

The Indo-Pak talks on Kashmir

STATUS QUO AS THE ONLY OPTION

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Notwithstanding General Musharraf's assertion that there are many options for solving the Kashmir imbroglio and Dr Manmohan Singh's commitment on keeping his mind open to all such options, there does not, in practical terms, appear to be any option for India and Pakistan other than of maintaining the *status quo*. This is dictated by some hard fact, which both sides, even if fully aware of, are not in a position to acknowledge.

The first and foremost fact is that both India and Pakistan – their professions to the contrary notwithstanding – consider the dispute to be between the two of them with the people of the State having no role to play in its settlement. This is how it has always been and this is how it will always be. The self determination that Pakistan keeps harping on is, with its universal appeal, only a “rallying cry” for eliciting peoples’ support for the proxy war that it has unleashed with the avowed object of the State’s annexation to Pakistan. 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 and squandering away the advantage of the Maharaja’s support on the issue of accession 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 efforts to woo the Maharaja proved unsuccessful and its raiders failed to “liberate” Kashmir that Pakistan switched over to its third option of accession on the basis of self-determination. Even then it was not intended to be of more than propaganda value. Little wonder that Pakistan, scuttled the issue by refusing to implement its part of the terms and conditions laid down in the UN resolution on plebiscite in Kashmir. The conditions for the plebiscite that Pakistan could not implement then are harder – nay impossible – of implementation now after a lapse of fifty years. Plebiscite is, therefore, a dead issue now and Pakistan may well take the credit for driving the last nail in the coffin of this option. Pakistan’s attempts to involve its protégé, the Hurriyat Conference, in the present talks are also more for strengthening its own cause in Kashmir than providing the people with the option of self-determination. Who does not know that the Hurriyat, propped up by the gun wielding terrorists as it is, can hardly sustain its claim to a representative character.

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 state of the two countries. The people in both the countries have been worked up to such a state of emotional frenzy over the issue that neither side 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 head of state 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 – restricting their option to just that of maintaining the status quo in Kashmir.

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 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 of the status quo 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 facto status quo that could be made de jure ultimately after emotions have subsided on both sides. The efforts that are being made by both sides to douse the fires, which they have been stoking for the last five decades of so, are most encouraging.

Because Indo-Pak agreements have failed in the past cannot automatically be taken to mean that any new agreement will fail too. For, the circumstances under which the present talks are taking place are widely different from those prevailing prior to such agreements in the past. The previous agreements failed to take off because Pakistan had been entering into agreements with India 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 armed force level vis-à-vis Pakistan though enough to prevent Pakistan from making military gains is not quite adequate for deterring it from coming back again and again for fresh tries. The precarious balance of power has been keeping Pakistan's hopes of a chance of victory alive and tempting it to drag India into the war again and again. Besides Pakistan could flout the terms of the agreement at the end of each war with impunity because of the American patronage that it was enjoying all the while. Things are, however, different today. The United States is no longer anti India. It is today genuinely interested in peace between India and Pakistan even if as a matter of self interest. As a matter of fact the present Indo-Pak talks are 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 Pakistan too seems to be genuinely yearning for peace. 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 wars 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 cannot succeed with some successful push from across the cease-fire line. The Kargil experience has amply demonstrated the impracticability of such an action by Pakistan. The greatest positive factor that could help in finding a solution to the vexed issues between the two countries has, however, been that goodwill between the two peoples has begun to permeate through the border that had hitherto remained hermetically sealed.