

THE KASHMIR ISSUE: WHAT IS AMERICA'S ROLE

Howard B. Schaffer

TALK AT BOSTON COLLEGE, SEPTEMBER 27, 2012

Thank you so much. It's really great to meet with you to talk about America's role in the efforts to resolve one of the most difficult and dangerous problems the world has faced over the past sixty-odd years -- and continues to face as we speak here tonight. I always enjoy coming back to the Boston area. I spent four happy years here as an undergraduate at a college on the Charles in the late ninety-forties. This is something that Harvard fund-raisers and football team promoters never let me forget.



Coincidentally, it was during those times so long ago that Kashmir first came to the world's attention. I can still remember that a classmate, one of the few Indian undergraduates then studying in this country, assured me that the problem was the result of Pakistani mischief, that India was completely in the right, and that the United States was at fault in not recognizing these verities. I am sure that if there had been a Pakistani in my class at Cambridge – unfortunately there was not – I would have gotten a very different story. For from the very start India and Pakistan have embraced sharply conflicting narratives of what happened way back in 1947 and 1948. Their interpretations of developments in the subsequent six decades and their ideas on the role the United States should play have been similarly at odds with one another. As we'll see, this U.S. role has taken many different forms and shapes over the years, sometimes to the liking of one side or the other, sometimes to the liking of neither, as far as I can recall never to the liking of both.

Four years ago, in 2008, then-Senator Barack Obama made one of the rare references to Kashmir uttered by a candidate for the White House in many years. Obama declared that “working with Pakistan and India to try to resolve the Kashmir crisis in a serious way” would be among the critical tasks of his administration if he were elected. He went on to tell Joe Klein of *Time* magazine: “Kashmir in particular is an interesting situation that is obviously a potential tar pit diplomatically. But for us to devote serious diplomatic resources to get a special envoy in there, to figure out a plausible approach, and essentially make the argument to the Indians: you guys are on the brink of being an economic superpower, why do you want to keep on messing with this? To make the argument to the Pakistanis: look at India and what they are doing, why do you want to keep on being bogged down with this particular [issue] at a time when the biggest threat now is coming from the Afghan border? I think there is a moment when potentially we could get their attention. It won't be easy,” he concluded, “but it's important.”

That sounds exciting, right. The United States, candidate Obama was telling us four years ago, would launch a major effort to resolve a dispute that historians, diplomats, and politicians had long labeled intractable.

But before we see what happened to these 2008 campaign thoughts, let's go back and take a look at the Kashmir problem. What is it? Why has it been so difficult to resolve when so

many other territorial disputes have been settled amicably or maybe not so amicably, or for one reason or another have faded from view.

To begin with, what is *Kashmir*, or, to use its more formal name, the state of Jammu & Kashmir. As you'll see from the map, it's located in the far northwest of the Indo-Pakistani subcontinent, bordering China and a sliver of Afghanistan. It's about the same size as Minnesota. Its total population is in the neighborhood of 12 million. That's less than one percent of the total combined population of India and Pakistan. It may be hard for you to believe that so many people have been involved for so long in a struggle involving so few.

It's important to recognize the diversity of Kashmir to understand the real nature of the dispute. So a brief geography lesson is called for. The state, as it existed at the time the British Indian Empire was partitioned in 1947, comprises five very different regions. Three of them are administered by India, two by Pakistan. A Line of Control divides the Indian and Pakistani held areas from one another. This heavily fortified boundary largely reflects the positions the Indian and Pakistan armies held in 1948 at the end of the first war between the two countries. It is in effect an arbitrary armistice line, not one drawn on any rational basis -- ethnic, topographic, or otherwise.

Of the three Indian-held areas, far and away the most important is the Valley of Kashmir. This is a dazzlingly beautiful, heavily cultivated region, much prized by tourists, resting a mile high above the dusty plains of the subcontinent and ringed by high mountains. Its population is around five million, preponderantly Kashmiri-speaking Sunni Muslims. Its once prominent Hindu minority, the Kashmir Pandit (Brahmin) community, now mostly lives outside the Valley following a mass flight after a still-smoldering insurgency broke out there at the end of 1989. The Valley is the heart of Kashmir and boasts its own distinctive culture and language. Most important for our purposes, it is the only part of the pre-1947 state in which the majority of the population is so seriously discontented with the status quo that many of them wish to break its link with the country that administers it. This is the territory that the Indians are determined to retain and the Pakistanis eager to acquire.

Jammu, south of the Valley, has a Hindu majority but includes several Muslim-majority districts that abut Pakistani-held territory. The third Indian-held region, mountainous Ladakh, on India's border with China, has only 200,000 people. They are predominantly Tibetan Buddhists but also include large numbers of Shiite Muslims concentrated in the Kargil district adjoining Pakistani-held territory. This was the scene of severe fighting in 1999 when Pakistani forces clandestinely infiltrated over the Line of Control and were eventually forced out by the Indian army, with U.S. diplomatic support.

The two Pakistani-controlled areas, are Azad, or free Kashmir, and Gilgit-Baltistan. Azad Kashmir is a very poor area in the southwestern part of the state; its population is some three million, virtually all of them Muslims. G-B, to shorten its title, is a land of remote valleys overshadowed by mountain ranges that include some of the highest peaks in the world. It's a favorite spot for international mountain climbers. As you would expect, it's sparsely populated: only a little more than a million people live in this vast region, As in Azad Kashmir, they are just about all Muslims.

Some of you may argue that I've left out a sixth region of the old 1947 Kashmir state: the area controlled by China. This mostly comprises the barren and almost unpopulated Aksai Chin plateau that lies between Tibet and Sinkiang. The Chinese occupied it in the 1950s and built a road across it to provide transit between these two parts of country. So remote is the territory that it took the Indians years to discover the existence of the road. One part of this Chinese-held area was awarded to the Chinese in an agreement with the Pakistanis, who had previously claimed it. As you can imagine, India was not at all happy when these two hostile countries divided territory that in the Indian view was an integral part of India.

But though the areas China controls are claimed by India on the debatable grounds that it was part of Kashmir before 1947, this China-India rivalry is not considered part of the Kashmir dispute. It is basically irrelevant to what we are considering here today. It has figured only marginally in the diplomacy of the Kashmir issue.

This discussion of territory should not mislead you into thinking that Kashmir is nothing more than a territorial dispute, similar to the rivalry France and Germany had for so long over Alsace-Lorraine. It is much more than that. For Indians and Pakistanis, Kashmir symbolizes the clash between their rival concepts of national identity. Pakistanis perceive Kashmir as the one Muslim-majority area of Britain's Indian empire that did not become part of Pakistan, a nation that was conceived by its founders led by Muhammad Ali Jinnah as a homeland for the Muslims of the subcontinent. Indeed, the K in the word Pakistan, which was first coined in the early 1930s, stands for Kashmir. Pakistanis speak of India's continued – and to them, unjust -- occupation of much of the state, especially the heavily Muslim Kashmir Valley, as the "unfinished business" of the 1947 partition. In their view, as a Muslim area it should be part of Pakistan.

For Indians, Kashmir's Muslim majority makes it a symbol of their country's secular identity. Independent India was created not as the Hindu analog of Muslim Pakistan, but as a nation where people of all religions would have equal rights and the government would favor no religion over any other. Losing Pakistan *because* it is Muslim would in India's view undercut these secular claims (which are often derided by Pakistanis). They believe it would confirm what has always been to most Indians the unacceptable position championed by Mr. Jinnah and his Muslim League party, that Hindus and Muslims are "two nations" who should have separate states. Moreover, many Indians fear or claim to fear that if Kashmir were to leave India either to join Pakistan or become an Asian Switzerland independent of both countries, this so-called "second partition" would trigger massive anti-Muslim communal rioting in India proper, where Muslims comprise about 12% of the population. I don't doubt that if Kashmir ever did secede Hindu communal forces in India would try to make sure that these dire predictions came true.

A few words about how this dispute got started. The British Indian Empire was an odd amalgam of directly ruled provinces and so-called princely states. These 565 states were headed by hereditary, authoritarian rulers who acknowledged the paramountcy of the crown and had long accepted indirect British control. When the British prepared to quit India, they enacted legislation that gave these rulers the right to decide whether they wished to accede to India or to Pakistan. They encouraged the princes to make their choice on the basis of the religious composition of their people and the contiguity of their states to India or Pakistan. With the lapse of British paramountcy over them, the princely states could theoretically remain outside both dominions. But the British strongly urged the rulers not to adopt this third option.

The Maharajah of Kashmir, a Hindu ruler of a Muslim-majority state, decided that despite this British advice he would try to go it alone. He succeeded in doing so for a couple of months. But then his hand was forced by an incursion of tribesmen from across Kashmir's border with Pakistan.

The Indians and the Pakistanis will offer you sharply different views about what happened. According to the standard Indian version, the tribesmen's invasion was encouraged if not actually engineered by Pakistan authorities determined to seize the state. The Pakistani account stresses that the tribesmen were coming to the rescue of Muslim dissidents who had risen against a despotic ruler. The Indians say that the Maharajah's accession was fully legal and proper. They maintain that when he asked for their protection against the tribal invasion they were fully justified in telling him that they could only offer it if he acceded to India. When you remind you them that in accepting the accession, the Indian government pledged to allow the people of Kashmir to decide on their own political future, they will point out that this pledge was conditioned on the withdrawal of the intruders from Pakistan. And these intruders, they will note, are still there. The Pakistanis for their part assert that the accession was fraudulent and contrived and engineered by Indian violence. They will also point out that the Indians used armed force to seize control of two *Hindu*-majority princely states whose *Muslim* rulers declined to accede to India.

The Kashmir issue first got on the world's agenda when the Indians brought it before the United Nations at the beginning of 1948. From the very start the United States played a leading role in UN efforts to resolve the dispute. Washington had no serious stake in the issue. In 1948 its interests and concerns were focused elsewhere, in Europe and the Far East. American policymakers knew little about South Asia, which they had long considered a "British show." And they knew virtually nothing about Kashmir itself. But the administration concluded that the fledgling world body was an appropriate forum for resolving such disputes, and it played a major role in drafting two key UN resolutions calling for mutual withdrawal of forces and an internationally supervised plebiscite. These resolutions became the basis for multilateral consideration of the issue. An American, Admiral Chester W. Nimitz, was appointed to administer the plebiscite, which was never held. The United States was prominently represented on the UN Commission for India and Pakistan, which succeeded on January 1, 1949 in bringing about a ceasefire in place between Indian and Pakistani forces.

It's important to recognize that Washington did not enter this long and eventually unsuccessful UN enterprise with any biases or ulterior motives. It had equally friendly ties with India and Pakistan and equally limited interests in each. It had no dog in the Kashmir fight. As negotiation foundered, however, American diplomats increasingly questioned New Delhi's motives and methods and blamed Indian intransigence for the continuing impasse. They became convinced, in my view correctly, that the Indian government no longer favored a plebiscite because it had concluded that the Kashmiris would vote for Pakistan. A third possibility, independence for Kashmir, which polling in recent years has indicated is now the preferred approach of Kashmir Valley Muslims, was not offered as an option in the UN resolutions.

Washington interspersed its bouts of multilateral diplomacy with efforts outside the UN, either alone or with Britain, to which it continued to look for leadership and guidance as head of the Commonwealth and recent imperial ruler of the subcontinent. Three successive American presidents interested themselves in Kashmir diplomacy. Harry S Truman was the first of these.

Truman wrote in 1949 to the leaders of India and Pakistan urging them to accept international arbitration to settle the dispute. The Indians turned him down.

Indian unwillingness to accept an American honest-broker role in Kashmir was heightened in 1954 when Pakistan became a member of two U.S.-sponsored anti-communist alliances, the Central Treaty Organization (CENTO) and the Southeast Asia Treaty Organization (SEATO). Pakistan proudly declared that it was America's most-allied ally in Asia. Reacting, India turned increasingly toward the Soviet Union, which fully endorsed India's claims to Kashmir and like India came to reject any UN role in bringing about a settlement.

Truman's successor Dwight Eisenhower, who had sponsored Pakistan's joining the anti-Communist western alliance system, managed in his second term in the late 1950s to bring about a favorable turnaround in U.S.-Indian ties. During that second term he became even more personally involved in Kashmir diplomacy than had Truman. Eisenhower called for simultaneous negotiation of Kashmir with two other pressing South Asian issues: division of the Indus Waters and the accelerating arms race between India and Pakistan. He even said he would be prepared to go to the subcontinent to launch talks between the Indians and the Pakistanis if that would be helpful. But despite improved bilateral relations, this imaginative effort too was rejected by the Indian government.

These White House interventions climaxed in 1962-63 when President John F. Kennedy played a major role in a long, intense U.S.-British sponsored initiative which his administration promoted following India's disastrous defeat in the Sino-Indian border war. The Kennedy administration believed that the time was propitious for a settlement. It had hurried to non-aligned India's support against the Chinese, and it thought that the war and its aftermath offered a window of opportunity. In the administration's calculation, both countries now depended on the United States for security, political, and economic support, so they would be more amenable to American promotion of a Kashmir settlement. India, they reckoned, would favor an agreement to avoid having two enemies – China and Pakistan – on its vulnerable borders.

Led by the president, the United States became deeply involved in a long series of India-Pakistan negotiations. When these faltered, the United States produced a map partitioning the Valley of Kashmir between the two claimants and suggested that it could be the basis for resolving the dispute. Kennedy himself monitored developments closely and wrote personal letters to the Indian prime minister and the Pakistani president urging progress. His ambassador in New Delhi, Professor John Kenneth Galbraith, took a sardonic view of the value of these frequent presidential interventions. Galbraith complained that "letters from the president have been issued like Confederate currency and had similar results." The talks eventually failed, to JFK's great disappointment.

These unsuccessful negotiations proved the high-water mark of U.S. efforts to resolve the Kashmir conflict. As the Vietnam War accelerated, Washington's political interest in South Asia began to wane. U.S. policymakers became increasingly persuaded that India and Pakistan were too embroiled in their own struggle over Kashmir and other issues to play any useful role in America's Cold War efforts, then the centerpiece of U.S. foreign policy. When the Pakistanis tried to seize Kashmir by force in 1965, triggering the second India-Pakistan War, Kennedy's White House successor Lyndon B. Johnson deliberately deferred to the United Nations in the effort to bring about a ceasefire. His administration even welcomed the key role the Soviet Union

later played in ending the war. It applauded when the Soviet persuaded the two sides to accept a restoration of the status quo ante, which they did under a careful Kremlin eye in the Soviet Central Asian city of Tashkent, now the capital of independent Uzbekistan. For Washington, the attitude had become “a plague on both their houses – and on Kashmir, too.” It had no interest in stepping up to the plate again to help India and Pakistan reach a final resolution of the issue, and it sharply lowered the priority it gave the South Asia region on U.S. political and security agendas.

This U.S. unwillingness to play any further role on the Kashmir issue was further strengthened when the Indians and the Pakistanis agreed in 1972 following India’s victory in their third war that the Kashmir dispute and other issues between them should be settled peacefully and bilaterally. This third conflict, I should note, was primarily about the Bangladeshis’ bid for independence from Pakistan and involved Kashmir only marginally. Delighted after years of frustration to watch Kashmir leave the international stage and the Kashmiris themselves apparently accept the status quo, American diplomats concerned with South Asia, including myself, happily endorsed this formulation. For the rest of the 1970s and 1980s we and the rest of the world paid scant attention to the problem, now seemingly a non-problem. We mildly encouraged the Indians and the Pakistanis to make progress in their occasional bilateral discussions of Kashmir, but were neither surprised nor troubled when they did not. Kashmir was no longer on the globe’s radar.

To American consternation and surprise, this 18-year disappearance of the Kashmir issue abruptly ended at the end of 1989, when a broadly based uprising calling for “azadi” (freedom) from Indian rule broke out in the Kashmir Valley. Washington quickly resumed its interest in Kashmir affairs. But it did so in a much less involved manner than it had in the 1950s and 1960s. It continued to endorse the Simla formula – that India and Pakistan should settle the Kashmir issue peacefully and bilaterally – adding to this “taking into account the wishes of the Kashmiri people.” The administration, by then led by George H.W. Bush, did not offer any ideas about how these wishes should be ascertained, however. It worried about violations of Kashmiri human rights by Indian forces and, to a lesser degree, by the insurgents, who came increasingly under Pakistani guidance. But it did not suggest any formulation for settling the revived dispute. It shied away from the earlier UN resolutions, not disowning them but suggesting that they were no longer relevant. It drew no maps and sponsored no negotiations.

The focus of the Bush 41 administration and its successors has been on conflict management, not conflict resolution. When India-Pakistan tension over Kashmir and other issues seemed to be leading the two sides to armed conflict, Washington dispatched high-level emissaries to quiet matters down. A succession of senior government officials, including secretaries of state and defense, made their way to India and Pakistan in the 1990s and 2000s with the aim of helping prevent tensions from escalating to actual fighting. When large-scale fighting *did* break out, as happened when Pakistani forces moved across the Line of Control in the Kargil area of Kashmir in 1999, President Bill Clinton became personally involved in successful efforts in Washington to persuade visiting Prime Minister Nawaz Sharif to withdraw them. To India’s pleasant surprise, and Pakistan’s dismay, Clinton squarely blamed Pakistan for the Kargil conflict.

American administrations have repeatedly said they were prepared to facilitate a Kashmir settlement, without really defining what facilitate meant, and have quietly tried to nudge the two

sides forward. They have said that they would be willing to play a more robust role if both sides wanted them to. They recognize that this means giving India a veto over any more significant U.S. involvement, and that India would exercise that veto.

For American officials are well aware that aside from New Delhi's initial call for UN involvement in the dispute – which Indians now will frankly tell you was a bad diplomatic blunder – India has consistently opposed international involvement in the Kashmir dispute. This seems logical enough. India is far stronger than Pakistan by any measure. It is also in effect the status quo power in Kashmir, where it controls the Kashmir Valley, the region that has always been at the crux of the dispute. As history seems to demonstrate, there is no way that Pakistan can on its own seize control of the Valley.

But what about India's claim, reiterated a few years ago in a Parliamentary resolution, that all of Kashmir as it was in 1947 is an integral part of the Indian union as a result of the maharajah's accession and a subsequent confirming vote of the Kashmir state legislature? Doesn't this seem to undercut the argument that India is the status quo power? In my view, the Indians' insistence that all of pre-1947 Kashmir is rightly theirs would not long deter them from accepting a deal leaving with Pakistan the areas in Kashmir – Azad Kashmir and Gilgit-Baltistan -- it has controlled since 1947, were Pakistan to agree to such a settlement. But despite what seemed to be substantial progress in that direction during the government of President/General Pervez Musharraf in the 2000s, such a deal does not seem likely under present political circumstances. I'll have more to say about that later.

The Indian and Pakistani nuclear weapons tests in May 1998 brought a new dimension to American thinking about Kashmir that calls into question the conventional wisdom in New Delhi and Islamabad that a more activist international – read U.S. – role in Kashmir would damage Indian interests and help Pakistan. The nuclear tests strengthened the primacy the Clinton administration and other concerned foreign governments gave to preserving stability in the subcontinent. Washington feared that an effort to upset the status quo could lead to a nuclear war. This explains the reference in the joint statement issued by Clinton and Prime Minister Sharif, at the conclusion of their discussion of Pakistani withdrawal from Kargil, to the “sanctity” of the Line of Control, a newly coined term. The tests further lessened the importance the Clinton administration and its successors in Washington attached to the equities of the Kashmir issue that had informed American handling of it from 1948 on. Kashmiri self-determination became a less significant consideration. For the United States and other members of the international community, the use of violence to change the status quo was now an unacceptable option in nuclear-armed South Asia. It could too easily escalate to all-out nuclear war.

This major shift in emphasis became even more evident when President Clinton visited Islamabad in March 2000, less than a year after the Kargil conflict. “There is no military solution to Kashmir,” he warned his Pakistani television audience. “International sympathy, support, and intervention cannot be won by provoking a bigger bloodier conflict.... This era does not reward people who struggle in vain to redraw borders in blood.”

Neither Pakistan nor India appear to have come to grips with these important changes in international priorities on the Kashmir issue and their significance for outside intervention to resolve the dispute. With stability now the name of the game, any U.S. or other international role

is unlikely to include efforts to change the territorial status quo. That could only heighten the prospect of instability and conflict. Nonetheless, most Pakistanis continue to press for an international role in the mistaken belief that this will promote Pakistani interests. Nor have the Indians much changed their attitudes. Their mantra continues to be “foreign – especially American – hands off Kashmir.” They do not seem to recognize that such an intervention could be to their advantage, as it proved to be when Clinton dealt with Kargil. In Kashmir itself, dissident leaders, especially those who favor independence, have also persisted in calling for outside, read American, intervention. This attitude is even more unrealistic than the attitudes that persist in India and Pakistan. At no time since the British briefly promoted the internationalization of the Valley in the failed 1962-63 negotiations has any major government or significant political lobby called for a separate status for Kashmir.

I mentioned at the beginning of my remarks how candidate Obama spoke during the 2008 campaign about an American role in Kashmir. Let’s take a look now at how he followed up on what he said once he reached the White House in January 2009.

Soon after taking office the new president nominated Ambassador Richard Holbrooke (not as had been rumored, Bill Clinton) as his special representative for Afghanistan and Pakistan. This appointment caused great dismay in New Delhi. In the Indian government’s alarmed view, Washington had concluded that progress toward a Kashmir settlement was a vital element in the U.S. effort to bring about a cooperative and purposeful Pakistani approach in the struggle against Al Qaeda and the resurgent Afghan Taliban. Whether the Obama administration ever had such an extensive role in mind for Holbrooke is not clear. Before he died in December 2010, Holbrooke, who was a good friend, told me that he had never had any intention of becoming involved in Kashmir.

But what was more important was that the Indians believed that Washington might try to play what was for them a very unwanted role in India-Pakistan relations. They made it clear to the Obama administration that this was not acceptable. They said they would welcome Holbrooke’s coming to New Delhi from time to time to consult with them on Afghanistan and Pakistan, but they insisted that Washington give the forceful ambassador no mandate to deal with India-Pakistan relations in general and Kashmir in particular.

Despite what candidate Obama had said earlier, his administration accepted this position. It must have been clear to Washington that no useful purpose would be served in contesting New Delhi’s stance. The Indians hung very tough on this point and without their cooperation an extended Holbrooke mandate made no sense. It could only cause tension in U.S.-Indian relations at a time when Obama was determined to continue the progress George W. Bush had made in strengthening them. Like Bush, the new president believed that India was a rising global power whose friendship was important for the United States. As he would tell the Indian parliament when he paid an official visit to India in November 2010, “the partnership between the United States and India will be one of the defining partnerships of the 21st century.” He did not mention Kashmir in that speech and in his media comments on the issue merely repeated the line that America was prepared to any play role India and Pakistan could agree it should undertake.

This position represented a reversion to the Kashmir policy all recent administrations have followed. As I’ve noted, this is basically a hands-off, cheer-from-the sidelines, focus- on-crisis-management approach that makes it clear that the United States will adopt a more robust

attitude only if India wants it to. And there is no sign that New Delhi will change its negative position on this despite the sharp post-nuclear testing change in U.S. perception of the significance of the Kashmir issue for its national interests that I mentioned earlier.

Nor is this U.S. policy on the Kashmir issue likely to change if Mitt Romney takes power next January. Both Democrats and Republicans favor strong relations with India, and I see no reason to expect that a Romney administration will want to jeopardize these by taking up the issue of a Kashmir settlement, especially at a time when the odds against success are so long. To date, neither Obama nor Romney has mentioned Kashmir on the campaign trail, nor did any of Romney's rivals during the Republican primaries.

In concluding this presentation, I want to talk briefly about what I consider the possible shape of an eventual Kashmir settlement. I do not believe that such a settlement is likely to be reached for many years. Although India and Pakistan have resumed the comprehensive dialogue broken off by the Mumbai attack in November 2008 and have made considerable progress in improving relations, especially in the trade, investment, and travel areas, the Kashmir issue appears still stalled. Fortunately neither side is publicly stressing it. When the Pakistan foreign minister was in Washington last week and spoke to a group of us at the Council on Foreign Relations, she mentioned the K word only in passing. She had many other problems on her plate to discuss.

I believe that serious advance can be made only if there are strong governments in both New Delhi and Islamabad that are confident enough to make the concessions an agreement will involve, and to sell them publicly in their own political arena. That is clearly not the case in either country now, nor is this likely to change soon. The Kashmir Valley itself remains largely calm, a situation that has usually led the Indians to conclude that there is no particular reason for either internal political reform in Kashmir or serious negotiations with Pakistan. The best that can realistically be hoped for is a prolonged period of relaxed tension on the Line of Control and in the Kashmir Valley. Of course, were another terrorist incident similar to Mumbai to occur, relations would again sharply deteriorate, perhaps even to the point of another war. And there are many spoilers out there on both sides who would like to see that happen.

My own conception of the terms of a settlement include making the Line of Control or a slightly adjusted version of it a permanent boundary between India and Pakistan; granting a broad measure of autonomy to the Kashmiri areas on both sides; making the border porous for the movement of people and goods; demilitarizing border areas on both sides; and setting up joint government bodies with representatives from both Indian and Pakistani Kashmir to deal with such non-controversial matters as tourism and electric power generation.

Many of the elements of an eventual settlement were spelled out in President Musharraf's "out of the box" proposals that he made in 2004 and 2006. The two sides reportedly were making considerable progress in back-channel talks before they were broken off in 2007 when the Pakistani president ran into domestic political trouble of his own making.

This formula would be a bitter pill for the Pakistanis to swallow and there is likely to be strong, even violent objection within Pakistan were such proposals put forward. The attitude of the Pakistan Army will obviously be very important. The Indians would be less displeased, but

they too would have to accept changes they did not like. Within Kashmir itself, dissidents who have for so long championed the cause of a separate nation would be bitterly disappointed.

I believe that when more confident governments are in power in New Delhi and Islamabad, the United States can exercise a limited but useful role in moving India and Pakistan across the elusive finish line of a Kashmiri settlement. As was true during the aborted back-channel negotiations initiated by President Musharraf, the major lifting would have to be done by the Indians and the Pakistanis themselves. The Kashmiris for their part are likely to have only a minor role in determining their own political fate.

Whatever diplomatic activity Washington pursues at that time needs to be low key. No highly visible special envoys should be brought into play. No future Holbrooke need apply. Working quietly, American officials could suggest useful building blocks to the parties to help them achieve a settlement along the lines I've sketched out. These officials can helpfully act as sounding boards, advising each side of the likely acceptability to the other of proposals it is considering putting on the negotiating table. Americans should not sit at the negotiating table itself – an idea that the Indians in any event would never accept. Keeping to this informal, unobtrusive role, U.S. diplomats will want to discourage any public discussion of their activities. Washington might want to consider sending on a private and unadvertised mission to the two capitals a figure the Indian and Pakistani leadership will know has the president's confidence, despite the obvious danger of a leak. The task of operating as the administration's point person over the longer term should be given to the resident U.S. ambassadors, backed by a carefully chosen team operating in the State Department.

At the same time, Washington should look for creative ways to help persuade both sides to accept an agreement that will inevitably involve genuine concessions. For example, it might consider providing the two countries support to some of the proposed mechanisms for joint management of certain issues in Kashmir by establishing with the World Bank and other potential donors a special fund for Kashmir reconstruction. It might also look into the possibility of stepping up its overall economic support for Pakistan, which will be the bigger loser in a settlement, though its ability to do so will crucially depend on the state of broader U.S.-Pakistan relations and the status of the American budget.

The Kashmir issue has undermined Indian and Pakistani interests, led to huge military expenditures at the expense of economic and social development, traumatized generations of Kashmiris, distracted political leaders, produced communal tensions, caused serious political problems for the United States and the international community, and made the state a potential tinderbox for nuclear war. A settlement is long overdue. Although the present situation is not promising, let's hope that eventually, with more confident governments at the helm and good sense on both sides, one will be reached. And let's be prepared to look for occasions when the United States can offer a helping hand in the process, however modest that is likely to be.