

Qno:7 The Kashmir dispute is an unfinished agenda of the 1947 partition. Evaluate Pakistan's Kashmir Policy for the solution of the problem.

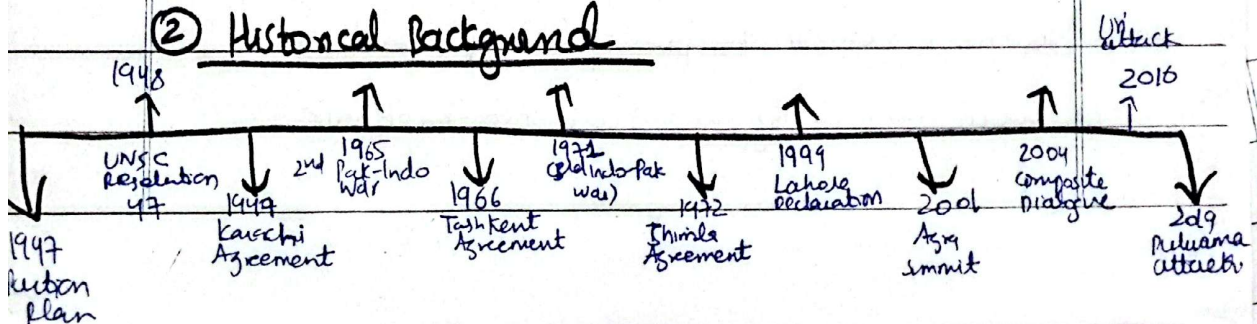
ANSWER:

① Introduction:

Kashmir is one of the long-standing issues between India and Pakistan. Before 1947, Kashmir was one of the princely states under the British India with a Hindu ruler and a Muslim-majority population.

Unlike other princely states, Kashmir was stuck in a limbo due to the hasty Mountbatten plan (3rd June, 1947), guiding principles of accession criteria Redcliffe's Commission's bias in Gandapur, and ignorance of Tehsil-level partition. However, Pakistan has consistently tried to bring a just solution to Kashmir issue according to the will of its people based on their right to self-determination.

② Historical Background



② Kashmir

After the partition of India, the fate of Kashmir as a princely state was held in a limbo. The Hindu Monarch Hari Singh was ruling a Muslim-majority region. Under duress, he signed the treaty of Accession to overcome the internal unrest of the people. However, it was against the will of the common Kashmiris as they wanted to accede to Pakistan because of religious demographics and geographical proximity, too.

Lord Mountbatten plan
(3rd June, 1947)

→ Popular Will Indirectly

→ Religious-demographic Majorities

→ Geographical Proximity

③ Kashmir as an Unfinished Partition Agenda

(i) The Mountbatten's Plan's Coercive Blueprint

The Mountbatten plan was hurriedly executed and arbitrarily drawn. The inconsistencies in the principles of partition were exclusively biased against Kashmir.

(a) The Case of Jinnagadh

The Muslim ruler with a Hindu-majority area was given to India considering religious demographics. However, the same right to self-determination was denied to Kashmir.

(b) Biased towards India

Mountbatten was tilted to India in private.

This colonial bias was reflected in the fact that the exclusive religious demographics were ignored to prioritize India's strategic interests.

(c) Ignored Tehsil-level Demographic Realities

One of the gravest injustices of the Radcliffe Award was its use of entire districts as units of allocation, ignoring religious majorities at the more granular tehsil level. Also, Sindh was given to India despite its clear Muslim majority.

(d) Contradiction of TNT (Two Nation Theory)

The Radcliffe Award was supposedly based on the Two nation theory by allocating Muslim-majority areas to Pakistan and Hindu-majority areas to India.

(E) Accession under Duress

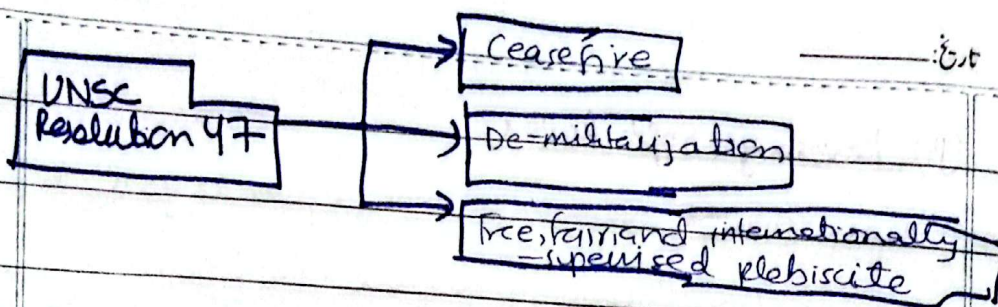
The Maharaja of India were forced to accede to India to tame the internal unrest. It was legally weak and politically manipulated.

The Instrument of Accession (1947) remains a disputed document till date.

(F) Flouted the UNSC Plebiscite

When the Maharaja Han Singh signed the Instrument of Accession in 1947, it was conditionally based on the will of the people through a plebiscite. However, India later backtracked on it.

"It is not just of a state's right to self-determination, but of the people themselves?" — Jawaharlal Nehru



④ Pakistan's Kashmir Policy for its Resolution

(i) Strengths of Pakistan's Kashmir Policy

(a) Raising Voice at International Forums

Pakistan has time and again raised its voice in international forums like UN, OIC, and NAM (Non-aligned Movement), and others. It will continue supporting Kashmiris' right to self-determination.

(b) Consistent and Coherent Narrative

Since 1947 to the present, all incoming and outgoing governments have maintained a united front regarding the Kashmir issue. It is a jugular vein of Pakistan and should be resolved according to the will of its people.

(c) Contact Group in OIC

At both international and regional forums alike, Pakistan has reasserted

the Kashmiri people's right to self-determination. The Organisation of Islamic Countries (OIC) has time and again reiterated its support for a just and localized solution to the Kashmir issue.

(D) 5th February as Kashmir Solidarity Day

Pakistan has openly provided political, moral and diplomatic support to the Kashmir issue.

It was first observed in 1990 when the human rights abuses and violations were frequently observed in ^{the} Indian illegally occupied Kashmir (IIOK).

(E) Media Activism to Rouse Awareness

The Government of Pakistan employs print, social and electronic media to rouse awareness about the plight of Kashmiris both nationally and internationally.

(F) Cross-Party Consensus over Kashmir Issue

All national political parties have supported the issue of Kashmir with a broad-based consensus.

cross-party consensus underscores the
Kashmir issues as a top foreign policy agenda

(G) Pakistan's Strategic Restraint on G13

Elevating G13 to full provincial status would
compromise Pakistan's principled stance on the
UN-mandated Plebiscite. Pakistan has
thus sent a clear message that it respects
international laws unlike India

(H) Highlighting Human Rights Abuses

Pakistan has repeatedly highlighted human
rights abuses and violations in Kashmir. The
(Unlawful Activities Prevention Act)
discriminatory laws such as UAPA and

PSA (Public Safety Act). Pakistan's UN Mission
has submitted ^{many} letters ^{to} UN HRC to address the
Kashmiri plight.

(II) Weaknesses in Pakistan's Kashmir Policy

(A) Limited Track-II Diplomacy

Pakistan should employ more backchannel
and Track-II diplomatic efforts

(B) Leverage Soft Power

Pakistan should employ a more diplomacy-led solution to the Kashmir dispute - previous kinetic measures against India have not been

(C) Amplify Kashmiri Voices

Pakistan's Kashmir policy should involve maximum number of local Kashmiris who have suffered Indian brutality firsthand. This would bring more credibility and legitimacy to the crisis on international forum

(D) Welcome Third-Party Mediation

Pakistan has time and again welcomed third-party mediation to internationalize the Kashmir issue. It has and should ~~do~~ more to bring in further third parties to raise the issue of Kashmir globally.

(E) Submit a Case against India in ICJ

Just pleas and pledges for the resolution of Kashmir issue will not work. Pakistan should

take a concrete action against India in International Court of Justice (ICJ).

Conclusion

① Thus, it could be concluded that Kashmir is a real nuclear Flashpoint between the two arch rivals. Therefore, the resolution of Kashmir dispute is important to ensure diplomatic peace in the South Asian region. Pakistan has time and again revived the Kashmir issue on multi-lateral and bilateral forums. However, it should proactively pursue the issue to reach a just and peaceful solution to the issue.