

CAN INDIA AND PAKISTAN OVERCOME THE PAST?

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Abstract

India's cold response to Pakistani overtures can largely be attributed to Modi's renewed strategy to marginalise Pakistan both at the regional and international levels. It was only after the Galwan Valley incident that killed more than a dozen Indian soldiers that New Delhi is seemed to be flexible and, thus, involved in backdoor diplomatic engagement with Islamabad. Will that negotiation be taken to its meaningful end? The answer to this question remains as uncertain as it was in the past. India is not going to bring a reasonable change in the situation of Indian Illegally Occupied Jammu and Kashmir (IIOJK) as demanded by Pakistan. Since Pakistan has made this demand non-negotiable and India's recent engagement was born out of the necessity of changing regional dynamics which appear to be faded away, the future of bilateral talks is highly uncertain. To keep the ball rolling, both states, especially India, would need to show some ownership of the process. As of now, there is little to no scope of normalisation between the two countries.

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Introduction

India and Pakistan owe a great deal of their ongoing differences to the uncomfortable history they share. In the recent past, both countries had several remarkable opportunities to break the ice

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and engage each other in initiating a meaningful dialogue process. However, both the parties could do little to optimally utilise such opportunities, especially following Narendra Modi's election as the Prime Minister and his political party's anti-Pakistan rhetoric. Shanghai Cooperation Organisations' summit in Bishkek with the presence of both the prime ministers is a glaring instance of a missed opportunity. With every olive branch Pakistan offered to India from time to time, New Delhi became more inflexible. So why this show of inflexibility to engage with Pakistan? For quite some time, especially since Narendra Modi came into power, India has actively pursued a strategy of isolating Pakistan, both regionally and globally, by playing an influential diplomatic role in creating various regional and global alliances without actively engaging the former. At the bilateral level, India has seemingly continued to pursue a complete *no talk policy* with Pakistan. Ties between the two especially since 2016, have been frozen. The situation further deteriorated after incidents like the Pulwama militant attack in 2019 and the Indian retaliatory airstrikes in the town of Balakot in Pakistan that prompted a further response from Pakistan in the shape of the capture of an Indian pilot who was later released as a goodwill gesture. Sudden strikes and aggressive statements from India as per the choice of the government rather became a norm under Modi. Any effort on the part of Islamabad to melt the ice or efforts in establishing people-to-people contacts via the opening of the Kartarpur corridor, exchange of artists etc. received a discouraging response from New Delhi. The arbitrary decision of August 2019 to revoke the special constitutional status of Kashmir by turning it into union territories eventually led to further worsening of bilateral ties to the extent of Pakistan giving up the idea of proposing peace talks to India. Furthermore, New Delhi has time and again created challenges for Pakistan under the pretext of terrorism. Therefore, the timing of the latest backdoor diplomatic engagement can and must be viewed rather sceptically.

Why the Offer to Break the Ice?

So what reasons could be behind this sudden development between Pakistan and India to inch towards melting the ice? One significant reason could be the intensification of clashes between India and China at their disputed Himalayan border for the first time in 45 years. The situation got out of hand due to Modi's failure to defend an Indian airbase against China in Ladakh's Galwan valley, which left at least 20 Indian soldiers dead.¹ The tensions between the two nuclear powers intensified to the extent that, they not only aggravated the risk of escalation but also had a negative impact on the popularity of Modi at home, who had initially garnered a reputation as India's security saviour. The scaling down at the Kashmir border with Pakistan became inevitable for India as Chinese actions in Ladakh had forced the country to turn defensive. India at present cannot face tensions on two fronts. Moreover, trade differences between the United States and China and the increasing threats of a shift in the world order are deeply influencing the political order in Asia alongside other factors. India, therefore, is not only under the influence of these developments, it is additionally struggling to balance its relations with major powers.

India aspires to become a part of major powers and its strategic partnership with the US is essential in this journey. Joe Biden's victory as the new American president had slightly changed the special relationship enjoyed previously by Modi and the cover with the US during the Trump administration. Modi and his harsh policymaking against the Muslims of India were, perhaps, silently supported by some of the populist leaders of the West due to similar political approaches. It became clear to the Modi government that once Biden wins, he would raise the issue of Kashmir with India, in particular the unconstitutional actions taken by his government against the people of Kashmir. Biden's victory, hence, repeatedly raised concerns over Modi's inconsistent democratic actions taken in

Kashmir with regard to the blatant violation of human rights and civil liberties, including the ban on freedom of expression, internet access, etc. Recently, at the Indo-Pacific congressional hearing on democracy, the Acting Assistant Secretary of State for South and Central Asia, Dean Thompson, pointed out that the actions of the Indian government had been inconsistent with their democratic values as concerns over the restrictions on basic rights of freedom of expressions, detention of activists and journalists, extra-judicial killings committed by the Indian police, etc. are major human rights violations. Therefore, these undemocratic measures carried out by the Indian government raise critical questions.²

The US looks towards establishing a stronger strategic partnership with India. With the changing global discourse today, it is not Pakistan but India that plays a key role in the future of US foreign policy. As the US military footprint shrinks in the region, the shifting strategic rationale compels Washington to look beyond counterterrorism and focus on emerging economic challenges rather than on its defeated longest war. Above in view, Washington is pursuing a wider peace effort in Afghanistan for which it requires strong support from Pakistan in making its efforts a success. The underlying US objective is perhaps to compensate for its defeat by leaving Afghanistan considerably stable, with the Taliban playing a responsible role than activating terrorist networks against them. Therefore, Pakistan's assistance is vital more than it is inevitable at this point. Washington is aware of changing alliance patterns of Islamabad and the bilateral relations since Modi came to power. The US policymakers are also familiar with the competition over influence in Afghanistan between the two countries. The last thing America expects from India is to have a competition in Afghanistan with Pakistan. Recognising the regional realities, India itself has set aside its past resentment with the Taliban and is talking to them. Furthermore, New Delhi in the post-Galwan episode cannot risk pursuing its

interests against the US interests in the region. Shoring up economic and military strength on its border with China with the assistance of the US is essential for India. Subsequently stabilising its relationship with Islamabad to come out of a two-front situation is strategically inevitable for India more than it is for Pakistan. Moreover, neither Biden nor Modi administration wants to see Pakistan victorious in Afghanistan. Hence, realising the grave conditions on the ground in Afghanistan, a thaw in Indo-Pak relations could lead Pakistan to focus more on assisting the US to develop a sustainable peace through a working agreement among the Afghan political elites and Taliban. Therefore, the merging of US-Indo pertinent interests has been another key reason behind the shift in the Indian approach towards Pakistan.

Back Channel Diplomacy

To everyone's surprise this time, at the behest of the US, the UAE played a major role in bringing New Delhi and Islamabad to the negotiating table. This mediatory role fits into the UAE's foreign policy goals aimed at power projection and global recognition as a responsible regional power.³ Therefore, in the words of the UAE envoy to the US, they wanted to help the two countries reach a 'healthy and functional' relationship.⁴ From December 2020 to April 2021, intelligence officials of both countries were facilitated by the Gulf country to engage in a direct secret meeting at least four times. It started from a surprise rare joint communique on resuming the 2003 ceasefire agreement and was followed by the meeting between the UAE Foreign Minister with Indian counterpart where their discussion covered all the regional and international issues of mutual interests. The idea expressed by the officials called for a ceasefire leading to a larger roadmap to ensuring lasting peace between India and Pakistan.⁵

Following the initial step, the second phase of the process included more challenging talks. Besides other key issues, the two sides discussed the matter of Kashmir. Once these informal

communications and engagements made headlines in the media, the talks came to a standstill awaiting a progressive move from India. During these off-the-record meetings, an understanding was reached between the two sides where Islamabad clearly demanded concrete measures to be taken by New Delhi if it intended to convert the talks into future dialogue by bringing a reasonable change in the situation of Indian Illegally Occupied Jammu and Kashmir (IIOJK) to demonstrate responsible progress for further bilateral engagement.⁶

The key demands put on the table by Islamabad for New Delhi were as follows:

1. India must not change the demography in IIOJK, and it was made non-negotiable;
2. India must not undertake any measures that alter the character of the region;
3. India must take steps to normalise the lives of the people in the occupied territory, including the release of prisoners;
4. India will need to give statehood to IIOJK in one form or another;
5. Any discussion from the Indian side on the status of Azad Kashmir and Gilgit-Baltistan is off the table.⁷

An Unforgettable Past

The existing situation requires an understanding of the strategic policy shift generated by Gen. Qamar Javed Bajwa's unexpected statement of offering "to bury the past and move forward" with India, while also proposing the military's readiness to engage in talks to resolve all outstanding issues with the country.⁸ The statement made by Gen Bajwa was big enough for the country to adjust to easily. The ambitious strategic shift with India by forgetting the past and looking forward to agreeing on peace cannot be done in isolation. The readiness of institutions and masses is of critical importance. Several questions emerge out of the aforementioned statement and these

questions are critical enough to seek answers to for determining the future course of relations with Pakistan's eastern neighbour.

First, can the Pakistani army forget the detestable past that it shares with India since its creation? Second, are the people on both sides of the border willing to accept peaceful relations by burying the past? Ironically, the past is not restricted to being in the past anymore and has rather become a stark reminder in the present under the Modi-Shah governance model. The dilemma in Pakistan both at the institutional and public level of the masses has been the absence of a thought process that enables and facilitates critical decisions. The political leadership has been devoid of conceiving and implementing strategic policies of significance on its own. Decisions of such utmost importance cannot be taken in isolation. The policy-making institutions must ensure that all relevant stakeholders are on the same page with regard to issues of such grave importance to move forward.

Pakistan came out first on offering peace at a high profile public gathering, i.e., Islamabad Security Dialogue in March. Expressing readiness for trade engagements without any calculative measures showed more eagerness towards India on part of Pakistani leadership. This inadvertently resulted in an embarrassment at home, leading the Indian media to make a mockery of it by relating it to continued economic pressures. India has maintained its composure by avoiding making any news of talks public. The Indian government is cautious of the potential backlash to the extent that it even chose to disregard the humanitarian gesture from Pakistan and refused to receive oxygen cylinders from Pakistan for its people battling COVID-19. It rather preferred to take Western assistance.

The underlying message perceived from burying the past statement indicates a change in the military approach of accepting the status quo between India and Pakistan at the Line of Control (LoC). It also means that the discussion on the Pakistani side of Kashmir should not become a part of future discussions. Hence, the big offer comes

with expectations from New Delhi to bring some constitutional changes in the IIOJK to end people's miseries. How much accommodation and reversal of policies the Modi-Shah administration can afford while keeping in view the political cost they might be paying or whether they can skillfully escape the brunt of Hindutva is yet to be seen. The expectations and policy possibilities on the part of India would certainly take time after further rounds of back-channel diplomatic meetings. In the end, although both the countries have begun talking, they still fall short in anchoring peace and building trust.

Another critical point is to generate a rational opinion on these secret talks within Pakistan. Given the secretive nature of high-level talks, the general population which had become accustomed to aggressive anti-Pakistan policies of Modi has naturally become suspicious of these developments. On the matters of national importance that affect the lives and businesses of people, it is imperative to take them into confidence. The spirited people of Pakistan today are very much aware of the difficulties faced globally and the role India has played in creating a systemic marginalisation of their potential internationally. Even people-to-people contacts have been banned by the Hindu nationalist government of India. In the past seven years of Modi-Shah governance, the spread of Hindu nationalism and hatred towards Pakistan has simmered into the masses. The liberals and secularists have restrained themselves to silence rather than being questioned or becoming targets of Hindu fanatics. Hence, for India, it is more challenging to balance out the new policy shift of accepting Pakistan for talks.

It is important to answer if Pakistanis as a nation are ready to forget the dark realities of the period between 1971 and 2019. In addition, the recently exposed damaging Indian campaign of maligning Pakistan on every available opportunity is not forgivable. The consequences of such a campaign are still being faced by Pakistan

even in attracting global attention to its economic market. Opening trade corridors and talking about future peace would not wash away the damages of the past. For Pakistan, the projection of the right self-image is of utmost importance.

The fact that India has always been looked at as an enemy must not be forgotten. At present, the global order has very clearly positioned the shifting of regional alliances. Both India and the US are not only strategically aligned in a partnership against the future development of Pakistan but against its strategic partnership with China as well. Also, the role of Israel as a strategic ally and role model for New Delhi in marginalising Muslims has been a reality, which cannot be ignored. The policies of demographic changes and occupying territory with forceful encroachment in Kashmir are exactly what Israel's line of strategy has been against Palestinians. By imposing prolonged lockdown, the Indian government unilaterally introduced a new residency law through which domicile certificates were issued to Indians and non-residents to allow them residency rights and government jobs in IIOJK. The new law aims at creating demographic changes to forcefully integrate Muslim cultural Kashmiri identity with Hindus similar to Israeli policies in the West Bank of settling non-resident civilians in the region.⁹ Moreover, non-residential entrepreneurs and investors have been encouraged by the Modi government to invest in IIOJK to allow settler economies along with special colonies for ex-Indian army personnel.¹⁰ The determination to align against Muslims, be it of Pakistan, Kashmir, or anywhere where their interests demand is the primary goal of the Hindu nationalists. The genocides and brutal humanitarian atrocities inflicted upon the innocent people of IIOJK do not allow them to be morally buried in the name of peace talks. So, while Pakistan should move forward to have a working relationship with India for future peace and stability, it is not possible to bury the past and forget history.

Conclusion

'To forget and bury the past' is easier said than done. However, Pakistan and India can move forward with the talks process transforming into a formalised dialogue process once the basis of contention is resolved maturely. Long term conflicts are detrimental to both Pakistan and India and will eventually affect their participation in regional development. The policymakers in Pakistan must never be too impatient in engaging with India to disregard the political game that India plays at the regional and international levels and the consequences that it may face at home. Additionally, talking from the position of respect and honour is extremely imperative. India is talking to Pakistan only because of the changing systemic order and regional needs. So far, it is Islamabad that has shown a positive response to the backchannel diplomatic initiative. India still needs to show some ownership of the process if not willing to engage on equal levels. Despite Pakistan's expression and intent to engage, India's averseness to peace has been visible in its recent conduct. Therefore, the roadmap to normalisation of ties with India requires addressing core defects in bilateral relationship to move forward.

Policy Suggestions

1. Discussion on IIOJK is of utmost importance because without its resolution, reconciliation, and normalisation of the relationship between India and Pakistan is not possible. Laws imposed arbitrarily in IIOJK must be demanded consistently to be removed.
2. Pakistan must maintain its composure while dealing with India. The eagerness shown on the part of Pakistan in extending friendship from both the political and military leadership is premature and can be misread. Pakistan must decide on the status of India: whether it is a friend an adversary.

3. Dialogue is a good method through which Pakistan should first assess the seriousness of India on taking forward the engagement. Pakistan needs to talk less and assess more on the realistic scenario at present.
4. What is Pakistan's Kashmir policy and what does Pakistan seek to achieve from engagement with India? Indian policy in Pakistan should be well-thought upon and a coherent diplomatic approach via international campaign must be carried out to build a stronger narrative on this policy.
5. A formal engagement with India should only be reached when Pakistan has attained something concrete alongside that serves its national interest. There are no low-hanging fruits. Pakistan needs to assess the seriousness of India on engagement with Pakistan.
6. Initiatives such as the Kartarpur Corridor and religious relaxations must be pursued to build confidence and understanding among the two sides.
7. People-to-people communications and cultural and educational openings can also help bring both countries closer, which will eventually have positive results.

Notes and References

- ¹ "India-China dispute: The border row explained in 400 words", *BBC News*, 25 January 2021, <https://www.bbc.com/news/world-asia-53062484>
- ² Lalit K Jha, "Some Indian govt actions inconsistent with its democratic values, says top US official," *The Print*, 12 June 2021, <https://theprint.in/world/some-indian-govt-actions-incon>.
- ³ Prakash Nanda, "India-Pakistan Peace Deal: Five Reasons Why the UAE Brokered 'Peace Deal' Between Arch-Rivals India & Pakistan", *The Eurasian Times*, 23 March 2021, <https://eurasianimes.com/india-pakistan-peace-why-uae-stepped-in-to-play-mediator-between-the-hostile-neighbors/>.
- ⁴ UAE is mediating between India and Pakistan, says senior diplomat", *Dawn*, 15 April 2021, <https://www.dawn.com/news/1618374>.
- ⁵ Sudhi Ranjan Sen, Secret India-Pakistan Peace Roadmap Brokered by Top UAE Royals, Bloomberg, 22 March 2021, <https://www.bloomberg.com/news/articles/2021-03-22/secret-india-pakistan-peace-roadmap-brokered-by-top-uae-royals>.
- ⁶ Fahd Husain, "RED ZONE FILES: Pakistan, India backchannel at a delicate point", *Dawn*, 6 May 2021, <https://www.dawn.com/news/1622319/red-zone-files-pakistan-india-backchannel-at-a-delicate-point>.
- ⁷ Ibid.
- ⁸ Ibid.
- ⁹ Sheikh Saalik and Aijaz Hussain, "India's residency law in Kashmir amplifies demographic fears", *AP News*, 5 August 2020, <https://apnews.com/article/pakistan-ap-top-news-religion-international-news-india-e9b74f494df8592c3b87944d570dc039>.
- ¹⁰ Islamuddin Sajjad, "India encroaching Kashmir in Israel-like way: Experts", *Anadolu Agency*, 20 March 2021, <https://www.aa.com.tr/en/asia-pacific/india-encroaching-kashmir-in-israel-like-way-experts/2182366>.