



COMMENTARY

Kashmir: Is there a New Indian Policy?

After a summer of anguish and unrest in Kashmir, punctuated by an eloquent plea from the prime minister to “give peace a chance,” the Indian government in October appointed three non-officials to serve as “interlocutors” with all shades of opinion in Kashmir. Their mandate is to present a concept of a political and of the path to reach it. At this writing, their report – due some time in March – may present some interesting ideas, but seems unlikely to be a game-changer in the vexed relationship between the government in Delhi and the Kashmiris on India’s side of the Line of Control. It will not touch on the India-Pakistan dimension of the problem, without which one cannot really speak of a solution.

The great strength of this exercise is its efforts to make contact with people all over Indian-administered Kashmir by visiting each district in turn. In their first four months of work, they had visited half of the districts in each of the three parts of Kashmir administered by India: the valley of Kashmir, Jammu and Ladakh. They had also had contact with members of the Kashmiri diaspora living abroad and in the rest of India. They planned to visit the remaining districts before submitting their report. This represents a much more comprehensive set of contacts than recent Kashmir initiatives have involved.

Another strong point is their systematic review of previous legislative changes involving Kashmir going back to the early 1950s and to the days of the legendary Kashmir leader, Sheikh Mohammed Abdullah. This has equipped them to comment in detail on both legal and symbolic measures that India might undertake to improve its political relations with Kashmir.

The weakness of this effort, on the other hand, is that their process only covers at best one of the three channels that need to be brought into the process: their dialogue with residents of Kashmir who are already willing to accept being part of India. The interlocutors’ mandate in principle covers the second of these channels, the “separatists” in Indian Kashmir. Members of the Hurriyet Conference, however, have publicly refused to talk to the interlocutors. At least one of the interlocutors had had contact with some of the separatist leaders in the past, but the public refusal makes it difficult to use any insights that might be gleaned through informal conversations.

The interlocutors’ brief makes no provision at all for the third channel – Pakistan. The way the mandate is worded does not explicitly give the interlocutors standing to make recommendations that touch on the parts of Kashmir administered by Pakistan, Azad Kashmir and Gilgit-Baltistan. The Indian and Pakistani governments have recently announced their intention to resume their bilateral dialogue, which in principle would include Kashmir. This would be separate from the interlocutors’ work. The split between India’s development of domestic ideas and its

management of talks with Pakistan is, as always, the biggest weakness of its approach. This makes it difficult to integrate both streams into the pathway to a settlement that India says it wants. At this point, it does not appear that the Indian and Pakistani governments' decision to resume talks will re-launch the back channel talks on Kashmir which in the past has been the most productive venue for discussions.

Their process for submitting the report calls for the draft first to be submitted to the government for review and discussion in a Cabinet committee. In principle, it is not supposed to be made public until the committee has done its review, although in practice, we believe leaks at that stage are virtually certain. This of course raises the risk that the media descriptions of their report will become the object of controversy and excitement before the accurate text is in the public domain. And of course this will be a strictly Indian effort, so Pakistan's views will not have been taken into account, nor will Pakistan have had any chance to be briefed on their report.

Long-time observers of Kashmir argue that after the traumatic developments of last summer, people in the Valley are looking for ways to move forward toward more acceptable political arrangements. But they also caution that further incidents such as those that sparked last summer's clashes could again inflame the situation. It is important in this context that the Indian government not again delude itself into thinking that the quieter atmosphere means that meaningful steps are no longer urgently needed.

The focus on subregional and local governance that the interlocutors seem to have adopted could be among those meaningful steps, but they are unlikely by themselves to set the stage for a settlement. What is needed are measures to give voice and visibility to the constituencies that are currently being left out of the discussion.

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