

## **SOLUTION TO THE KASHMIR IMBROGLIO**

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In an article entitled *Kashmiri Muslims not for Pakistan* that I wrote for *merinews* just before the Assembly elections in J&K, I had predicted that notwithstanding the boycott call issued by the terrorists/separatists and the outright public support to the call that they appeared to be receiving, the Kashmiri Muslims would, God willing, make a much better showing in the on coming elections than they had in the previous one. Gracefully God was more than willing and the Kashmiri Muslims went out to vote in numbers that far exceeded the expectations of the greatest optimist.

Most surprised and, of course, terribly embarrassed at the outcome of the elections were the separatists who had begun to indulge in good amount self deception by considering the people's support acquired through the gun as popular and voluntary. The election results sent them scurrying for cover even as they looked for face saving alibis. In the hurry and confusion they produced some laughable ones such as the State Government and the security forces not permitting them to implement their plans. In the final and well considered one while they conceded that the people had ignored their diktat they insisted that the people had voted for installing a popular government and not for shutting the door on the demand for self determination. The aim of putting out such an alibi, obviously, was a desperate attempt to keep the pot boiling for retaining their relevance which was, evidently, was now at stake. Their cause has been taken up by some Kashmir based politicians who, though had participated in the elections, did not wish to forego the option of using political blackmail as a weapon of political power, as presented by unsettled and troubled conditions in the State.

The State and the Central governments were also surprised by the political windfall – much more than expected – that came their way in the form of the electoral results. The impartial conduct of the elections has been universally accepted and the high voter turnout in defiance of the boycott call given by the terrorists is being widely considered as people's expression of self-determination in favour of India. Unfortunately, however, Godsend though the out come of the elections was, the Indian political leadership seems to be failing to capitalise on the situation and thereby letting the separatists off the hook.

Evidently this is the right time for India to launch a world wide political offensive (on the lines of the one it has launched after the Mumbai attack) against what the pro-Pak separatists are advocating as the Kashmiri's right to self-determination with regard to final accession to India or Pakistan to settle the issue once for all. It must be clearly brought out

that this is being done at the behest of Pakistan for using it as a “rallying cry” (as it would be known in insurgency parlance) in support of the proxy war that Pakistan has unleashed in the State with the avowed object of its annexation.

First of all it must be brought out The self-determination that Pakistan keeps harping on is only a “rallying cry” (as it would be known in insurgency parlance), for influencing international opinion, and for eliciting the people’s support for the proxy war that it has unleashed in the State with the avowed object of annexation. Otherwise Pakistan has never been a strong votary of the idea self-determination for the people of the State. As a matter of fact even as India was acting imprudently (at the instance of Mountbatten) and squandering away the advantage of the Maharaja’s support by advocating the principle of accession on the basis of the wishes of the people, Pakistan was propagating the legalistic view that, the Maharaja alone could decide which way to go. It was only after its raiders failed to “liberate” Kashmir that Pakistan switched over to its third option of self-determination. Even then it was not intended to be of more than propaganda value. Little wonder that when the UN finally decided to hold a plebiscite in the State, and passed a resolution on the details of the process, Pakistan, not sure of gaining a verdict in its favour, scuttled the issue by refusing to implement its part of the terms and conditions laid down in the Resolution. These terms and conditions formed an essential part of the process for the conduct of the plebiscite and by refusing to implement them Pakistan drove the last nail in the coffin of self-determination in Kashmir. The conditions for the plebiscite that Pakistan could not implement then are harder – nay impossible – of implementation now after the lapse of fifty years. Plebiscite is therefore, a dead issue now and if any one thinks that it might be revived is living in a fool’s paradise. In any case the plebiscite that the UN had considered, was for seeking a verdict of the people on the option of either going with India or with Pakistan and the option of remaining independent was never in question. Both India and Pakistan were opposed to granting the people of the State the third option, as they are even today. So all those who are hoping that in order to remove the bone of contention between them, both India and Pakistan may agree to grant independence to the State, with some sort of joint control, are certainly going to be disappointed. Pakistan’s attempts now to involve the Hurriyat in the present talks also cannot be termed as the involvement of the people of the State. Propped up by the gun wielding terrorists as it is, the Hurriyat’s claim to its representative character would hardly stand scrutiny. At best it represents the pro Pakistan minority in the State that has acquired political power through the barrel of the gun. The silent majority is still with India.

Another hard fact is that the time wrap of over half a century and the political compulsions of both the countries, resulting from opposing and irrevocable stands adopted by them over the years, have put a hold on the initiative of the heads of the two countries, restricting their option to just that of maintaining the *status quo* in Kashmir. Neither can afford to make concessions or indulge in the diplomacy of give and take that is so essential for solving any dispute. The slightest concession made by one to the other would be termed as a sell-out by his people and could cause a political upheaval large enough to spell his doom. Even the *status quo*, against which so much has been said by both sides during the not too distant past, is not likely to be accepted directly for fear of people's reprisals, especially in Pakistan. People of that country may well ask of its leaders as to why this was not accepted fifty years back when India had made the offer of converting the cease-fire line into an international border and closing the chapter once for all. The acceptance now would, therefore, have to take the form that it took in the Simla Agreement – both the sides sticking to their respective stands on the issue but at the same time agreeing not to use force to alter the present situation. A *de jure status quo* that could be made *de facto* ultimately, after emotions have subsided on both sides.

The fact that there is no solution to the Kashmir issue other than that of maintaining the *status quo* should not, however, be any cause for undue pessimism. Because similar Indo-Pak agreements have failed in the past cannot automatically be taken to mean that the present one will fail too. For, the circumstances under which the present summit is taking place are widely different from those prevailing during such summits in the past. The previous agreements failed to take off because Pakistan had been entering into agreements with India in the past not with the intention of solving issues but only for extricating itself from sticky situations that it found itself in after every misadventure. Once out of the mire it refused to implement its obligations under the agreement, only to prepare for yet another round of war. Evidently India's low force level, just enough to maintain a precarious balance of power with Pakistan but incapable of delivering crushing and decisive blows, was tempting the latter to drag the former into a war again and again in the fond hope that it might win sometime. Pakistan could afford to flout the terms of the agreement with impunity because of the American patronage that it was enjoying all the while. But thanks to the very fine diplomatic effort made by the present Indian Government, things are different today. The United States is no longer anti India. It has realised that while "India is now debating its future, and strategic path, the United States must pay it more attention" (George Bush, Strategic

Analysis, IDSA, p 545). The United States is today genuinely interested in peace between India and Pakistan. As a matter of fact the present Indo-Pak summit is widely believed to be the outcome of behind-the-scene efforts of the United States. Even if it is unable to influence the terms of the agreement that India and Pakistan may arrive at, the US could at least act as the guarantor to ensure that whatever is agreed upon is also acted upon.

The other significant change in the general scenario is that both sides seem to be genuinely yearning for peace. While Vajpayee has all along been known to be a man of peace, even Musharraf, who sabotaged the Lahore Declaration, appears to have suffered a change of heart. Apparently he has realised the futility of wars with India, as none of the four that have been fought so far have produced any results favourable to Pakistan. It may have in fact been the other way round. Musharraf has in all probability, therefore, decided to call it a day as far as wars are concerned. He would also, probably, withdraw Pakistan's proxy war in Jammu and Kashmir, because as a General he would know that such low intensity wars couldn't succeed without some successful push from across the cease-fire line. The Kargil experience has amply demonstrated the impracticability of such an action by Pakistan.