POLITICAL PARTIES' POSITION ON KASHMIR ISSUE

One of the most significant aspects of international politics is that the nation States tend to assert their sovereignty even through military aggrandizement. This tendency of nation States may lead to military conflicts. The primary component of a country’s national interest is the protection of its territorial integrity. In the process of doing this, countries may entangle themselves in disputes, because of their equal and common claim over a particular territory. Another dimension of such a conflict can be witnessed when two countries clash with each other on the issue of defining their boundaries. And finally the claims of a country for a particular region, which is now under the jurisdiction of its neighbour may lead to conflicts among nations. In this context, the examples of Israel and Palestine, India and China and India and Pakistan can be cited as nations enmeshed in chronic bilateral territorial disputes. Kashmir presents itself as one of the most glaring illustrations of a lingering territorial bilateral disputes.

The Kashmir issue has the potency of determining the nature of the entire gamut of bilateral relations between India and Pakistan. The defence and foreign policies of both the countries are conditioned by their positions and claims over the territory of Kashmir. On the whole, both the problems and prospects in Indo-Pakistan relations, hinges upon
the single issue, Kashmir issue. All other issues between the two are linked to Kashmir issue. The resolution of major issues between the two countries such as terrorism and nuclear arms race depends upon the peaceful settlement of Kashmir issue. K. Subramanian, a senior defence analyst writes: "The prime minister recently called Kashmir a headache. It is more than that it is the bleeding head wound of Bharata Mata. It will not be an over simplification to state that the lack of normal healthy and stable Indo-Pakistan relations is also due to unresolved Kashmir issue."

America played its own role as a catalyst in worsening the situation by engulfing Pakistan into its game of cold war politics and the same fostered the megalomaniacal fantasies of a section of Pakistan's anti-domestic elite. On its part, the role of India in making Kashmir issue perplexed is equivalent to Pakistan. Further, in the 1980s, the Indian government showed a sense of indisposition to curb infiltration into Kashmir valley. Zia was able to finance and develop Madrasas which became centres for nurturing extremist Islamic fundamentalist ideology among young Muslims who later on carried out subversive activities. Subsequently, Kashmir Pandits were driven out. All this led to the psychological infection of Kashmiri youth with jihadi concept. The emergence of terrorism in Kashmir paved a way for the appearance of quasi fascist religious fundamentalist forces which have deprived the system of liberal democratic politics in Kashmir.
The result is men with guns have taken the centre stage in Kashmir and the territory has become a battle ground for quenching the thirst for political domination nurtured by some sections of the ruling class on both sides of the border. Sareen viewed: "Politically through religious symbolism and rhetoric used by the Pakistani establishment has led to the rise of Islamic radicalism within the country. The proliferation of arms coupled with military training to the Mujahidins fighting in Kashmir and the politicization of jihad has raised only the specter of an armed Islamic take over. The social impact of privatization of jihad in Kashmir has been devastating."²

Further, the valley has also become a hot bed of intrigues, and a platform for promoting vested interest of a few: "For India and Pakistan, Kashmir is a concept not a territory. The significance of Kashmir lies in a combination of factors. The most important among them arises from historical, traditional and cultural identity."³

Kashmir issue has become a subject of serious debate for the people of India and Pakistan. Besides, it is on the top of governments' agenda while formulating their foreign policies towards each other. The subject evokes immense interest in the mass media and academic circles. In India Kashmir issue figures prominently in the agenda of foreign policy and national politics. The issue gets a top priority in the foreign policy segment of the election manifestos of political parties. In view of this, it is stated that political parties being the
institutions of democratic politics, play an important role in determining India's policy towards Kashmir. The parties have a significant influence in deciding the nature and content of India's defence and foreign policy concerning Kashmir issues. This is primarily due to the reason that political parties are the agencies which reflect and articulate public opinion. Hence, it is pertinent to analyse the position of political parties on Kashmir issue. In this chapter, an attempt has been made to understand the position of major Indian national political parties on Kashmir issue.

**The Present Geo-political Status of Kashmir**

Before knowing various dimensions of Kashmir issue from a historical perspective, it is pertinent to understand the current geo-political position of the region of Jammu and Kashmir. The total area of the region is 2.22 lakh sq. kms. Out of this, approximately 35 per cent that is about 78,000 sq. kms., is under the illegal occupation of Pakistan. This territory is called Azad Kashmir. Pakistan was able to capture the region and establish a government under its indirect control at the time of tribal intrusions into Kashmir in October 1947. It can be observed: "Only the Gilgit area called the Northern area is directly ruled by Pakistan".4

"Pakistan has handed over about 2 per cent of the region that is about 5,000 sq. kms. to China which in turn has constructed a strategic highway linking Sinkiang province".5 Besides, China has already
forcefully occupied about 17 per cent of the region that is about 35,000 sq. kms. “Hence, the total area upon which India has sovereign authority is nearly 46 per cent that is about 1.01 lakh sq. kms.” This area is divided into three parts - firstly Jammu covers an area of about 26 per cent, Kashmir covers an area of 16 per cent and Ladakh covers an area of about 58 per cent. The demographic set up of Jammu and Kashmir shows a disproportionate ratio in terms of the size of the three different parts. The population of the three regions is - 45 per cent in Jammu, 53 per cent in Kashmir and 2 per cent in Ladakh, which is not on par with the size of their areas. This is due to the topography of the region. For instance, in spite of Ladakh having about 58 per cent of the territory, its population is only 2 per cent of the total population of Jammu and Kashmir. This is due to the still unconquered difficult terrains of the region. At the North East of the region lies Chinese border, to its further North Khazakistan, and to its north west Afghanistan. The Karakoram highway runs through the region and Saichin glacier holds a very strategic position. Thus from the geopolitical perspective, Jammu and Kashmir is located in a very strategic position. The control of the region by any power will give it an upper hand over its neighbours and it will be in a position of preponderance politically, economically and geographically. The strategic relevance of the region was sighted by the foresighted British statesman at the time of India’s independence. Colonial Ravi Nanda points out: “The British at that point of time felt that the Soviet Union may try to extend itself to the unsettled Sinkiang. Lord Ismay was aware of this British
strategic interest in this area. Therefore, a loyal government in the strategic North West had to have Jammu and Kashmir as an integral part.”

The Genesis of Kashmir Problem

The Kashmir issue is a very complex and multi-dimensional problem, having intricate and diverse factors that have led to the emergence of a seemingly intractable problem. Sumantra Bose maintains: “In its contemporary incarnation the Kashmir conflict has both exogenous and endogenous sources which reinforce each other in a particularly intractable combination.” The roots of Kashmir issue can be traced to the fermentation of the separatist tendency, which took deep roots in the Indian society at the time of British rule in the 19th century. The Muslim minority which had the legacy of ruling over Hindu majority for a long time, found its political domination challenged due to the entry and subsequent ascent of the British to the citadels of political power in India. Commensurate with this development, there occurred a qualitative change in the socio-political status of the Hindus and Muslims at the time of imperial rule. The progressive Hindus took advantage of English education, but the orthodox Muslims showed a sense of inhibition. Ultimately the socio-political status of the Hindus saw an uplift, which was not the case with the Muslims. Here lies the seeds of political separatism between the Hindus and Muslims. This political divide became so intractable that partition became inevitable. The partition of the sub-continent ushered
in with the independence of India and the creation of a new State Pakistan. But the partition did not put an end to problems. The Indian sub-continent was partitioned causing a number of other problems. One of the most prominent problems which were a direct outcome of partition was, the dispute between India and Pakistan over the issue of Kashmir. "The original conflict about Kashmir was never inevitable. It became an acute problem soon after the independence of India and Pakistan because, many partition problems remained unsolved."9

Thus after the partition, Kashmir became a platform for using the threat of Hindu domination to promote the interest of Pakistan. On the one hand, it led to the emergence of what can be termed a communally motivated political psychopathology. On the other hand, it emerged due to the successful exploitation of this political paranoia by the military junta of Pakistan, in close nexus with the civil service and feudal class of the Western and the North Western provinces of Pakistan and justified the prevention of the emergence of a secular parliamentary democratic system of governance. Pakistan’s claims over Kashmir has enabled it to perpetuate its political jingoism.

The origin of Kashmir dispute can be found in various developments which took place at the time of India’s partition. The issue is a direct outcome of the politics of separatism and the subsequent conflict of interest between the Hindus and Muslims. In addition to this, the machinations of British colonialists accentuated the process ushering in the problem of Kashmir. Legally India was
declared an independent State and Pakistan was created as a new State by the independence of India Act of 1947, enacted by the British parliament. This Act was formulated beyond the framework of the government of India Act of 1935, spelling out a provision for sovereign princely States of the erstwhile Indian colony, that, "they had the choice of joining any of the two nations by signing an instrument of accession." On the basis of this, most of the princely States joined India and Pakistan. But some States preferred to remain independent. Prominent among them was Kashmir. After the independence and the partition of sub-continent, Kashmiri king decided to declare Kashmir as an independent State and signed a stand still agreement with Pakistan. The location of Kashmir locked in between two large neighbours created several economic and political problems to that State. The king persisted with his decision to remain independent despite persuasions from both India and Pakistan to join either of the two. It is worth noting: "In India before the independence, the Congress and the Muslim League were seriously concerned regarding the future status of Jammu and Kashmir." The Muslim League had the pretension that as the region was a Muslim majority area; the territory should be under Pakistan. On the other hand, the Congress had the notion that as the National Conference professed a secular ideology, the State would definitely accede to India. But it happened the other way round. The State did not join either of the two.
The Tribal Intrusion and Kashmir's Accession

Even after the partition, Pakistan aimed at establishing its claim over Kashmir. Since the pre-independence period, the Muslim League expressed its concern by the notion that as Kashmir was a Muslim majority area, it should be in Pakistan. The League leaders felt that the British divided Indian sub-continent on demographic basis. It was felt that the Muslim majority areas were partitioned to create Pakistan and the Hindu majority areas remained in India. The accession of the independent princely States was left to the decision of the rulers of their States. But even the princely States acceded to the nascent countries on the principles of geographic contiguity and demographic similarity. On this ground, the Muslim majority princely States acceded to Pakistan and the Hindu majority princely States joined India. "Kashmir posed a particular problem, it had a Hindu king Hari Singh and a Muslim majority population abutted both the future India and future Pakistan."

But the skepticisms of Indian and Pakistani leaders were ended quiet against their expectations when Raja Hari Singh of Jammu and Kashmir expressed his decision to remain independent. Anyway, Pakistani leaders began to claim: "Kashmir issue as an unfinished task of partition".

The anti-democratic fascist wing within the Pakistani ruling class was anticipating an opportunity to fulfill this unfinished task.
“Meanwhile, during the first of October 1947, a tribal rebellion broke out in the Poonch in the South-western reaches of Kashmir.”¹⁴

Pakistan saw an opportunity in this to cherish its unfulfilled dream and supported a tribal revolt. The royal army of Raja Hari Singh was not capable of countering the tribal attack backed by the Pakistani military. Hence, the Kashmir king approached the Indian government for help. “Lord Mountbatten told Nehru that unless the Kashmir Maharaja signs the instrument of accession, the government of India had no authority to send troops which would be construed as invasion of a foreign territory”.¹⁵

Hence, the Indian government began negotiations with the king for persuading him to accede to the Indian union. “The Kashmir ruler had then hesitated to sign the instrument of accession to India. But when the hordes of militants from Pakistan invaded Kashmir, he signed it on October 27, 1947.”¹⁶

Thus after an intensively tense period in the history of Kashmir, sanity of some degree was restored and its present status of being a part of Indian union was accepted by the people of the State and with this, the calculations of the Indian National Congress proved to be correct. Because before the independence, it had expressed the hope that in the wake of a choice between India and Pakistan, the popular organization the National Conference with its secular credentials would express its consent in favour of India. “The point that the accession of Jammu and
Kashmir to India was a desperate decision stood neutralized, because the most representative political organization of the people of Kashmir, the National Conference endorsed the accession of Jammu and Kashmir to India under the leadership of Sheikh Abdullah”.¹⁷

Thus after Maharaja Hari Singh signed the instrument of accession with Indian government, Kashmir became an integral part of Indian union. Now the Indian government was empowered to send its army to Kashmir for counter action against the tribal intrusions. Commensurate to the Indian action, the Pakistani government stepped up its operations. Soon a pitched battle began between the Indian and Pakistani defence forces. Initially the Indian troops faced difficulties due to the inhuman topographic and weather conditions. It was only in November 1947, that the Indian forces were able to launch a major offensive against Pakistan. Though the Indian army succeeded in arresting the onslaught and pressing the intruders away from Srinagar, the tribal forces were able to hold on to nearly one third of Kashmir valley. They declared it as independent Kashmir or Azad Kashmir. The Pakistani army assisted the Azad Kashmir forces to set up an interim government at Muzafarabad. In due course of the battle, the Indian forces had to face logistical difficulties, such as lack of adequate supplies, lack of training in high altitude warfare and lack of equipment. Due to this, the counter operation was hampered. Taking advantage of the Indian troubles, the Azad Kashmir forces were able to push Indian military to a literal retreat. In the beginning of 1948, the
Indian military launched fresh attacks, which brought greater Pakistani engagement in the war. "As the fighting continued, the Indian leadership came to the ineluctable conclusion that the war would drag on indefinitely unless Pakistani support for an involvement with the insurgents ended."\(^{18}\)

In the meantime, the question of the internal status of Jammu and Kashmir, became significant requiring an immediate attention. As the Indian forces had involved in the counter operations, the immediate danger to the security and territorial integrity of Kashmir was averted, "As the danger to Kashmir subsided, the question of its future constitutional status came up for discussion on various levels."\(^{19}\)

Hence, there were intensive discussions at different official levels regarding the mode of ascertaining the wishes of people, "Mountbatten suggested a plebiscite be held under a neutral agency or the UN, but only after the law and order had been restored."\(^{20}\)

Now the Indian leadership confronted a precarious situation because, the valley had not yet been cleared of the intruders. But the Indian leadership did not want to increase the magnitude of the conflict.

Faced with this predicament Pandit Nehru decided to take the Kashmir question to the UN. He did it even when the intruders had not been driven out of the valley completely. This made the Kashmir issue more complex. And it was internationalized. Even if the Indian government had conducted the plebiscite as promised, the Kashmiris
would have voted in favour of joining India. This was bound to happen because of the mass support which Sheikh Abdullah enjoyed among the Kashmiris. Sheikh who adhered to a secular ideology and who did not enjoy Jinna's favour, preferred to remain in India. Hari Jai Singh views: "When the Maharaja asked the Indian military assistance against the raiders after indicating in a letter that the State would accede to India, Lord Louis Mountbatten and Nehru wanted him to sign the Instrument of accession as a pre-condition for help. There was no need for the pre-condition."\(^{21}\)

The bilateral relations between India and Pakistan became a subservient of Kashmir problem. The peaceful relations between the two countries depend upon the amicable solution of Kashmir issue. Subsequent analysis of the history Kashmir dispute will show how the conflict has evolved as a deciding variable in the geo-politics of South Asia. For India and Pakistan, Kashmir is the chief source for their defence and foreign policy. Robert G. Wirsing writes: "The Kashmir dispute is obviously not just about positioning a line on a map. Even at its outset in 1947, it held meanings that went well beyond that and since then it has helped to shape and turn being shaped practically all aspects of relationship between India and Pakistan."\(^{22}\)

**UN and Kashmir Issue**

After the Indian government referred the Kashmir question to the UN, the latter made an attempt to bring an amicable solution to the
dispute. "The United Nation's Security Council was formally called upon to deal with the Kashmir situation on January 1st 1948, when the Indian representative at the United Nations transmitted to the president of the council a complaint from the government of India. India anxious to proceed according to the principles and aims of the United Nation's charter, reported the situation under article 35 of the charter."23

India defended its case by stating that it responded to the appeal for assistance by Jammu and Kashmir government on two important grounds. Firstly, India could not let a friendly neighbouring State to determine its domestic affairs and foreign relations under duress. Secondly, as the State had acceded to Indian union, it was the responsibility of the Indian government to protect the States security and territorial integrity.

The Indian case was presented to the Security Council by its representative, Gopala Swamy Ayyangar. He stated that India had approached the UN with a deep regret and it had a request for an immediate action by the supranational body. The Indian contention was that the people of Kashmir would be given full independence to determine their destiny after the entire valley had been cleared of intruders. Pakistan also presented a counter complaint to the Security Council denying all the Indian allegations. Its contention was that India has indulged in the acts of persecution of Muslims and it has been following a genocidal policy against its Muslim minority. It stated that India has never accepted partition and showed a sense of hostility
against Pakistan in implementation of the partition agreements. Pakistan argued that Indian government had conspired against the people of Kashmir by annexing their State by force. So Pakistan coloured the issue.

The first action of the Security Council with regard to Kashmir issue was its dispatch of telegrams to the governments of both India and Pakistan by the secretary general of the UN on behalf of the president of the Security Council. It stated that both the parties must refrain themselves from indulging in acts in regard to the on-going dispute which may be violation of the UN principles. In that case, the council would take a necessary disciplinary action. Both the countries accepted the move. Then the Security Council moved a resolution on 17th January 1948, calling both the parties to take desirable measures to improve the situation. Even this resolution was accepted unconditionally by both the parties. The resolution made a provision for setting up of a commission to deal with the matter. This was known as United Nations Commission for India and Pakistan [UNCIP]. The commission consisted of three members one from India, another from Pakistan and the third from a choice made by both of them.

On April 21 1948, the Security Council passed another resolution, in which the strength of the UNCIP was increased from 3 to 5. The resolution called upon Pakistan to take concrete measures to clear the valley of raiders. It also called upon India to reduce the size of its security forces to a minimum level required for maintenance
of law and order. Further to represent the spectrum of the States population, the resolution proposed the creation of a coalition for Jammu and Kashmir. Lastly, it stated that a plebiscite should be conducted to ascertain the wishes of the people of Kashmir. This resolution became a reference for all the future actions of Security Council. On 3rd June, the council passed another resolution directing the UNCIP to visit the area under dispute and study the situation in the framework of the complaint lodged by Pakistan on 15th January 1948. The UNCIP visited the sub-continent in June 1948 under the leadership of Josef Korbel. The commission came up with its report which was submitted to both the governments on August 13, 1948. The report called for an immediate cease-fire and end of their hostilities. It also recommended the conducting of a plebiscite to ascertain the wishes of people of Kashmir under the auspices of the UN, after the normal law and order conditions, is restored. However, the position of the Pakistani government on the resolution specially due to its rigid position on the status on Azad Kashmir, the commission concluded: “The commission observes with regret that, the government of Pakistan had been unable to accept the resolution without attaching certain conditions beyond the compass of this resolution. Thereby making impossible an immediate cease-fire and the beginning of fruitful negotiations between the two governments and the commission to bring about a peaceful and final settlement of the situation.”24
In view of this the commission expressed its skepticism of an early and an amicable solution of the entanglement. It gave an opinion that the partition of the State might be a better option to solve the problem. Thus ended the first phase of the UNCIP efforts to solve the Kashmir dispute. The commission could not get much success. Further, on 5th January 1949, the commission came up with a supplementary resolution reaffirming its earlier proposals about a plebiscite under the UN auspices with the plebiscite administrator appointed by the secretary general of the UN. According to the resolution, the plebiscite would be conducted only after the two conflicting parties agree upon a cease-fire and end all hostilities. Here it can be noted that before the resolution was formally published on January 5th 1949, it was submitted to the governments of India and Pakistan in December and subsequently in the same month both governments had expressed their acceptance to the resolution. As a result, a ceasefire was effected on 1st January 1949, and the troops of India and Pakistan were ordered to halt their advance and remain in the position in which they were. The UN delineated the cease-fire line, separating the Azad Kashmir from the Indian side of Kashmir. It can be opined that the delineation of cease-fire line before clearing the valley of its intruders became a great fumble. It is felt that separation of the Azad Kashmir from the Indian side of Kashmir by a cease-fire line delineated by the UN, legitimized the occupation of that part of the State by the pro-Pakistan Azad Kashmir forces.
The boundary between the two countries was called the cease-fire line and it was designated as the line of control after the Shimla agreement. Shimla agreement was a reaffirmation of the notion of the permanence of cease-fire line and legitimization of the existence of Azad Kashmir outside the purview of Indian state of Jammu and Kashmir.

After this, the United Nations Commission for India and Pakistan [UNCIP] was dissolved and the UN decided to take the root of one man mediation and Owen Dixon and Frank Graham were appointed as UN mediators successively. But the deadlock on demilitarization and the failure to conduct a plebiscite due to the persistent armed conflict, led to the mediation efforts of the UN to become a futile exercise. Even the bilateral negotiations from 1951 to 1956 did not yield any results and it came to a grinding halt, when Nehru stated that he was ready for a partition of Kashmir on the cease-fire line.

In 1957 India-Pakistan problem became a multi-lateral issue when it was introduced in the Security Council. This time Frank Gram was deputed to the sub-continent proposing a resolution which was tautological as it contained nothing more newer than his earlier proposals. The resolution was rejected by India and the role of UN in the resolution of the Kashmir issue practically came to an end. Apart from this, the military alliance of Pakistan with the USA, brought a fault line between the ideological predilections of two countries as India adhered to the principle of non-alignment in the conduct of its
foreign policy. Pakistan's entry into the military block politicized Kashmir issue and the prospects of a plebiscite defaced and India was retrograded from an active involvement in finding new avenues to resolve the dispute. In addition to this, the general Ayub Khan's wrecking of democratic mechanism and the military takeover in Pakistan in 1958, made India harden its position on bilateral negotiations. Nehru stated that he was not willing to talk to general Ayub Khan as he was undemocratic, "It was this background that India initiated the democratic process in Jammu and Kashmir and at the same time rejected any role for the UN or any external party in resolving the dispute."25

But all this did not dampen the spirit of Pakistani ruling elite and its irredentist claims over Kashmir did not relapse. The coterie in Pakistan was still vociferously arguing that Kashmir remained as an unfinished agenda of partition and the Pakistani ruling elite harboured the notion that the existence of Pakistan with a distinct identity as an Islamic State in South Asia requires Kashmir to be included in their nation. On its side, India despite all this did not give attention to the demands of Pakistan and remained stiff on its stance to strengthen its grip on Kashmir in order to demonstrate its secular credentials.

The two nations remained stranded on the two anti-theatrical positions which again led them to a bump point and another war in 1965. So an insight into the first phase of the history of Kashmir dispute shows how an internal dispute of India became a bilateral
conflict between India and Pakistan and later developed into a major international issue after the matter was taken to the UN. The overview of the events of this period also depicts a series of follies committed by the Indian government in handling Kashmir issue. There is a debate over the fundamental nature of the conflict that is whether it is the domestic problem of India or, is it an international crisis involving India's neighbour Pakistan.

**Article 370 and Special Status for Kashmir**

The Indian government was not able to conduct plebiscite in Kashmir as promised in the accession agreement signed with Maharaja of Jammu and Kashmir. The practical difficulties which the Indian government faced in complying with its promise was that the armed conflict between India and Pakistan in the territory of Kashmir did not end. This was a necessary pre-condition for holding a plebiscite. Despite the cease-fire declared by India and Pakistan, in accordance with the UN guidelines, the secession of hostilities did not take place. In such a predicament, Indian government began the process of uniting Kashmir into the Indian union and tighten its grip upon the State by providing a special status for Kashmir wide Article 370 of the Indian constitution. The Article provides that the State shall have full internal autonomy and the central government will have the powers to legislate and execute the laws only pertaining to defence, external affairs and communications. A separate constituent assembly was formed in 1950 and it drafted a separate constitution for Kashmir. The State was given
large scale of autonomy compared to the other Indian States. "In 1974
the six point Kashmir accord between Sheikh Abdullah and Indira
Gandhi gave permanence to Article 370 of the Indian constitution."²⁶

But as the time has rolled by and the crisis in Kashmir increased
specially due to the Pakistani proxy war, the people of Kashmir
suffered badly. The Indian security forces counter insurgency
operations tended people of Kashmir to develop feelings of alienation
and disillusionment. There is a cry for autonomy in Kashmir. Ashwini
K. Ray observes: "Post 1947 Kashmiri's expressions were led by one
charismatic leader with the a popular regional appeal, comparable to
that of any regional leader in India. Sheikh Abdullah was the leader of
the anti-colonial and anti-feudal struggle. From the beginning of
Kashmir's accession to India till his death in 1982, his political
campaign never strayed beyond reiterating the demand for autonomy
constitutionally guaranteed in 1950, but which since then has been
operationally diluted."²⁷

In the meantime Pakistan expressed a deep sense of indignation
over the way in which India carried out the process of absorbing
Kashmir within its union.

The War of 1965

Since then Pakistan has been persistently and vociferously
asserting that Kashmir is the central issue in its relations with India.
The sentiment of the Pakistani ruling elite which existed at the time and
which has persisted even up till now can be summed up in the words of the present president of Pakistan General Pervez Musharraf: "Let us be pragmatic. Let us learn to accept harsh facts that 'Kashmir is at the center stage of Indo-Pak relations and has to be settled in an equitable and honourable way acceptable to India, Pakistan and Kashmiris.'"28

This provoked Pakistan to consider its ways to settle the issue in its favour. It led them to resort to a forceful means to capture Kashmir, leading to the first Kashmir war. Though the UN intervention had been successful in bringing an end to the war, its failure to bring an amicable solution to the problem led to the second war in 1965. At this juncture, the military regime of Pakistan realized that the difficulty of a smooth and an early settlement of Kashmir issue became complicated. Apart from this, the politicization of Kashmir issue in the United Nations led India to lose its interest in implementing the UN resolutions and it gradually began the process of integrating the State into the Indian union. In fact it tightened its grips on the territory by strengthening its military hold. This frustrated Pakistan.

On its part India, exhibited an equal determination to hold on to Kashmir, even by resorting to the use of the military force. The Indian leaders have warned Pakistan right from the beginning about India's commitment to protect the territorial integrity of Kashmir. "For example as early as 1952, prime minister Nehru in a new year address had categorically stated that if Pakistan invades Kashmir, we will not only meet them in Kashmir, but it will be a full scale war between Indo
"The 1965 war of India and Pakistan had been fought around the Kashmir issue. Ayub Khan had thought that India's hold over Kashmir, had got loose in the wake of widespread disturbances in the State after the holy hair at Hazratbal in Srinagar had been mysteriously stolen and equally mysteriously restored."^{30}

Apart from this Pakistan had forged a flawed inference that there is a pro-Pakistan wave. In addition to its serious endeavours to resolve the Kashmir peacefully, there was: "India's readiness to refer Pakistani claims to the Jammu and Kashmir to the international court of justice in 1953. Pakistan turned it down hoping that India after the feat against China was amenable to pressure and that they could get a better deal".^{31}

These antecedents magnetized the Pakistani military and political elites to launch its operation Gibraltar, the strategy to attack Kashmir, initially by infiltrating men into Kashmir territory with an intention to foment an internal rebellion and then taking advantage of the disturbed situation for a full-scale war. "Just before the 1965 war, the Pakistani government had infiltrated forces into the Indian zone to promote insurgency, the response from locals was both direct and negative, and no uprising took place."^{32}

After this, Pakistan launched a full-scale attack in Kashmir by sending regular forces. The Indian response was gallant and its army crossed the cease-fire line and met Pakistani forces. There occurred
fierce battle in which Indian troops gained an upper hand and they were able to move into Lahore sector, ultimately threatening to capture Lahore. The armed hostilities were ended when the Security Council passed a resolution calling upon both the countries to end their war. Of course both the parties agreed. The post-war settlement between India and Pakistan was reached at the summit meeting between Indian prime minister Lal Bahadur Shastri and the Pakistani president Ayub Khan in Tashkent, which was arranged with the assistance of Soviet mediation under the leadership of Alexi Kosygin. The two parties signed an agreement which stating that one of the parties will withdraw to the position prior to the beginning of the war. The two signatories who agreed to observe a cease-fire on the cease-fire line and solemnly resolved to settle their disputes peacefully.

The Bangladesh Crisis and Shimla Accord

The 1971 war between India and Pakistan marks a watershed in the course of events strung up to Kashmir issue. Still the war was not fought around Kashmir issue, the main reason for the war was India's involvement in secessionist struggle of East Pakistan. In a decisive battle, India was able to defeat Pakistan on both the fronts and the war resulted in the creation of Bangladesh. To reach to a post-war agreement a summit meeting was arranged between the Indian prime minister Indira Gandhi and Pakistan prime minister Zulfikar Ali Bhutto from June 28 to July 2, 1972 at Shimla. The agreement which was accepted and signed by both the countries is known as Shimla accord.
The most significant aspect of the agreement was that it made a solemn pledge to restore normal diplomatic relations between the two countries and settle future disputes peacefully on the basis of the principle of bilateralism.

The most significant part of the declaration was concerning the Line of Control and this aspect of Shimla accord has brought long-standing ramifications upon the nature of Kashmir dispute.

But it can be noted that after Zulfikar Ali Bhutto, his successors did not maintain the sanctity of the LOC. In spite of Indian admonitions to Pakistan to respect the LOC as the dividing line, the Pakistani military made several attempts to revise the LOC for its advantage. Its first major attempt was in 1987, when under operation Brastacks of Zia engineered to revise the LOC. Its next significant attempt resulted in Kargil crisis, leading to a fourth war. Since then Pakistan has been boisterously stating that it will not accept the LOC as the international border, which is a blatant violation of the spirit of Shimla accord. General Pervez Musharraf in an interview to the Washington Post said: “Islamabad will not accept the Line of Control, dividing Kashmir between India and Pakistan as the international border. Accepting the LOC as the international border or granting some sort of autonomy to Kashmir would not solve the problem. If the line of control were to be the border, what have we fought two wars for”.

33
The Low Intensity Conflict or Pakistan’s Proxy War in Kashmir

“The term low intensity conflict LIC, covers a large spectrum of hostile activities, without the armed forces of the adversaries coming into direct confrontation.”

Kashmir exemplifies an outstanding case in modern history, which has been a victim of a low intensity or proxy war from Pakistan. After all the direct ways - both military and diplomatic - to settle Kashmir issue failed, Pakistan decided to attain its ends through machinations. It began to foment indigenous terrorist activities in the 1980s in Kashmir. It took advantage of the disturbed situation. Pakistan began to promote terrorism in the name of Islam. For this, Madrasas were funded to preach jihad. Terrorist training camps were set up with patronage through its intelligence agency the ISI. This led to the mushrooming of myriad of indigenous and foreign terrorist groups in Kashmir and the State became a hub of intense militant activity.

The Pakistani designs of a proxy war in Kashmir was based on the paradigm of creation of fear and disillusionment among the people of Kashmir. This is done through a proxy war entrenched in the principles of extremist Islamic fundamentalism masqueraded as jihad or holy war. The idea was to encourage subversive activities backed up by false propaganda in order to create a sense of disenchantment and hatred towards Indian government. The key intention was to engage
Indian military in a chronic low intensity war in order to sap its resources and demoralize its troops so that they become vulnerable to any future offensive. By fomenting subversive activities, not only in Kashmir but in various parts of India, Pakistan wanted to destabilize India from within. To execute its sinister designs, Pakistan created a cabal consisting of its key intelligence agency ISI and several militant groups operating from within and from outside Kashmir. Pakistan made a heavy funding and it received resources from foreign countries to nourish its Madrasas and terrorist training camps. It is reported:

“Pakistan’s ISI spends about Rs.60 crores to Rs.80 crores for running a proxy war in Jammu and Kashmir.”

The Inter Services Intelligence agency has played a pivotal role in promoting terrorism in Kashmir. “Indeed, Kashmir was the only area in India whereas the mid-1980s, Islamic revivalism had taken a radical political stance and where the slogans of Islamic State have been publicly raised and have been received with growing popularity.”

It is an undisputed fact that today Kashmir has become a breeding ground for numerous indigenous and foreign militant Islamic fundamentalist groups. These militant outfits receive funds from foreign sources. But the major patron of the terrorist activities in Kashmir is Pakistan’s ISI. “In J&K the ISI provides comprehensive support to five major militant groups. These include the Hizbul Mujahideen [approximate strength 1,000 militants], Harkat ul Ansar [350], Lashkar-e-Toiba [300], Al Barg [200] and Al Jehad [150]. In all,
about 2,500 militants, mostly foreign mercenaries, belonging to these and other smaller militant groups are operating in J&K at present.”37

Thus through a proxy war, Pakistan wants to project Kashmir as an ignition point and internationalizes it. Pakistan has ensured that the costs of low intensity conflicts do not become extravagant and there shall be no transgression of the perceived limits of India’s tolerance. The bottlenecks in the domestic, political and economic scenario which led to the disillusionment of Kashmiris acted as a catalyst in accentuating the terrorist movement in Kashmir. Pakistan is claiming it by, “Only providing moral and diplomatic support”38 to the rightful aspirations of the Kashmiris for self determination.

Thus, for over a decade and a half, the valley has become an epicenter of fierce terrorist activity witnessing an intense battle between the militants and Indian security forces. In course of this, the human rights situation has dropped to a nadir. Chronic terrorist violence and the oppressive counter terrorist operations have amounted to serious human rights violation of the Kashmiris. The terrorists have attempted to change the demographic and cultural complexion of Kashmir valley. Through orchestrated propaganda and violent oppression, the Islamic outfits, have resorted to Islamisation of Kashmir, tarnishing its indigenous culture. On its part, the Indian security forces have indulged in appalling activities in the name of counter terrorist operations. Rapes, loots, indiscriminate firing and unlawful detentions have become a regular scenario. “As the insurgency in Kashmir valley gained
momentum, the acts of sabotage increased in terms of frequency and intensity. The security forces and the paramilitary troops reacted violently, often at the expense of innocent civilians. The abuse of human rights by the security forces, has been a persistent and serious cause for concern. Stories have emerged of torture, rape and indiscriminate killing."\textsuperscript{39}

**Nuclearisation of Kashmir**

The transpiration of ghastly nuclear arms race between India and Pakistan, has added a new dimension to the intricate Kashmir issue. The dispute over Kashmir which is a pivotal element in the ambit of bilateral relations has emerged as the hub of intense military activities. The emergence of India and Pakistan as declared nuclear States, has led to Kashmir becoming a nuclear flash point in South Asia. India and Pakistan have fought four wars over the issue. Pakistan's humiliating defeat in the war of 1971, and the 1974 Pokhran nuclear tests are the two significant antecedents which paved a way for ushering in a process of covert nuclearisation of India and Pakistan. The conventional arms race which germinated after Pakistan joined the military alliance sponsored by the USA in 1953, metamorphosised into an open nuclear arms race after both the countries conducted their nuclear tests in 1998. The 1998 nuclear tests by the two countries have created Kashmir into an ignition point and the danger of an impending nuclear war between India and Pakistan over the issue of Kashmir, looms large over the region of South Asia.
The All-Parties’ Hurriyat Conference and the Kashmir

"The all-parties’ Hurriyat Conference is an alliance of 34 Kashmiri Muslim parties and organization fighting for Kashmir’s freedom from Indian control."\(^{40}\)

The APHC claims to be the sole representative and spokesman of the people of Kashmir. Its leaders assert that they should be made a third party during the negotiations conducted over Kashmir issue. The APHC is a conglomeration, consisting of diverse groups which do not have a common ideology or *modus operandi*, but have a goal for the liberation of Kashmir. Its objectives find an expression in the words of Amanullah Khan, the chief of JKLF, an extremist militant outfit which is a part of the Hurriyat conference: "My point of view is that it is in the best interest of not only Kashmiris but of India and Pakistan, that the Kashmir issue is solved in a way without hurting the national egos of India and Pakistan, without harming the national interests of India and Pakistan, without harming the national ideologies of India and Pakistan."\(^{41}\)

The All-parties’ Hurriyat conference follows a double-edged policy. On the one hand, it wants to involve in the process of pacific means like dialogue for the resolution of Kashmir issue. But on the other hand, it does not abandon violent methods of exerting pressure on Indian government. Apart from this, despite the APHC’s claims of being the representative of the people of Kashmir, it has a definite pro-
Pakistan tilt, "The leaders of All-parties' Hurriyat conference can be described as being slaves of a situation. Whose controls are being operated from somewhere else. That is why they have to rush to Pakistani high commission now and then to seek guidance."\(^{42}\)

The Indian government has engaged in a dialogue with Hurriyats. But it can be said: "New Delhi's plans to hold talks with Hurriyat are flawed. For one, the latter is not the representative of the Kashmiri people."\(^ {43}\)

The Indian government has urged the extremist wings of Hurriyat to give up arms and participate in the democratic process, if they are really representatives of Kashmiri people. But the political impasse between the central government and Hurriyats continues. Recently India former deputy prime minister L. K. Advani met the Hurriyat leaders after his Bharat Udai campaign and there was a ray of hope for a political discourse.

**Kargil Crisis and Kashmir**

The Pakistani intrusion in Kargil sector of Indian side of Kashmir was another attempt by Pakistan to shift the power balance in Kashmir to its favour and revise the posture of LOC which has been a *de facto* border between the two since 1949. In short Pakistan's fundamental motive action in Kargil was to make some territorial gains. The most astounding aspect of Kargil crisis was that the Pakistani military took a unilateral decision to intrude into the sector superceding its political
masters. The Pakistani action came as a surprise to India because, after Lahore declaration, India had made a flawed inference that its relation with Pakistan was harmonious. The top Indian elite was under the impression that the declared nuclear status of India and Pakistan may bridle any intention of Pakistan to think of any military adventure in Kashmir. But the perceptions of Indian coterie proved faulty due to Pakistani perfidy in Kargil. Though India was able to achieve a military and diplomatic success in the Kargil crisis, it brought deep seated ramifications on Kashmir issue. The epicenter of conflict over Kashmir shifted from the valley to Ladakh region and the framework of bilateralism which the Shimla accord had provided, was pushed into shambles as Pakistan attempted to internationalise Kashmir issue.

Cease-fire in Kashmir of December 2000

“The unilateral cease-fire declared by the prime minister last December is the most significant initiative taken since 1996 for restoring peace in Jammu and Kashmir.”

Even after the fiasco of Lahore and Pakistani perfidy in Kargil, the former Indian prime minister A. B. Vajpayee took a candid step by announcing a unilateral cease-fire in Kashmir. It was declared that India would desist from armed hostilities for the holy month of Ramzan. In spite of threats from militant outfits to thwart the initiative, the Indian government went ahead with it and the cease-fire was extended for another month. But even after this, no progress was made
in terms of engagement of India and Pakistan in peace talks in order to attain a lasting solution to the problem. It was felt: "The second extension of what is loosely called the cease-fire in Jammu and Kashmir, is both an opportunity and challenge for Pakistan. For India, on the other hand, it is an article of faith after all, the so-called Kashmir problem has never been sought by this country to be solved by military mean."45

Hence, under the duress of terrorist violence, the Indian government had to withdraw its cease-fire initiative. This exhibits the complex nature of the Kashmir problem.

The Agra Summit

"The Vajpayee government which had taken a tough stand against the government of General Musharraf for over throwing the democratically elected regime in Pakistan and for earlier masterminding the Kargil operations against India and had refused to talk to the leadership suddenly made U turn and took the dramatic step of inviting General Musharraf to India for summit talks."46

In July 2001 the summit meeting between the Indian prime minister, Vajpayee and the Pakistani president General Musharraf was conducted at the historic city of Agra. But the summit which began with a high note and media hype, proved a failure. There was no unanimity over the core issues. Pakistan claimed that it was Kashmir that was the core issue and India asserted that terrorism was the central
issue. Hence, lack of unanimity resulted in the failure of the summit. The most glaring aspect of the Agra summit is that the complexity of Kashmir issue came to light and the summit depicted the fact that without Kashmir being the core issue, there will be no chances for striking a peace deal between India and Pakistan. Not only that there is gravity over Kashmir issue. Describing the nature of the Kashmir issue, Yasin Malik, a JKLF activist states:

"Kashmir is not a territorial dispute. It is about the future and survival of people of Jammu and Kashmir."47

September 11 Terrorist Attacks on America

The terrorist attacks on America on 11 September 2001, brought about grave ramifications on global affairs. Kashmir which has become a hub of terrorist activities witnessed the ghastly event. "The Kashmir dispute has changed since September 11. As a result of the campaign against terrorism, militant groups fighting there will come under sharp pressure to cull their ranks of Binladen sympathizers and Arab and Afghan fighters."48

The terrorist activities have witnessed a sharp fall after America’s campaign against terrorism. Pakistan also came under US pressure to arrest the influx of terrorists in Kashmir from its soil. But in spite of all this, terrorism has not ceased from creating a havoc not only in Kashmir but in many other parts of India. The terrorist attacks
on Jammu and Kashmir assembly house on October 1, 2001 bears a testimony to this. On December 13, 2001, the perceived bounds of terrorist activities crossed the limits when they attached the heart of Indian democracy, the Parliament house complex. Due to this, Indo-Pakistan relations dropped to a nadir and Kashmir was exposed to a danger of another deadly war. Both India and Pakistan mobilized big troops along their borders. The Indian government declared that no talks will be conducted with Pakistan over Kashmir until its terrorism ends. Presently, the situation does not seem to experience a qualitative change, "Despite President Pervez Musharraf's professed seriousness about de-escalating of violence, the ground realities in terror-torn Jammu and Kashmir seem hardly to change."49

The most outstanding impact of September 11 terrorist attacks is that the world began to recognize the gravity of problem in Kashmir. Hence, India was able to exert pressure on Pakistan through its coercive diplomacy to come to terms. But in spite of the war-like situation, India and Pakistan were unable to arrive at any feasible deal. This creating an impasse. In the second half of 2002, India and Pakistan pulled back their troops and the war clouds which loomed over the sub-continent were cleared off.

An overview of the history of Kashmir dispute reveals the fact that even after four wars and various agreements like Tashkent agreement, the Shimla accord, the Lahore declaration and the much
publicized Agra summit, the Kashmir dispute still lingers, jeopardizing the peace process in South Asia.

Later the Indian prime minister made another bid to bring a lasting peace in Kashmir. Vajpayee called it as his last attempt to strike peace in Kashmir. In Srinagar, on April 18, 2003, he announced to restart the peace process. And hold a dialogue with Pakistan on all outstanding issues including Kashmir. On account of this, India announced several confidence building measures called the Deewali offer on October 12, which includes the starting of a bus service from Srinagar to Muzaffarabad. Though the peace process has been slow, what is optimistic is that India and Pakistan are involved in their constructive engagement to settle Kashmir issue.

The Indian National Congress

The Congress, which came to power immediately after the independence, has witnessed the Kashmir dispute right from its genesis as a ruling party. It has been persistently stating that Kashmir is an integral part of India. Further, the party views that Kashmir issue is purely an internal issue of India and it has to be sorted out by a dialogue. But also there should be the involvement of Kashmiri's. In this regard the Congress states: "The Congress reiterates that Jammu and Kashmir is an integral and inalienable part of the Union of India."50

The Congress party holds that Pakistan is solely responsible for the emergence of Kashmir imbroglio. It was Pakistan's hostile and
irredentist attitude which led it to make an attempt to capture Kashmir by force. In the opinion of the party, Pakistan is responsible for igniting the conflict in Kashmir valley by providing logistical and military support to the intruders. Pakistan has been fomenting insurgency in Kashmir valley and in Pakistan there is a cry for Jehad against India. According to Pandit Nehru: “It is impossible to escape the conclusion that the raids on Kashmir were carefully planned and well organized by Pakistan authorities, with the deliberate object of seizing the State by force and then declaring its accession to Pakistan.”

The party held the view that there must be a democratic solution over Kashmir issue. This must involve both domestic and international dimensions of the problem. This must be done through the democratic means. According to Congress a plebiscite should be conducted in Kashmir. Hence, the Congress government, held the position that it pledges to conduct a free and fair plebiscite in Kashmir.

The Congress party believed that the problem must be sorted out by the UN. Hence, the Nehru government decided to refer the matter to the UN. In this regard, Nehru defended: “Our making a reference on this issue to the Security Council of United Nations, was an act of faith, because we believe in the progressive realization of a world order and a world government.”
The Congress is in favour of holding a dialogue with various groups in Jammu and Kashmir which represent a wide spectrum of the State's population. The party is committed to promote the socio-economic development of Jammu and Kashmir. It believes that grant of adequate regional autonomy to the State will facilitate the accomplishment of the task. The belief of the party is: "The Congress is open to dialogue and discussion with any group within the framework of the constitution. The issue of regional autonomy will be given serious and critical consideration."  

Further the party holds that it is adhered to the spirit of Article 370 that grants special status to Jammu and Kashmir. It is of the opinion that the wills and aspirations of Kashmiris can be protected by respecting the essence of constitutional provisions laid down in Article 370. Hence, in its 1999 election manifesto states: "The Congress stands committed to respecting Article 370 in letter and spirit."  

The Congress criticizes the Opposition for raising the issue of Article 370. It apprehends that raising the issue of Article 370, the opposition seeks to gain a political mileage by misguiding the people of Kashmir. The Congress expresses its solemn resolve to bring a pacific settlement to Kashmir issue. In doing this, the party states that it will not accede to any populist demands for the revision or abrogation of provisions laid down under Article 370. A senior leader Vayalar Ravi said: "I have really failed to understand what the leader of the opposition wants to gain by raising this issue. I could draw a
conclusion that they are only trying to drive away the people of Kashmir, frighten them and make them feel that they are not a part of this nation."

The Congress is of the view that Kashmir’s internal and external troubles began immediately after the non-Congress governments came to power at the center. The party holds, due to the faulty and misdirected policies of non-Congress governments, that the problem of insurgency and terrorism, has aggravated leading to hampering developmental process in Kashmir. This created a sense of alienation and disillusionment among people of Kashmir. For all this the Congress states that non-responsive and improper governance of the non-Congress governments at the center are responsible. The Congress maintains: “The militancy in Jammu and Kashmir, which has persisted for over eleven long agonizing years, was the first tragic consequence of the Congress demitting office at the center after the elections of November 1989.”

The Congress criticized the BJP led coalition government for its defacement of law and order situation in Kashmir. The party holds that the BJP led government’s policies lacked a proper direction. The policies are characterized by confusions. the party opines: “The situation in this crucial State has gone from bad to worse, because the BJP-led government at the center lacks any strategy-political or security-related-to work towards a comprehensive settlement with the different shades of opinion in the polity and the different reasons of the
State to facilitate the participation of all in democratic and peaceful manner in the politics and governance for the State."\textsuperscript{57}

Speaking in the Lok Sabha the Congress leader Jaipal Reddy said: "There is a limit to endurance of the people, and there is a limit to patience of the opposition parties. No government in the history of India has been such a dismal failure on the law and order front."\textsuperscript{58}

However, the Congress has supported the efforts of government for the resolution of Kashmir imbroglio. For instance, the party hailed the BJP led coalition government’s step of declaring a unilateral cease-fire in Jammu and Kashmir for the month of Ramzan. But it criticized the government for not taking adequate safety measures to foil the bid of terrorists to disrupt peace process. As a result innocent people were killed. The Congress viewed that the BJP government was responsible for its unscrupulous methods of policy implementation for the failure of this confidence building measure. The present prime minister Manmohan Singh said in the Rajya Sabha: "We had expressed the view that we hoped this time the government had taken all possible precautions that the militants would not take undue advantage of this cease-fire. What has happened yesterday, the killing of innocent truck drivers, I think, is a most ghastly incident. It once again, I think reinforces the plea that the government while it negotiates, while it offers not to take the initiative in counter-insurgency measures, should never, I think, weaken its guards against these elements."\textsuperscript{59}
The Congress led UPA coalition government came to power in 2004 at the center. It expressed its commitment to maintain the continuity of the peace process in order to find concrete solutions to Kashmir issue. “In a departure from the past, New Delhi submitted to Islamabad a set of Kashmir specific proposals on transport links, trade, cultural, co-operation, tourism, environment and people to people contacts.”

This endeavour on the part of UPA government has renewed hopes of people of both countries.

A review of the policy position of Congress on the issue of Kashmir, brings us to the conclusion that the policies are self-contradictory. Since the transpiration of problem, the various policies adopted by the Congress government reflects glaring contradictions in it. The Congress party claims that the whole of Jammu and Kashmir is an integral part of Indian Union. But since the beginning Congress governments have not followed their professed policies. If it is the declared stand of the Congress party that it is committed for a united Kashmir, then what led the Indira government to accept the cease-fire line as the de facto border and declare it as the line of control in the Shimla agreement. The acceptance of the line of control implies that India is not pressing for Pakistani vacation from the so-called Azad Kashmir, which constitutes nearly one third of the princely State of Kashmir. If this was the case, the party could have inhibited from propagating that the whole of Jammu and Kashmir is an integral part of Indian Union. But it did not do so. In 1993, the Congress government
of Narasimha Rao got a resolution passed in the parliament which stated that India is committed to integrate the POK into the Indian Union. This is another error in its string. It can be opined that passing such a resolution is a blatant violation of Shimla agreement that had accorded legitimacy to the cease-fire line as the *de facto* border. Hence, it seems here that the Congress has not evolved a comprehensive and consistent policy towards Kashmir. Hari Jai Singh opines: “The Congress leaders have not shown that they know how to deal with the situation. Merely changing governors or political brokers do not constitute a policy or a strategy. We did not have policy in 1947, we do not have one today.”

**Bharatiya Janata Party**

Before analyzing the views of BJP on Kashmir issue, it is pertinent to examine the view of its predecessor Bharatiya Jana Sangh. The Jana Sangh held the position that in the context of Indo-Pakistan relations, Kashmir occupies a vital place. Further, the party stated that Kashmir is an integral part of India and Pakistan is attempting to grab it by force. It held that, as legally Kashmir is an integral part of India, it should not be internationalized and should not be considered as an issue. In this regard Jana Sangh leader and the former president of the Kashmir unit of Jana Sangh, Premnath Dogra remarked: “Jana Sangh looks upon Jammu and Kashmir as an integral part of Bharat as any other great part of our country.”
The Jana Sangh held that conducting a plebiscite in Kashmir is illogical and unconstitutional. The party viewed: "The Jana Sangh feels that all talks of plebiscite are irrelevant. And altogether unconstitutional." The party stands for the abrogation of Article 370, which gave a special status to the State of Jammu and Kashmir. According to the party: "Article 370 which is today simply an anachronism should be deleted from the constitution of India and this would enable the people of Jammu and Kashmir to be one with the nation."

The views of Bharatiya Jana Sangh on the issue of Kashmir are radical and revolutionary. Its position is the reflection of its view that the entire problem of Kashmir is the result of the partition of subcontinent. Its ultimate solution for it is the reunification of India and Pakistan. Hence, it can be opined that the provision of Article 370 is a compensatory provision and the government of India wanted to safeguard the wills and aspirations of the people of Kashmir by granting special status. Lastly, counseling for the reintegration of the parts of erstwhile princely State of Jammu and Kashmir under the occupation of Pakistan leads to the belief that the party is advocating coercive diplomacy.

The BJP has expressed very radical views on the issue of Kashmir. As an opposition party it condemned the Indian government for not devising a prudent policy towards Kashmir. It viewed that the policies of Congress governments did not give a proper heed to the
internal problems, pertaining to the socio-economic and political
development of the State. The BJP holds: "the absence of political far-
sightedness and clarity of national objectives has resulted in our nation
continuing to have to pay a price even fifty years after Jammu and
Kashmir became a part of the republic."  

The BJP emphasizes that the whole of Jammu and Kashmir
including the territory under the Pakistani occupation is an integral part
of India. The party criticizes Pakistan for perpetrating terrorist
activities in Kashmir While in the opposition the party exhorted the
government, "The BJP affirms unequivocally India's sovereignty over
the whole of Jammu and Kashmir including the areas under foreign
occupation."  

The BJP urges the government to perspicuously tell Pakistan that
the latter should stop patronizing terrorism in Kashmir. The BJP leader
Madan Lal Khurana opines: "The government should clearly tell
Pakistan that it should stop encouraging terrorism in Jammu and
Kashmir. A lot of bloodshed has taken place there."  

The party criticizes the government, for not evolving prudent
steps for arresting the Pakistani sponsored terrorism. It states that due
to terrorism sponsored by Pakistan, the problem has become more
complicated. The party is in favour of adopting some proactive steps to
stop Pakistan from patronizing terrorism in Kashmir. The party
believes: "Half a decade of Pakistani terrorism perpetrated in Kashmir
should be enough to convince the government of India that it cannot continue to shirk its responsibility to the country. If Pakistan does not end its aid and abatement to the terrorists soon, India will have to decide on what steps to take against Pakistan to curb its nefarious activities in Jammu and Kashmir."

The BJP is of the view that the policy of previous governments towards Kashmir lacked a proper direction and they were marred by political obscurantism and eccentricity. The failure of the governments to devise prudent policies led to the internationalization of Kashmir dispute. The BJP leader L.K. Advani opined: "In the absence of thought, there is no stability in our policy, ad hocism has caused great harm to our national interest. The internationalizing of Kashmir has already been cited."

The BJP is against giving more autonomy to Jammu and Kashmir. In view of the party, if greater autonomy is granted to the State, it will lead to the strengthening of anti-democratic fundamentalist forces, which is detrimental to the vital security interests of the nation. It will create more socio-political instability in the State. The party is critical of those groups who argue in favour of greater autonomy. The BJP leader Jagmohan viewed: "Today, the whole continent is being swept by the waves of fundamentalism. New philosophy, new ideology has come and the people's minds have changed, their attitudes have changed. How do you meet the onslaught of those forces."
The BJP is an ardent proponent of the idea of abrogating the Article 370 of the Indian constitution. In the opinion of the party, due to domestic disturbances in the State and international pressure from across the border, status of Kashmir is in question. Hence, the only solution to stabilize its status and protect the national security is the abrogation of Article 370. In the 1991 election manifesto the party asserts: “The Pakistani-inspired violence against Hindus has caused those Kashmiris to become refugees in their own land. The BJP will end all uncertainty about the future status of the State by deleting Article 370 of the country.”

The BJP is in favour of reclaiming Pak-occupied Kashmir in order to bring a permanent solution to the entanglement and to solve the internal problems of Kashmir. The party opines: “the BJP realizes the magnitude of challenge and dedicates itself to the task of not only solving the internal problems of the State but also reclaiming the portion of our territory which has been illegally held by Pakistan for nearly five decades.”

The BJP is of the view that Kashmir problem is the most significant issue for the entire nation today. It states that as Pakistan could not achieve its goal of seizing Kashmir even after several wars, if launched a proxy war against India and the same has taken a new dimension after Pakistan’s debacle in Kargil. “No single issue claims greater attention of the national minds today than the situation in
Jammu and Kashmir. Pakistan's decade-long proxy war against India has now entered a deadly new phase.  

Finally, the BJP is of the opinion that the Kashmir issue should not be politicized and the problem should not be viewed from the party perspective. In view of this, top ranking BJP leader and then Union Home minister said in the Lok Sabha: “this problem should not be viewed from the party angle. We should unitedly think over this problem and find a solution to it. The issue is related to the entire country.”

The views of the BJP on the issue of Kashmir reflects the fact that the party has taken a very radical outlook towards the problem. It appears that the extreme Hindu nationalist foundations of the party and its parental links with the right wing extremist Jana Sangh, might have lured the party to give such revolutionary views. The party idea that the permanent solution to the problem lies in reclaiming the areas of Kashmir which is under the occupation of Pakistan, will lead us to believe that the party is counselling for military action in Kashmir. This again is a capricious suggestion given without a comprehensive understanding of the historical background of the problem. The fact of the case is that when the instrument of accession was signed, there was an agreement between the Indian government and the Maharaja of Jammu and Kashmir that Kashmir will join the Indian Union on the condition that the popular will shall be ascertained in the matter. But the Indian government was unable to accomplish this task by
conducting a plebiscite due to the instability caused by the Pakistan backed armed rebellion. Hence, the Indian government decided to adopt some constitutional measure to integrate Kashmir into the Indian Union. And it granted special status to Jammu and Kashmir. So any attempt to revoke it can lead to the creation of instability in the State and jeopardize the nation’s security and territorial integrity. A rational policy would be to maintain status quo and preserve the sanctity of LOC. Even the BJP leaders are coming to terms with the situation and they have moderated their position on the issue of reclaiming POK: “On June 14, 2003, the deputy prime minister, L.K. Advani told CNN that India needed to compromise with Pakistan and resile from extreme position to solve the Kashmir dispute.”

The BJP led coalition government took several initiative to unravel Kashmir imbroglio, which includes Lahore peace process, Agra summit, Srinagar offer of April 18, 2003 Deewali offer consisting of a package of confidence building measures. But even after all this, the impasse continues. It appears that the failure of the successive governments including the BJP led coalition government to formulate a well-structured policy towards Kashmir is the fundamental cause for the stalemate. Hence, the need of the hour is a well-knit Kashmir policy. The policy of the BJP led coalition is not successful to bring an amicable solution to the Kashmir issue. “Even the most articulate observer would find it difficult to elucidate New Delhi’s Kashmir policy. Lacking a clear-cut direction, it has been a victim of confusion.
The policy occasionally gets laced with bright patches which however do not take long to disappear owing to the government's own lapses.76

Ultimately the emergence of BJP led coalition government has not brought any structural changes in the character of Kashmir issue. So we can accept the old and popular dictum that there is a phenomenal difference between perception and reality in international relations. The articulations of BJP as an opposition party regarding the Kashmir issue does not hold validity after the party itself had come to power. It had been subjected to almost all those criticism which the former had levelled against the then ruling parties. Thus it can be revitalized here that political parties must properly grasp the prevailing situation before commenting upon government's policies. The goal of political parties must be more creative and contributory than critical.

**Janata Party**

The Janata party, which came to power in 1977, had a very definite position on Kashmir issue. There were widespread apprehensions that Janata party would have a fundamental shift in the nature and content of India's foreign policy and specially the policy towards Kashmir. But contradictory to this, Janata party came with a clear and comprehensive policy position on the issue of Kashmir. An examination of the party's views over the issue of Kashmir indicates the correspondence it had with the view of the previous parties in power or the other national parties. At the outset, the Janata party
accorded a top priority to Kashmir issue in its foreign policy agenda and it held an undisputed view that the whole of Jammu and Kashmir is an integral part of India. The then foreign minister in the Janata government, Vajpayee opines: "Jammu Kashmir is an integral part of India including the part occupied by Pakistan." 77

The party favours the resolution of Kashmir dispute by constructive engagement with Pakistan, and mutual dialogue. It did not favour a military action to resolve the entanglement. The party opines that any solution to the problem must be found within the framework of the Shimla agreement. It viewed that a solution to Kashmir dispute can be found only after the contentious bilateral disputes between India and Pakistan are amicably resolved. The party has criticized the Chinese interference in the affairs of Kashmir Vajpayee then foreign affairs minister expressed the view: "As regards Kashmir, there are two issues of the Chinese support of the self-determination in Kashmir and the operation of the Karakoram highway across the Pak occupied Kashmir." 78

Janata party was of the opinion that restoration of normal and bilateral relationship between India and Pakistan is to a large extent possible if Kashmir dispute is resolved. The founder of Janata party, Jayaprakash Narayan observed: "The question whether settlement of the Kashmir problem would establish friendship between India and Pakistan may be debated, but it cannot be denied that it will go a long way towards that goal." 79
An analysis of the view of the Janata party reflects the aspect that its policy is somewhat similar to that of Congress. When it came to power, it did not entirely deviate from the course of action pursued by the previous Congress governments. The party was of the opinion that the Kashmir dispute should be settled on the basis of Shimla agreement. The only paradoxical opinion expressed by the party is on the question of Azad Kashmir or the Pak occupied Kashmir. On the one hand, the party claims that the whole Kashmir including the area occupied by Pakistan is an integral part of India. But on the other hand, it also expresses its view in favour of legitimizing the boundary between India and Pakistan by mutual friendship and co-operation. The party opined: "The boundary of Azad Kashmir will gain legal validity only after the final settlement of the Indo-Pakistan dispute."  

Janata Dal

Janata Dal gives prominence to the socio-economic development and maintenance of political stability of Jammu and Kashmir. The party claims: "The Janata Dal led government has paid special attention to the development of Jammu and Kashmir. In Jammu and Kashmir, not only an elected government was installed, but major initiatives were also taken to enhance the State's developmental activities."  

Janata Dal held the view that due to rampant separatism and terrorism in Kashmir, the issue has become very intricate. The party opines that a collective endeavour on the part of the entire nation is
required to solve the acute domestic and external problems faced by in Kashmir. The party argues: “Separatism is no answer to our problems, there is an urgent need for a national endeavour to solve the problem. A national effort will be made to resolve the complex problem like the Jammu and Kashmir.”

Janata Dal viewed that due to insurgency and terrorism, the socio-economic development of Jammu and Kashmir has been paralyzed. The party feels that due to the prevailing economic under-development and unemployment, the unrest among the Kashmiris increased compelling them to resort to militancy. A senior Janata Dal leader H.D. Deve Gowda said: “While militancy hindered tourism, loss of tourism led to great degree of unemployment and growing unemployment helped the growth of militancy, setting up a vicious circle.”

Janata Dal unequivocally claims that the whole of the territory of Jammu and Kashmir is an integral part of Indian Union and there will be no compromise with Pakistan over the issue. In view of this: “The then prime Minister H.D. Deve Gowda ruled out any compromise with Pakistan over Jammu and Kashmir, saying that it is an integral part of India.”

An analysis of the policy position of Janata Dal towards Kashmir issue reflects some inconsistencies. At the outset, the stand of the party on holding a dialogue with Pakistan, and on the issue of Kashmir,
lacks definiteness and clarity. It was stated in the Times of India:

"Just four days after emphasizing at Jammu that Kashmir chapter is closed, in future discussions with Pakistan, Prime Minister H.D. Deve Gowda seems to have changed his mind. In his felicitation message to Nawaz Sharif on his assumption of office as Pakistan’s prime Minister, Mr. Gowda has said that, India is ready and willing to have wide ranging and comprehensive talks on all issues of mutual concerns."

Further demonstrating his flexibility, "The then prime minister H.D.Deve Gowda said that he was prepared to discuss minor adjustments in relation to Kashmir within the scope of the Shimla agreement." In spite of the claims of Janata Dal that Kashmir figures on the top of its agenda, its national front government’s policy did not find any desired success. Balraj Puri opines: "The agenda of the National Front government, as announced by prime minister, V. P. Singh in his first policy statement, accorded high priority to the Kashmir problem. But the situation in the sensitive border State has sharply deteriorated under the new regime."

The Communist Parties

The CPI criticized the governments both at the center and in Jammu and Kashmir for not evolving prudent policies for dealing with Kashmir problems. The party opines that due to the faulty policy formulation by successive governments both at the center and in Kashmir, the Kashmir problem amplified. It is of the opinion that a
national endeavour should be made to resolve Kashmir imbroglio. For this, a consorted effort should be made by political parties, social groups and individuals of the entire nation. The CPI states: "The present alarming situation in the valley of Kashmir is not a creation of a day. Actually the successive governments, both at the center and the State have, by their anti-democratic and anti-people policies, alienated large sections of the people of the Kashmir valley. The 16th Congress of the CPI appeals to all secular, democratic and patriotic forces in the country to mobilize public opinion in favour of resolving the vexed problem of Kashmir through a comprehensive policy."88

The CPI is one among the few political parties that has eloquently highlighted the issue of violation of human rights in Kashmir. Accordingly, the human rights situation has degenerated. The party argues: "there are many complaints of excesses and repression by security forces, which require to be looked in. Coupled with this the anti-human terrorist activities of the separatist forces had made the lives of the people of the State miserable."90 Finally, the CPI is an ardent critique of the BJP policy towards Kashmir. The party opines: "On the vexed problem of Kashmir, the Vajpayee government lacks a comprehensive policy."91

The CPI is in favour of giving more autonomy to the State of Jammu and Kashmir. The party says that it is the only solution to bring the people out of alienation which they are being pushed into due to the long drawn politico-economic problems. It expresses: "Our party
holds the view that for this, it is necessary to give maximum autonomy to Jammu and Kashmir, as well as regional autonomy to Jammu and Ladakh within this framework. For this, the center should open a meaningful dialogue with Kashmiri leaders including the Huriyat and others.⁹²

The Communist Party of India [Marxist] has criticized the Congress government for not taking adequate political initiatives to resolve Kashmir entanglement. Due to this, the CPI[M] considers that alienation among the Kashmiris has increased. Condemning the Congress the CPI[M] said: The CPI [M] has criticized the Congress for not devising sagacious policy to counter terrorist activities. The party states that because of Congress government's improper policies and measures to tackle the problem of terrorism, the problem has aggravated leading to the increase in the sufferings of Kashmiris. The CPI [M] notes: "The burning down the Charar-e-Sharief shrine had a serious impact. The fundamentalist forces who had been active and trying to foil the revival of the political process in the State, perpetrated this destruction. The bungling and mishandling at the shrine sharply illustrated the total failure of the Narasimha Rao government's policy on Kashmir."⁹⁴

The CPI [M] has been an ardent critique of the role of US in the Indo-Pakistan affairs. The party states the US for its imperialist interests, has sought to take advantage of the troubled situation. The party blames the United States that it is indulged in machinations with
Pakistan. The party observes: "The US administration is actively working behind the scenes to promote the idea of an independent Kashmir."  

The CPI [M] is criticizing the BJP led coalition government for internationalizing Kashmir issue. The party argues that some pro-capitalist elements in the top political circles have paved a way for the US to play its meddling game in connivance with Pakistan in order to worsen Kashmir situation. The party blames the BJP government's impotence to resist US pressures. According to the CPI[M] this attitude of the BJP led coalition government was clearly highlighted in the Kargil conflict, "The BJP led government appealed to the US to intervene to resolve the conflict. This opened the way for American intervention and internationalizing the Kashmir issue, because Pakistan had already fanned the intrusion in order to focus on the Kashmir issue."  

Ultimately the CPI [M] holds the view that the BJP led coalition government's inclination towards US imperialism has made India's national interest, a subservient of American interests. The party pointed out: "Both on the vital question of Kashmir and India's role in the world, the BJP has compromised India's national interests by its willingness to become a junior partner of the Americans."  

An analysis of the attitude of Communist parties towards Kashmir issue indicates that the approach of both the parties is almost similar to
each other. The position of both the parties depends upon two significant aspects. Firstly, they are vociferous in criticizing the policies of various governments towards Kashmir. The parties share the common view that due to faulty policy formulations by the government at the center and the various governments in Jammu, the Kashmir problems were aggravated. Besides, the parties criticise the US role in the affairs of Indo-Pakistan relations. The Communist parties have viewed that the Americans have pursued imperial designs in Kashmir. Both the parties have expressed serious concern about the human rights situation in Kashmir. And they are ardent supporters for granting more autonomy to Jammu and Kashmir. Finally, it may opined here that the view of the left parties in India regarding the issue of Kashmir is primarily guided by their ideological consideration and hence both the prominent left parties are great critics of American role in the affairs of Indo-Pakistan relations, specially with reference to the problem of Kashmir.

An overview of the attitude of major national parties towards Kashmir issue, indicates that almost all political parties have consensus regarding the nature and gravity of problem. The analysis of the views of political parties on Kashmir issue can be put under the rubrics of several issues.
The Problem of Kashmir

Indian political parties have expressed unanimous views regarding the significance of Kashmir issue in the realm of Indo-Pakistan relations. They accept the centrality of the issue among the various contentious bilateral issues enveloping Indo-Pakistan relations. But they differ in their views regarding the means to solve Kashmir issue and they have often indulged in criticizing each other’s policy towards Kashmir when they are in office.

Autonomy of Jammu and Kashmir

Though there exists a consensus on Kashmir problem among political parties, there is no unanimity of opinion regarding the means to be adopted to solve the entanglement. For instance, almost all the political parties agree that greater autonomy should be provided to Kashmir. But the BJP is totally opposed to the grant of autonomy and in turn, it argues for the deletion of Article 370.

The BJP view has been inherited from its predecessor Jana Sangh. This indicates the radical outlook of the right wing party. Anyway, after the party came to power, it moderated its position on Article 370. It appears that political parties view Kashmir problem from the prism of their ideology and not on the basis of ground realities. Hence, they involve themselves in criticism of other political parties. For example, the Communist parties view Kashmir problem from the perspective of their anti-imperialist ideology. Likewise, the
BJP views the problem from the prison of its extreme Hindu nationalist ideology. So it calls for the integration of Azad Kashmir into Indian Union.

**Cross Border Terrorism and Human Rights**

Political parties have a broad agreement on cross border terrorism that has complicated Kashmir issue. All major political parties have consensus regarding the nature and causes of terrorism in Kashmir. But the political parties do not seem to arrive at a consensus regarding the measures to tackle the problem. Hence, India is not able to take concrete and effective step to deal with the problem. Similarly, the problem of human rights is a direct outcome of terrorism in Kashmir. But, it appears that though political parties express their understanding of the problem, they seem to have not defined it in a consistent and comprehensive manner. Political parties have not focused on the policy prescription to counter the problem of human rights in Kashmir.

By and large, it may be opined that political parties have not played a constructive role in discovering concrete methods to resolve Kashmir conundrum and there should be a joint endeavour on their part to decide on policies and measures for solving the long standing dispute.
References


17. J.N., Dixit, Supra, No. 10, p. 308.


19. Govind, Talwalkar, Supra, No. 15, p. 5.


52. Ibid., p. 466.

53. Indian National Congress Manifesto, Lok Sabha, Elections, 1999, p. 64.

54. Ibid., p.64.


57. Indian National Congress Resolution adopted at the All India Congress Committee meeting held at New Delhi, in May 2002, pp. 2-3.


66. Ibid., p. 35.

67. Madan Lal Khurana, Lok Sabha Debates, Seventh Session, Thirteenth Lok Sabha, 18(13), Lok Sabha Secretariat, New Delhi, August 8, 2001, pp. 265-266.


78. Ibid.


89. *Ibid.*, pp. 139-140.

90. *Ibid.*, pp. 139-140.


97. Ibid., p. 8.