



## INDEPTH INTERVIEWS CONDUCTED GLOBALLY TO STUDY ON THE IMPACT OF COMPOSITE DIALOGUE BETWEEN INDIA AND PAKISTAN (PART I)

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### ABSTRACT:

*This paper is based on the frames employed by different scholars, academicians, former ambassadors, media analysts, civil servants, in their articles on indo-Pak efforts on conflict resolution. The categories were the researcher narrowed down the inductively into following themes and queries based on the frames were chosen for a personal interview via email as soon as the columns were published were taken into account.. Many scholars had different views on one and same topic.*

**KEY WORDS:** *interview. Conflict resolution, article 370, Indus water treaty, terrorism, Trade relations*

### REVIEW OF LITERATURE

Abdul majid (2017) Vajpayee met Pakistan pm Nawaz sharif at New York in September 1998. It was decided that foreign secretary level talks would be held between India and Pakistan a direct bus service between New Delhi and Lahore was proposed. The talks at foreign secretaries level held in October 1998 but did not make concrete advances on major issues"

Umbreen, Rashid, muhammed imran (2017) India wants to choke Pakistan by usurping water supplier that rightfully belong to Pakistan unless Indus water treaty of 1960. The violation of this treaty by India has caused water shortage on Pakistan.

Khalid, iram, kayani, arifa (2017) the proliferation trends and lack of India and Pakistan in the international non proliferation regimes are some of the signs of their vulnerability for nuclear terrorism.

### METHODOLOGY

The study used the qualitative approach. The values of qualitative inquiry and its contribution to mass media research cannot be overstated. (Jensen and Jankonski 1991, Lindlof and Taylor 2002). It is not so surprising that the most significant work on news is qualitative. Tuchman (2000). Qualitative inquiry differs from quantitative "qualitative researchers typically study a relatively small number of individuals or situations and preserve the individuality of each of these in their analysis rather than collecting data from large samples and aggregating the data across individual or situations. (Maxwell, 1998 p 75).

In this study in depth interviews are used to probe the issue further. The qualitative research helps the researcher to step into the mind of another person to see and experience the world as they do themselves (McCracker 1998, p9)

Interviews have high value in identifying relationship as explorative qualitative social research and may serve as the main tool of the inquiry (Kerlinger 1973, Hocking, Stacks and Mcdermott 2003).

Ritchie, Lewis, et al, (2003) note that small samples are useful and need not be larger because little addition and evidence is obtained from more fieldwork a form of diminishing returns.

As Patten noted (2002) qualitative inquiry typically focuses on relatively small samples, even single cases selected purposefully to permit inquiry into and understanding of a phenomenon in depth (p46). Using

purposeful non probability sample design we used a convenient sample of more than ten ambassadors, both in India and Pakistan, academicians, journalists. They were contacted over email and phone. Majority preferred giving their views through email.

Email was easy and because it was reliable and easy method. The interview was useful when researchers deal with topic that is dispersed across time and space or because of the stigma attached with the activity under study (Lindloff & Gordin, 1990) In this study the content was better analyzed and the intention of the opinion makers were targeted to be more realistic and pragmatic.

The following sections of this paper summarize and discuss the common themes as well as compare similarities and differences that emerged from the responses to questions on components of comprehensive dialogue. Though email correspondents the researchers clarified and stressed that all personal information of interviewees would not be released excerpts from the interviews would be quoted under pseudonym and all recorded materials would only be used for academic research. Majority of interviews trusted the researcher and had confidence in the researcher.

## TERRORISM

Internationally there are no consortiums to check the movement of terrorists when asked to a respondent (personal interview through email 11 .oct.2011). You have delved on a relevant point about lack of institutions at a global level to cope with dynamics of terror, creating opportunities to powerful countries to intercede at will through a so-called global war. UN is a mute spectator, powerless despite a globe wide membership of nations, actually disabled to act on its own or make even a marginal difference in terror prone arenas. UN neither possesses a terror preventive mandate, nor has the inclination to get one! It could at least spur what you call a syndicate of international co-operation to effectively deal with terror impact and even have a preventive dimension!

The freedom Hafeez saeed has in his country and how the world perceives him asked to respondent (personal interview via email 11.july .2012).He is not viewed as a "freedom fighter" in his country. Instead it is a small section of the country's security establishment which has nurtured and supported him that would have us believe that he is a "freedom fighter". Also, he can garner support amongst Pakistan's poor because of the charitable activities of his organization the Jamaat-ud-Dawa. Of course, these acts of social work are for the purpose of recruiting jihadis.

Perpetrators of crime are not brought to international court of justice after the confession by Abu Jundal (personal interview via email 20.july.2012). Issues like Terrorism are not decided by the International Court of Justice. They are decided by the by the Parties concerned and by the interplay of global developments. In any case decisions of the ICJ are not binding and require consent of all parties concerned. Some years ago the ICJ decided that nuclear weapons all over the world should be banned. No one accepted this decision. In any case it is Indian national Policy that all issues with neighbors should be settled bilaterally. Outside intervention has only complicated matters.

In times of India report on august 6 2012 the headline says US Pak join hands against haqqanis United states and Pakistan join hands for joint counter terrorism and the delay in counter terrorism against LET as it is a big menace.(personal interview email 26.7.2012). Both sides have nuclear weapons and conventional war with Pakistan may no longer be an option. However what Pakistan can do is use "non state actors" to carry out acts of terrorism whose connections with the Pakistan government can be denied later. Pakistan is following this policy to gradually destabilize and finally break up India into smaller entities which can then be individually defeated. This policy is sometimes known as "death by a thousand cuts", as a revenge for their defeat in Bangladesh in 1971 when Pakistan lost its eastern wing. Mumbai 26/11 is one such retaliatory operation, carried out by the Lashkar - e -Taiba whose covert connections with the Pakistan Government is being denied even though one of the raiders, Ajmal Kasab is actually in Indian custody. Abu Jundal is the second such person to come into Indian custody after extradition by Saudi Arabia, where he

had sought refuge. Pakistan will continue to follow the "death by thousand cuts" doctrine against India regardless of whatever process of dialogue is being followed.

India can continue the dialogue process for whatever it is worth though it is unlikely to yield much result. Mediation too will not resolve the issues of terrorism. Options for retaliation are few - either a counter terror campaign by India against Pakistan (which India is unlikely to adopt) or continue the dialogue and hope for the best. Mediation is not an answer, since Pakistan sees itself as winning this covert war and is unlikely to stop its activities.

However, it must be understood that covert terrorism requires a base of local support inside the targeted country; (in this case India) one obvious option therefore is to attack this support base inside India, which would be politically very difficult. That is the "component of action" I was referring to.

The Saudi factor is a new aspect. Saudi Arabia is itself being targeted by its own religious fundamentalists. Saudi knows the dangers of terrorism which it hitherto used to other countries though Pakistan. Saudi has therefore just begun cooperating very cautiously with India and handed over Abu Jindal. Will any more follow (Like Mohammad Fahim, another fugitive sheltering in Saudi Arabia). ?

As you are aware, Haqqanis are an Afghan family - group based in the Pak Afghan border region, which focus on attacking American forces in Afghanistan. Lashkar - e Taiba are a terrorist jihadi group in the Punjab region of Pakistan, which focuses its attacks against India, and now also against the Pakistan government for cooperating with America in Afghanistan. All these groups are interlinked in fighting what they perceive as a jihad against USA as also India. Lashkar may be of relatively less priority to Americans for the present, but now Lashkar is stepping up its attacks against Americans in Pakistan, so America is focusing on them as well.

Personal interview via email (2/November/2012).The Malala incident had sparked hope that Pakistan's civil society would make it a crusade and stand up, vigorously, for the silent majority's voice to be heard. Regrettably, however, it just turned out to be storm in a teacup and the wave of anger the Taliban's murderous attempt had unleashed seems to have quickly run out of steam. Sad, really sad. There are many Pakistanis jostling with each other to gain ascendancy for their conflicting agendas. Let's see which one prevails in the end.

A note on samjhauta express to keep our conscience before global community ( personal interview via email (17/September /2017) How can there be any quid pro quo on terrorism when the Pakistan state is involved in terrorism against us whereas the Indian state is not. Moreover the Samjhauta blast was a one off action whereas Pakistan has been consistently involved in terrorism to date. There is i believe any early or easy solution to Pakistan as it is ideologically oriented to an inimical relationship with India. The best we can do is to make it clear to it that any further use of terror against us would compel us to resort to penal action against it.

Samjhauta express in India suspected to be cautious by indigenous extremists in whom many Pakistanis were killed (personal interview via email 13.september 2012) In Pakistan the terrorist functions with the encouragement and backing of the country's de facto rulers-the military establishment. Things will not change till the military establishment finds that supporting terrorism leads to unbearable costs. The problem is just complex for me to explain to you. I think you will have to do your own research on this and arrive at your own conclusions.

It's fair justice and people of Pakistan, I'm told from various sources, are relieved that an ugly episode is dead and done with.

I may point out that the comparison between Mumbai attacks and Samjhauta Express is odious. The former was planned by the Pakistan Army and those involved like Hadley and Kasab have sung and there is much techint proving the point of Pakistan's involvement. Yet Pakistan has done nothing. In the case of Samjhauta Express the Indian state was not involved and is painstakingly surely but steadily collecting evidence. Mumbai was an open and shut case the Samjhauta Express is not.

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## TRADE RELATIONS

You appear to suggest that there has been progress in the ties. As I mentioned in my article this progress is illusory. On trade such forward movement as there has been is in response to our accord of most favored nation treatment to Pakistan way back in the 1990's. Pakistan to date has not responded to this gesture and only gone a part of the way. The visa agreement making entry of Pakistanis easier will only allow more Headley's to come. You may recall that the impediment to people to people ties was not India but Pakistan which shut down our mission in Karachi in the early 90's which was issuing nearly 4 lakh visas a year. People to people contacts about which many liberals wax so eloquent were much greater than today before this move yet they achieved little in terms of the improved relationship.

In order to understand India-Pakistan ties one must appreciate that the Pak Army which calls the shots does not want a good relationship with India as it needs an Indian bogey to keep itself in power. In sum no amount of sweet talk or even Indian concessions which we have regularly made most notably at Simla and earlier by way of the Indus Waters Treaty has caused Pakistan to adopt a more reasonable policy towards us. Therefore, our efforts to make up with Pakistan will not only fail but will encourage it to undertake further terrorist actions against India.

## SIACHEN

Pakistan refused signing in the main text owing the fear that Sitoro ridge would be occupied by India( personal interview via email (20/June /2012) I think that the area beyond NJ9842 was not delineated in 1949 and later in 1972 because of the very difficult terrain and because at that time no one was venturing into it. However, the description in 1949 and 1972 remained unchanged and clearly was indicative of the fact that the area was on the Indian side of the LoC

### I would like to make the following points:

1. In 1992 the talks failed as Pakistan was unwilling to authenticate the Actual Ground Position Line in the main text. We could not accept such delineation only in an annexure. Furthermore they wanted as you have stated demilitarization up to the Karakorum Pass. We would accept demilitarization only up to the points of withdrawal. The Karakorum Pass never entered the picture as far as we were concerned though Pakistan claims the same.
2. Our position has since hardened in the light of Pakistan's breach of the LOC in kargil in 1999 and we now talk of not only delineation but also demarcation and some suggest safeguards and penal clauses in the event of a breach.
3. I feel that we should not now even talk of a settlement on the Siachen issue because ground realities have changed since the late 1980's when we were keen on a settlement. Firstly, in the 1980's we could have addressed a Pakistani breach of an agreement through a conventional conflict where our greater strength would have assured us success. This is more difficult in today's nuclearised environment. Secondly, we don't need such a settlement today as we are sitting more comfortably on the Saltoro ridge and taking far fewer casualties due to vastly improved logistics. Thirdly, the increased Chinese presence and interest in the area requires us to maintain a presence on the Saltoro ridge in order to prevent Sino\_pak collusion and to enable us to overlook the Shaksgam Valley under China's control.
4. We should never forget the enormous strategic value of the Saltoro Ridge. Amongst other things should it be demilitarized and should Pakistan occupy it we will never be able to regain it and this would make the defense of the Nubra Valley exceedingly difficult.

## INDUSWATER TREATY

On the western rivers allocated to lower riparian i.e. Pakistan the upper riparian i.e., India has no rights except what treaty allows whereas there is no need or similar provision for lower riparian i.e., Pakistan on eastern rivers (allocated to the upper riparian) because the waters not used by upper riparian will flow to

the lower riparian. Personal interview via email (5.february .2012) If you reflect a bit on this, you will appreciate that there is a basic asymmetry between upper and lower riparian. The upper riparian can cause harm to the lower riparian, whereas the lower riparian cannot cause harm to the upper riparian. It follows that while allowing some very limited use of the western rivers (allocated to Pakistan) by India before they flow to Pakistan, strict conditions had to be imposed on India to safeguard Pakistan. This does not apply to the eastern rivers (allocated to India): the waters of those rivers would naturally flow to Pakistan by gravity after Indian use, and thereafter Pakistan as the lower riparian would have unrestricted (and not limited) use; there was no need to impose any conditions on that use. I hope the position is clear. (The basic assumption here is that the eastern rivers would continue to flow to Pakistan after Indian use. What some Pakistanis are now saying is that the allocation of these rivers to India does not mean that India can reduce the flow to Pakistan to zero.)

There has been no change at all in my attitude to the Indus Waters Treaty. It was largely an engineering Treaty. It has served the purpose of settling the water-sharing and providing an institutional arrangement for settling differences. However, given the divergent purposes and concerns of the two countries, they keep pulling in opposite directions, so there is always a tug of war within the Indus Commission. Nevertheless the Treaty continues to function; it doesn't break down. In that sense it is a moderate success. This will continue. At the same time the 1960 Treaty does not and cannot deal with post-1960 concerns. These will need to be dealt with by the two countries in a constructive spirit. This is roughly what I have been saying in all my writings.

## TRADE RELATIONS

Progress on issues like expanding trade relations fostering people to people contacts or demarcating the land border along the sir creek (personal interview via email July 10 2012) I base my pessimism on two factors. Firstly when the Home Secretary visited Pakistan, the understanding was that the two countries would sign the new liberalized Visa Agreement during his visit. The Pakistanis put this off with Rehman Mallik insisting that the Agreement should be signed at Ministerial level. He surely knew that Chidambaram would hardly be in a position to undertake such a visit given Pakistan's refusal to act against the perpetrators of 26/11.

Similarly on trade, Pakistan is yet to remove the trade restrictions it has imposed in violation of its WTO obligations and commitments and move, as promised, to a limited and realistic negative list.

Conflicts remain distinctly possible if parties to the conflict/disputes/differences remain determined to use terrorism as an instrument of State Policy.

Even when Pakistan did not grant us MFN Treatment we accorded them MFN Treatment as we felt that doing so did not affect our economic interests and we would be seen by the world as being the more reasonable and mature partner in this relationship.

Merely changing from a positive to a negative list does not constitute granting us MFN as a large number of items which others can export to Pakistan still remain on the list of items which cannot be imported from India. My understanding is that Pakistan had felt that some of the items which we don't import from others constitute a barrier to trade with them. I am not clear which of these items we permit for imports from Pakistan.

In any case we cannot give Pakistan greater facilities than we accord to ASEAN and SAARC members with whom we have free trade agreements. But, in my view there is not need for us to go beyond MFN till such time as Pakistan discriminates against our exports.

Why do you fret so much. This is normal in free enterprise for people to disagree. If an industrialist feels unhappy over this move it is his right to disagree. But that doesn't force the government to bend to his wishes. That's the difference between dictatorship and democracy.

### INTERNATIONAL COURT OF JUSTICE

Kashmir tangle filed in the international court of justice asked to a respondent via email personal interview (11.october 2011) because it is not a judicial issue but one of aggression and non-fulfillment of UN and other political commitments.

### TRUST BUILDING TALKS

Indo Pak talks involve a complex dynamic and media often gets interpretational than factual causing dismay in both camps. The major issues are cross sectional and so are solutions, whereby addressing a single issue at any point of time entails a common focus, which is not always there.

Also, allow me to clarify that the article is entirely based on my perceptions. No contact was made with any government functionary in writing it. "The need for regular summitry" is, in a certain manner, a follow-up to an earlier piece titled "A South Asian Legacy?" that had appeared in The News of 7-7- 2010.

26/11 is no doubt a critical issue between our two countries. But it should not impede dialogue at the highest level. Tashkent and Simla summits were held within months of wars. However, since the Mumbai tragedy, the summitry is more about the process and less about its substance. For either country, to put the cart of any issue/s before the horse of summit dynamic is counterproductive. We have seen the result. I hold the leaders and the media responsible for this, the leaders for not leading and the media for not helping in bringing down the temperature.

You have referred to the analogies cited in my piece. Germany and France bled each other to near death but now they have a summit level meeting every six months and even in between. They have many differences but the dialogue is always on. Major agreements between the US and Soviet Union or the US and China would not have been possible without leader to leader diplomacy.

Madam, today we face a situation where India wants actions prior to a summit in Pakistan. An impression has been created that PM Singh's visit would be a favor to Pakistan. And Mr. Singh echoes that in his remarks when he says that a favorable atmosphere has to be created for the visit. Let us see where we go from here.

### ARTICLE 370

Article 370 by giving special status nothing much has been gained by the state or the Indian government .personal interview via email (22 .October 2011) Pandit Nehru made this was the Indian prime minister when he made the commitment. He made this commitment on behalf of India. Much later when the powerful indira Gandhi brought back sheikh Abdullah into the mainstream politics it was on the basis of the Indira Abdullah accord of 1974 which accepts that article 370 shall govern the state of J&K government of India relations. This has nothing to do with UN resolution which is between India and pakistan. We cannot abrogate art 370 unilaterally it can be done only when the state is ready for a complete integration with union.

### CONCLUSIONS

Many anticipate only smaller developments in spite of the heavy efforts taken by India. Many of the former ambassadors, civil servants, academicians, journalists, etc were very keen in response with immediate effect.

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