

Post-Cold War US Kashmir Policy

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ABSTRACT

Since the demise of Great Britain, the US has been a key player in the world politics. Pakistan ventured to capitalize on the prospects of winning US support to resolve the Kashmir dispute. Owing to its strategic and economic interests in the South Asia and Pakistan's eagerness for a greater American role in the settlement of the Kashmir dispute, Washington has since long been involved with the situation in one form or another.¹ But, the US role in Kashmir issue over the last five decades has neither been uniform nor persistent; it varied with time and the prevailing conditions. The instances are many and varied. Though understanding for Kashmiri peoples' aspirations for self rule is there in US policy yet their right to resist against the oppressor is eyed with suspicion. Washington desires playing a mediatory role but does not find the will to face the Indian ire, thus leaving the real victim – Kashmiris – out in the cold. As to the post cold war period, while Clinton era was lukewarm after demise of USSR, aggressive policies pursued during the Bush Jr. term were out of the ordinary. The Nuclear explosion in 1998, the Kargil war between Pakistan and India, and the subsequent events of 9/11, all had repercussions on the Kashmir policy. In this backdrop, this paper analyses the US interests in the region and where the Kashmir issue stands in its policy, especially with reference to the ongoing resistance. If history can be any guide, the chances of US' playing a dispassionate role in resolving the issue are scarce; it has confined itself to a crisis management role rather than the much-needed conflict resolution. Since the will to end the crisis once and for all – the key to conflict resolution – is missing, the issue is expected to linger on.

Kashmir conflict in the post-cold war era

Kashmir suffered the most because of cold war alignments of Pakistan and India. During the cold war period, Moscow, on the behest of India, had always scuttled the possibility of a peaceful settlement of Kashmir dispute at UNSC by vetoing different resolutions on various occasions.² The end of the cold war with the break up of the Soviet Union literally marginalized Pakistan in the US power corridors. Islamabad thus lost its strategic edge. In the meanwhile, nuclear proliferation rose high on the American agenda and Pak-US differences surfaced with new complexities. Excepting the period of joint campaign against Soviet aggression in Afghanistan (till 1989), US at every stage tried to prevent Pakistan from acquiring the

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nuclear technology. Islamabad was shaken by the US administration's decision to impose complete ban on sale of military hardware and release of economic aid on October 1, 1990. This time, the US administration refused to issue a certificate saying that Pakistan did not have atomic bomb that had previously been issued as a pre-requisite under the Pressler amendment.³

The fall of Soviet Union gave US more room to focus on economic development and venture for new investments and markets overseas. With this new mindset United States quickly entered in a new phase of cooperation and trade relations with its old rivals such as Russia, India and even China in 1990. Interestingly enough, the Indian government ignored the past allegiances and jumped into the American bandwagon. New Delhi even abandoned its traditional anti-capitalism stance and adopted an open market policy. Indian Prime Minister Narasimha Rao initiated a set of revolutionary economic reforms, which were very well received in Washington. The then Indian army chief said in Washington in July 1991, "In the new era, the Indian and US interests have converged".⁴ Above all, India also provided fuel to the American Air Force from Bombay Air Base during the first Gulf War in January 1991 besides supporting all resolutions against Iraq on UN forum.⁵ This 'new world order' scenario thus marginalized traditional international backing and support for Islamabad.

In this changed global atmosphere, the Kashmiris started mass movement and the youth took up arms against the Indian rule in the disputed state of Jammu and Kashmir. Being a legitimate and recognized party to the Kashmir dispute, Pakistani people are emotionally attached with the Kashmiris' 'right of self-determination' from day one. Understandably so, it was impossible for Islamabad to stay indifferent from the Kashmir struggle. The government and civil society extended their full support to the Kashmiris' resistance movement, much to the chagrin of India and partly to Washington's rage.

Meanwhile, the Kashmiri Diaspora, especially residing in the United Kingdom and the North America, got fully involved in the struggle. They formed lobbying groups and brought forth regional ethnic newspapers and magazines. Furthermore, the Jammu and Kashmir Liberation Front (JKLF) – a nationalist outfit – led the Kashmiri struggle in early 1990s, transforming the traditional outlook of Kashmir from a territorial dispute between India and Pakistan to a struggle for a Kashmiri self-rule with a sense of pride. Therefore, international community not only saw this struggle as indigenous but also offered media coverage enhancing popular interest in 'whats and whys' of the crisis.

Instead of addressing the root causes of the dispute, Delhi came out with a charge sheet against Islamabad for disrupting the law and order situation in the state. India also adopted a host of measures to suppress the mass resistance at various levels e.g. imposition of the governor rule; the enactment of several draconian laws like the Armed Forces (Jammu and Kashmir) Special Powers Act, 1990; Terrorist and Disruptive Activities Act

(TADA), 1990; the Jammu & Kashmir Public Safety Act, 1978 (amended in 1990); and the Jammu & Kashmir Disturbed Areas Act, 1990. Rampant killing of innocent citizens became a regular feature in those days, which invited more and more of violence. This aggressive Indian strategy led to total alienation and revenge in Kashmiris' against the Indians. In the meantime, India tried hard to get round the world that uprising in J&K state was a part of global wave of terrorism and fundamentalism.

The US response

In early 1990s, Kashmir virtually became the flashpoint amongst the disturbed regions of the world. The VP Singh government was threatening Pakistan almost every day. Inside the valley; the mass resistance against the Indian occupation was touching newer heights, thus making it imperative for the international community and United States to develop clear-cut positions vis-à-vis the Kashmir conflict. Like in the '50s when US was seriously involved in a bid to settle the dispute at different levels including the UNSC, it was not viable for Washington to sit quite.

Thus, Assistant Secretary of State for Near East and South Asia John H. Kelly made a testimony before the Asia-Pacific sub-committee of the House of Representatives and International Relations Committee on March 6, 1990 saying: "United States considers Jammu and Kashmir a disputed territory". He urged both the countries to settle it according to the Simla agreement.⁶ Subsequently, US Ambassador to Pakistan Robert Oakley asked both the countries to "take into account the needs of the people of Kashmir."⁷ The statement marked the beginning of US heed to Kashmiri's resistance. The pronouncement obviously raised the expectations of the Kashmiri people.

1990 Indo-Pakistan Crisis

While the international community and US were involved in formulating the Kashmir policy, New Delhi drew its forces close to the Pakistani borders in the spring of 1990. The war seemed just around the corner, once again due to growing tensions over Kashmir. India moved more troops into the J&K to prevent the 'cross-border' infiltration from Pakistan and to intimidate hot pursuit or raids on 'training camps' in Pakistani territory. Meanwhile, some US intelligence analysts feared a possible nuclear exchange.⁸ The rhetoric had heightened so much that Indian Prime Minister VP Singh lashed out at Pakistan in the Parliament on April 10, 1990, warning against paying a heavy price for its acts.⁹ Likewise, a few weeks earlier his Pakistani counterpart Benazir Bhutto promised with Kashmiris in Muzaffarabad a 'thousand-year war' to support the resistance struggle.¹⁰

Under these circumstances, while the chronic fire exchange across the LoC increased manifold, Pakistan implicitly threatened to use nuclear weapons if India intervened militarily across the Line of Control (LoC).¹¹ Instantly, United States intervened to act as an intermediary. The first Bush administration sent its National Security Adviser Robert M. Gates to Islamabad and New Delhi respectively in a bid to lower the tension in the region.¹² Besides, Senator Alan Crariston also visited both the capitals to

warn them that the war between India and Pakistan would be a catastrophe for the people of both the countries. It could conceivably lead to the use of nuclear weapons and it would not resolve Kashmir problem.¹³ Gates mission thinned the war clouds over South Asia.

Nuclear Pakistan, Kashmir and Human Rights Issue

Near-war situation set out the alarm bells in Washington, which resultantly decided to force Islamabad to abandon its nuclear program and the Kashmir-specific mindset while it faced economic and military sanctions under the Pressler amendment. US ambassador's warning to Pakistan manifests enormous diplomatic pressure on its one-time ally: "Pakistan is committing a suicide."¹⁴ While pursuing their non-proliferation agenda, at times the American officials had set aside the diplomatic norms to behave like masters not friends.¹⁵

The American diplomatic and economic pressure on Pakistan proved counter-productive and Islamabad became more dependent on its nuclear capability for the country's security believing that only nuclear power could save it from the superior Indian conventional military might.¹⁶ The same would also help Pakistan continue its support to the Kashmiri struggle. The US attitude emboldened India to reject any conflict resolution deal with Pakistan.

Meanwhile, India and US started to echo each others' views with regard to the 'so-called' danger of Islam. The Indians sensed the opportunity and they presented the Kashmiri resistance in the prism of Islamic extremism, fundamentalism and anti-America and west struggle.¹⁷

America thus established linkages between Kashmir conflict and possible use of nuclear weapons. Outgoing President George W. Bush in his detailed briefing to his successor Bill Clinton categorically told him that the Kashmir conflict could take South Asia to war anytime.¹⁸ Bill Clinton (1993-2001) had assumed power in 1993 with the promise that his government would work for protection of human rights and non-proliferation all over the world. Ironically however, the Kashmiri people were passing through the worst human rights crises in their history. The Indian forces were applying indiscriminate terror tactics to silence the people. At this juncture, the Clinton administration took up nuclear proliferation and human rights issues simultaneously with Pakistan and India. Washington severely criticized Indian record of human rights violations in Jammu and Kashmir while pressurizing Pakistan to sign the NPT.

President Clinton established South Asian bureau at the State Department and appointed the then political councilor at the US embassy in New Delhi, Ms. Robin L. Raphel, as its head.¹⁹ The move hinted at the significance attached to South Asia by the Clinton administration. The first formal comment on part of the Clinton administration came in New Delhi when addressing the International Center Delhi, US Deputy Secretary of State Johan Malott held:

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- The US considers all of Kashmir to be a disputed territory, on both sides of the line of control.
- This is an issue to be settled peacefully by India and Pakistan taking the views of the Kashmiris – both Muslims and non-Muslims into account.
- The US is prepared to be helpful in this process provided that it is desired by the two sides.
- The US also urges genuine access to rights groups “to shed greater light on human rights abuses from all sides.”²⁰

Significantly, the statement marked a striking shift in US policy, giving the Kashmir question an unprecedented urgency and even a new streak of legitimacy. Hardly a month later, US House of Representatives censured India for its human rights violations in the occupied Kashmir, the Punjab and Nagaland.²¹

The first year of Clinton rule was a nightmare for India. Not only diplomats and government officials were critical towards the Indian human rights record, the president himself told the United Nations General Assembly annual session: “As we marvel at this era's promise of new peace, we must also recognize the serious threats that remain.” He observed, “Bloody ethnic, religious and civil wars rage from Angola, Caucasus to Kashmir.”²² The mood in Islamabad and the Kashmiri circles was upbeat while India was annoyed by Clinton's referral to the Himalayan state as a major trouble spot. Referring to the Indian criticism, Robin Raphael not only defended her president's comments but also went a step ahead, saying: “It was meant to say, we see Kashmir on radar screen along with Yugoslavia and Somalia and lots of other places in the former Soviet Union, Georgia, where there is civil conflict going on. We cannot easily overlook it, and there is a message in that.”²³

As US had put prevention of human rights violations, nuclear non-proliferation and sustainable development and economic liberalization on its new agenda, Kashmir became a test case for America to show its commitment and adherence to the notion of human rights protection.²⁴

Robin Raphael severely criticized human rights violations by the Indian forces in Kashmir, saying:

“Making people disappear, encounter killings, extrajudicial executions, death in custody, and all this stuff, frankly, there is no excuse for. We view Kashmir as a disputed territory and that means we do not recognize the instrument of accession as meaning that Kashmir is forever more an integral part of India.”²⁵

Apart from Robin Raphael, some other key US policy institutions also criticized the Indian record on human rights violations. For instance, in August 1993, the House Sub-Committee on Asia and the Pacific reviewed the Kashmir situation and observed:

“There is a growing consensus that some Indian security forces have engaged in widespread human rights abuses in Kashmir

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against the insurgents and civilian population, which is majority Muslim. Unfortunately, the number of such abuses including rape, reprisal attacks against civilians, summary executions, systematic arson, and attacks on medical personnel and human rights monitors has increased dramatically in recent months. The Subcommittee calls upon the government of India to impose civil and criminal sanctions on those responsible for human rights abuses.²⁶

Just a month later, the US Senate Foreign Relations Sub-Committee asked India to stop "deliberate killing of unarmed civilians and end the impunity for gross violations of human rights by the security forces." The Committee's report also stated that "it is disappointing that, to date, the International Red Cross (ICRC) has not been permitted access to Kashmir."²⁷

A number of Congressmen off and on raised the issue of Kashmir with particular reference to the human rights situation in the Valley. *India Today's* Washington Correspondent Tania Anand writes:

"More and more Congressmen are resorting to anti-India diatribes on the floor of the House. So concerned are Congressmen about being seen to be on the right side of human rights that even those elected with Indian support don't hesitate to disown India when it comes to issues like human rights."²⁸

It was really a big success for the Kashmir resistance struggle that US eventually had come up with a clear policy, at least on the issue of human rights. Islamabad and the Kashmiri circles were expecting that other countries would also follow the lead and support the Kashmir cause.

Washington Changes Track

Frequent American criticism of the Indian human rights record put New Delhi on back foot besides slowing down the pace of the fast growing Indo-US relations. The Congress government and Indian media were angered by the US advice on human rights and particularly for reference to Kashmir conflict by various officials of the Clinton administration.²⁹ At the same time, Narasimha Rao-led India realized the economic, military and diplomatic power of the US. New Delhi decided not to antagonize the US as it could harm her interests and reduce future options. Nuclear expert K. Subrahmanyam advised his government:

"As the sole superpower, only the US is in a position to guarantee India's security concerns. The break-up of the Soviet Union has lost India the leverage it traditionally enjoyed with the US. In a unipolar world, a hostile antagonistic America can only benefit Pakistan and undermine India's security. In addition, US support for concessional financing from the International Monetary Fund and the World Bank is critical for the country's economic reforms program. Finally, India needs the US to acquire advanced technology in key areas like electronics, space research and telecommunications."³⁰

Indian Prime Minister P.V. Narasimha Rao took added interest in improving relations with US. He personally encouraged the Indian-Americans to invest in their motherland and work for its image-building overseas. In the meantime, he liberalized the Indian laws to develop investment-friendly environment. The reforms earned good repute and the US Commerce Department named India as a big emerging market (BEM). Till May 1993, US investment in India had crossed over \$1.1 billion, apart from a similar expansion in bilateral trade.³¹

Furthermore, to allay Washington's criticism, the Indian government took some reconciliatory measures such as setting up of human rights commission and access to the ICRC to visit IHK. Moreover, they released prominent Kashmiri leaders and invited Islamabad for talks on conflicting issues. The Indian government left no stone unturned to appease Robin Raphel during her four-day visit to New Delhi in March 1994. Rao's Home Minister S.B. Chavan, who had previously declined meeting with Raphel, terming her a 'junior office,' not only gave her waited for his meeting but also personally supervised arrangements of her visit.³² Furthermore, the Rao government also told the Americans that the Agni missile program was over and the Prithvi had slowed down.³³ It was a signal to the US administration that India can cooperate on the nuclear issue and missile development program.

Indian Efforts Bore Fruits

Before leaving New Delhi, Raphel had a long chat with a select group of journalists. She spelled out US policies in five points:

1. We support a negotiated end to the conflict in Kashmir. Our focus is not how it started, but in how it can be ended.
2. We support efforts to resolve the dispute as envisaged in the Simla Accord.
3. We support Prime Minister Rao's efforts to pursue a political process that will bring to an end the fighting in Kashmir.
4. We are concerned about credible reports of human rights violations in Kashmir. We always acknowledge that militants share responsibility for violations with the security forces. We appreciate the steps the Government has taken to reduce the abuses committed by members of the security forces.
5. We vigorously oppose outside aid to the militants and have repeatedly made that clear in capitals where it needs to be heard. We have worked harder than anyone else to decrease that support.³⁴

This statement cleared the mist and allayed misunderstanding about the US intentions paving the way for Rao's May 1994 visit, which later played an instrumental role in improving Indo-US relations. It was a calculated and well-managed trip. Rao spent a lot of time on mock exercises to develop various scenarios while dealing with the American president and his aides. Besides, he focused on business and trade relations. For this, he took along top Indian businessmen and traders to the

United States. On the other hand, the American investors formed India Interest Group, a lobby of 26 American parlanges as 'heavy hitters,' such as AT&T, Coca Cola, IBM, General Motors and other corporate giants. In the US power structure, big business plays a major and significant role. They say: "If big business talks, White House listens." Before starting formal meetings with the US officials in Washington, he paid a visit to the key business centers of US such as New York, Houston and Boston. Everywhere, Rao tried hard to sell business opportunities in India.³⁵ Now, he was able to push the economic agenda of his visit to the centre stage instead of facing controversial questions. In fact, he successfully made headway in the American policy circles. After summit meeting, Clinton told Rao, "Suddenly, all my cabinet members want to visit India."³⁶ His visit sidelined the issues of human rights and Kashmir as America avoided talk on Kashmir or human rights record publicly.

Slowly but surely, Washington put Kashmir and human rights issues on the backburner and gave preference to the economic relations. Meanwhile, the State Department claimed in its annual report on the human rights that militants were also responsible for human rights violations. With this new found phrase, US started to encourage political process in the IHK. President Clinton advised India:

"... to work to reduce human rights violations, allow greater access by international organizations and encourage political dialogue in Kashmir that would lead to the restoration of credible democratic process."³⁷

Following this statement, US almost stopped criticizing New Delhi and started to appreciate for taking different steps to improve ground situation. For instance, in one congressional testimony Ms. Raphael cited the formation of a National Human Right Commission in India, as well as the Indian Army's crackdown on its own soldiers as steps 'in the right direction.'³⁸ She justified her government's new stand and remarked:

"... The United States has multiple interests – democracy, human rights, commerce, stability, etc. – and it pursued them all 'in an appropriate way' without trading off one with another. Situation in Kashmir today is lot different than what it was in 1993. Indian had taken a number of steps, including the establishment of a human rights commission ..."³⁹

Diluting its traditional position on the nature of Kashmir dispute, the US advised Islamabad to forget about history and see ahead. It even ruled out the possibility of UN resolutions' implementation. While giving briefing to House International Relations Sub-Committee on Asia and Pacific, Ms. Raphael observed:

"... To be fair, I think it is a little bit more complicated. The earlier UN resolutions called for a plebiscite and some Kashmiris and the government of Pakistan over the years urged that those resolutions be implemented. The difficulty is that a lot of history has gone by since that time, number one. Number two, the government of India at this time doesn't share the view that those resolutions are still

relevant. And third, in practical terms, as I said in my statement, it is time to move forward, not to look to past prescriptions but to come up with a prescription that fits the situation on the ground and current political reality ...⁴⁰

Furthermore, immediately after Rao's visit, the State Department appointed Frank G. Wisner ambassador to India. He was a career ambassador and well-connected in the US power corridors. Before assuming office, he said he would work on non-proliferation and Kashmir in an overall framework of friendship and cooperation. He also made it clear that the United States did not aspire to play a role in the Indian and Pakistani problems.⁴¹

All these statements indicate that economy and national interest prevailed over the notions of human rights and right of self-determination. Islamabad and pro-freedom circles in Srinagar got disappointed with the new US approach towards India and its cold attitude towards Kashmir issue. This US approach vindicated the extreme right wing skeptical viewpoint about Washington that US would not support right of self-determination in Kashmir for it were the Muslims who were demanding that.

US support to J&K State elections

Since the early 1990s, New Delhi had been trying to initiate political process leading to state elections but was unable to implement its plans due to a host of unfavorable internal and external factors. During 1995 and early 1996, New Delhi faithfully established contacts with a number of groups involved in Kashmiri militancy and encouraged them to play to the Indian game plan. These renegades formed militant outfits and killed and maimed thousand of civilian supporters of Kashmiri resistance. Many political workers and human rights activists were killed by the counter militias. Through these unlawful tactics, India apparently got an upper hand on the armed resistance.⁴² It took benefit of the situation and announced to hold elections in September 1996.

Strangely enough, US ambassador Frank G. Wisner pushed the elections idea and started a campaign in its favor. He personally met with several Hurriyet Conference leaders in a bid to convince them for participation in the elections. When the Kashmiri leaders apprised him about their stand and legal complications in taking part in elections i.e. one has to take oath to remain loyal to the Indian constitution, he even assured them that in case of their readiness to participate in elections, India would not ask them to take oath.⁴³ Interestingly, this offer should have come only from the Indian authorities or election commission. Following statements may help understand US' key functionary's approach towards state elections:

- The state elections must be free, fair and open and I am assured by the Government in Delhi and that of state itself that they will be. They are not an end in themselves; indeed many Kashmiris will not participate. But to the degree that elections have been preceded by

political dialogue and are followed by further dialogue between Kashmiris and between the state and the central government over a fresh constitutional definition, then a process is underway that offers promise to India, to the region and the world.

- The United States will continue to express its support for a political process in Kashmir and a resumption of dialogue between India and Pakistan as we have done for over 40 years.⁴⁴
- The upcoming elections in Jammu and Kashmir State "offer hope for an end to the seven-year Muslim insurgency. There is a political window of opportunity for Jammu and Kashmir for the first time after years of nightmarish violence."⁴⁵

Likewise, Wisner said in Srinagar that the Hurriyet leaders were ready to participate in the elections. The Hurriyet immediately condemned the statement and canceled its scheduled meeting with Wisner. Not only Wisner but US senator Hank Brown, author of the Brown amendment, also visited Srinager and urged Kashmiri activists not to boycott the elections.⁴⁶ Wisner also visited Islamabad in May 1996 to explain to top Pakistani leaders his views on the political process in J&K state. He asked Islamabad not to support anti-elections moves in J&K and praised the Indian efforts to bring peace to Kashmir.

Pakistan and the Kashmiris sharply denounced Wisner's pro-elections campaign and the people boycotted the elections. Pakistani Foreign Minister Asif Ahmad Ali commented on Wisner's remarks in a very critical way: "Wisner is acting as a devil's advocate." He said Wisner ignored the ground realities and his statements did not reflect US official policy.⁴⁷ It was however a classic example of the American double talk and policy on the Kashmir issue. While Wisner was advocating and garnering support to state elections, another US top official Robin Raphel stated diametrically contradictory views, she remarked that the elections were no substitute for a plebiscite.⁴⁸

Contradictory statements generated confusion among different stakeholders and everyone was asking what Americans were really up to? Washington supported the state elections and political process initiated by the New Delhi while it also regarded Kashmir as a disputed territory. These double-edged policies however, bolstered New Delhi to hold fake elections and get international acknowledgement. This also encouraged India that it should not see the Kashmir solution beyond the current territorial arrangements. Frustrated from pro-India US stance over Kashmir elections, Kashmiris continued their armed struggle irrespective of the fact that Washington-led world ignored their genuine desires. This situation further fueled militancy and marginalized the political and pro-peace lobby both in Islamabad and Srinagar.

Kashmir and terrorism

At another level, India was persistently trying hard to make the world believe that the Kashmiri struggle is part of anti-America global jihadi network. US and the western world generally did not buy this argument till

the mid-'90s. However, various internal developments strengthened the impression that the Kashmiri resistance was also part of global terrorism.

In August 1998, US held Osama Bin Laden responsible for attacks on US consulates in Nairobi, Kenya and Tanzania. In revenge, US fired cruise missiles on Osama Bin Laden alleged camps' in Afghanistan and Sudan on Aug. 21, 1998. Media reports suggested that six members of Harkat-ul-Mujaheedin also died in Osama's training camps in Afghanistan due to US missile attacks.⁴⁹ Harkat-ul-Mujaheedin was an active and prominent Jihadi force in Indian held Kashmir, its leader Fazl-ur-Rehman Khalil was considered a very close friend of Osama. The Indian agencies claimed that Fazl-ur-Rehman also signed the petition of Osama to attack American and other western nations' installations.⁵⁰ Besides, the Harkat-ul-Mujaheedin was also accused of kidnapping five foreign tourists in 1995 who were later assassinated under the fake name of Al-Faran.⁵¹

Meanwhile, with the abandoning of militancy by JKLF in 1994, the leading secular and liberal voice in the armed struggle was also gone.⁵² Islamic ideology of jihad was very much prominent in operations and manifestation of other organizations. This helped India to give its long desired twist to whole struggle of Kashmir as part of fundamentalism/terrorism.

In the wake of American attitude towards Taliban and Bin Laden, India exaggerated the Taliban threat and linked Kashmiri militancy with Osama Bin Laden school of thought. In addition, criticism on Taliban government and Kashmiri freedom movement became a recurrent theme in Indian media and officials' discourses. Basic objective of this venture was to link terrorism and fundamentalism with Kashmir struggle in order to get support of western countries in favor of India.⁵³ As a result after 1999, US government and other non-governmental organizations started linking terrorism with Kashmir liberation movement.⁵⁴

Nuclear Explosions and Kashmir

True to its established anti-Pakistan image, the BJP government after winning the 1998 elections decided to test nuclear devices on May 11, 1998. It incorporated the nukes as part of its national defense system. The Indian tests left Pakistan with no option but to conduct its own tests. Since the Kashmir was being widely termed as 'nuclear flashpoint' that time around the world community took these tests in the context of the long-standing dispute of Kashmir between the two countries. India itself linked the Kashmir issue with nuclear explosions by declaring that Pakistan must withdraw its forces from Azad Jammu & Kashmir and accept the ground realities i.e. the Indian nuclear capability. Sense of superiority was apparent amongst the Indian leadership.⁵⁵ The western observers widely viewed Pakistan's May 28 tests of six nuclear devices as a response to Indian threat of targeting aimed at Pakistan and Azad Kashmir.⁵⁶ The *Washington Post* noted that "Pakistan's nuclear tests internationalize the Kashmir dispute and bring it back on the active agenda of the United Nations."⁵⁷ President Clinton stated that Kashmir is the core dispute in

South Asia and that without its settlement durable peace cannot be achieved in the region.⁵⁸

US Secretary of State Madeline Albright said: "We believe that domestic politics and the Kashmir problem played a role in Indian decision to detonate ... Kashmir is the basic problem that causes tension in South Asia."⁵⁹

Some other American officials also expressed the fact that Kashmir was the basic reason behind nuclear explosions and antagonistic relations between Indian and Pakistan.⁶⁰ The international community, already cognizant of the natural linkages between the Kashmir issue and atomic explosions, also voiced its concern in different ways. United Nations in its Security Council's resolution 1172,⁶¹ Sino-American declaration and Nelson Mandela in his speech in inaugural session of Non-Alignment Movement conference, all stressed on the resolution of the Kashmir issue. After the atomic explosions, Kashmir Study Group comprising influential American intellectuals and former ambassadors, in its report titled *Kashmir: A Way Forward*, suggested different proposals for the resolution of Kashmir conflict.⁶² President Clinton told the United Nations 53rd General Assembly session: "Resolution of ancient animosities in Kashmir is a must which is killing innocent people."⁶³

Kargil Crisis

Pakistan's nuclear tests response changed the Indian attitude and it initiated the dialogue with Pakistan. On February 1999, Vajpayee traveled to Lahore to inaugurate the bus service from Lahore to Delhi, where he met with his Pakistani counterpart Nawaz Sharif. The joint declaration issued after their meeting stated agreement between the two leaders on discussing all issues. Vajpayee's visit to Lahore offered hope for reduction in existing tension and animosity between the two countries. The media in particular created such an atmosphere that it was widely believed that the visit would lead to some visible progress on contentious issues. Though, Vajpayee and other top Indian officials issued contradictory statements from Delhi, creating doubts about the end result of these talks but the international community and a number of people from both the sides started expecting that significant developments may take place.

The Kashmiri freedom fighters and the resistance leadership however monitored these developments with suspicion and openly expressed dissatisfaction with the entire process. In order to once again draw the world attention, pro-resistance circles at various levels believed that it was the time to take new steps to pressurize the Indian forces and also satisfy the feelings of their masses. The proposed action was also aimed to get a breathing space from the sufferings at the hands of Indian forces in the occupied state.

Interestingly, the Pakistani forces were continuously receiving information that India was trying to conduct a big operation in Shaqma sector.⁶⁴ Given the fact that India had already captured some Pakistani

controlled areas of Kamar and Siachin in 1970s and mid-1980s, the Northern Areas Force Command (FCNA) had established their posts in Pakistani frontline areas to counter any adventure from Indian side.⁶⁵

In this backdrop, on May 7, 1999, India accused that Pakistan had violated the LoC and had created its posts in Indian occupied Laddakh region. While the Pakistanis claimed that the posts were established within their own areas. India did not accept Islamabad's position and declared to take serious steps.⁶⁶

India deployed 80,000 soldiers from Mushkoo valley to Batalik region; spread over 100 miles of rugged Kargil district. More than 1,000 porters from Nepal and all over India were deputed to transport food, water and other materials to the hilly outposts. Thousands of heavily armed Indian troops had moved into Kargil and Drass through shell-scarred highway, reopened in May, after the Himalayan winter ice melted.⁶⁷ For the first time since the uprising began, India used air force against the militants to capture these posts. During May and June 1999, the two sides were locked in a bloody battle in the Kargil sector. There was clear indication that a full-fledged war may erupt in South Asia.

The American involvement

When the tension between the two nuclear rivals became too pronounced, the international community, especially America started its diplomatic efforts to avert a possible war. American President Bill Clinton demanded withdrawal of Pakistani-backed forces from the Kargil sector.⁶⁸

The pressure further increased when Principle Secretary to Indian Prime Minister Barjesh Mishra traveled to Geneva, where he met with participants of G-8's Annual conference and American Security Advisor Sandy Berger and handed over Vajpayee's letter for President Clinton. The letter made it very clear that if Pakistan refused to withdraw its forces from Kargil, India would attack Pakistan.⁶⁹

Vajpayee's letter got the desired objective since immediately after that the American president stressed upon the G-8 countries to ask Pakistan for withdrawal of troops from Kargil. In this context, the conference declaration accommodated the Indian point of view on 'infiltration' and asked Islamabad to respect the line of control.⁷⁰

On his way back to Washington from Geneva on June 23, President Clinton sent General Anthony Zinni, Commander-in-chief of Central Military Command and Deputy Assistant Secretary of State for South Asia G. Lanpher as personal envoys to Islamabad, where they met Prime Minister Nawaz Sharif, the then Chief of Army Staff General Pervez Musharraf and other important government officials. General Zini conveyed a message from the American president asking Pakistan to withdraw the forces unconditionally from Kargil. Zinni implicitly threatened, "The US would not bailout Pakistan if India decided to launch a major attack across the Line of Control." The US also threatened to block a \$100 million tranche of an IMF

loan to be disbursed to Pakistan soon. The G-8 countries sent an even tougher private message to Sharif threatening to suspend all multi-lateral and bilateral aid.⁷¹

The Pakistani side demanded of the Americans to adopt a balanced Indo-Pak policy, and do not de-link Kashmir and the Kargil from each other.⁷² According to the Pakistani sources, Islamabad had conveyed its point of view to Washington through General Zinni and Pakistani negotiators were expecting a positive and balanced approach from America.⁷³ Chief of Army Staff General Pervez Musharraf referred to the possibility of meeting between Nawaz Sharif and Clinton on Kashmir issue.⁷⁴ General Musharraf assured the nation that there would be no unilateral withdrawal of forces. Also, an optimistic view among the pro-resistance circles was that America would convince India to reciprocate and discuss Kashmir issue after withdrawal of troops. However, it was not so. Even Washington refused to subscribe to the Pakistani point of view on the issue, let alone resolve the Kashmir conflict. During the visit of General Zinni, State Department spokesperson James Rubin in a one-sided tone said: "We want to see withdrawal of forces supported by Pakistan from the Indian side of LoC."⁷⁵ Recently published accounts on the crisis also suggest that Clinton administration was not only unsympathetic towards Islamabad's position but also arrogant.⁷⁶ In the process, it became quite obvious that the real US intent was not to play a neutral mediator's role. Various military commanders in their interviews insist that it was the US that prevented India from coming to the negotiating table with Pakistan at the time.⁷⁷

Pakistan was then left with limited options and ultimately Sharif decided to go to Washington with a view to finalizing the ways and means of defusing the crisis. Following a three-hour meeting between US President Bill Clinton and Pakistani Prime Minister Nawaz Sharif in Washington on July 4, 1999, the two leaders issued a joint statement that declared an end to the Kargil crisis. The statement included an agreement between the two leaders on the following issues:

- Respect for the LoC in Kashmir by India and Pakistan in accordance with the Simla Agreement;
- Withdrawal of infiltrators from the Indian part of Kashmir without any pre-conditions, and;
- A bilateral framework for future negotiations between India and Pakistan

The Clinton-Sharif statement accommodated all the Indian demands. After this joint statement, forces in the forward positions accepted Sharif's request. Withdrawal took place but practically speaking, no progress was seen on the Kashmir front despite the American president's commitment to help resolve the conflict.⁷⁸ India became more and more intransigent and hard on the issue. Indian Foreign Minister Jaswant Singh said: India will never enter into discussion with Pakistan, until Pakistan stops its support for militants and cross border infiltration.⁷⁹

Complete details of American role regarding Kargil war are still a mystery. However, apparent developments indicate that America avoided to make use of the chance for making any efforts towards resolving the issue. The Pakistani leadership could not withstand the American pressure and gave up the Kargil operation. Had America not pressurized Pakistan, the crises may have continued for a few more weeks. This in turn would have forced the two sides to strike a ceasefire followed by negotiations.

Following important points regarding the American behavior on Kargil are worth noting:

- Pakistan was held responsible for Kargil war. Initially privately and later publicly, the US made it clear that it viewed Pakistan responsible for the whole crisis. With regard to resolution of the crisis, President Clinton's Advisor on South Asia in the National Security Council, Bruce Riedel, made it clear that "those who infiltrated from the Pakistani side to Indian (side) must go back."
- The US also indicated that if Pakistan continues to display intransigence, Washington might be forced to accept a possible Indian retaliation across the LoC in Kashmir.
- Another important development was that Washington showed firm opposition to the internationalization of the Kashmir question and did not support Pakistan's attempts to bring it before the United Nations Security Council.
- The US position on the Kargil issue coincided with that of India. Washington was also ready to work for a solution that would satisfy the Indian demands.
- By any adventurism, Islamabad can neither force India to negotiations table nor can it get US support.⁸⁰

Clinton's Visit to India and Pakistan

In March 2000 Clinton decided to visit India for five days. It was after a long time that a US president was visiting the region. Initially Pakistan was not included in his itinerary. But Pakistani Ambassador to Washington Dr. Maleeha Lodhi and the Pakistan Diaspora jointly pressed Clinton to include Islamabad into his proposed visit of South Asia. The President willy-nilly agreed to oblige Pakistan and stayed at Islamabad for about five hours.⁸¹

Among other issues, Kashmir remained focal point during Clinton's visit to India and Pakistan. Sadly, during Clinton visit to India, some unidentified people killed 35 Sikhs in the Indian held Kashmir.⁸² The tragic incident while highlighting the Kashmir conflict also helped India to once again accuse Pakistan and the militants for these killings. Pakistan refused the allegations. Kashmir however, remained one of the major point of discussions during the visit, such as Clinton's speech to joint session of Indian parliament, his interaction with media and, his address to people of Pakistan through television and radio in Islamabad.

Clinton stated that conflicts cannot be resolved through violence, and line of control must be respected. He also categorically stated that

there are certain elements in the Pakistani administration which are supporting Kashmir struggle.⁸³

After Clinton's visit, the American position can be explained under these points:

- Pakistan must forget the past and focus on future developments.
- Implementation on UNSC resolutions is not possible now, but the legitimate grievances of Kashmiris should be addressed.
- America is not to mediate on Kashmir issue unless requested by both the parties.
- Line of control must be respected.
- Section of Pakistani establishment is helping Kashmiri militants.
- Solution to Kashmir cannot be achieved through militancy, Pakistan must find out some non-violent ways to discuss the matters with India.
- India must start negotiations with Kashmiris in order to solve the problems and must realize that use of force may not be able to solve the issue.

Kashmir after 9/11

Right after the 9/11 attacks on key US installations, the American president and the entire US establishment held al-Qaeda and Taliban responsible for the incident. US President George W. Bush declared new order for the world, he said:

"Every nation in every region now has decision to make: Either you are with us or you are with terrorists. From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as hostile regime."⁸⁴

Sensing an opportunity, the government as well as the opposition parties in New Delhi started persuading the US forces to eliminate Taliban and teach Pakistan a lesson. Vajpayee convened an all parties conference to apprise the national leadership on the new global situation on Sep 15, 2001. All shades of political opinion but the Communist Party of India asked Vajpayee to tender all required facilities to Washington.⁸⁵ In the meantime, the Indian officials tried to make it a point that Pakistan was the main instigator of the terrorism and world should act against Islamabad so that the 'root cause' of terrorism could be eliminated. Further, India bracketed armed struggle in Kashmir with tragic attacks of 9/11. Two days after the 9/11 incidents, Vajpayee spoke to the nation and painted India as a decade-long victim of terrorism that had then manifested itself so viciously in New York and Washington.⁸⁶

Unique geographical location and Islamabad's association with the Taliban made Pakistan venerable before Washington. Straight away, the Bush administration demanded full cooperation against Taliban and al-Qaeda. India took the benefit of the situation and offered full cooperation and support against Taliban regime while Islamabad was about to make the decision.⁸⁷ The Indians offer left limited room for Musharraf regime to maneuver. Initially, Islamabad tried all its options to get round the Taliban

to handover Osama Bin Laden to United States, so that their government could be secured but they refused to budge even a single inch in this regard. In this background, Pakistan opted to cooperate with Washington. General Musharraf spelled out the following reasons for his decision to support US-led military invasion of Afghanistan:

- No one would force Pakistan to operate outside the country borders
- Future dispensation in Kabul would be Islamabad-friendly
- Kashmir would not be linked with terrorism and no action would be taken against Kashmiri freedom fighters
- Pakistan's nuclear and missile programs would be protected

New Delhi got frustrated when it realized that despite explicit offer of all kinds of cooperation US did not want to take benefit of Indian generosity due to Islamabad's unwillingness.⁸⁸ The Indian strategic experts were well aware of the impact of Islamabad's inclusion in the newly-founded coalition against terrorism. They had understood that it would be an opportunity for Pakistan to break long imposed diplomatic isolation and at the same time to use its influence to garner support on Kashmir issue. Above all, it may not be possible for the United States to maintain the current momentum of its 'strategic relationship' with New Delhi.

Caught by surprise, the Indian officials and media commentators initially got infuriated but later tried to agree on a framework for Pakistan-US relationship. New Delhi wanted to get guarantees that new alliance would not be harmful to the Indian interests.⁸⁹ At times, India tried to sell the idea that al-Qaeda had expended its network to the disputed state of J&K. Even top Indian officials tried to sell this theme to US administration.⁹⁰ Under the guise of Indian state-backed propaganda, US Defence Secretary Donald Rumsfeld said, "I have seen indications that al-Qaeda is operating in areas near the LoC."⁹¹

Meanwhile, attacks on Srinagar legislative assembly (Oct. 28, 2001) and Indian parliament (Dec. 13, 2001) changed the entire spectrum of Pakistan-India relations within two month after 9/11 incidents. New Delhi termed Jaish-e Muhammad responsible for the attacks and blamed Pakistani intelligence agency ISI for masterminding the attacks. The Indian Prime Minister, other leaders and officials pledged on a number of occasions that they would teach Pakistan a lesson.⁹² New Delhi brought its forces along the Pakistani border and the LoC within weeks after the attack. It also handed over a long list of demands to Islamabad and withdrew its high commissioner from Islamabad. New Delhi described these steps as coercive diplomacy.⁹³ On the other hand, India launched a systematic and coordinated psychological propaganda war against Pakistan. Above all, the Indian forces were in a ready-to-attack position. Vajpayee visited forward posts at Kupwara, neighboring district of Muzaffarabad and threatened Islamabad:

"The time has come for a decisive battle and we will have a sure victory in this battle. Whether Pakistan or the world take note of it or not, a new chapter of victory and triumph will be written in the history books soon. The enemy has thrown us a challenge by

waging a proxy war. We accept it and pledge to give it a crushing defeat."⁹⁴

Islamabad refused to admit that it was involved in the attacks. It claimed that Indian government managed all these incidents to defame it.⁹⁵ Above all, Pakistan held that this was a deliberate move, taking place amidst the global 'war on terror,' to threaten the use of force against Pakistan. Moreover, in response to Indian army moves along the border, Pakistan also moved its troops to the forward lines. All these developments created an extremely tense situation on the borders and it was almost certain that the war loomed large on region.

The US role

Despite the ten-month long border tension (Dec. 2001 – Oct. 2002) – the longest period of military mobilization by the two sides since their independence in 1947 – war did not broke out. There is no denying of the fact that during the standoff, US played a vital role to defuse the tension and restart the negotiations between the two countries.⁹⁶ Caught in a very peculiar situation, both the countries expected US to side with them at the cost of the other. Delhi was demanding that the US should help pressurize Pakistan to cease cross-border infiltration of militants across the LoC. While Islamabad urged the US to keep Delhi away from military action.

The United States vigorously persuaded its own agenda by asking India for restrain while putting maximum pressure on Pakistan to end its support for the Kashmir struggle. It was important for US as it was not affordable for it to let international attention divert towards other issues except war against terrorism. To appease India, President Bush himself announced a ban on Lashkar-e Taiiba on Dec. 21, 2001 and later on praised Musharraf's steps against militancy. In an attempt to reduce tension, US Foreign Secretary Powell visited the two countries in January 2002. The US urged both sides to reduce tensions while continuing to maintain that it would play no role in the resolution of the Kashmir dispute. Deputy Secretary of State Armitage said the US has had discussions with India 'about the need to be balanced and measured.' US-Pakistan discussions focused 'additionally on the need to stop cross-border terrorism.'⁹⁷

Several officials urged Pakistan to stop its support to the Kashmiri groups and 'do more' to stop infiltration into the Indian held Kashmir. Due to US pressure president Musharraf had to announce that:

"There is nothing happening on the Line of Control. That is what I would like to repeat. And I would like to repeat again: Reciprocation is important."⁹⁸

It was widely regarded by pro-resistance circles a U-turn in Pakistani traditional policy on the issue. However, this statement was welcomed by the United States as well as New Delhi. The *Washington Post* termed it 'A huge foreign policy victory for India.' There is no doubt that it was not New Delhi but US who forced Islamabad to make a shift in its long tested state policy. Thus the events of 9/11 created a huge space for Indian point of view in the US power circles.

Meanwhile, US officials continued to ask India to initiate dialogue with Islamabad. Colin Powell termed Kashmir the central issue in Indo-Pakistan relations, which, if seen in Pakistani context, was a positive development. However, US lacked consistency. Various US officials issued statements subscribing to Indian point of view on different issues. US Ambassador to India, Robert D. Blackwell, not only accepted the Indian version of the situation but he seemed hard to project it worldwide. Prominent Indian writer A.G. Noorani aptly dubbed him as:

“No American ambassador since Chester Bowles has as completely identified himself with India’s concerns as Robert D. Blackwill has.”⁹⁹

This sort of activity narrowed down the room for US to play a neutral and constructive role towards resolving the issue.¹⁰⁰ Above all, these American gestures encouraged India to stick with its hard position and refuse any sort of engagement on Kashmir. Dispassionate analysis however, suggests that US successfully averted possible war between two nuclear countries. There is strong evidence that on a number of occasions Islamabad and New Delhi sent signals that they could use nuclear weapons, if their national interests required so.¹⁰¹ While the Bush administration may regard it an achievement but at the same time it is a fact that it ignored the state terrorism and human rights violations committed by Indian forces. Apart from this, later on Washington encouraged state elections process and tried to convince APHC to take part in the elections.

In sum, US played ‘a crisis management role on Kashmir. Whenever the war clouds loomed large over the two countries, US sent emissaries and took measures to avert crisis but never played a role to initiate a sustained and result-oriented effort to settle the conflict once for all.

Kashmir and US Priorities in the Region

Brief survey of Washington’s priorities in the region and India’s role in the eyes of United States will help in understanding US approach of ‘crisis management’ vis-à-vis Kashmir. Key US priority-list could be:

- Containment of ‘terrorism’
- Denouncing the religious fundamentalism
- Curbing the nuclear proliferation
- Expanding economy and trade
- Promoting democracy
- Pressing for human rights particularly the women rights
- Containment of China

Needless to mention that on almost all the above-mentioned points India and US echo the same concerns. Moreover with shared values like democracy and, above all, keeping in view the economic agenda, the US considers India as:

- A strategic and emerging economic partner rather than competitor. To the United States, India - with its billion-plus population, democratic institution and values, steadily growing economy, and

substantial defense establishment - represents a partner of great value.¹⁰²

- A partner in combating terrorism and, irrespective of the past differences on nuclear issues, shares US concerns about preventing the further spread of weapons of mass destruction (WMD).¹⁰³
- Indian-Americans have started playing an active role in US political life and become significant financial contributors to election campaigns. Now Indian caucus in the House of Representatives has 163 members — more than a third of the House of Representatives.¹⁰⁴
- Countervailing power to China who poses challenge to US. A thin but a widespread lobby of US elite take this seriously and is in favor of erecting India as regional rival to China.¹⁰⁵

There is no doubt that there are also hurdles and problems that may negatively affect the relations of the two countries but these are fairly manageable.

- Conversely, Pakistan is being seen as one of the most complex political challenge that the United States faces anywhere in the world today. US demands actions against Kashmiri freedom fighter and link with Kashmiri resistant is not acceptable to the United States particularly after 9/11.¹⁰⁶ While Musharraf (has taken a number of steps in this direction but he) and his Pakistan army colleagues (are considered doing) favor to a hard-line policy on Kashmir and believe that they need the militants to maintain pressure on India.¹⁰⁷ It is alleged that Musharraf has been unwilling (or unable) to rein in 'Jihadis' despite his promise to stop infiltration across the Line of Control in Kashmir permanently.¹⁰⁸ Also, Pakistan is charged as being involved in leakage of sensitive nuclear technology and material. In the circumstances, Pakistan's perception of India as an enemy of state can not be subscribed to by the US.

These factors show that though Washington enjoys Islamabad's support in the war against terrorism but their differences on various issues are obvious and fundamental. The American perceptions of what is best for Islamabad and particularly its security and its commitment with Kashmir cause is different than Pakistan.¹⁰⁹

Conclusion

It is a hard reality that the Kashmir issue has been of little impact on the policy formulation in Washington. There is no powerful Kashmiri lobby in the United States. Unlike United Kingdom, US has no legacy or guilt for making unjust decisions with regard to Kashmir. The dispute poses no threat to the US or its allies in any manner (like the Iraqi threat to Israel). Likewise, it neither offers economic benefits nor it has extraordinary geo-strategic significance, thus totally reducing its importance for US. Although, US has deep interest in India and Pakistan but not to the extent where Washington would put its energy, cash and diplomacy on the line to settle the Kashmir dispute. At the same time, US is skeptical about its role and

finally the results. The American policy makers ask: Would any Kashmir resolution backed by Washington be of any significance?

Although both India and Pakistan enjoy good relations with Washington but lack of trust limits both the South Asian nations' ties with the world's sole superpower. Pakistan and India both have always been skeptical about America's intentions and blame her for being partisan. Some Indian commentators believe that US cannot be an impartial player as it is heavily tilted towards Islamabad.¹¹⁰ Similarly, Islamabad suspects that the United States has been complacent regarding India's coercive diplomacy since December 2001. As an American scholar says:

"Pakistanis in and out of government feel that the Kashmir dispute has been cast as a part of global war on terrorism, rather than as a freedom struggle. In recent months, Pakistan's position on Kashmir has hardened as it realizes that any U.S-led solution would mean that Islamabad would have to compromise, which it is just currently unable to do the present status of respectively held territory, the sanctity of the LoC, and autonomy likely must be essential components. These three issues are at the heart of the Kashmir dispute."¹¹¹

Understandably, US is not interested to start a doomed-to-fail campaign which can even create more problems for Washington in South Asia. Particularly, its suggestions and activities inside Kashmir alienating Pakistanis¹¹² and they believe that US prescriptions to Kashmir solution are adverse to Pakistan's interests and it does not entertain the wishes of the Kashmiri people, the main stakeholder and principle victims of the conflict.¹¹³

- The current global political setting clearly suggests that United States has adopted single track policy i.e. to combat terrorism all over the world for which it is engaged in Afghanistan, Iraq and threatening Iran and other countries. Therefore, US would not focus on any other regional or global issue that may distract world attention from the war against terrorism.
- Washington regards global non-proliferation regime as an important policy objective. It defused the Kargil crisis and the post-December 2001 confrontation because it did not want a nuclear confrontation to break out in South Asia. In this backdrop US will only mediate in ways that suit its perceived short-term interests vis-à-vis India and Pakistan, as distinct from the interests of the South Asian peoples, or in particular, Kashmiris.
- US policy in foreseeable future will be identical to its present approach of low-level engagement with both countries. Washington will continue its efforts to promote dialogue between India and Pakistan along with the Kashmiri leadership. It is not expected to offer any kind of road map or solution for settlement.
- The main interest of United States will remain to be maintenance of the status quo. Internal autonomy, intra-Kashmir dialogue and free movement of Kashmiris would be the main talking points but

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without any interest in promoting Kashmiris' right of self-determination or for that matter an independent state.

- Likewise, it seems that US would encourage internal political process and the Mufti Sayeed government in occupied Kashmir. In fact, Washington considers him a positive man moving on a right path.
- Armed struggle has become a litmus test for US to prove that its war against terrorism is based on the principle of no to any kind of violence. Moreover, to keep India satisfied it would like to give an image that its policies are evenhanded while dealing with terrorism worldwide. The major characteristic of US Kashmir policy has been invariably incoherent attention to this problem and there is no reason to expect any imminent change in it in foreseeable future.
- For Pakistan, Kashmir will be a major irritant in its relations with the US unless the former denounces the armed struggle in the disputed state of Jammu and Kashmir. Needless to mention, that the US will try to balance the relationship with the two countries but will prefer India whenever it believed Pakistan is becoming an irritant in its relations with India.

There is likelihood that US through its above given policy may be in position to keep India and Pakistan from war, but the region as a whole shall not be safe or stay in peace for a longer time. The real challenge before post-cold war USA is immense; it has to show to the world community that it is interested in real peace and not merely interested in its temporary ambitions. Global peace is possible only when each and every human being is granted its due share of rights. In case of Kashmir, while there is tension among the Kashmiris for denial of their rights, suspicions also exist about the vicious aspirations of the super power. The situation demands concerted response. Regarding Kashmir, all players have to recognize two things: one, there is no military solution to the problem, whatever be the justifications or compulsions that have led to the militarization of the scene. Sooner or later a political solution has to be worked out. Second, it is the people who are the final arbiter and their verdict must be allowed to be pronounced and accepted by all, irrespective of India's and Pakistan's concerns and interests.

Whether it be the question of Saarland, Quebec, Ulster or East Timor, a time comes when reference to the people becomes the only option. The question is how soon a people can see the light so as to minimise the costs and sufferings that are the natural price of avoiding the right choice. How does one move in that direction? The recommendations are:

- Building on the declarations of the leaderships of India and Pakistan that a peaceful and negotiated solution is their agreed path, the next step is a joint declaration that both agree to refer the matter to the people of J&K and would respect the wishes of the people on the future status of the state.
- Immediate involvement of the authentic representatives of the people of J&K in the negotiations process. But who represents the

people? In a situation of national political uprising, the real spokesmen are those who suffer.

- Cessation of hostilities and effective CBMs within J&K involving withdrawal of military and para-military forces to barracks in the first instance, and then a phased withdrawal from the state, demilitarisation of both sides of the state, release of political detainees, abrogation of arbitrary and repressive laws, freedom of political activity, free access for the world media and relief agencies, opportunities for continuous interaction between all stake-holders in the whole of J&K and negotiated ceasefire by militant groups and their involvement in the peace process.
- Hard work, by working groups comprising the three parties, to prepare details and comprehensive plans for settling all relevant issues and develop a roadmap for their becoming operational.¹¹⁴

¹ Wirsing, Robert G. (1997). *India, Pakistan and the Kashmir Dispute: On Regional Conflict and its Resolution*. Palgrave Macmillan. pp. 352

² Due to Soviet veto, debate on Kashmir in Security Council was rendered a futile exercise in mid-1950s.

³ In 1990, soon after the Soviets left Afghanistan, the US Congress re-invoked the Pressler amendment, prohibiting Pakistan from receiving any US military training, arms or even spare parts because of its surreptitious nuclear ambitions. The fact is that the Pressler amendment was passed in 1986, not 1990. The US arms ban on Pakistan was imposed in October 1990. Secondly, Pakistan's nuclear ambitions were hardly secret. In an interview with *Time magazine in 1984* (six years before the ban was imposed), President Zia-ul-Haq had said that Pakistan was "a turn of the screw away" from building a nuclear bomb. Thirdly, and this is the ironic bit, at the time when the Pressler amendment was passed in 1986, it was intended to serve as an enabling device to allow US military and economic aid to Pakistan to continue, rather than as a punitive measure.

⁴ *ibid.* p.314

⁵ Dubey, Muchkund. "Ties with the U.S." *The Hindustan Times*, March 8, 1993

⁶ Mughess-Uddin. "Foreign Policy and Press Performance: The Case of Kashmir Conflict, the United States and the New York Times during 1948-49 and 1989-91." *Pakistan Horizon*. October 1992. pp. 33 & 34

⁷ Oakley, interview by Dr. Maleeha Lodhi, *The News*, Aug. 8, 1991

⁸ Hersh, Seymour. "Watching the Warheads – The risks to Pakistan's nuclear arsenal." *New Yorker*. August 29, 2001.

⁹ Joshi, Manoj. (1999). *The Lost Rebellion: Kashmir in the Nineties*. Penguin Books. p.315

¹⁰ *Dawn*. Karachi, March 14, 1990

¹¹ Tellis, Ashley J. (September 2001). *India's Emerging Nuclear Posture: Between Recessed Deterrent and Ready Arsenal*. London; Oxford University Press. pp. 885; also, Matinuddin, Kamal. (April 2002). *The Nuclearization of South Asia*. London; Oxford University Press. pp. 355

¹² Tahir-Kheli, Shirin R. (1998). *India, Pakistan and the United States, Breaking with the Past*. Lahore: Vanguard Books Pvt. Ltd. P.71. Gates told the Pakistan leadership that if they were to start a war with India, they could not count on any help from the United States.

¹³ Shakoor, Farzana. "Pakistan-India Relations." *Pakistan horizon*. October 1992, p.49

¹⁴ Kux, Dennis. (2001). *The United States and Pakistan, 1947-2000: Disenchanted Allies*. Karachi: Oxford University Press. p.307

¹⁵ *ibid.* p.314. US under secretary of state for international security Mr. Reginald Bartholomew visited Islamabad and New Delhi in November 1991. Kux says, "...while

meeting with President of Pakistan, Ghulam Ishaq Khan, he aggressively persuaded president to sign the NPT...An unimpressed Bartholomew replied that it was Pakistan that was out of line with US laws..."we can't change our polices. You have to change yours," the undersecretary bluntly declared. Finding that the discussion was not leading anywhere, Bartholomew stood up, said, "Thank you for your time, Mr. President" and walked out of the room.

¹⁶ It is common saying in Pakistan that the threat to use the nuclear weapons always deterred India to attack Pakistan. It has also become a part of common Pakistani wisdom that nuclear power prevented India to exercise the 'so-called' hot pursuit trampling upon the international boundaries betwixt India and Pakistan.

¹⁷ Kashmiri leadership not recognizing the Indian diplomatic moves, continued insisting on extreme version of Islamic identity and Jihad. Eventually, indigenous and political charters of the movement were gradually replaced by the cross-border terrorism label. This diverted the international attention from granting the Kashmiris their coveted right of self-determination to Pakistan as source of violence in Kashmir.

¹⁸ *Los Angeles Time*, referred to by the Pakistani Urdu daily *Nawa-e-Waqat*, Rawalpindi, December 20, 1992.

¹⁹ At the time of appointment, she was political counselor at the New Delhi embassy. Before establishment of South Asian Bureau, Near East desk used to look after the South Asian affairs as well.

²⁰ "Pak-India 'cold war' must end says Malott." *The Muslim*, May 20, 1993. Indian government and opposition sharply reacted on Malott's statement and all major newspapers wrote editorials on the issue. They accused US of attempting to trample upon issues which were of domestic concern to India. For details see: "Malott's India visit leaves negative impact." *Dawn*, May 23, 1993

²¹ "US House Censure India for Rights Violation." *Dawn*, June 19, 1993

²² "Kashmir issue a threat to peace warns Clinton." *Dawn*, Sept. 28, 1993

²³ Palit, Parama Sinha. "The Kashmir Policy of United States: A Study of the perceptions, conflicts and dilemmas." *Strategic Analysis*. IDSA Delhi, September 2001 (Vol. XXV, No. 6)

²⁴ Shakoor, Farzana. "Kashmir Issue and US global objectives." *Pakistan horizon*, July 1994

²⁵ *ibid*.

²⁶ "US again affirm Kashmir is 'disputed territory.'" *The Nation*, Islamabad, Aug. 22, 1993

²⁷ "US senate body flays human rights violations in Kashmir." *The Muslim*, Islamabad, Sept. 22, 1993

²⁸ Anand, Tania. "Let's Bash India." *India Today*, Nov. 15, 1993, p.207. The same writer gave four quotes of the US Congressmen, which shows their concern to the human rights situation.

²⁹ A comment about Robin Raphel by *India Today*, April 15, 1994, p.61, "not since Henry Kissinger in 1971, has an official of the US Administration been viewed with such hostility and alarm ..."

³⁰ Bobb, Dilip. "A Slippery Summit." *India Today*, May 31 1994, p.66

³¹ *ibid*

³² Baweja, Harinder. "Clearing the air." *India Today*, April 15, 1994

³³ *ibid.*, Monore Joshi, p. 333

³⁴ Joshi, Manoj. (1999). *The Lost Rebellion: Kashmir in the Nineties*. Penguin Books. p.334

³⁵ The May 23 issue of *Forbes*, the influential business magazine, featured a cover story on India's economic potential. Similar sentiments were expressed in *The International Economy*, an up market journal. Also see: Bobb, Bilip. "A quiet triumph." *India Today*, June 15, 1994, p.44.

³⁶ *ibid*, p.51

- ³⁷ Fayyaz, Shabana. "Kashmir Conflict: U. S. Post-cold war perspective." *Pakistan Journal of American Studies*, Islamabad, Vol. 15, spring/fall 1997, p.76
- ³⁸ *op.cit.*, Joshi, Manoj. *The Lost Rebellion*.... p. 332
- ³⁹ "Kashmir disputed territory, says US." *Dawn*, March 3, 1995
- ⁴⁰ "There may be a slight shift in US position on Kashmir." *The Nation*, Dec. 8, 1995. For more details see, "Raphel asks Islamabad to forget 'past prescriptions.'" *Dawn*, Dec. 8, 1995
- ⁴¹ *op.cit.* Joshi, Manoj. *The Lost Rebellion*.... p. 337
- ⁴² For details see; *India's Secret Army in Kashmir: New Patterns of Abuse Emerge in the Conflict*. Human Rights Watch report, May 1996.
- ⁴³ The fact has come to light during the scribe's actual meeting with Abdul Ghani Lone during his Srinagar visit (June 4-12, 2001).
- ⁴⁴ Sehbai, Shaheen. "US owns Wisner's views on Kashmir." *Dawn*, Aug. 6, 1996
- ⁴⁵ *ibid*
- ⁴⁶ "Washington's stance on Kashmir irks Islamabad." *Dawn*, Aug. 18, 1996
- ⁴⁷ *op.cit.* Sehbai ...
- ⁴⁸ *ibid*
- ⁴⁹ *op.cit.* Kux, Dennis. (2001). *The United States* ... p.349-350
- ⁵⁰ Raman, B. "USA, Pakistan & Terrorism." www.saag.org. www.saag.org/papersz/paper236.html, Nov. 10, 2004
- ⁵¹ *ibid*
- ⁵² Wirsing, Robert G. (1997). *India, Pakistan and the Kashmir Dispute: On Regional Conflict and its Resolution*. Palgrave Macmillan. p. 122
- ⁵³ *ibid*
- ⁵⁴ Washington put immense pressure on Islamabad to help the US get round Osama Bin Laden. Pakistan remained unable to deliver US demands due to various domestic and external reasons. Secondly, Taliban factor also played a role to create bitter relationship between US and Pakistan. Furthermore, Amil Kansi was arrested from Pakistan who was wanted in the killing of two CIA officials in the United States. All these series of events damaged Pakistan's image and world made it believe that Islamabad was the real mentor behind all terrorist activities, particularly in Kashmir. For details see; Skand, Yogi. "Changing Course of Kashmiri struggle: From National liberation to Islamist Jihad?" *Economic and Political Weekly*, Vol.xxxvi, No. 3, Jan. 20-26, 2001
- ⁵⁵ "Nuclearisation of South Asia and the Kashmir Dispute." *Spotlight Regional Affairs*, April 1999, p.13. L. K. Advani said: "Islamabad should realize the geo-strategic situation in the region and roll back its anti-India policy, especially with regard to Kashmir ... India's bold and decisive step to become a nuclear weapon state has brought about a qualitative new stage in indo-Pakistan relations particularly in finding a solution to the Kashmir problem ... It signifies India's role to deal firmly and strongly with Pakistan's hostile designs and activities in Kashmir ..."
- ⁵⁶ Kifner, John. "Through Nuclear Crisis, Pakistan Publicizes Kashmir Struggle." *The New York Times*, June 3, 1998. <http://www.mtholyoke.edu/acad/intrel/nucrim.htm>. Dec. 22, 2004
- ⁵⁷ *Washington Post*, May 30, 1998
- ⁵⁸ Hilali, A. Z. "Kashmir: A dangerous flashpoint in South Asia." *Bulletin of Concerned Asian Scholars*, Vol. 31, 1999
- ⁵⁹ *ibid*
- ⁶⁰ Tallbott, Strobe. (2004). *Engaging India, Diplomacy, Democracy and the Bomb*. Washington: Brookings Institution Press. p.63. Strobe Tallbott, who served as the US Deputy Secretary of State from 1994-2001 observed the situation in a very apt way. He says, "... the (BJP) concluded, and it had to be assumed that the India test was 'the logical first step' in a BJP strategy of using nuclear intimidation to 'solve the Kashmir problem once and for all' by forcing Pakistan to give up all claims to the disputed territory.

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- ⁶¹ Resolution 1172 adopted by the Council in its 3890th meeting on June 6, 1998.
- ⁶² A Kashmiri-origin American citizen Farooq Kathwari has formed a group of American intellectuals and former Ambassadors in 1996, which presented different proposals for the resolution of Kashmir dispute. For more details see: <http://www.kashmirstudygroup.org/bottom.html>
- ⁶³ *op.cit. Spotlight ...* p.5
- ⁶⁴ *op.cit. Spotlight ...* p.5
- ⁶⁵ *ibid*
- ⁶⁶ Mazari, Shireen M. (2003). *The Kargil Conflict 1999: Separating Fact from Fiction*, Islamabad: The Institute of Strategic Studies. p. 104
- ⁶⁷ Oberoi, Surinder Singh. "Troop Buildup Fills Rugged Kargil and Coffers, Too." *The Washington Times*, June 10, 2000
- ⁶⁸ *op.cit. Spotlight ...* p.103
- ⁶⁹ *op.cit. Mazari, Shireen ...*
- ⁷⁰ "India hinted at attack to push Clinton to act." *The Nation*, Islamabad, June 30, 1999
- ⁷¹ Sabur, Abdus. "The Kargil Crisis: An Overview." [www.arts.monash.edu.au. Nov. 7, 2004.](http://www.arts.monash.edu.au/mai/savirtualforum/PaperSabur1.htm) <http://www.arts.monash.edu.au/mai/savirtualforum/PaperSabur1.htm>
- ⁷² But, Tariq. "Kargil Kashmir, can't be de-linked, US told." *The Nation*, Islamabad, June 26, 1999
- ⁷³ *ibid*
- ⁷⁴ *The News*, June 27, 1999
- ⁷⁵ *Dawn*, June 26, 1999
- ⁷⁶ At the height of the Kargil conflict, former Pakistan Prime Minister Nawaz Sharif told the then US President Bill Clinton that he was prepared to help resolve the crisis if India committed to settle the 'larger issue' of Kashmir in a specific time-frame, but the American leader snubbed him saying it would amount to a 'nuclear blackmail.' *op.cit. Tallbott, Strobe. (2004).*
- ⁷⁷ *op.cit. Tallbott, Strobe. (2004). Engaging India ...* p.160. Strobe Tallbott recalls the event in his recently published book as: "... I called Jaswant to reinforce Clinton's assurance that under no circumstances would the United States associate itself with any outcome that rewarded Pakistan for its violation of the line, and Sandy Beger did the same thing with Barjesh Mishra..."
- ⁷⁸ Riedel, Bruce. "American Diplomacy and the 1999 Kargil Summit at Blair House." <http://www.ciaonet.org/wps/rib02/rib02.pdf>. January 18, 2004. The article reads: "Once the withdrawal from Kargil was done the U.S. would have more credibility with India and the President expressed his determination to do what he could on Kashmir. The President called Vajpayee to preview the statement..." Bruce Riedel was Special Assistant to the President and Senior Director for Near East and South Asia Affairs in the National Security Council at the White House from 1997 to 2001.
- ⁷⁹ *op.cit. Mahmood, Tehmina... p. 42*
- ⁸⁰ Assistant Secretary of State for South Asia, Karl F. Inderferth said in an interview to Voice of America on October 2000 that if you haunt some one on gun then the negotiations will never become fruitful.
- ⁸¹ In last 56 years, only four American presidents visited Pakistan while Pakistani officials visited 25 times in which 13 were official visits.
- ⁸² Mahmud, Ershad. "Killing of Pandits and Indian track record." *The News*, April 10, 2003. The writer says that the assassinations of Sikhs were related to Clinton's visit to India. A commission appointed by the state government identified that government was responsible for this action. Even Sheikh Mustafa Kamal, the youngest son of Sheik Abdullah, told BBC, "The Indian Army was responsible for the massacre."
- ⁸³ Following are the clips of Clintons speech to joint session of Indian Parliament, from which one can judge Clinton's mood: "Progress can be made including Pak-India tensions. In fact, I share many of your [Indian] Government's concern about the

course Pakistan is taking ... Only India and Pakistan can workout the problems between them. US diplomacy has urged Pakistan to go back behind the line of control in the Kargil crises ... I will continue to stress that this should be a time for restrain, for respect for the line of control, for renew lines of communication". In an interview with Peter Jennings of the ABC world news given at the Maurya Sheraton Hotel in the New Delhi on March 21, 2000 President Clinton said: "It is important for Pakistan and India to "show restrain" on Kashmir, and added that both should "respect the line of control." Over the long run, what really matters in terms of the ultimate resolution of the Kashmiri problem "is that the people of the Kashmir felt that their legitimate interest are being addressed in some formal fashion... There is no military solution to Kashmir. International sympathy, support and intervention cannot be won by provoking a bigger, bloodier conflict. On the contrary, sympathy and support will be lost... "

⁸⁴ *Dawn*, Sept. 21, 2001

⁸⁵ "Proceed with caution: Opposition." *The Hindu*, Sept. 16, 2001

⁸⁶ "Strike at the roots of terrorism: PM." *The Hindu*, Sept. 15, 2001

⁸⁷ Aneja, Atul. "Standing up to be counted." *The Hindu*, Sept. 23, 2001

⁸⁸ *The News*, Sept. 20, 2001. Pakistan ruler Gen. Musharraf described Indian intentions as: "... They have offered all military facilities to America military. They want Americans on their side. The objective is to get Pakistan declared as a terrorist state and harm our strategic interests and the Kashmir cause..."

⁸⁹ This view has also been echoed by National Security Adviser Condoleezza Rice. In an interview she said 'we've been very clear with Musharraf that we expect to see actions to follow up on his Jan. 12 speech.

⁹⁰ Swami, Sridur Krishna. "Mishra make his point on terrorism in J & K." *The Hindu*, Sept. 26, 2001

⁹¹ *The Kashmir Monitor*, Srinagar, June 13, 2002

⁹² "A decisive battle has to take place: PM." *The Hindu*, Dec. 14, 2001

⁹³ As part of coercive diplomacy on December 14, New Delhi issued a verbal demarche to Pakistan seeking action against the activities of – Jaish-e Muhammed (JeM) and Lashkar-e Taiba (LeT) prime suspects by the Indian for the attack on Parliament. This was followed by another demand on December 31 seeking the return of 20 fugitives wanted by New Delhi, believed to be living in Pakistan. As part of its "coercive diplomacy" against Pakistan, India launched 'Operation Parakram (valor)' on December 19, which was to constitute the largest and longest mobilization of the Indian armed forces. This was a deliberate move, taking place amidst the global 'war on terror,' to threaten the use of force against Pakistan. It included the deployment of India's three strike corps (comprising armored and mechanized formations) at forward positions on the international border with Pakistan. All leave to armed forces personnel was restricted, and all training programs and military courses suspended. With Pakistan's counter-mobilization, nearly one million armed personnel were deployed across the India-Pakistan borders.

⁹⁴ Puri, Luv. "Be ready for decisive battle, PM tells jawans." *The Hindu*, May 23, 2002

⁹⁵ "Attack could have been stage-managed: Pak." *The Hindu*, Dec. 15, 2001

⁹⁶ *USA Today*, Oct. 18, 2004. Secretary of State Powell has confirmed this in an interview to USA Today (October 18). He says he scripted the Pakistan-India thaw.

⁹⁷ Tomar, Rivi. Dr. "India-US Relations in a Changing Strategic Environment." Foreign Affairs, Defense and Trade group, Department of The Parliamentary Library, Australia, 25 June, 2002 p.41

⁹⁸ "No infiltration across border, says Musharraf." *Dawn*, May 28, 2002

⁹⁹ "The Blackwill thesis." *Hindustan Times*, Nov. 12, 2002; also see for details; "India is a victim of terrorism: US." *The Hindu*, Oct. 31, 2002. The United States Ambassador, Robert D. Blackwill, said that India was a victim of terrorism which was entirely "external driven."

¹⁰⁰ "India is a victim of terrorism: U.S." *The Hindu*, Oct. 31, 2002; also, "Kashmir holds key to global war against terror: Blackwill." *The Times of India*, Dec. 4, 2002.

¹⁰¹ Roy-Chaudhury, Rahul. "Nuclear Doctrine, Declaratory Policy, and Escalation Control." [www.stimson.org/southasia/pubs.cfm?ID=105 - 56k](http://www.stimson.org/southasia/pubs.cfm?ID=105-56k), Sept. 17, 2004.

¹⁰² "New Priorities in South Asia US Policy: Toward India, Pakistan and Afghanistan." Task Force report by Council for Foreign Relations, USA, 2004, p.12

¹⁰³ *ibid*

¹⁰⁴ *ibid.* p.34

¹⁰⁵ Malik, Mohan. "The China Factor in the India-Pakistan conflict." *Parameters*, spring 2003, US Army College Quarterly

¹⁰⁶ Schaffer, Teresita C. "Building a New Partnership with India." *The Washington Quarterly*, spring 2002. US actions since that 9/11 have made clear that the freedom of action these groups have enjoyed in Pakistan is incompatible with the relationship Pakistan is now trying to establish with the United States.

¹⁰⁷ *op.cit.* "New Priorities ..." p.47

¹⁰⁸ *ibid*, p.48

¹⁰⁹ *op.cit.* Kux, Dennis. (2001). *The United States ...* p.367-8. Leading US South Asian expert Kux reflects the enduring American good will for Pakistan and hope for Indo-Pakistan reconciliation. Should Islamabad temper its obsession with India ... Kux concludes the country could reverse its downward slide and make progress towards realizing its potential as a regional power.

¹¹⁰ Kapila, Subhash, Dr. (2002). *United States Conflict Restraint Initiatives in South Asia: An Analysis*. South Asia Analysis Group, Paper no. 45816. 05. 2002. "The message that comes home to India is that it cannot expect impartial policy stances from USA in its South Asian conflict restraint policies. The message that also comes home to India is that all current conflict restraint formulations from USA are prompted not by bringing genuine peace in South Asia, but to buy time for General Musharraf's continuance in power in Pakistan to serve American strategic interests."

¹¹¹ Limaye, Satu P. "Mediating Kashmir: A Bridge Too Far." *The Washington Quarterly*, 26:1. 2002-03, pp. 157-167

¹¹² *ibid.* "Abandon the fight for Kashmir permanently—distinct from prior US calls for Pakistan to end infiltration into the territory permanently—would further undermine Pakistani support for the United States among moderate secularists as well as extremists."

¹¹³ *ibid.* "The bottom line is that compromise in Kashmir is not in Pakistan's interests because Pakistan has more at stake. Unless the parties do something greater and more comprehensive to address the power asymmetry on the subcontinent, any kind of compromise - U.S-led or not - will remain insufficient from Pakistan's point of view."

¹¹⁴ Ahmed, Khurshid, Prof. "Speech Impediments." *The Hindustan Times*, Nov. 4, 2004