty also does not address global warming, an issue that was not of concern in the 1960's. Water security will be a major concern in the future.

Gwadar

Another piece of land that is pivotal to geopolitics is Gwadar. This is a city in Pakistan along the coastline. It is suspected by historian and geopolitical analysts that Soviet Russia invaded Afghanistan so that they could gain access to Gwadar. This would satisfy Moscow's long dream of having access to a warm-water port. Currently, China has their eyes set on Gwadar. Throughout the 21st Century, China has invested enormous amounts of money into it, including a \$46 Billion deal to build a superhighway of roads, railways, and pipelines running 1, 800 miles from Gwadar to China's Xingjiang region, that was signed in 2015. China has also signed a 40-year lease on 2, 300 acres of land in the port area to develop a massive 'special economic zone' and an international airport⁶³. In 2007, Pakistan and China inaugurated a deep-water port in Gwadar. China's long-term plan is to expand their economic and geopolitical influence in south Asia. China will use Pakistan as a land route from China to Gwadar's port. Using that port will allow China to bypass the Strait of Malacca, a narrow stretch of water in the Indonesian region. The Strait is a choking point for China and could strangle their economic growth. By cutting through Pakistan to Gwadar, China gains direct access to the Indian Ocean and beyond.

⁶⁰ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 196.

⁶¹ Refer to Appendix F. for a map of the Indus River map

⁶² Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 196.

⁶³ *Ibid.*, 199.

Pakistan benefits from this for two reasons: it helps neutralize the Baluchistan province, and it strengthens the ties between Pakistan and China. The Baluchistan province is Pakistan's smallest populous, but it also provides the most wealth⁶⁴ to Pakistan. Baluchistan, a volatile province, periodically has independence movements. Pakistan benefits from having China in Gwadar as this adds security forces of up to 25,000 men to help protect and maintain peace in the zone⁶⁵.

Geography & Conventional War

Kashmir acts as the object of the dispute, but the rest of the 1,900 miles long border increases tensions between the two countries, especially when it concerns conventional warfare.

India and Pakistan always have battle plans if they go to war again, which isn't too unlikely. Along the border is the Thar Desert, the mountainous regions of the North, and the swamplands of the South⁶⁶. Both sides are trained to fight in these dangerous conditions, and each have their strategies. The most favorable land to fight on, which is India's best route, is the stretch of land in between the Thar Desert and the Punjab region where Islamabad lies.

The capital of Pakistan is less than 250 miles from the Indian border, most of it flat ground⁶⁷. It would only be a few days for Indian troops to march their way through the Punjab region and reach the capital.

Pakistan has a Plan A and a Plan B if India attacks Islamabad. Plan A is to cut off supplies for the Indian army. As the Indian army advances into the Punjab region, the Pakistani army will halt this advance. They could counter-attack on the Indian Highway 1A⁶⁸, which is used as a vital supply route for the Indian military. If supplies cannot reach the Indian army – an army twice the size of Pakistan's – then they can't fight a war⁶⁹. Plan B is to fall back on the Afghan border. This requires a sympathetic Kabul, meaning Pakistan has to maintain friendly relations with Afghanistan. This gives India incentive to maintain close ties with Afghanistan as well so that Pakistan does not have a Plan B.

Noticeably, Pakistan is too weak on their own to withstand the Indian strength. To stay afloat, Pakistan relies on friendly relations with China to hide behind, and friendly relations with Afghanistan to fall back on.

⁶⁴ Roughly around 45 per cent of Pakistani wealth is attributed to Baluchistan, and holds most of the natural gas and mineral wealth (see Marshall, *Prisoners of Geography*)

⁶⁵ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 199.

⁶⁶ *Ibid.*, 202-3.

⁶⁷ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015) 202-3.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

Domestic Affairs

The domestic affairs of Pakistan and India should be considered when designing a solution. The most important aspect is that there are multiple ethnic groups scattered across both countries with differences in culture and values.

India's tribal regions are not as concerning as Pakistan's factions. India managed to foster a strong national identity which has served them well in stabilizing themselves as a country.

Pakistan, a tribalistic country, can be hard to control for the central government. The government and the Inter-Services Intelligence (ISI) are divided powers, but it is commonly known that the true rulers of Pakistan are the militant ISI⁷⁰.

So, hypothetically: if India and Pakistan were to agree on a peace agreement, this may not be carried out by the rest of the nation since different factions will act according to their own individual manifesto, and not to the policies made by the central Pakistani government.

Whoever wishes to create a sustainable solution will have to address this issue. As it stands now, whatever agreement is proposed to Pakistan should take into account the implicit parties involved, that is, the multiple political factions in Pakistan. Any sustainable solutions needs to include Pakistan centralizing their government.

TIES WITH OTHER COUNTRIES

The final consideration is Pakistan and India's relations with external countries. Originally between two countries, this conflict quickly escalated into a global concern.

The United States

The US has shown two main strategies in the past 75 years. First, Karamatullah Ghort summarizes the hyphenated policy where America treats "India and Pakistan equally and making little distinction between a military ally and a proclaimed non-aligned leader of the Cold"⁷¹. During the Cold War, Pakistan allied with the US to fight against Soviet Russia in Afghanistan. This is when their ties were closest; however, throughout the entirety of the war and beyond, America treated Pakistan with a 'client-state' policy. Pakistan would never be treated as an equal to America or even an ally: all ties are purely utilitarian.

⁷⁰ Michael Rubin, *Dancing with the Devil* (New York, NY: Encounter Books, 2015).

⁷¹ Karamatullah K Ghort, "The Role of the US in 21st Century Pakistan-India Relations". *Pakistan Institute of International Affair*. Pakistan Horizon , January 2014, Vol. 67, No. 1, Pakistan-India Relations A View From Pakistan, accessed March 9th 2021 <https://www.jstor.org/stable/23726075>., 24.

Despite India's support of Soviet Russia in Afghanistan, USA recognized early on that India was an appropriate rival to China⁷². The US also aligned closer with India due to their similar democratic values.

After Soviet Russia withdrew, the US grew wary of Pakistan due to their alleged nuclear program. Ghort says: "The Clinton administration...made it a point to leave Pakistan in no doubt that hyphenated interest in South Asia still had an unequivocal and unambiguous tilt in favor of India"⁷³.

Following Clinton was George W. Bush, who was publicly pro-India. The events of 9/11 would sway the rest of the US government in Bush's favor, thus breaking the hyphenated-policy employed by the United States.

Bush made 'client state' Pakistani policy obvious. In the aftermath of 9/11, Bush announced a 'War on Terror'. The US used arm-twisting tactics to get Pakistan on board with the 'War on Terror'. Ghort says: "The then head of the ISI, General Mahmud Ahmed had been threatened by Armitage that if Pakistan did not side with Bush, or choose to side with the terrorists, it should be prepared to be 'bombed back to the Stone age'"⁷⁴. Pakistan was not given a choice, they had to give in totally to the US.

Years later, President Barack Obama appoints Richard Holbrooke as the Af-Pak Special Representative. Originally it was supposed to include India, but India did not react positively to being classified in the same category as Afghanistan and Pakistan. What this taught the US was that India wanted to be treated as an ally to the US, not as a 'client state' like Pakistan.

Later on, India increases involvement in Afghanistan. This is when US relations with Pakistan start to become unnecessary: India was the preferred country to the US, and they were getting along a lot better with the Afghans. Afghan President Hamid Karzai even had an admiration for India. India trained Afghan soldiers and officers and provided weapons.

President Donald Trump was pro-India. He indirectly encouraged Modi to take action after offering to mediate the Kashmir border dispute. Not long after that, Biden became president. During his campaign he condemned India's treatment of Muslim's and said that Kashmir ought to be an independent state. Biden most likely will take advantage of the 2021 ceasefire and will want to pursue meditation to arrange a peace agreement.

China

China and India are rivals and most likely will maintain negative ties. They often have territory disputes. From 2020-2021, there was a series of skirmishes. They agreed to step down in 2021, just before India and Pakistan called for a

⁷² Karamatullah K Ghort, "The Role of the US in 21st Century Pakistan-India Relations". *Pakistan Institute of International Affair*. Pakistan Horizon , January 2014, Vol. 67, No. 1, Pakistan-India Relations A View From Pakistan, accessed March 9th 2021 <https://www.jstor.org/stable/23726075>., 24.

⁷³ Ibid., 25.

⁷⁴ Ibid., 26-7.

ceasefire. Although they may have stood down for now, it is most likely a temporal agreement.

Pakistan on the other hand has close ties with China. Like the US, Pakistan is more of a tool for China rather than ally, but Pakistan is willing to bend over backwards for China as long as they have the status of ‘allies’ to threaten India and the US. It is essential for Pakistan to maintain close ties with China so they have a formidable ally to rely on. India made friends with the US; it is imperative Pakistan finds an equal opponent to the mass size of US to hide behind.

China uses Pakistan to create an economic corridor and reach Gwadar. If Pakistan does not lose full control of Kashmir, China and Pakistan can maintain close ties.

It would be wise for China to keep the disputes between India and Pakistan ongoing to India would be distracted from China taking up more territory on the North-Eastern borders.

Middle East

Afghanistan has been thrown in the middle of Pakistan’s domestic affairs for decades now, and vice versa. As explained earlier, Pakistan was threatened into assisting the US in the ‘War on Terror’, which angered political and religious extremists in Afghanistan.

Furthermore, Pakistan felt threatened when Afghan President Karzai openly admired India. Afghanistan is Pakistan’s fallback plan if India invades Islamabad, and now India was taking away their emergency exit. Pakistan started to feel cornered, thus why it was so imperative for Pakistan to team up with China.

President Zia was the key player who rallies support from Islamic nations. He empathizes Pakistan as a holy land for Muslims. Zia made Afghanistan a rallying point for Islamic countries. He appealed to the “Muslims from Sudan and Tajikistan, who saw it as a fellow Islamist country under attack from infidels. Money poured in from all over the Arab world, particularly Saudi Arabia, which matched whatever the US sent, and they sent volunteer fighters, including Saudi millionaire Osama Bin Laden”⁷⁵. These relations will show that Pakistan has the support of Islamic nations.

South Asia

Obviously, India and Pakistan affect the entirety of security for south Asia. If they do go to war, whether that be conventional or nuclear, all of south Asian would be at risk. South Asia maintains one of the most contested parts in the world. India and Pakistan’s relationship switches from hot to cold in a matter of

⁷⁵ Malala Yousafzai and Christina Lamb, *I Am Malala* (London, UK: Weidenfeld & Nicolson, 2013), 25.

weeks, sometimes even days, which upsets the entire region. On top of that, China is trying to increase their sphere of influence throughout the region. The US and allies, including Japan and Australia, are trying to counteract this by increasing their diplomatic and economic relations with South Asia⁷⁶.

MEDIATION

America's Stance

The Kashmir border dispute is a dynamic conflict. To design a sustainable solution, multiple elements to this conflict should be considered.

Professor Robert Kaufman, a Professor of Public Policy and Political Scientist, lays out five key questions that needs to be answered before the US mediates dangerous, international conflicts⁷⁷.

1. Does the US have “a significant enough stake in the outcome of the conflict to persevere not only in reaching agreement, but in enforcing and underwriting it thereafter”⁷⁸.
2. If the US does have sufficient interest, do they have “sufficient power...to achieve and sustain a favorable outcome?”⁷⁹.
3. “What constitutes an acceptable outcome [and] an unacceptable outcome for the U.S. as well as its allies?”⁸⁰.
4. “Are non-democratic, non-allies to a mediation sufficiently pragmatic and moderate to accept a non-zero sum outcome consistent with the legitimate self-interests of the U.S. and its decent democratic allies? Or is one of the parties a revolutionary rogue regime...using the mediation/negotiation to wage war by other means while tranquilizing the United States and the other parties to the gathering danger?”⁸¹.
5. “If the evidence is ambiguous about whether one or more of the parties falls into the category of a...rogue regime, what tests will the U.S. devise and employ to make that determination in a timely and effective manner in the course of the mediation/negotiation?”⁸².

The US has substantial interest in the ongoing conflict. Firstly, this is an existential threat to Southeast Asia. Pakistan is a reckless country that continues to politically destabilize every year. Islamabad has shared nuclear information with other unstable states. They lack control and prudence. In America's eyes, Pakistan needs to be contained. Rubin calls Pakistan a “rogue regime. It

⁷⁶ Richard Haass, *The World* (New York, NY: Penguin Press, 2020), 109.

⁷⁷ Refer to Appendix G. for the five questions Kaufman says is necessary for the US to answer before engaging in a dangerous, volatile international conflict.

⁷⁸ Robert G Kaufman, *Lessons of International Relations Theory*, n.d., 34.

⁷⁹ *Ibid.*, 34.

⁸⁰ *Ibid.*, 34.

⁸¹ *Ibid.*, 35.

⁸² *Ibid.*, 35.

sponsors terrorism...and it promotes radical ideology antithetical to American interests...When the Pakistani government cooperates with U.S. objectives, it is more often due to pressure than to mutual objectives”⁸³. If Islamabad detonates a nuclear missile against India, this will incite an all-out war in South Asia and beyond.

In contrast, India is considered an ally of America. Although their democratic spirit has declined in recent years with religious extremism and the brutal treatment on the Kashmiri population during lockdown, they are closer to representing American principles. Most importantly, India is a suitable opponent to China. If India were to be affected, Chinese trade would double in size, thus accelerating their economic strength and global influence. The US has incentive to contain Chinese expansionism. Evidently, due to India’s democratic political nature and their potential to challenge China, the US should have a pro-India stance.

Conclusively, the US has interest in this conflict due to the existential threat that this conflict poses to the Southeast Asia region. Moreover, India is a suitable challenger for Chinese expansionism.

Mediation and treaties is not enough to resolve this dispute. As noticeable throughout the historical background, there is a pattern of Pakistan’s unpredictable and erratic behavior. Pakistan is an unstable government, where the ISI is in more control of the nation than the government itself. They are unpredictable, which means neither the US nor India can depend on Pakistan’s promise to follow the terms of a treaty. Regarding Kaufman’s fourth question, Pakistan may be using mediation as a means to wage war. Pursuing another peace treaty without first adjusting Islamabad’s behavior is foolish and impractical. To create a sustainable resolution, Pakistan must readjust their attitude towards written agreements and show evidence that they can comply to the conditions of the treaty’s conditions.

Historically, both India and Pakistan has asked the US to assist in mediation. The US has sufficient influence in these countries. By providing assistance to India, they would have relative power to achieve a sustainable solution. I say relative power because India would hold more authority within Kashmir, and should act as both the primary instigator for agreement, and also act as the mainstay for the solution. The US should assist in facilitating discussion between India and Pakistan, and watch over India’s treatment of the Kashmiri people and Muslims.

A favorable outcome for the US in this dispute is limiting Chinese activity in Pakistan, stabilizing Pakistan’s government, and bolstering India so that they become a global superpower capable of rivalling China.

The worst possible outcome would be for either side to use nuclear weaponry. This is considered an existential conflict that can turn dangerous very quickly. On the flip side, not doing anything to stop the pattern of skirmishes

⁸³ Michael Rubin, *Dancing with the Devil* (New York, NY: Encounter Books, 2015), 200.

and cross border violence could escalate tensions and thus encourage both countries to turn to their nuclear arsenal.

India is an ideal ally for America. At times, they react passionately to violence and conflicts, which prevents rational discussion. Despite this behavioral flaw, overall, the Indian government are aligned with American democratic values. They are also a potential rival for China, which thus deter Chinese influence in South Asia and limiting their economic strength. For these two reasons, America should take a pro-India stance.

Mediation Approaches

Roger Fisher and William Ury devised a negotiation tactic that focuses on empathy and combines hard and soft power. This combination uses hard power in refusing to back down on your principles, but soft power in being empathetic to your opposing party.

There are five basic tenets to Fisher's and Ury's tactic in *Getting to Yes*⁸⁴, their book published in 2011. The first tenet is to separate the people from the problem⁸⁵. This means you are not fighting the person personally, per se, you are trying to work with the other party to reach an agreement. The second tenet is to focus on your interests, not your position.

The third principle is to invent different options. The conclusion of the outcome ought to have mutual gain for both parties. This means transforming the zero-sum game⁸⁶ to a positive-game⁸⁷. The fourth tenet is to insist on using an objective criteria and the final tenet is to know your Best Alternative to Negotiated Agreement (BATNA). This means one should consider all the alternatives, have a contingency plan and protect their downside.

Fisher's first tenet is impractical in regard to the India-Pakistan conflict. For starters, tensions began long before the conflict officially started in 1947. Tensions have arisen between the two factions for decades and it isn't going to go away anytime soon. Although it may be a useful approach for external parties to separate the people from the problem – such as the US approaching Pakistan or India –this is an impractical approach for India and Pakistan.

The two governments can exercise empathy at times, for example when Pakistan and India made a little notch in the border that became known as the Kartarpur Corridor to allow Sikhs to journey between the two holy lands, but as a means of negotiating for long term peace this is difficult.

⁸⁴ Roger Fisher and William Ury. *Getting to Yes* (New York, NY: Penguin Books, 2011).

⁸⁵ Positional bargaining is when both sides arguing while taking a position and demanding a criteria for a resolution on their own term. This does not allow rational discussion, is inefficient and endangers ongoing relationships. Read Fishers *Getting to Yes* 'Chapter One' for more details.

⁸⁶ Zero-sum meaning only one party involved gains a positive outcome

⁸⁷ Positive sum meaning both parties involved gain something from the outcome

Furthermore, I argue that it is dangerous for India or the US to exercise this tenet too much when dealing with Pakistan. Pakistan is an unstable country; this has direct influence on the problem. The instability of the country is a major driving force behind the problem. The individual actors involved do have a significant sway in the decision making process. Pakistan's militant leadership should not be separated from the problem. Additionally, Pakistan has been evading responsibility for terrorist organizations and religious extremist factions within their borders for decades now. Fisher's tenet should not only be ignored in this instance, but India and the US should *actively relink Pakistan to their problems*.

Fisher's second tenet could work in India and the US's interest when approaching Pakistan. India could extend a hand by appealing to Pakistan's interest in water security by reaffirming the Indus Water Treaty of 1960.

The US should take a pro-India stance. Rather than focusing on creating an outcome that is best for both India and Pakistan, the US should focus on creating the best outcome that will minimize Chinese expansion and assist India. If my proposal goes well and according to plan, Pakistan will benefit as well, but only if they comply to certain conditions and only if they make readjustments in their foreign policies and domestic affairs. The choice will be up to Pakistan whether they gain from the proposal or not.

Fisher's fourth tenet will be the most important principle to keep in mind. Setting an objective criteria is essential for this resolution. As it currently stands, Pakistan is not capable of mediation. Historically they have broken multiple of peace treaties and sympathized with terrorist units. For Pakistan, words hold no value. For a sustainable solution, Pakistan needs to be readjusted.

The fifth principle is the BATNA. Rather than displaying aggression, India could use the 2021 ceasefire as an opportunity to make amends with Pakistan. The US can facilitate discussion to reach an agreement. While Kashmiri's may be exhausted of the conflict and demand independence, India and Pakistan simply have too much to gain if they had sovereignty over Kashmir; and even more crucially, they have too much to lose. This peace treaty most likely will be temporal. Since it will most likely be temporal, the US and India should take advantage of the tranquility and start readjusting Pakistan's behavior.

In contrast to Fisher's and Ury's hard and soft power tactic combination, former US President Donald Trump employs a more aggressive approach in negotiation. In his book *The Art of the Deal*, published nearly thirty years before he became president, Trump describes his negotiation style. He mostly uses hard power tactics in negotiation⁸⁸. 'Go large and go hard' is more his motto. Find your leverage, make your stance and keep pushing.

⁸⁸ Donald Trump and Tony Schwartz. *The Art of the Deal* (New York, NY: Ballantine Books Trade, 1987).

A combination between Trump's hard power tactics with some of Fisher's principles will be the basis of my approach. Fisher's principle of setting an objective criteria will be a key element to the design of my solution. Ultimately, it will be Trump's hard power – India and the US finding their leverage and pushing hard – that will be the driving force behind the solution.

The UN appeasements were unsustainable for two reasons: they didn't attempt to change the behaviors and habits of India and Pakistan before arranging a peace agreement, and the UN are incapable of enforcing a peace treaty. My solution will aim to readjust the behaviors of Pakistan, and then use India and the US to enforce any agreements.

Resolution Suggestion

My proposed solution has three stages. Phase one is to readjust Pakistan's behaviors, and to centralize its government. Mediation is impossible if Pakistan does not change their habits and start containing the reckless factions within their borders. This will be carried out during the current 2021 ceasefire. Phase two is for India to annex Kashmir once again. India and the US need to take a Trumpian approach by using their leverage and start to apply pressure on Pakistan. This will also obstruct Chinese expansion. The final phase is to offer mediation with Pakistan, but only if Pakistan complies to a probationary peace deal. Pakistan must prove they are willing to comply to treaty conditions before the official peace treaty mediation can begin.

Phase One

If the US wants to intervene in the conflict, they should first focus on grooming Pakistan and India so that they are more receptive to negotiating effectively. Reading through the historical background, it is obvious that there is a pattern of behavior. If that behavior is not addressed, then any peace solution offered will be temporal and unsustainable. As the conditions stand now, the two countries are not sufficiently ripe for mediation. The US should begin the first phase of their solution by adjusting behavior and habits to the point that it is ingrained in the two countries.

For India, if they want to emerge as a global superpower and maintain close personal ties with America, then they need to reign in religious extremism and encourage religious tolerance. Overall, they align with American principles of democracy and liberties. The real issue is Pakistan.

Currently, Pakistan is unripe for mediation. One of the biggest barriers to finding a sustainable solution is the instability within the country. It is classified as a tribalistic region⁸⁹, meaning there are multiple groups controlling different parts of Pakistan. Even if the Pakistani government and Indian

⁸⁹ David A Lake, *International Relations*, ed. Christian Reus-Smit and Duncan Snidal (Oxford, UK: Oxford University Press, 2010), 53.

government were to declare peace, the rest of the Pakistani country would not necessarily follow their country's order. The government and ISI are too divided. The government says one thing, usually diplomatically, but the ISI pursues a different policy and directs the nation from behind the scenes. Michael Rubin, a scholar at the American Enterprise Institute who used to work for the Pentagon, classifies "Pakistan [as] a rogue regime. It sponsors terrorism...and it promotes radical ideology antithetical to American interests...When the Pakistani government cooperates with U.S. objectives, it is more often due to pressure than to mutual objectives"⁹⁰. Pakistan responds better to pressure, which is exactly the approach the US and India need to take.

The US needs to focus on centralizing the Pakistani government. There are two possible ways this could occur: intervention or incentive. Intervention could turn sour very quickly. There is a history of military coups in Pakistan, and it wouldn't be prudent for the US to encourage another one. Intervention would not be the best approach, as it would most likely break the country up even more.

The other way is to create an incentive for Pakistan to become more centralized. Historically, Pakistan responds to more negative incentives than positive incentives: they are much more motivated to *prevent* something, as opposed to *doing* something. The aim is to create an incentive that will negatively reinforce Pakistan to adjust their government and leadership.

The US needs to use as many opportunities as possible to prompt, and even compel Pakistan to hold accountability. They need to be pushed into a corner so that they take responsibility for the multiple extremist factions within their country.

Historically, when a Pakistani religious extremist group creates a violent attack in India, what usually happens is Pakistan denies connection to the group. An angry India is too passionate to discuss rationally. This usually results in tensions increasing around the LoC or Kashmir province. Leaving these multiple violent accounts to India and Pakistan usually results in no final conclusions.

One suggestion to combat this would be to arrange a board of councils to facilitate discussion. The council would consist of third-party mediators (the US namely). The US will have three objectives in being council: to ease passions of the victimized country, which will thus allow rational discussion; to encourage a pattern of behavior where both countries turn to rational discussion, rather than allowing their passions to dictate their responses; and to make Pakistan more accountable for the multiple tribes and political factions within their country, reign in religious extremist groups, and focus on centralizing their government.

The third-party mediators will facilitate discussion with the aim of determining whether the independent religious groups conspired with their national government and military, or whether they acted entirely independently.

⁹⁰ Michael Rubin, *Dancing with the Devil* (New York, NY: Encounter Books, 2015), 200.

To use as an example, the US will act as facilitators to determine whether Pakistani-national religious extremist groups conspired with the Pakistani government to wage war against India or not⁹¹.

The council works as a buffer of sorts: so instead of India reacting angrily and immediately placing the blame on Pakistan, Pakistan would have a chance to defend themselves and provide evidence of their detachment from the religious group. Unlike a criminal case, however, the onus of proof will be placed upon the country in question. So rather than India or the third-party mediator proving Pakistan's guilt, Pakistan themselves would prove their innocence⁹². This pushes Pakistan in the corner to take accountability. Thus, this negative reinforcement would encourage 'good' behavior in the future, as they would feel more compelled to reign in religious extremist groups and investigate and dismantle terrorist unit.

One question that arises from this is: what happens if Pakistan is held responsible? Does the third-party council enact sentencing as well? The council would have to be capable of enforcing justice, whether that be punishment, exclusion, or even compensation. Or, alternatively, the third-party would not have the position to enact sentencing at all. The purposes of the council would be to determine if the country in question was responsible for religious extremism and violence that was conspired in their homeland. If Pakistan were found to be held responsible, it would be left up to India to decide how to take action.

The council is there to help ease tensions. There are multiple accounts of religious groups acting erratically and viciously against other religious communities. Instead of India or Pakistan immediately reacting by blaming the other country, and thus stalling discussions of peace (such as what occurred in the 2008 Mumbai shooting), they should first take time to cool their tensions.

This achieves three objectives. Firstly, it acts as a buffer, to help calm the passions of anger and determine whether it is rational for the states take action yet or not. Secondly, overtime this would ingrain a behavior where countries can learn to control their reactions and calm their passions, and enter into discussion in a more civil manner. And thirdly, this will act as a negative reinforcement for Pakistan to reign religious extremist groups and centralize their own government.

This is an indirect diplomatic technique that Rubin mentions in *Dancing with the Devil*. He says that there is a "possible [way] to communicate positions toward rogue regimes without formally engaging with them"⁹³. The council can indirectly apply pressure onto Pakistan to centralize their government.

⁹¹ Of course, this works in reverse as well: either India or Pakistan can be the victims from the country in question. For the purpose of this example and of the third objective as mentioned earlier, I will continue using Pakistan as the 'country in question'.

⁹² Their innocence being their lack of involvement in religious extremist groups of terrorist units

⁹³ Michael Rubin, *Dancing with the Devil* (New York, NY: Encounter Books, 2015), 9.

Phase Two

Following phase one, President Biden should leverage India's military strength and encourage Modi to annex Kashmir. Annexing Kashmir will have two objectives: giving India the upper hand in the conflict which will thus allow India and the US to set the conditions for a peace treaty; and obstructing Chinese expansion.

Timing is essential for this. Pakistan needs to be on the road towards a centralized government. A decentralized government means that India and the US must include multiple political factions implicitly into the equation. Phase one must be satisfactory before phase two, so that so that when the time comes for diplomatic relations, Pakistan is a more centralized government, thus minimizing the number of parties that India and the US must implicitly include into any proposed agreements.

The second objective is to obstruct Chinese expansion. The US will also leverage India's occupation of Kashmir to block China from passing through Kashmir into Pakistan. China relies on passing through Kashmir to reach Gwadar, creating the economic corridor. India annexing Kashmir will limit China's entry into South Asia, something which is of interest to both India and the US.

Although critics will argue that this is a risky and dangerous move since Kashmir has just reached a new stage of peace with the 2021 ceasefire, history will show that this ceasefire will be temporal like all others. Tensions are still growing. This ceasefire most likely was ratified due to effects of the pandemic. Either countries are strained, which is why a temporal ceasefire like this would be of interest.

A concern about Indian rule in Kashmir is a repeat of the prolonged lockdown of 2019-2021. To counteract this, both the US and UNHCHR will oversee treatment of the Kashmiri people, to check that human rights are not violated. The purpose of this is for two reasons: to prevent Pakistan from criticizing India for violating human rights, thus giving them any chance of taking the moral high ground; and also, to not lose favor with international communities.

Phase Three

Once India has annexed Kashmir, they can leverage that position and approach Pakistan to begin diplomatic relations. India should not enter any treaties immediately, however, as Pakistan has proven historically to defy peace treaties.

Pakistan not only fail to comply to peace treaties, they also use treaties as a means of waging war. Pakistan is desperate to maintain ties with multiple nations or domestic political factions, most of whom have conflicting interests. To appease these conflicting interests, Pakistan will say one thing but act

completely differently. Therefore America should be wary of Pakistan and not strain their resources or funding to sustain relations with Pakistan.

It is Pakistan's responsibility to first prove they are willing to comply to the conditions of a peace treaty before India and the US can engage diplomatically with them. One criteria that the US and India could lay out for Pakistan is a peace probationary period. If Pakistan refuses to meet the standards for the peace probationary period, then their position is clarified on whether they were genuine in their claims for wanting to pursue peace. This will clarify their stance on the international scale.

If they show satisfactory signs that they are genuine in wanting to pursue a permanent peace treaty, then India and the US can proceed to mediation.

As a display of their goodwill, India should call a convention to reaffirm the Indus Water Treaty and to reassess some of the details of the agreement, mainly to include clauses surrounding climate change. This will display India's willingness to work with Pakistan, whilst minimizing some of Pakistan's concerns over water security. A neutral third party such as the United Nations, should facilitate this convention. That way the UN will pacify Pakistan. If India or a non-neutral mediator, such as the US, were to facilitate this convention, Pakistan may be threatened and thus be skeptical of the convention.

Ramifications

Now that I have laid out a suggestion, I will briefly highlight some possible ramifications.

India annexing Kashmir would benefit the US, regardless of whether Pakistan complies with a peace agreement or not. India's occupation in Kashmir would obstruct Chinese expansion and deter the economic corridor.

Pakistan's response to Chinese support withdrawal could have negative implications. They potentially may become more reliant on nuclear arsenal and accelerate production. This means that every conflict that occurs in the future has the risk of Pakistan threatening to use nuclear weaponry.

On the flip side, Pakistan could back down if they do not have a reliable ally to hide behind. They may still act volatile in Kashmir, but India could attempt to appease their concerns by reaffirming the Indus River Treaty from 1960. This would minimize Pakistan's fears over the water security, as the reaffirmed treaty can also be updated to match the conditions of 2021, where climate change is now a prevalent concern and was not included in the original 1960 clauses.

CONCLUSION

The US needs to help Pakistan readjust its behaviors towards peace treaties by providing incentive for Pakistan to centralize their federal government, through negative reinforcement. This is phase one of the solution. Readjusting the two countries so that they are ripe for mediation.

The second phase is leveraging the Kashmir province, by encouraging India to annex it. The 2021 ceasefire should not be expected to survive in the aftermath of the pandemic. China could take advantage of this ceasefire and the strained circumstances in both India and Pakistan to expand their sphere of influence into South Asia. This is alarming for both western countries and India. To counteract this, and to leverage their position, India should annex Kashmir. This is the first objective.

The second objective for India annexing Kashmir is to apply pressure onto Pakistan into taking a definitive position on whether they are genuine in their pursuit for peace or not. This brings us to the third phase.

The third and final prong to the proposal is for India to propose a peace probationary period that Pakistan must fulfil to prove they are both willing and capable of complying to the conditions of a peace treaty. This will add further pressure on Pakistan to centralize their government and stabilizing their country.

If Pakistan fails to comply, then they have made their position clear that they do not wish to obtain peace between India and Pakistan. Even if this occurs, at the very least, India and America have gained important insight into Pakistan's true stance, which will be essential information when formulating future resolutions.

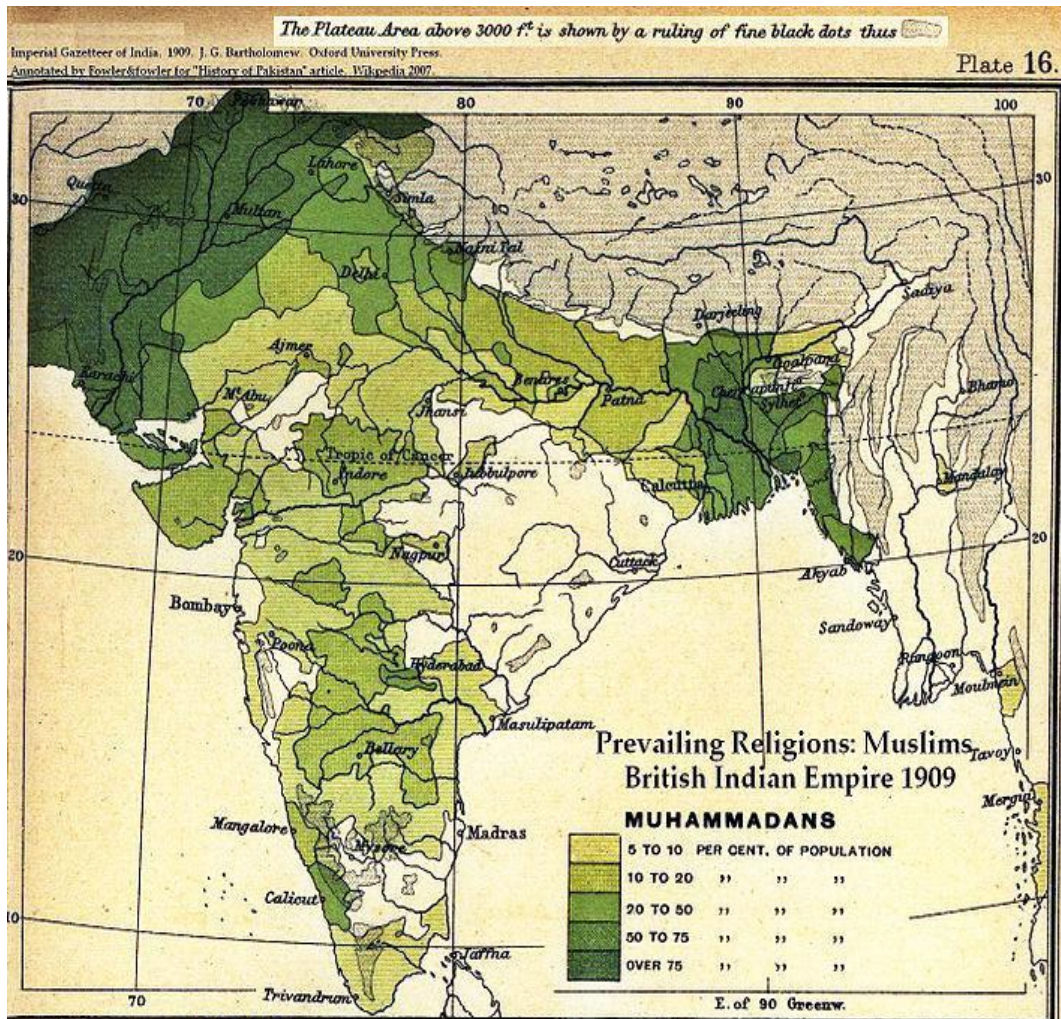
If they do comply, the US will help draft the peace agreement, but it will be India's responsibility to enforce the agreement and to sustain it. If phase one is successful, Pakistan should be more compliant to the conditions of the peace treaty.

The India-Pakistan conflict is an existential conflict that affects the globe. The conflict is multilayered and contentious. Atrocities have occurred on both sides. Both countries are victims and persecutors. As it stands now, Pakistan is a reckless country that needs to be reigned in, otherwise the fate of millions of lives will be at the mercy of an all-out nuclear warfare that will tear South Asia apart.

APPENDICES

Appendix A.

British Map of Muslim Population in 1901⁹⁴



⁹⁴ The Spread of Islam Among the People of India om 1901. Map. Islamic Books, accessed March 8th, 2021 <https://islamicbooks.info/PowerPoint-2013%20and%20Beyond/Spread%20of%20Islam%20Among%20the%20people%20of%20India.htm>

Appendix B.
The Partition of India in 1947⁹⁵

Partition of India in August 1947



⁹⁵ Map of Partition of India, 1947, BBC News accessed March 7th, 2021
<https://www.bbc.com/news/world-asia-41662588>.

Appendix C.
*The Radcliffe Lines*⁹⁶

Sir Cyril Radcliffe was the British lawyer in charge of drawing the state border lines. Radcliffe admitted that it would take years to draw the border lines; however, due to Mountbatten shortening the British rule exit deadline, Radcliffe was rushed. He barely understood the Indian subcontinent – it was his first time in India at all – and he was not given enough time to survey the land and study the religious, cultural, linguistic and geographic history of the region. In an interview with Indian journalist Kuldeep Nayar, years after the Partition, Radcliffe says: ““I had no alternative; the time at my disposal was so short that I could not do a better job...if I had two to three years, I might have improved on what I did””⁹⁷. The time period Radcliffe was given was not ideal, so Radcliffe was compelled to hastily draw the border lines.

The method Radcliffe used was unique. One thing he did understand about the Indian region was that it was scattered with multiple ethnicities that followed their own cultural practices, and at times, even their own legal practices as well. While the British was in control, they allowed regional autonomy. Local leaders would administrate rules and regulation and carry out judgement on legal matters.

Radcliffe broke down the Indian subcontinent into smaller districts to determine the border lines. He used multiple censuses to get an idea of what religious groups inhabited the lands. Even within this districts, there would be multiple sizeable communities living side-by-side. This complicated the matter further. No one province was simply all ‘Muslim’, ‘Hindu’ or ‘Sikh’ – they lived side-by-side. Radcliffe had to determine whether the district was considered a majority Muslim community, or a majority Hindu community⁹⁸ based off population. Whichever was the larger community, was then labelled as either ‘Muslim’ or ‘Hindu’, and the district became a part of either Pakistan or India, respectively.

After breaking the region down into multiple districts and labelling them as either ‘Muslim’ or ‘Hindu’, Radcliffe hastily drew the border lines, thus the birth of India and Pakistan. India would take the middle of the region, which was majority of the land, and Pakistan would be split into two territories: West Pakistan and East Pakistan.

Splitting Pakistan into two regions proved to be difficult and unmanageable for the Pakistani government. The only unifier between the two Pakistan’s was the religion Islam, but even that proved to not be enough to keep

⁹⁶ Map of Partition of India, 1947, BBC News accessed March 7th, 2021 <https://www.bbc.com/news/world-asia-41662588>.

⁹⁷ Manan Kapoor, “A Sloppy Surgery: How Cyril Radcliffe carved the Indian subcontinent”, *The Telegraph*. August 14th, 2019. <https://www.telegraphindia.com/culture/a-sloppy-surgery-how-cyril-radcliffe-carved-the-indian-subcontinent/cid/1697854>.

⁹⁸ Although there were large Sikh communities, the Hindu and Muslim communities were considerably larger.

the two lands as one nation. East Pakistan would eventually become an independent country and renamed itself as Bangladesh.

The state borders were announced two days after India gained independence, on the August 17th 1947. Roughly 14 million people would leave their homes and relocated, which is known today as the Partition.

Creating the border lines was contentious, and drawn under strained circumstances. Although Radcliffe mostly used the method of breaking down provinces and labelling it as either ‘Hindu’ or ‘Muslim’, he purposefully made some states Indian or Pakistani to balance the powers. The city of Lahore, for example, was meant to go to India. He admitted to Nayar that he gave Lahore to Pakistan because he “realized that Pakistan would not have any large city. [He] had already earmarked Calcutta for India”⁹⁹. When the border lines were drawn, Pakistan was given the short end of the stick. They inherited the volatile western border with Afghanistan, and had their country split across two states, with India right in the middle. They had an agricultural base, but barely any funding for development as they only “received just 17 per cent of the financial reserves”¹⁰⁰. If Lahore was given to India, then Pakistan would be even more disadvantaged. Most of the industrialized cities that provided income were within India’s borders¹⁰¹. For example, the city that Radcliffe mentioned in the interview Calcutta¹⁰², was an economic city. It had a port and a banking sector, aiding India’s growing economy and trade. East Pakistan was deprived of this “major income provider, [which also would have acted as a] connection to the outside world”¹⁰³. For this reason, Radcliffe decided to give Pakistan a larger economic city to balance with India.

⁹⁹ Manan Kapoor, “A Sloppy Surgery: How Cyril Radcliffe carved the Indian subcontinent”, *The Telegraph*. August 14th, 2019. <https://www.telegraphindia.com/culture/a-sloppy-surgery-how-cyril-radcliffe-carved-the-indian-subcontinent/cid/1697854>.

¹⁰⁰ Tim Marshall, *Prisoners of Geography* (London, UK: Elliott and Thompson Limited, 2015), 196.

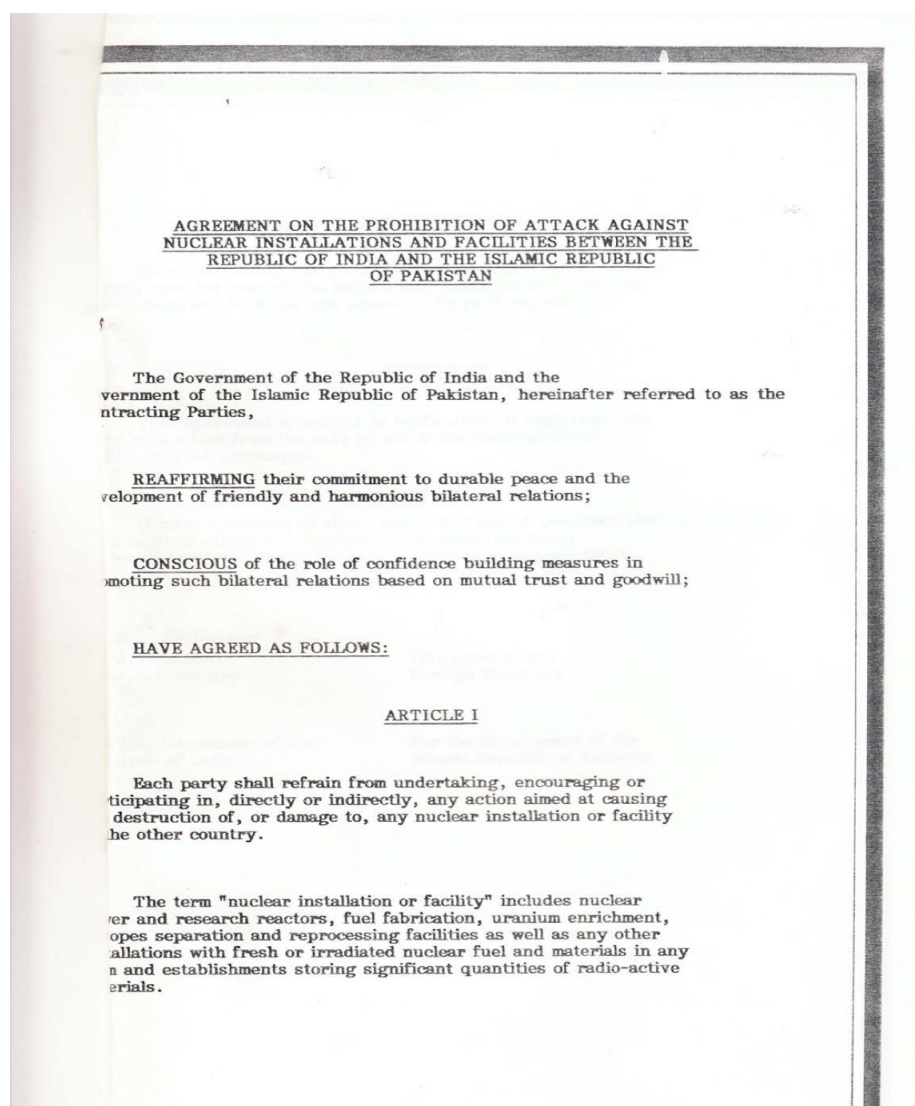
¹⁰¹ Ibid.

¹⁰² Which was later renamed Kolkata

¹⁰³ Ibid.

Appendix D.
*Agreement on the Prohibition of Attack Against Nuclear Installations and Facilities Between India and Pakistan*¹⁰⁴

The agreement details that both India and Pakistan must exchange information regarding nuclear weaponry, storage, coordinates of facilities etc. on January 1st every year.



¹⁰⁴ Minister of External Affairs. *The Agreement on The Prohibition of Attack Against Nuclear Installations and Facilities Between India and Pakistan*. By Government of India. January, 1989 accessed March 7th, 2021 <https://mea.gov.in/TreatyDetail.htm?815>.

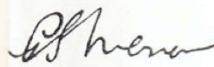
ARTICLE II

Each Contracting Party shall inform the other on 1st January of each calendar year of the latitude and longitude of its nuclear installations and facilities and whenever there is any change.

ARTICLE III

This Agreement is subject to ratification. It shall come into force with effect from the date on which the Instruments of ratification are exchanged.

Done at Islamabad on this Thirty-First day of December 1988, in two copies each in Hindi, Urdu and English, the English text being authentic in case of any difference or dispute of interpretation.



(P. S. Menon)
Foreign Secretary

For the Government of the
Republic of India



(Humayun Khan)
Foreign Secretary

For the Government of the
Islamic Republic of Pakistan

Appendix E.
*2021 Ceasefire – Joint Statement Between India and Pakistan*¹⁰⁵

Joint statement between India and Pakistan regarding the 2021 Kashmir-Jammu Ceasefire. Effective from February 24-25th at midnight.

Ministry of Defense

Joint Statement

Posted On: 25 FEB 2021 12:00PM by PIB Delhi

The Director Generals of Military Operations of India and Pakistan held discussions over the established mechanism of hotline contact. The two sides reviewed the situation along the Line of Control and all other sectors in a free, frank and cordial atmosphere.

In the interest of achieving mutually beneficial and sustainable peace along the borders, the two DGsMO agreed to address each other's core issues and concerns which have propensity to disturb peace and lead to violence. Both sides agreed for strict observance of all agreements, understandings and cease firing along the Line of Control and all other sectors with effect from midnight 24/25 Feb 2021.

Both sides reiterated that existing mechanisms of hotline contact and border flag meetings will be utilized to resolve any unforeseen situation or misunderstanding.

AA,BSC,KR

¹⁰⁵ Ministry Defence. Joint Statement. By the Press Information Bureau of India. February, 2021
accessed March 7th 2021, <https://pib.gov.in/PressReleasePage.aspx?PRID=1700682>

Appendix F.
The Indus River Map¹⁰⁶

The Indus River is the main water source for Pakistan and India. With higher demands for water supply, for water drinking, irrigation and hydropower purposes, there are new added pressures on the distribution of water.



¹⁰⁶ *Indus River Map*, Down to Earth, accessed March 8th 2021, <https://www.downtoearth.org.in/news/water/how-india-and-pakistan-are-competing-over-the-mighty-indus-river-63321>.

Appendix G.
*Five Questions to Answer*¹⁰⁷

Robert Kaufman's five questions the diplomat must answer before engaging in a volatile, international conflict.

1. Does the United States have a significant enough stake in the outcome of the conflict to persevere not only in reaching agreement, but in enforcing and underwriting it thereafter?
2. Does the United States not only have sufficient interest, but sufficient power absolutely and relatively to achieve and sustain a favorable outcome?
3. What constitutes an acceptable outcome ---- a necessary question to think about rigorously lest the U.S. push obsessively for any agreement rather than an agreement consistent with American ideals and self-interests as well as the legitimate interest of American allies who are a party to the mediation such as Israel vis. a. vis. Sadat's Egypt or vis. a. vis. the Palestinians? What, conversely, constitutes and unacceptable outcome for the U.S. as well as its allies?
4. Are non-democratic, non-allies to a mediation sufficiently pragmatic and moderate to accept a non-zero sum outcome consistent with the legitimate self-interests of the U.S. and its decent democratic allies? Or is one of the parties a revolutionary rogue regime or entity, using the mediation/negotiation to wage war by other means while tranquilizing the United States and the other parties to the gathering danger?
5. If the evidence is ambiguous about whether one or more of the parties falls into the category of a revolutionary, rogue regime, what tests will the U.S. devise and employ to make that determination in a timely and effective manner in the course of the mediation/negotiation, breaking talks off unequivocally if necessary if that party fails the clear, valid, easily falsifiable test.

¹⁰⁷ Robert G Kaufman, *Lessons of International Relations Theory*, n.d.

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