

RESOLVING KASHMIR DISPUTE ANALYZING VARIOUS APPROACHES

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Abstract

No dispute has taken such a heavy toll of both neighbourliness and periodically emerging desire for normalization than what has been consistently done by the ongoing Kashmir dispute. The efforts to resolve the dispute have been regularly made by various quarters without any tangible outcome. Three types of approaches can be easily identified; bilateral, multilateral and third-party involvement. This article describes the contours of the dispute which is followed by a discussion on various approaches and outcomes.

Keywords: Dispute, Multilateral, Approaches, Resolutions, Peace.

The Origin of the Dispute

The ongoing Kashmir dispute is the product of hurriedly worked out partition plan by the British empire. Not much attention was paid to the consequential impact of ill-planned partition of India. As far as the future of princely states was concerned, only scant attention was paid to the issue and a set of guiding principles announced without focusing on cases of possible violators of the guiding principles.

At the time of partition, there were 580 princely states with an area of approximately 712,000 square miles and with a population around 93.20 million.¹ The Indian Independence Act of 1947 clearly indicated that the His Majesty Government's rule over the states would lapse on 14th August 1947. Both the last Viceroy Lord Mountbatten and Secretary of State for India clearly advised the rulers to opt either for India or Pakistan. They forcefully stressed not to opt for an independent status as the British government would not recognize anyone as an independent state. Technically these states would become independent on 14th August 1947 with clear option either to join Pakistan or India according to the spirit and guiding principles contained in 3rd June 1947 plan. The guiding principles of states' accession to the either India or Pakistan were laid down by Mountbatten on 3rd June 1947. These principles included the idea of geographical location and the ascertainment of aspirations of the people.

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This meant that if a state is physically located next to territories that are forming Pakistan and the majority of its population is Muslim, who is aspiring to join Pakistan, a case for accession to Pakistan could be easily and convincingly made. Similarly if a state is located next to the territories that were to be part of India and the majority of population is Hindu and they are aspiring to join India, the case for joining India could also be justifiably made. Almost all of rulers of these states had given their decision by 14th August 1947 either to accede to one dominion or the other except a few. Among the states that had failed to decide by the 15th August to join either India or Pakistan included Jodhpur, Junagadh, Hyderabad and the state of Jammu and Kashmir.

The origin of Kashmir dispute was, in many ways, is the product of hurriedly worked out partition plan and Mountbatten's somewhat biased role in influencing many rulers of these state to join India disregarding, if the need be, the principles, he himself laid down, to facilitate the process of partition and accession of states.

Discretion to decide whether to join India or Pakistan was given to the ruler. But it was also stated that the decision of the ruler should be qualified by the geographical proximity, people's aspiration and religio-ethnic composition of the state. As far as Junagadh, Hyderabad and Jodhpur were concerned India insisted that these states should join India primarily because of the Hindu majority population in those states despite the fact that the rulers of Junagadh and Jodhpur opted to join Pakistan, whereas Hyderabad opted to stay as an independent state. By this criterion, Kashmir should have automatically joined Pakistan as it enjoyed overwhelming Muslim population and physically contiguous to territories forming Pakistan. However in the case of Kashmir India not only applied concerted political pressures on the ruler to accede to India and once the ruler of Kashmir had signed the instrument of accession, India relegated the guiding principles of geographic proximity and aspiration of the people to a secondary place and forcefully projected the legalistic approach as the primary basis for accession.

Policies

Compared to India's vacillating Kashmir Policy, Pakistan's Kashmir policy has all-along been quite extremely balanced and consistent. India has been changing its policy objectives and tactics with the passage of time according to periodic developments. Undoubtedly, Kashmir dispute is a

complicated issue became of India that has exercised overwhelming influence over their policies since partition. While India views Kashmir as a Muslim majority state whose ruler opted to accede to India. India strictly refrained from applying the same principle to Junagadh whose ruler decided to join Pakistan. Instead India forcibly occupied the state. The Kashmiris freedom struggle is often termed by the Indians as Pakistani inspired rather than acknowledging it as a genuine expression of Kashmiris' desire for self-determination. To the Pakistanis, Kashmir dispute has become a symbol of Indian highhandedness and broken promises and commitments.

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What the Pakistanis argue is that the people of Kashmir are allowed to exercise their inalienable right of self-determination under a UN supervised plebiscite in accordance with the resolutions of 13th August, 1948 and 5th January, 1949. The intensified freedom struggle in the late eighties and the early 1990s along with current developments in Kashmir are not only viewed as the expression of extreme discontentment of the Kashmiri people but also as a periodic assertion to secure their legitimate right of self-determination. All what Pakistan stresses is that the Kashmiris are allowed to exercise their right of self-determination as promised by the UN. India has been arguing that the intensification of the Kashmiris' freedom struggle since 1990 is not an indigenous. Compared to India, which has systematically eroded the special status it gave to the State of Jammu and Kashmir (J&K), Pakistan did not absorb either the Northern Areas or the Azad Kashmir though in case of the Northern Areas only recently a special status has been assigned as the Gilgit-Baltistan region. Determined to retain Kashmir as a part of the Indian Union, India has been consistently trying to inject well calculated moves to erode the special status it had given to J&K under its Constitution with the intention of finally merging the state completely into the Indian Union. This was facilitated initially by British surrender of its impartial role in partition processes enabling India to gain the necessary foothold there in the state towards this end.

Over the last 70 years, Pakistan has periodically but successfully managed to internationalize the Kashmir dispute. Pakistan's multi-pronged approach facilitated the process of internationalization. To begin with, Pakistan allowed the local as well as the international press to cover the developments and consequences of the crisis on this side of the Line of Control (LoC). All interested visitors, journalists and human right activists are allowed to visit Azad

Jammu and Kashmir (AJ&K) and interview the unfortunate victims of the crisis. Second, Pakistani government intensified its efforts to present the dispute to many international organizations such as United Nations (UN), Non Aligned Movement (NAM), Organization of Islamic Countries (OIC) etc. Third, many delegations consisting of parliamentarians, thinkers, analysts and journalists are periodically sent to various countries with a view to educate those governments. Finally, the government of Pakistan has established a Kashmir Committee to monitor developments in Kashmir as well as suggest policy measures to the government.

In addition to Pakistan's concerted efforts, many other factors also facilitated and contributed towards the internationalization of the dispute. To begin with many research organizations, foundations, institutes and universities

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are encouraged to hold seminars/ conferences both inside the country as well as arranging periodically such activities in other countries. Second, many members of Kashmiri diaspora

living outside South Asia not only intensified their efforts to project the Kashmir dispute but also injected renewed enthusiasm among inactive members of diaspora and they began to regularly highlight the plight of the Kashmiris with a view to educate the public in at least those countries where they are residing. Third, marches are now regularly organized to highlight the Kashmir cause in Pakistan as well as in those countries, where the Kashmiri diaspora is temporarily residing. Fourth, the negative attitude of the Indian governments with regard to opening Indian Occupied Kashmir (IOK) to international journalists, representatives of various human rights groups and OIC contact group inadvertently facilitates the process of internationalization of the dispute. Fifth, the acquisition of nuclear capability along with continuous hostile relationship between India and Pakistan works as a constant reminder of likely nuclear exchange between the two countries. Sixth, the advent of social media has further facilitated the projection of Kashmiri cause.

Compared to Pakistan's successful pursuit of internationalization of the dispute, India tried not only to paint it as an effort directed to highlight the Islamic character of the conflict but also to establish links between the freedom movement and terrorism. Undoubtedly these were and are crude attempts to divert the attention from the real issues. The employment of terms like international Islamic Mujahedeen tended to generate the impression that some

kind of Islamic conspiracy exists which is continuously working against the established order.

Approaches

Many approaches based on negotiations exist but none of them would work if an involved party is determined to withhold its cooperation. Among the known approaches, these include bilateral, multilateral approaches and the involvement of a third party. Objective analysis leads us to conclude that the Kashmir dispute is essentially a political dispute requiring a political approach based on continuous negotiations. However it needs to be stressed that if any one of the involved parties is not genuinely interested in resolving the dispute, the political approach is unlikely to pay desired dividends. While the Pakistani and the Kashmiri people appeared to be genuinely interested to resolve the dispute, the Indians have repeatedly demonstrated that they are not interested in resolving the dispute in accordance with the UN resolutions.

Multilateral Approaches

It is well known that neither country can change the geography but both India and Pakistan can adopt policies aimed at securing the much desired normalcy. While the past is filled with series of broken promises, wasted proposals, and missed opportunities, the efforts should be focused on to avail every opportunity to move towards the desired goal of attaining peace in the region.

The multilateral approaches include the UN, the Commonwealth and the OIC. It was India that took the case to UN and filed a complaint against Pakistan under Chapter VI of UN which relates to 'Pacific Settlement of Disputes', on 1st January, 1949. Initially the UN Security Council passed resolution asking both parties to desist from aggravation of the situation. Later through another resolution established UN Commission on India and Pakistan (UNCIP). Undoubtedly, the UNCIP made concerted efforts to resolve the dispute and even managed to secure the consent of both India and Pakistan and in consequence the UN resolutions of 13th August, 1948 and 5th January, 1949 were passed and accepted by both India and Pakistan. Taken together these resolutions entailed ceasefire, demilitarization and plebiscite. The ceasefire was quickly attained but the UN was unable to secure an agreement on the process of demilitarization. Demilitarization plan in the resolution suggested that the Pakistani force would be first withdrawn. The territories vacated by Pakistani forces would be

administered by the local authorities under the supervision of the Commission. Following Pakistani withdrawal, India would withdraw bulk of its forces. The Commission even asked the two governments to present plans on their own for the withdrawal of forces. The proposal presented by India and Pakistan substantively differed from each other. When Pakistan asked for strength, composition, and location of Indian forces along with the withdrawal schedule, India refused.²

Having failed to secure an agreement on demilitarization, the UN Security Council decided to request the then President of the Security Council General A.G.L. McNaughton of Canada to discuss with Pakistan and India with the objective of securing their consent on a practical formula. General McNaughton worked out a feasible plan. The plan implied the 'withdrawal of all irregular forces from the disputed territory and to jointly establish and monitor law and situation which would be followed by pulling out the regular forces. The plan also called for the establishment of an interim administrative set up which not only would command the confidence of the people but would also make arrangement for conducting plebiscite under UN Security Council'.³ The crux of the proposal was simultaneous withdrawal of forces. Pakistan was willing to accept with some provisions of minor importance but India refused to accept.

Following the failure of General McNaughton proposal, the UN decided to appoint a special representative to resolve the issue of demilitarization. The first UN representative appointed was Sir Owen Dixon. Dixon worked hard and presented many proposals but unfortunately was unable to secure Indian agreement. The Dixon report in many ways reflected his disappointment. He even appeared skeptical of the ability of the UN to force upon India any just solution.⁴

Following Dixon's failure to secure an agreement over demilitarization of Kashmir, the UN demonstrated little bit of reluctance to resume the debate over Kashmir immediately. One of the reasons for delay was the impending Commonwealth Prime Ministers' meeting which was scheduled to be held in early 1951. The Pakistani Prime Minister threatened to boycott the meeting unless the Commonwealth conference discusses the Kashmir dispute. The British government was somewhat reluctant to discuss as it was 'anxious to avoid taking sides in the conflict'.⁵ However, the Kashmir dispute was discussed informally and suggestions were made how to deal with the problem of demilitarization.

The Australian Prime Minister Robert Gordon Menzies advanced three proposals, to station Commonwealth troops, to have a joint India-Pakistan force and finally allowing the plebiscite administrator to raise a local force.⁶ While Pakistan accepted all of proposals, India rejected all of them.

The next few years saw attempts being made to solve the dispute by direct negotiations between India and Pakistan without much success. With the publications of the news in 1953-54 that Pakistan has agreed to accept American military assistance, India began to back out of its commitment to hold plebiscite in Kashmir by asserting that military aid to Pakistan had upset the balance of power in the subcontinent

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which in turn has changed the entire context of the Kashmir negotiations. Pandit Nehru used the change in Pakistan's foreign policy as grounds for the rejection of the already promised Kashmir plebiscite. Just because Pakistan signed a military assistance agreement with another country to cater for its security requirements and why the Kashmir's should be denied their legitimate right of self-determination. Although ostensibly Nehru tried to blame Pak-US arms aid as the major factor causing change in India's Kashmir policy the real reason was its own policy—summersault along with the ascendancy of Hindu revivalists and reactionaries. They were able to exert considerable influence over the policies of central government.

The adoption in the Constitution of Kashmir that the 'State is and shall be an integral part of the Union of India and Pundit Nehru's assertion in 1956 that he is no longer in favor in holding of plebiscite and influenced Pakistan to request UN Security Council on 2nd January, 1957 to take up the Kashmir issue again. The UN passed a resolution clearly indicating that 'any action taken by the Constituent Assembly of Kashmir would not constitute a disposition of the State'.⁷ On 14th February, 1957 UN passed a resolution requesting the then president of the Council Gunner Jarring to help the two governments' to secure an agreement and to consider Pakistani proposal revolving around the use of UN force.⁸ According to Jarring the issue of demilitarization should be taken to Arbitration along with other complaints. Again, India refused to accept but Pakistan accepted Jarring's proposals. In September, 1957 the Prime Minister of Pakistan announced that it would not only be willing to withdraw all the soldiers

but also expressed to meet all Indian objections in order to facilitate the demilitarization process.

Recognizing the need to further explore the possibilities, the UN again sent Dr. Graham to the area with the objective of securing an agreement of both India and Pakistan. Dr. Graham announced a new set of proposals but these were again rejected by India but were accepted by Pakistan. The UN Security Council did not discuss the case for the next few years. The case was again brought to the attention of the Security Council by Pakistan in February 1962. The case was discussed but no resolution was passed because of Soviet veto.

The third multilateral forum which made lukewarm efforts to resolve the Kashmir dispute is the OIC. Having been disappointed by the UN's inability to resolve the dispute, Pakistan sought help from the OIC. Recognizing the need to resolve the ongoing Kashmir dispute the OIC made concerted efforts towards this and even established a Contact Group which has been meeting almost regularly. However, it needs to be stressed here that the group has not been able to make any headway towards the solution.

Bilateral Efforts

Just as a multilateral approach failed to produce any tangible outcome, bilateral negotiations have also been unable to resolve the Kashmir dispute. Among the bilateral approaches, efforts at four occasions need to be discussed and highlighted. These are direct negotiation during 1953-56, six rounds of talks that took place between Sardar Swaran Singh and Zulfikar Ali Bhutto, Simla agreement and finally the peace process of 2004-2008. Failure of UN and UN's special representatives generated the feeling that it might be a worthwhile exercise to put the onus of settlement upon India and Pakistan. Not only Dr. Graham had proposed that India and Pakistan should discuss the dispute bilaterally, the Pakistan Prime Minister Nazimuddin initially stressed the need for resolution of the Kashmir dispute in January 1953, later the new Prime Minister of Pakistan Mohammad Ali Bogra met Nehru informally in London during the coronation of Queen Elizabeth II in June 1953.⁹ The two prime ministers met for serious negotiations in Karachi on 25th July 1953 and the joint communiqué indicated that the two prime ministers had talked cordially but the discussion was primarily of preliminary nature. It was followed by another meeting that took place on 16th August 1953 in New Delhi and the two prime ministers agreed

to settle the Kashmir dispute in accordance with the wishes of people of Kashmir.¹⁰

With the advent of Pak-US security pacts, Nehru began to blame Pakistan's receipt of American arms for sabotaging the cordiality of atmosphere and in consequence a breakdown in India-Pakistan negotiations took place. An astute observer of Kashmir Prem Nath Bazaz stressed that by the time security pacts came into existence, 'the Hindu revivalists and reactionaries' had acquired sufficient influence to radically alter the adopted policies of the Central government. Besides, India had already demonstrated its double standards. For instance, India condemned all those who wished to label China as the aggressor in Korean War on the grounds that it will only increase tension and reduce the chances of a peaceful settlement.¹¹ Not only Indian troops were sent into Korea under UN banner, arbitration was recommended as a method of resolving the issue. Whereas in case of Kashmir, India vehemently opposed the presence of UN troops and vociferously rejected the submission of the Kashmir dispute to arbitration.

In 1962 Sino-Indian border war took place in which India was badly thrashed. The often proclaimed nonaligned India sought help from both US and UK and requested for weapons. At that juncture of history Pakistan asked its alliance partners to influence India for talks on Kashmir. Consequently six rounds of talks between India and Pakistan took place without any tangible outcome.

The third occasion that experienced bilateral discussions on the Kashmir dispute was during the negotiation process of Simla Agreement in July 1972. While the two countries discussed the Kashmir dispute but were unable to agree upon its resolution. Clause 6 of the Simla Agreement categorically stated that the two sides will meet to discuss at a mutually convenient time in future for a final settlement of Jammu and Kashmir.¹² Under clause 4(ii) of the Agreement the existing UN cease fire line was replaced by 'Line of Control' (LoC) resulting from the cease fire of 17th December, 1971. It further states that the LoC 'shall be respected by both sides without prejudice to recognized position of either side. Neither side shall seek to alter it unilaterally'.¹³ Pakistan's recognized position is that Kashmir is a disputed territory and dispute should be resolved in accordance with the UN resolutions. Indian position has been changing periodically in accordance with the suitability of given time. It also started with UN resolution,

later it changed its position and currently Indian stress that it is an integral part of India.

Next occasion is that of peace process of 2004-2008 which focused on various issues including Kashmir. While both sides seriously discussed various aspects of the Kashmir dispute over the next four years (2004-2008), they were unable to develop any consensus over the dispute. The Pakistani sides mostly highlighted the need to resolve Kashmir dispute whereas the Indian side focused on cross border terrorism. The Pakistani President advanced many workable proposals to tackle the complex Kashmir dispute but none carried favor with the Indian side. Among those proposals four points formula attracted the attention of many on both inside as well as outside South Asia. The proposal included the concept of soft borders, self-governance, demilitarization and a joint mechanism to resolve the complex issues. It seems that Pakistan regularly demonstrated flexibility and kept on putting forward different proposals to resolve the dispute whereas the Indians continuously made efforts either to evade the issue or focused on sabotaging all efforts towards the desired resolution of the dispute.

The November 2008 tragedy led to abrupt discontinuation of the ongoing dialogue process. While Pakistan made concerted efforts to resume the dialogue, India did not respond or even seriously considered responding to Pakistanis efforts aimed at resuming the dialogue. For next few years India opted to capitalize on the tragedy in securing sympathies of the world and painting Pakistan as a country sponsoring terrorism.

Third Party Involvement

Among the cases in which a third party was involved, three need to be highlighted here. Perhaps, the most important is the Indus Water Treaty. The unjust and unimaginative Radcliffe award confronted India and Pakistan with the problem of river water distribution. Without giving much thought to the fact that 'two-thirds of the irrigated areas and 40 million people dependent on them are in Pakistan', the award gave the head works of the major irrigation systems of Pakistan to India.¹⁴ Admittedly, Radcliffe was given assurances that the existing irrigation arrangements would be respected by the succeeding governments in both countries but soon after partition, India stopped the flow of waters to Pakistan.¹⁵ This created a problem of enormous gravity and brought the two countries to the brink of war. Although the two countries managed to provide a temporary respite but were unable to secure a permanent solution. Luckily at

that stage the President of World Bank Mr. Eugene Black offered the good offices of the Bank for resolving the water issue.¹⁶ The continuous efforts of the Bank produced Indus Water Treaty which allocated three Eastern rivers (Ravi, Beas and Sutlej) to India with certain specified exceptions and three Western rivers (Indus, Jhelum and Chenab) to Pakistan.¹⁷ Not only the treaty was signed by both countries in September 1960 but also India promised 'to let flow for unrestricted use by her neighbor all the waters' of western rivers 'subject to the provision that some of these waters may be used by India in areas upstream of the Pakistan border for development of irrigation, electric power and certain other uses spelled out in detail in annexes to the treaty'.¹⁸ Undoubtedly not only efforts of Bank need to be appreciated, but credit must also be given to the President Eugene Black whose untiring efforts in securing the requisite consent of the two governments.

The division of rivers necessitated transfer of water from the major Western river to those areas which were catered by the three Eastern rivers. It was decided to build eight link canals, two earth-filled dams, a power station, and 2500 tube-wells and drainage to overcome water logging and salinity in irrigated areas.¹⁹ While the treaty was viewed by the Pakistanis as a compromise as they had lost the waters of Eastern rivers, Nehru termed it as a memorable 'not only for the material benefits which it would bring to the cultivators in India and Pakistan but also for its psychological and even emotional effect'.²⁰

So far, the treaty has been working well with minor irritations which periodically emerged and handled by already provided mechanism in the treaty to resolve disputes. In this connection, the case of Baghlihar dam can be cited which was resolved under the mechanism provided in the treaty. However, in recent times not only the treaty has been subjected to biting criticism, but the violation of its provisions has also raised complex issues. Already the issues revolving around the construction of Kishanganga and Ratle dams on Neelum-Jhelum and Chenab rivers are being handled by the Bank. Currently Modi regime has been making wild statements and promises to annul the treaty causing further tension between the two countries.²¹

The second important case that has been resolved through the efforts of a third party is the Rann of Kutch case. The dispute over Rann of Kutch was inherited by both India and Pakistan. It was a dispute between the British India and the state of Kutch. Since the border between the province of Sindh and the

state of Kutch was not clearly defined during the British Raj, there was scope for claims and counter claims. Consequently conflicting claims of India and Pakistan came into existence. Historically Pakistan's Sindh province enjoyed administrative control over the Rann of Kutch but after acquiring independence

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Pakistan claimed the northern half of the Rann of Kutch whereas India laid claim to the whole of Rann of Kutch. The conflicting claims of the two new states

resulted not just into a dispute but also armed clashes took place in the first week of April 1965. India launched an offensive operation against a Pakistani post at Ding.²² Not only the Indian army was unable to attain its objectives but it also began to experience reverses when the Pakistani forces launched its counter offensive. According to a well-known British newspaper the Indian army hurriedly left the area leaving behind even their 'homely things like pyjamas and boots and half eaten chappatis'.²³

In order to resolve the dispute, Pakistan, at the time, a three-point proposal was put forward by Pakistan envisaging (i) ceasefire (ii) restoration of the status quo (iii) negotiations to settle the Rann of Kutch dispute.²⁴ Instead of seriously considering the Pakistani proposal, the Indian leaders began to indulge in speeches promoting war hysteria and consequently hysterical outbursts of anti-Pakistan feelings began to dominate the headlines in the Indian media. The Indian Prime Minister even went to the extent of threatening Pakistan with military action 'on a battleground of India's own choice'.²⁵

Cognizant of deteriorating nature of the crisis, the British government decided to play constructive role in averting a major catastrophe. The British Prime Minister Harold Wilson managed to convince both India and Pakistan to sign an agreement which entailed to discuss the dispute bilaterally and if no compromised worked out, then it should be submitted to an arbitration tribunal consisting of three individuals. Both India and Pakistan would nominate a member of the tribunal and third would be nominated by the Secretary General of the United Nations. Not only India and Pakistan were unable to reach an agreement, but and inconsequence a tribunal had to be formed. The tribunal announced its verdict in 1968 awarding 90 per cent of Rann of Kutch to India and 10% (about 800 square kilometers) to Pakistan.²⁶ India got much larger share than Pakistan, but it was mostly sea-marsh and frequently under water whereas Pakistani share included some crucial elevation points.²⁷

The third case in which the third party played significant role was the signing of the Tashkent Declaration. The 1965 war ended because of concerted UN efforts. Following the cease fire, the peace efforts started to secure some kind of agreement. A third party role was successfully played by Union of Soviet Socialist Republics (USSR). The Soviets were able to play mediating role mainly because of two reasons. One the Americans had temporarily become unpopular with both India and Pakistan. Second, 'the gradual shift in Soviet policy from one of complete support of India to one of neutrality in Indo-Pakistan disputes' made her acceptable in the eyes of the Pakistanis. Through the untiring efforts of the Soviet Prime Minister, not only Tashkent meeting was held in January 1966 but and an agreement was secured known as Tashkent Declaration. In terms of concrete achievements, the declaration entailed 'withdrawal of forces to position held before August 1964' which was achieved by February 1966.²⁸ In addition, Tashkent Declaration provided for the resumption of diplomatic relations, exchange of prisoners of war, repatriation of refugees', restoration of economic and trading relations, resumption of communications, and discouragement of the hostile propaganda against each other.²⁹

Conclusion

A simple examination of the three approaches clearly indicates that the third party involvement has been successful with reference to some other issues. Thus this approach needs to be employed on the Kashmir dispute. Both India and Pakistan have met many times to resolve Kashmir issue bilaterally but most of the time they failed to reach an agreement. Among the four examples discussed under bilateral approach only one could be termed as partially successful while other bilateral talks to resolve the Kashmir dispute failed. Undoubtedly Simla Accord can be viewed as partially successful in terms of outcome of bilateral talks which not only enshrined the principle of bilateralism but also transformed the existing UN cease fire line into (LoC).³⁰ Apart from minor agreements covering some aspects of dispute, comprehensive discussion on the dispute, with a view to resolve the Kashmir dispute once for all, was left to future negotiations.

NOTES

- ¹ For details see Pervaiz Iqbal Cheema, *Pakistan's Defense Policy*, (London: The Macmillan Press Ltd., 1990), pp.34-35.
- ² See Korbelt, Josef, *Danger in Kashmir*, (London: Oxford University Press, 1954) pp.156-157.
- ³ See Burke, S.M., *Pakistan's Foreign Policy: An Historical Analysis* (London: Oxford University Press, 1973), pp.28-It is not too farfetched to assume that both parties have employed political as well military approaches with a varying degree of emphasis. Until the peace process that began in 2004 and the current initiation of bilateral dialogue process, India seems to have opted to focus more on a military than a political approach. The freedom fighters claim that they have been compelled to take up arms by the state and Indian governments' policies, the Indian government had opted for a military approach right from the beginning of the crisis. The IHK had remained under the Governor's/President's rule for quite some time though half-hearted attempts to introduce the political approach had been made from time to time. Also see Josef Korbelt, *Danger in Kashmir*, Oxford University Press, 1954), pp.166-168.
- ⁴ Korbelt, op.cit., pp.174-175.
- ⁵ Korbelt, op. cit. ,pp.176-177.
- ⁶ Ibid.
- ⁷ Burke, op. cit., p.228
- ⁸ Ibid.
- ⁹ See Burke, Op. Cit.pp. 39-42. Also see Gupta, Sisir, *Kashmir: A Study in India-Pakistan Relations*,(Bombay: Asia Publishing House, 1966) PP.253-309.
- ¹⁰ Burke, Op. Cit., pp. 39-42.
- ¹¹ Ibid.
- ¹² See the actual text of Simla Agreement in Chari,P.R. and Cheema, PervaizIqbal , *The Simla Agreement 1972: Its Wasted Promise* (Colombo: Regional Centre for Strategic Studies, Manohar, 2001)pp204-6.
- ¹³ Ibid.
- ¹⁴ For details see G.W. Choudhury, *Pakistan's Relations with India 1947-1966* (London: Pall Mall Press, 1968) PP.155-169.
- ¹⁵ Ibid.
- ¹⁶ See Burke, Op.Cit., pp.11-13.
- ¹⁷ See Choudhury, Op. Cit, pp. 155-169.
- ¹⁸ Ibid.
- ¹⁹ Ibid.
- ²⁰ Ibid.
- ²¹ See 'Modi woos Punjab voters with pledge to annul Indus Waters Treaty' in Dawn, 28th Jan.2017.
- ²² Choudhury, Op. Cit., pp.289-290.
- ²³ Ibid.Dr. Choudhury quoted an article published in the Sunday Times. See ' War in the Desolate Place' by Tom stacy in Sunday Times May 2, 1965
- ²⁴ Ibid, p.290.
- ²⁵ Ibid
- ²⁶ See 'The mysterious Rann of Kutch' by Isha M. Kureshi in Dawn, June 3, 2009.
- ²⁷ Burke, Op. Cit., p.526
- ²⁸ Ibid
- ²⁹ Choudhury, op. Cit.P.302.
- ³⁰ For a detailed discussion see Chari, P.R. and Cheema, Pervaiz Iqbal, *The Simla Agreement 1972: Its Wasted Promise* (Colombo: Manohar, 2001).