

# Why seek a compromise on the 'core' issue?

By S. H. Zaidi

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**P**RESIDENT Musharraf's call for a debate on the Kashmir issue to explore various options for its resolution is a bold step but raises some curious questions.

It is difficult to make out as to what prompted the sudden change in the traditional stance on Kashmir under which it has always been 'a non-negotiable core issue'. The new thinking is that it is 'a negotiable issue' — an issue on which the government is willing to strike a compromise. But the change in perception or the element of flexibility also carries a rider that there is no basic change in the Kashmir policy.

It is, in effect, a clever tactical move on the part of President Musharraf to pressure New Delhi to show some kind of flexibility in its traditional stance — Kashmir is an integral part of India — by selling the idea among the Indian public that if Pakistan can move away from its long-held posture, why can't the Indians be generous if the old enmity is to be buried?

But there is little chance of the Indian establishment accepting such a proposal, as is visible from its initial cool reception. A media debate is the last thing they would favour on such a sensitive issue. The move's real purpose, as it seems, is to prepare the Pakistani public, and the Kashmiris as well, to swallow the bitter pill of a compromise based, probably, on a division of the state of Jammu and Kashmir.

The problem is that Musharraf's proposal ignores the potential harm it may cause to Pakistan's standpoint. If the intention is to put in question India's control over those parts of Kashmir which are under its occupation, it equally brings into doubt the legitimacy of Pakistan's control over Azad Kashmir.

The general has laid emphasis on the fact that Jammu and Kashmir is a conglomeration of seven 'regions' whose future status his government is willing to consider separately and in isolation from one another in accordance with their demography and culture. Incidentally, there is nothing new in this concept, as the UNCIP representative Owen Dixon had mooted it long back and had the two countries accepted it, a solution based on it could have been reached much earlier and more amicably.

It is appropriate here to recall the 2001 India-Pakistan summit at Agra. President Musharraf had insisted there on calling Kashmir the 'core issue' between the two countries and that without whose resolution normalization between India and Pakistan could not be conceived. The then Indian

Musharraf for talks, more to highlight that India was willing to negotiate all issues unconditionally while Pakistan imposed pre-conditions and supported what India called 'cross-border terrorism.' With the current move, the roles seem to have been reversed. In July 2001, the West, particularly the US, regarded Musharraf as just a military ruler. After 9/11, and a change in Pakistan's policy on Afghanistan, General Musharraf feels confident enough to float the idea of 'other options' without fear of opposition from his right-wing cleric allies that had applauded his 'strong stand' in Agra.

Meantime, the Kashmiris have come to occupy the centre-stage, and it is doubtful if they would accept any solution that falls short of their aspirations.

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Under the given circumstances, there is hardly any need for Pakistan to precipitate another crisis by floating the idea of a 'compromise' solution. Besides, it is unrealistic to expect India to agree to any degree of demilitarization. If there is a problem, it is in the Indian part of Kashmir, and the best approach would be to let things take their natural course.

Pakistan partly withdrew its troops from the LoC in 2001, it prompted Lashkar-i-Tayyaba and Harkatul Mujahideen to proclaim that their struggle would continue till Kashmir is liberated, agreements between India and Pakistan notwithstanding.

The situation does not, however, warrant our jumping in haste from the frying pan into the fire. The state is already divided between India and Pakistan, following the Dogra ruler's decision to accede to India and the subsequent 1948 India-Pakistan war. But it is interesting to note that the Congress leader who was willing to compromise with Pakistan on Kashmir in the early years was not the liberal Nehru but the orthodox Patel, who believed that "India's effort to retain the Muslim majority areas against the will of the people would be a source not of strength but of weakness for India" (S.M. Burke and Salim al-Din Qureshi: "British Raj in India: An Historical Review" 1995; repr. 1997. OUP, p. 607.) He was prepared to trade off Kashmir for Hyderabad state, which had a

is as bad an idea as a policy of interference in held Kashmir at the risk of an all-out India-Pakistan war.

One may recall that shortly after the 1962 India-China border war, the Ayub regime and China signed a boundary accord in which Pakistan ceded to China some area on its side of Kashmir that was of strategic importance to China. Subsequently, China and India agreed in 1993 and 1996 to reduce troops along their border and open it to trade, but India has always questioned the cession of disputed territory to a third party by Pakistan.

Owen Dixon's plan half a century ago envisaged a plebiscite under UN auspices, based on demographic composition of different regions of Kashmir separately. It would most likely have given Ladakh and Jammu to India and the Valley and the Northern Areas to Pakistan. The present division of Kashmir is for all practical purposes on similar lines, except that the Muslim-majority valley is in India's control and in turmoil. The general's move clearly tends to mimic the Dixon plan, but it will not succeed without India's and the Kashmiris' consent. Besides, it turns Kashmir overnight into a compromisable issue rather than an issue based on the 'right' of self-determination and has at its root the idea that Kashmir can be carved up between the two contesting states.

It is now clear that it is not possible for Pakistan to wrest Kashmir through military action. But the current overture is unlikely to gain anything for Pakistan. On the contrary, it is a setback to Pakistan's case and undermines the effort aimed at exposing Indian army's repression of the Kashmiris and highlighting the legitimate, indigenous nature of their freedom struggle. It strengthens the Indian contention that the trouble there has been fomented by Pakistan-supported "militancy, and Islamic fundamentalism" — a propagandist line cleverly orchestrated to influence the West.

Ideas like placing Kashmir under 'international control' while appearing to shift away from a 'desire for peace' could create a potentially more dangerous situation than the current stalemate, as the increase in the number of stakeholders could make the situation more complex and enhance the possibility of big power involvement.

The 'option' of an independent Kashmir also has its own drawbacks. Groups like the New York-based (Farooq Kathwari's) Kashmir Study Group (KSG) have proposed making the two parts of Kashmir sovereign entities, guaranteed by India and Pakistan, but both countries have rejected this option.

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It is appropriate here to recall the 2001 India-Pakistan summit at Agra. President Musharraf had insisted there on calling Kashmir the 'core issue' between the two countries and that without whose resolution normalization between India and Pakistan could not be conceived. The then Indian foreign minister, Jaswant Singh, spelled out Indian government's position in these words: "Kashmir is at the core of Indian nationhood", and that "confidence building measures were essential" before the issue could be tackled.

Musharraf heaped praise on Vajpayee for his 'sincerity and good intentions' but the latter squarely blamed the general's 'inflexible stand' on Kashmir for the summit's failure. Paradoxically, the general disavowed historical agreements like the Shimla agreement and the Lahore Declaration and was content merely with 'having highlighted Kashmir' as the main contentious issue between the two countries at the summit.

Since then, much water has flowed down the Indus. By promising to put an end to 'infiltration' from the Pakistan side of the LoC, the government seems to have implicitly 'recognized' the Indian charge of 'cross-border terrorism.'

With the benefit of hindsight, one could say that in 2001, Vajpayee was on the defensive. He invited

fear of opposition from his right-wing cleric allies that had applauded his 'strong stand' in Agra.

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Were the Indian government to realize its historical error, make a sincere effort to rectify it, and strive sincerely to solve the issue, great dividends could be reaped by both countries as well as by the Kashmiris. But over the years, India not only renounced its earlier commitment to abide by the plebiscite resolution, but also amended Article 370 of its constitution regarding Kashmir's special status. There is little chance, therefore, of India giving up its hold on its occupied part of Kashmir.

Under the given circumstances, there is hardly any need for Pakistan to try to precipitate another crisis by floating the idea of a 'compromise' solution. Besides, it is unrealistic to expect India to agree to any degree of demilitarization. If there is a problem, it is in the Indian part of Kashmir, and the best approach would be to let things take their natural course. Any willingness to 'carve up' the state

territory to a third party by Pakistan.

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An independent, land-locked Kashmir would find it necessary anyway to depend on India or Pakistan or both of them. Worse, its strategic location could make it the object of rivalry of big powers alien to South Asia. It could also slide into a prolonged civil war like post-Soviet Afghanistan. The maximum that India is likely to concede anyway is to make Kashmir autonomous within the Indian Union. It would be prudent to let things take their natural, logical course, banking on time to see a solution of the issue. Meanwhile, if India chooses to ignore the indigenous Kashmiri freedom struggle, it does so at its own peril, as the struggle gains ground with the passage of time.

Pakistan should, meanwhile, seek resolution of other, less intractable issues, and boost trade between the two countries to create commonality of interest between the two nations, so that the Kashmir dispute ceases to hold more than 1,200 million people of South Asia hostage. ■