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CONFIDENCE-BUILDING MEASURES BETWEEN
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**NAVAL
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SCHOOL**

MONTEREY, CALIFORNIA

THESIS

**BRIDGES FROM THE SEA:
MARITIME CONFIDENCE-BUILDING MEASURES
BETWEEN INDIA AND PAKISTAN**

by

Jose M. Gonzalez

March 2023

Co-Advisors:

Feroz H. Khan
Anshu N. Chatterjee

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MARITIME CONFIDENCE-BUILDING MEASURES
BETWEEN INDIA AND PAKISTAN**

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Submitted in partial fulfillment of the
requirements for the degree of

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ABSTRACT

This thesis is an observational study that investigates the systemic and domestic obstacles to proposed maritime confidence-building measures (MCBMs) between India and Pakistan. The impediments identified apply to a lack of general cooperation between the South Asian states; however, this thesis leverages prior academic work, which posits that the maritime issues are not only resolvable but may facilitate further momentum to address more contentious disputes. Following the introduction chapter, this study is partitioned into four sections to answer the question: why did the proposed MCBMs not hold between India and Pakistan? First, a thorough overview of the two relevant maritime issues, namely the Sir Creek dispute and the maritime boundary demarcation, are examined in tandem with MCBM progression and the implications left unresolved. Second, the systemic obstacle is argued by investigating 20th-century historical legacies and how they precipitated the social construction and institutionalization of enmity. Third, the domestic obstacle is posited by observing each state's 21st-century media environments and how the fourth estate may contribute to hostility. Lastly, the conclusion argues for the urgent need for greater MCBMs, given the current maritime volatility in South Asia, and recommends proposals for the United States, India, and Pakistan.

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LIST OF ACRONYMS AND ABBREVIATIONS

AS	Arabian Sea
BJP	Bharatiya Janata Party
CBM	Confidence Building Measures
CENTCOM	United States Central Command
COCOM	United States Combatant Commands
EEZ	Economic Exclusion Zone
GPC	Great Power Conflict
ICJ	International Court of Justice
INCSEA	United States-Soviet Union 1972 Incidents at Sea Agreement
INDOPACOM	United States Indian-Pacific Ocean Command
IOR	Indian Ocean Region
ISI	Inter-Services Intelligence
LeT	Lashkar-e-Taiba
LoC	Line of Control
MCBMs	Maritime Confidence Building Measures
MRRC	Maritime Risk Reduction Centers
NPT	Nuclear Non-Proliferation Treaty
SAR	Search and Rescue
UNCLOS	United Nations Conventional of Law of the Sea
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
UPA	United Progressive Alliance

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I. INTRODUCTION

A. BACKGROUND

After WWII, Britain's hasty withdrawal from South Asia, following centuries of colonial exploitation, the resulting imprudent boundary lines left India and newborn Pakistan with issues of communal violence and rivalry. Unresolved border disputes were among the most brutal predicaments. These territorial disagreements have since triggered four major wars: the first Kashmir War in 1948, the second Kashmir War in 1965, the Bangladesh Liberation War in 1971, and the Kargil War in 1999, along with several standoffs, skirmishes, and incidents resulting in states of high alert in the 21st-century. Consequently, both states reinforced their military capability, hardened ethno-national group perceptions, and fiercely competed, producing a nuclear rivalry which is not matched by any other bordering states in the world. These decades-long regional disputes among nuclear-armed states nest in the context of a global, great power competition between China and United States with China-Pakistan and US-India ties strengthening. Southern Asian regional conflicts are exacerbated in an environment of global competition.

B. RESEARCH QUESTIONS

The maritime domain is an increasingly vital aspect for India and Pakistan's strategic and economic growth given their proximity to the maritime trade routes located in the Indian Ocean. Even though they are conflicted over Kashmir, the maritime domain offers an avenue for cooperation. Previous investigations illustrate the lack of Maritime Confidence Building Measures (MCBMs) between India and Pakistan, presenting an opportunity to study why and how there exists a lacuna. This thesis asks the following questions: What is the current state of Maritime Confidence Building Measures (CBMs) in South Asia? How have early-2000s-proposed MCBMs progressed? What are the obstacles to MCBMs in South Asia? How can the United States influence and benefit by increased maritime cooperation in South Asia? A focus on India-Pakistan conflict also adds to the research on a broader question: how can states develop trust? When and how do states cooperate?

C. SIGNIFICANCE

South Asia remains a tense region given the development of sea-based nuclear platforms and low-yield tactical nuclear weapons, coupled with advancements in autonomous weapon systems and hypersonic missiles; there is greater concern for increased friction within a stability-instability paradigm. Therefore, investigating the history of peace-oriented measures, the current status of CBMs and obstacles to them is a priority for regional security.

The significance of this research for the United States, both for policymakers and scholars, is twofold. First, the United States contributes to Southern Asian security stability through a structural, divisive mechanism; inherently separating potential cooperation between the two rivals. With the current layout of Department of Defense geographic combatant commanders (COCOM), the territorial division between Central Command (CENTCOM) and Indo-Pacific Command (INDOPACOM) runs along the Line of Control (LOC) between India and Pakistan. CBMs may be thwarted by separating India and Pakistan in two different COCOMs. Secondly, United States' relations with each state seems to exist in a zero-sum dynamic. As the United States develops relations with India to become its "net security provider,"¹ its relations with Pakistan wanes. Consequently, this dynamic enhances the geo-strategic rivalry between United States and China. Beijing and Islamabad have developed realist calculations to create and maintain a balancing partnership against a rising India—assisted by the United States—set for regional hegemony. Given the rise of China's influence in the Arabian Sea (AS) and Indian Ocean Region (IOR), the United States has an incentive to support CBMs to bridge a trust deficit and enhance India-Pakistan cooperation. Reducing the zero-sum dynamic may allow India and Pakistan to cooperate under a United States framework. This research will contribute to South Asian security affairs by exploring whether United States has promoted cooperation and examining what ways Washington could improve regional collaboration to strengthen ties between New Delhi and Islamabad while mitigating Beijing's influence.

¹ White House, *Indo-Pacific Strategy of the United States* (Washington, DC: White House, February 2022), 13, <https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf>.

D. LITERATURE REVIEW

The background research for this thesis is processed in three areas: (1) an application of constructivist literature in explaining the Southern Asia geostrategic rivalry; (2) a historical overview regarding the importance of CBMs in resolving issues between great powers since the Cold War to contemporary competition and crisis management in South Asia; and (3) an examination of maritime issues between India and Pakistan from retired senior Naval Officers from India and Pakistan because they provide a reference point for progress of MCBMs.

1. Constructivist Take on South Asian Rivalry

Although the contentious geopolitical rivalry between India and Pakistan has commonly been depicted under realist school of thought,² constructivist literature offers a holistic approach to understanding states. Realism merely emphasizes an analysis of material forces among states, viewing them as “billiard balls.”³ Whereas constructivism examines what’s inside the billiard ball through an emphasis on ideas, identity, intersubjectivity, normative structures, constitutive norms, and the social nature of state interaction. Constructivists assert that the dynamic between state action and material forces is dependent on “normative and epistemic interpretations of the material world.”⁴

² John Mearsheimer, “Here We Go Again,” *New York Times*, Section 4, Page 17, Column 2, May 17, 1998, <https://www.mearsheimer.com/wp-content/uploads/2019/06/Here-We-Go-Again.pdf>; Paul S. Kapur, *Dangerous Deterrent: Nuclear Weapons Proliferation and Conflict in South Asia* (Stanford: Stanford University Press, 2007) <http://www.sup.org/books/title/?id=10541>; Aswini K. Ray, “Western Realism in South Asia” chapter in *Western Realism and International Relations: A Non-Western View* (Cambridge: Foundation Books, 2011)76–147 <https://doi.org/10.1017/UPO9788175968141>; Muhammad Ahmad Shakeel and Fahmeda Naheed, “India-Pakistan Relations in the Prism of ‘Realist School’ of International Relations,” *Politeja*, no. 59 (2019): 27–37, <https://www.jstor.org/stable/26916351>.

³ Robert Jervis, “Hans Morgenthau, Realism, and the Scientific Study of International Politics,” *Social Research* 61, no. 4 (1994), 872, <http://www.jstor.org/stable/40971063>.

⁴ Emanuel Adler, “Seizing the Middle Ground: Constructivism in World Politics,” *European Journal of international Relations* 3 (1997), 322, <https://doi.org/10.1177/1354066197003003003>

Therefore, although material structures necessitate ontological security concerns, material forces “are given meaning only by the social context which they are interpreted.”⁵

This qualitative meaning based in a social context is clear when observing relations among states such as a juxtaposition between Cold War-era Canada and Cuba vis-à-vis United States. Cuba’s communist ideology and alignment with the Soviet Union threatened the United States’ democratic “sphere of influence.”⁶ Therefore, although both states were similar in proximity to United States, and nearly equal in military strength, Washington viewed Canada as a friend and Cuba as an enemy given the “consequence of ideational structures of friendship and enmity.”⁷ Comparably, Pakistan views India’s nuclear weapons significantly different than China’s—the former being a foe, the latter being a friend.

Furthermore, constructivists argue that states and structure are “mutually constitutive yet ontologically distinct entities”⁸ influencing each other in a positive feedback loop. The interactions between two states creates normative rules which influence the structure encompassing those two states, while the normative structure created, influences the states. The “collective meanings” generated by states “constitute the structures which organize our action.”⁹ Stated differently, “the meanings in terms of which action is organized arise out of interaction.”¹⁰

⁵ Jeffrey Checkel. “The Constructivist Turn in International Relations Theory” *World Politics* 50, no. 2 (1998) 326, <https://doi.org/10.1017/S0043887100008133>

⁶ Martha Finnemore *The Purpose of Intervention: Changing Beliefs About the Use of Force* (New York, Cornell University Press, 2013) 124–125, 127, <https://doi.org/10.7591/9780801467073>.

⁷ Atif Shafique, “The Case for Constructivism in Analyzing the India-Pakistan Conflict,” *E-International Relations* 7 (2011). <http://www.e-ir.info/2011/09/07/the-case-for-constructivism-in-analysing-the-india-pakistan-conflict/>.

⁸ Alexander Wendt, “The Agent-Structure Problem in International Relations Theory,” *International Organization* 41, no. 3 (1987): 360, <https://doi.org/10.1017/S002081830002751X>.

⁹ Alexander Wendt, “Anarchy is What States Make It: The Social Construction of Power Politics,” *International Organization* 46, no. 2 (1992): 397, <https://doi.org/10.1017/S0020818300027764>.

¹⁰ Wendt, “Anarchy is What States Make It,” 403.

Some academics have analyzed the India-Pakistan rivalry through a constructivist lens. Scholars such as Carranza and Shafique apply constructivism to the South Asian geopolitical rivalry.¹¹ While observing the regional nuclear spiral for security under globalized non-proliferation and disarmament norms, Carranza explores the potential for nuclear arms control and disarmament in South Asia. Although he believes that the India-Pakistan nuclear deterrence has become an “impossible game,” neither state can disregard the “international social and normative environment” shifting toward nuclear nonproliferation norms.¹² Carranza concludes that “sooner or later India and Pakistan will have to be accountable to the international community for their nuclear behavior.”¹³ Shafique, building upon, while also critiquing Wendt’s middle-range framework, produces an analytical framework for understanding identity and interest formation, then applies it to India-Pakistan rivalry.¹⁴ He concludes that the relationship between Islamabad and New Delhi “constitutes a dysfunctional collective identity, characterized by deep ontological uncertainty...and an on-going, zero-sum social comparison process.”¹⁵ The enduring rivalry is driven by a “routinized relationship” based on each state’s desire for identity certainty, stability, and in-group positivity.¹⁶ India’s secularist stance and Pakistan’s two-nation theory became fundamental aspects of their identities and consequently produced conditions for their enduring rivalry.

Vali Nasr also similarly highlights how identities, specifically religious, influenced the Southern Asia enduring rivalry.¹⁷ He posits that although identity has not dominated

¹¹ Mario Carranza, *India-Pakistan Nuclear Diplomacy: Constructivism and the Prospects for Nuclear Arms Control and Disarmament in South Asia* (Lanham, MD: Rowman and Littlefield, 2016); Shafique, “The Case for Constructivism in Analyzing the India-Pakistan Conflict”

¹² Carranza, *India-Pakistan Nuclear Diplomacy*, 15–16, 210.

¹³ Carranza, *India-Pakistan Nuclear Diplomacy*, 230.

¹⁴ Shafique, “The Case for Constructivism in Analyzing the India-Pakistan Conflict.”

¹⁵ Shafique, “The Case for Constructivism in Analyzing the India-Pakistan Conflict” 11.

¹⁶ Shafique, “The Case for Constructivism in Analyzing the India-Pakistan Conflict” 13.

¹⁷ Vali Nasr, “National Identities and the India-Pakistan Conflict” in *The India-Pakistan Conflict: An Enduring Rivalry*, edited by T. V. Paul (Cambridge: Cambridge University Press, 2005), www.cambridge.org/9780521671262.

the pace of conflict, religious identities have changed over time with their impact to relations dependent on state reliance on ideology. Furthermore, religious identities have provided the enduring rivalry with “new ideological direction and political opportunities.”¹⁸

This study will employ a constructivist approach. The literature until now lacks use of such a framework in the maritime domain as an avenue for cooperation. This lacuna will be covered by emphasizing research on United States impact on the use of MCBMs—if at all present, and if not, why? An overview of past and present CBMs reveal their effectiveness in bridging trust deficits between rivals.

2. CBMs and Crisis Management

Since the Cold War, CBMs and third-party crisis management have diffused tensions between states, thwarting an outbreak of war.¹⁹ Although the spiral dilemma between Soviet Union and United States does not present a parallel analogy to simmering tensions between India and Pakistan, the method in which the two nuclear superpowers defused their competition provides historically useful lessons. Similarly, scholarship advocating for CBMs during the contemporary great power conflict (GPC) between China and United States warrants inspection. Both historic CBMs, current GPC recommended-CBMs, and third-party crisis management in South Asia offer insight to the India-Pakistan rivalry.

¹⁸ Nasr, “National Identities and the India-Pakistan Conflict,” 201.

¹⁹ Moeed Yusuf, *Brokering Peace in Nuclear Environments: U.S. Crisis Management in South Asia* (Redwood City, CA: Stanford University Press, 2018), <https://doi.org/10.1515/9781503606555>; Emma Ashford, “Build Cooperation Cycles, Not Security Spirals,” Atlantic Council Scowcroft Center for Strategy and Security, February 19 2021, 1, <https://www.atlanticcouncil.org/wp-content/uploads/2021/02/Ashford-Reality-Check-1-Build-cooperation-cycles-not-security-spirals.pdf>.

Security studies scholars such as Darilek and Fisher have enumerated Cold War CBMs and identified several lessons learned from the East-West CBM experience.²⁰ Both authors highlight several successful historic CBMs such as direct hotlines for national command authorities, mitigating maritime harassment through operating procedures in Incidents at Sea Agreement of 1972 (INCSEA), and transparency measures through notification of military exercises in the Helsinki Final Act of 1975. Darilek identifies five significant lessons from the Cold War experience: negotiations can be a “protracted process” since confidence takes times to develop; “East-West CBM experience followed a step-by-step experience”; transparency of military activities was “the single most important contribution”; institutionalizing “direct communication links” were invaluable; and once established, CBMs proved “remarkably resilient under extremely challenging political conditions.”²¹ Fisher further recognizes “preconditions for confidence-building” and extrapolates four lessons when examining other regions’ potential for CBMs: policymakers and scholars should adapt CBMs to the “unique cultural, historical, political, and economic conditions;” “timing is critical;” “a third party may be necessary to jump-start the confidence-building process;” and CBMs progress is developed incrementally so “modest expectations, patience, and an appreciation of small gains” in trust is critical.²² These lessons provide a background for my hypothesis regarding CBM development in South Asia.

More recently, security academics have begun examining CBMs in the contemporary era of GPC. Goldstein has posited that CBMs between the United States and China could result in “cooperation spirals”—where confidence and trust are developed incrementally over periods of time consisting of small “reciprocal steps that gradually lead

²⁰ Richard E. Darilek, “East-West Confidence Building: Defusing the Cold War in Europe,” *Global Confidence Building: New Tools for Troubled Regions* (1999): 18–19, <https://www.stimson.org/wp-content/files/CBMHandbook3-1998-darilek.pdf>; Cathleen S. Fisher, “The Preconditions of Confidence-building: Lessons from the European Experience,” *A Handbook of Confidence-Building Measures for Regional Security* (1999) 39–41, <https://www.stimson.org/wp-content/files/CBMHandbook3-1998-fisher.pdf>.

²¹ Darilek, “East-West Confidence Building: Defusing the Cold War in Europe,” 26–29.

²² Fisher, “The Preconditions of Confidence-building: Lessons from the European Experience,” 39–41.

to larger and more significant compromises.”²³ He provides over one hundred policy recommendations such as reducing military bases, downsizing submarine and carrier forces, and institutionalizing naval deployment notification. Similarly, Steinberg and O’Hanlon offer Washington and Beijing policy recommendations “that will call fourth reciprocal, positive Chinese actions,” yet they address the impact of powerful domestic forces which would rather continue a status quo of rivalry.²⁴ These contemporary CBM recommendations have offer insight in developing my hypothesis.

In the context of South Asian rivalry, Yusuf examines how the United States has defused tensions between India and Pakistan during three volatile episodes: Kargil crisis, 2001–2002 standoff, and Mumbai crisis. He conceptualizes a “brokered bargaining” framework which describes a trilateral process between a “third party” and regional rivals influencing each other to prevent war and create negative peace.²⁵ This thesis intends to expand on his work by analyzing the maritime domain and ways in which United States brokered CBMs between India and Pakistan.

3. Maritime Issues and MCBMs in South Asia

Few security studies professionals and academics have addressed MCBMs in enhancing cooperation between India and Pakistan. A host of retired Navy Admirals and Commanders from both India and Pakistan as well as security analysts, all agree on the notion that resolving less contentious maritime issues can build trust and serve as “building

²³ Lyle Goldstein, *Meeting China Halfway: How to Defuse the Emerging US-China Rivalry* (Washington, DC: Georgetown University Press, 2015), 12.

²⁴ James Steinberg and Michael O’Halon, *Strategic Reassurance and Resolve: US-China Relations in the 21st Century* (New Jersey: Princeton University Press, 2014), 47, 148, <https://doi.org/10.1515/9781400873715>.

²⁵ Yusuf, *Brokering Peace in Nuclear Environments*, 2.

blocks,”²⁶ “confidence building steps,”²⁷ or a “two-pronged approach...as an ice-breaker”²⁸ to settle more complexed, land-based disputes, such as Kashmir. Additionally, some academics have highlighted the importance of CBMs and MCBMs to bridge a trust deficit.

Ansari and Vohra—both retired Navy Admirals, the former from Pakistan’s Navy and the latter from India’s Navy—thoroughly detail maritime problems and solutions to advocate “a maritime building-block approach to address larger and more complex issues as confidence increase.”²⁹ They highlight the Sir Creek dispute,³⁰ the lack of maritime boundary delimitation, shipping and port security, and fishing rights and zones. Furthermore, these scholars posit that “these issues also hold the promise of economic growth for both sides if resolved in a cooperative manner”³¹ and that “maritime trade in particular can be the great engine that drives the peace process forward.”³² Their complete proposal list of recommendations include: de-coupling Sir Creek from maritime delimitation boundary issue; develop boundary mapping technology and a joint survey effort for the Sir Creek ecosystem; convene a joint commission to review 1975 Shipping Protocol to remove unnecessarily divisive provisions; upgrade port security and enable security-information sharing; create a fishing Zone of Disengagement administered by a Joint Commission to minimize fisherman arrests; and increase interaction between Naval

²⁶ Hasan Ansari and Ravi Vohra, *Confidence Building Measures at Sea: Opportunities for India and Pakistan*, SAND2004-0102 (Albuquerque, NM: Sandia National Laboratories, 2003), 5, <https://doi.org/10.2172/876303>.

²⁷ Ayesha Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan: Building Confidence at Sea*, SAND98-0505/18 (Albuquerque, NM: Sandia National Laboratories, 2000), 10, <https://doi.org/10.2172/771482>.

²⁸ Rajesh Pendharkar, *The Lahore Declaration and Beyond: Maritime Confidence-Building Measures in South Asia*, Occasional Paper No. 51 (Washington, DC: Stimson Center, 2002), 2, <https://www.jstor.org/stable/resrep10845>.

²⁹ Ansari and Vohra, *Confidence Building Measures at Sea*, 1.

³⁰ Maritime boundary line disagreement that will be elaborated on in later chapter.

³¹ Ansari and Vohra, *Confidence Building Measures at Sea*, 8.

³² Ansari and Vohra, *Confidence Building Measures at Sea*, 20.

and Coast Guard authorities and assets.³³ Absent in these authors' analysis is the impact that the United States could have on increasing India-Pakistan military-to-military joint interaction as a foot-in-the-door to establish further CBMs.

Siddiqa-Agha deviates from the aforementioned authors by strongly emphasizing joint interaction between the India's and Pakistan's naval forces.³⁴ She devises a five-stage approach. First, Signaling, to initiate communication between the Navies regarding incidents at sea agreements or joint naval operations. Second, warming up, to nonmilitary joint ventures such as environmental monitoring or scientific dialogues. Third, Handshake, to military joint ventures such as official visits and establishment of Maritime Risk Reduction Centers. Fourth, Problem-solving, to resolve less contentious outstanding disputes. Lastly, Final Nod, to fully initiate naval arms control policies.³⁵ Dr. Agha creates this framework under the assumption that there has been a complete breakdown of communication between the two Southern Asian military forces and contends that naval arms control is the ultimate goal; the real issue, however, "is how to get started and to move from one end to the other."³⁶

Other scholars have also addressed the benefits of MCBMs between India and Pakistan. Retired Indian Navy Commander Rajesh Pendharkar details the history of MCBMs, the obstacles inherent within the process, and advantages of pursuing these measures.³⁷ Retired Indian Admiral K.R. Menon emphasizes how CBMs "can potentially spur progress in building peace in other areas"³⁸ and thoroughly examines potential naval CBMs and marine pollution cooperation. Alongside Ansari, Vohra, and Agha, Pendharkar and Menon reiterate that peace in Kashmir may be bridged at sea. I intend to expand on all

³³ Ansari and Vohra, *Confidence Building Measures at Sea*, 41–43.

³⁴ Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan*, 14.

³⁵ Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan*, 10.

³⁶ Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan*, 25.

³⁷ Pendharkar, *The Lahore Declaration and Beyond*, 4–10.

³⁸ K. R. Menon, "Maritime Confidence Building in South Asia" in *Maritime Confidence Building in Regions of Tension*, Report No. 01 (Washington, DC: Stimson Center, 1996), 76, <https://www.jstor.org/stable/resrep10946.9>.

these authors' claims by emphasizing policies United States can do to facilitate CBMs to mitigate conflict in an explosive region.

Shifting away from South Asia, Dr. Bateman addresses the need for MCBMs in the South China Sea.³⁹ He highlights the need for MCBMs between United States and China to lessen tensions and mitigate armed escalations, emphasizing the challenges posed by submarine proliferation and military activity.⁴⁰ Furthermore, he posits that “maritime cooperation is an MCBM that helps build the necessary trust and confidence” between rival states with unresolved disputes.⁴¹

E. HYPOTHESIS

A considerable portion of security studies literature highlights the continuum of conflict between India and Pakistan, yet few explore the possibility of cooperation between the two rival states. In using a constructivist perspective and applying MCBMs as a medium for positive intersubjective interactions, this thesis adopts a new approach to explore the possibility of trust and cooperation between India and Pakistan. This thesis extends the argument that MCBMs are a potential foot-in-the-door to bridge a trust deficit between India and Pakistan to resolve more contentious, land-based disputes: “peace in Kashmir may be wrought at sea.”⁴² However, there exist obstacles to any CBMs given the degree of “ripeness”⁴³ for conflict resolution and negotiation. Therefore, this thesis hypothesizes that MCBMs have not been applied due to historical grievances that have

³⁹ Sam Bateman, “Confidence-Building Measures for the South China Sea” in *Navigating the Indo-Pacific Arc*, RSIS No 32, (Singapore: S. Rajaratnam School of International Studies, 2014), 73–88, <https://www.files.ethz.ch/isn/186558/Monograph32.pdf>.

⁴⁰ Bateman, “Confidence-Building Measures for the South China Sea” 84–86.

⁴¹ Sam Bateman, “Background Paper: Maritime Confidence Building Measures – An Overview” in *Maritime Confidence Building Measures in the South China Sea Conference*, ASPI Special Report (Sydney, Australia: Australian Strategic Policy Institute, 2013), 12, <https://www.files.ethz.ch/isn/170342/Maritime%20Confidence%20Building%20Measures.pdf>.

⁴² Muhammad Ali. “Maritime Issues Between Pakistan and India: Seeking Cooperation and Regional Stability” (master’s thesis, Naval Postgraduate School, 2012), 1, <https://apps.dtic.mil/sti/pdfs/ADA573577.pdf>.

⁴³ Fisher, “The Preconditions of Confidence-building: Lessons from the European Experience,” 34.

precipitated into conventional war and domestic narratives that perpetuate conflict. Previous application of constructivist theory to India-Pakistan conflict reveals that identity formation has been paramount to the enduring conflict.⁴⁴ The collective identities of both India and Pakistan exacerbated negative interactions between the two states. Limited conventional wars throughout the 20th century and hostile domestic media narratives throughout the 21st century may underpin the obstacles to cooperation. This study highlights MCBMs since the maritime domain is the least contentious arena and the most overlap of benefits for both states, so cooperation should be easier in this arena; however, the examined obstacles to general cooperation may permeate here. If cooperation is unachievable in the maritime domain, then the prospect for cooperation elsewhere is unlikely.

F. RESEARCH DESIGN

This study will adopt a constructivist approach in explaining the geostrategic rivalry between India and Pakistan and how they could resolve more contentious disputes. To answer the question of whether MCBMs have been used in South Asia and if they have the potential to build trust, the research design employs a qualitative analysis of early 2000s proposed MCBM recommendations by retired Navy senior officials from India and Pakistan and determine: 1) were they conducted? 2) what were the obstacles? 3) What is the current situation regarding MCBMs? Sources used will be official treaties by India and Pakistan, official communication documents from both countries to the United Nations, and speeches by political leaders, respectively. Furthermore, the research design includes a qualitative analysis of historical grievances and domestic narratives to ascertain systemic and domestic obstacles to cooperation in general. Lastly, this study will include a focus on Washington's role in the region, whether there has been an influence for cooperation, and what can be done to strengthen relations. Sources used here will be official government correspondence from President's Office, State Department, Department of Defense, and related academic papers recommending solutions.

⁴⁴ Shafique, "The Case for Constructivism in Analyzing the India-Pakistan Conflict" 10–13.

G. THESIS OVERVIEW AND CHAPTER OUTLINE

This thesis is principally structured to analyze key obstacles to peace-oriented measures between India and Pakistan.

Chapter II studies the early-2000s proposed MCBMs, investigates their progression, and analyzes the ramifications of the maritime issues remaining unresolved.

Chapter III provides the unique historical, cultural, and political context and establishes the enduring rivalry through constructivist lens to understand the systemic obstacles between the two states. The South Asian rivalry has developed an adverse normative structure that is reinforced through continued negative exchanges such as conventional warfare, nuclear signaling, proxy warfare campaigns, and institutionalized a perception of hostility and distrust.

Chapter IV explores narratives present in each state's media environment in order to determine the domestic obstacle between the two states.

Chapter V serves as the conclusion, makes the case for further MCBMs given the contemporary South Asian maritime volatility and provides policy recommendations for Washington to assist in fostering MCBMs.

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II. TRACTABLE MARITIME ISSUES LEFT UNRESOLVED

A. INTRODUCTION

This chapter argues that progress on resolving maritime issues between India and Pakistan has been inadequate and requires more attention. This can be shown by studying the historical maritime disputes, observing the sluggish progress, and examining the consequences of these unresolved maritime issues. The marine realm has been traditionally overlooked as more contentious, land-based issues, such as Kashmir, have been the focal point for military and diplomatic efforts. Nevertheless, there exist two challenging, related matters. These disputes not only have the potential to spark further conflict, but also their resolution may stimulate cooperation. This chapter aims to investigate progress made on these two disputes and determine their current status. First, the Sir Creek land boundary delineation is the central unresolved, ongoing dispute. Second, the demarcation of maritime boundaries in accordance with the United Nations Convention of Law of the Sea (UNCLOS) exacerbates resource, legal, and security concerns. Lastly, significant humanitarian and geopolitical concerns are related to the marine dimension due to the unresolved territorial and maritime boundaries.

B. SIR CREEK DELINEATION AND MARITIME BOUNDARY DEMARCATION

Land-based border disputes are prominent between India and Pakistan. Conflicting territorial claims over Kashmir have gripped international and regional attention; however, the Sir Creek disagreement is equally an enduring concern. The Sir Creek dispute “is the product of conflicting interpretations by Pakistan and India”⁴⁵ centered around a “60-mile-long estuary separating the Pakistani province of Sindh from the Indian province of Gujarat.”⁴⁶ The strip of water has been a significant source of tension and the subject of

⁴⁵ Rashid A Khan. “Sir Creek: The Origin and Development of the Dispute between Pakistan and India,” *IPRI Journal* 7 (2007), 2, <https://www.ipripak.org/wp-content/uploads/2015/05/arts2007.pdf>.

⁴⁶ Sikander Ahmed Shah, “River boundary delimitation and the Resolution of the Sir Creek Dispute Between Pakistan and India,” *Vt. L. Rev.* 34 (2009), 357, <https://lawreview.vermontlaw.edu/wp-content/uploads/2012/02/shah.pdf>.

several rounds of negotiations between both states. Furthermore, delineating the uninhabited marshland's tidal estuary has complicated the demarcation of India's and Pakistan's maritime boundary. Each state has opposing views in the order of resolution of these two related issues.⁴⁷ This disagreement has led to “three possibilities to delimit the maritime boundary.”⁴⁸ To understand the complexity of the Sir Creek and maritime boundary disputes, this section will investigate the historical origin, development over the years, and current status of any MCBMs which have nominally been merely negotiations.

1. Historical Origins: 1192 Resolution of 1914

The Sir Creek dispute originated—nearly a century before Partition—in 1875 and was a territorial disagreement between British Raj's princely states Sindh and Kutch.⁴⁹ According to Ali, before the establishment of British rule in India, Hindu rulers governed the Kutch and its surrounding regions.⁵⁰ In 1760, Muslim rulers conquered the Kutch state, which remained under their control until 1813. After the British took over the Southern Asian subcontinent, the Kutch state came under the authority of the Sindh government. Nevertheless, in 1843, the British conquered Sindh and became part of the predominantly Hindu Bombay Presidency in 1853. This decision was controversial as the area was predominantly Muslim, leading to significant unrest. Sindh became a separate province in 1935 after considerable agitation. In 1947, newborn Pakistan gained Sindh as its province, given its Muslim-majority and proximity. Throughout the British rule in India, the Rann of Kutch remained an integral part of the Sindh government.

The conflict was initially brought to attention when the Maharao of Kutch asserted that the section of Sindh located east of the green line was a part of Kutch State (see Figure 1, Map B-44). In 1907, loggers from Kutch harvested trees from the Sindh region under British jurisdiction. The Commissioner of Sindh raised concerns with the Bombay

⁴⁷ Siddiqua-Agha, *Maritime Cooperation Between India and Pakistan*, 18.

⁴⁸ Ansari and Vohra, *Confidence Building Measures at Sea*, 13.

⁴⁹ H.R. Gupta, *The Kutch Affair* (New Delhi: UC Kapur, 1969), 77.

⁵⁰ Ali, “Maritime Issues Between Pakistan and India,” 14.

Presidency, who sought clarification from the Maharao of Kutch. In reply, the Maharao asserted that his state's borders stretched as far as the eastern shore of Sir Creek. After reviewing the competing claims and consulting each state, the Bombay Presidency arbitrated an agreement. The 1192 resolution decision was promulgated as a letter, Number 5543, dated 20 September 1913, and included a map, numbered B-44, dated 1914. A decade later, in 1924, another map was drawn, called map Number B-74 which had mid-channel demarcation pillars.⁵¹ Collectively, these two maps are known as the "1914 Resolution Maps."⁵² Map B-44, Figure 1, depicts the territorial disagreement about whether ownership should be along the Western bank, the green line, or perpendicular to the northern end of Sir Creek following an east-west line, the blue line. Sindh representatives contended that "the boundary should follow the east-west line (shown as the blue dotted line) until it joins the Sindh boundary (the vertical line.) The Maharao of Kutch agreed to this proposal."⁵³ Consequently, the Bombay Presidency declared that the boundary ought to follow the green line, which begins from the mouth of Sir Creek and continues to the top of the creek, where it intersects with the blue dotted line. It should then track the blue dotted line eastwards until it connects with the Sindh boundary demarcated in purple on the resolution map.⁵⁴

⁵¹ Ali, "Maritime Issues Between Pakistan and India," 20.

⁵² Ansari and Vohra, *Confidence Building Measures at Sea*, 17.

⁵³ Ali, "Maritime Issues Between Pakistan and India," 15.

⁵⁴ Ali, "Maritime Issues Between Pakistan and India," 16.

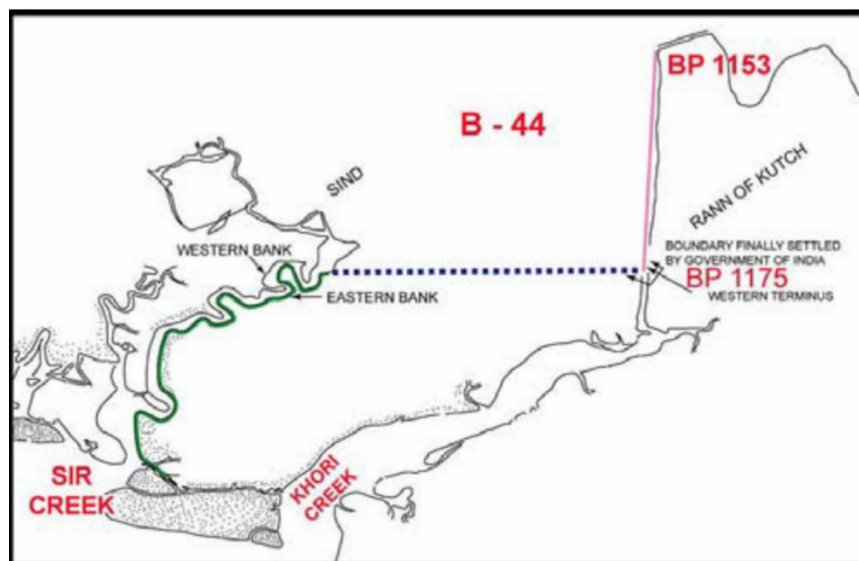


Figure 1. Map B-44⁵⁵

2. Rann of Kutch Arbitration

After Partition in 1947, the resolved territorial dispute resurfaced yet again. India asserted that the whole region of the Rann of Kutch belonged to them, which clashed with Pakistan's claim that the established boundary followed roughly along the 24th parallel.⁵⁶ This again highlighted the perceptual differences between the two countries, as previously discussed. According to Copeland, for nearly two decades, the dispute remained relatively subdued until violent clashes erupted in the Rann of Kutch area east of the Creek in mid-1965. Indian authorities stated that Pakistani military personnel was unlawfully patrolling along the 24th parallel line. Consequently, in April 1965, Pakistani troops opened fire on several Indian posts and successfully removed them, opening another battlefield of the Second Kashmir War in Sir Creek.⁵⁷

⁵⁵ Source: Ansari and Vohra, *Confidence Building Measures at Sea*, 17

⁵⁶ Office of Legal Affairs, *Reports of International Arbitral Awards: The Indo-Pakistan Western Boundary Vol XVII*, (New York: United Nations, 1968), 512, https://legal.un.org/riaa/cases/vol_XVII/1-576.pdf

⁵⁷ Carla S. Copeland, "The Use of Arbitration to Settle Territorial Disputes," *Fordham L. Rev.* 67 (1998), 3077, <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=3585&context=flr>.

As both India and Pakistan were members of the British Commonwealth, United Kingdom Prime Minister Harold Wilson employed his influence to persuade both countries to agree to international arbitration to resolve the war.⁵⁸ Along with a ceasefire, the Indo-Pakistan Western Boundary Tribunal was established in June 1965. Since neither state could agree on the Chairman of the Tribunal, the United Nation’s Secretary General nominated a Swedish judge, Gunnar Lagergren; India nominated a Yugoslavian judge, Ambassador Ales Bebler, and Pakistan nominated an Iranian judge, Ambassador Nasrollah Entezam.⁵⁹ The Tribunal conducted written proceedings and oral hearings, compiling 10,000 pages of minutes, and reviewed 350 maps exchanged by both states outlying more than a century of historical jurisdiction over the Rann of Kutch.⁶⁰ After two years of deliberations, an agreement was signed in February 1968, which “awarded India 90 percent of its claim to Rann of Kutch, whereas Pakistan was awarded ten percent of the disputed Kutch.”⁶¹ However, “the question concerning Sir Creek part of the boundary [was] left out of consideration”⁶² since “while presenting their position to the tribunal, the two nations did not contest the westernmost part of the boundary.”⁶³ Figure 2 depicts the area where the Tribunal excluded for arbitration “from the head of Sir Creek downward to the west, right up to the mouth of the creek on the Arabian Sea.”⁶⁴ The decision by India and Pakistan not to resolve the Sir Creek boundary issue through arbitration ultimately resulted

⁵⁸ Rajamanickam Srinivasan, “Maritime Boundaries and Sir Creek Dispute: Re-Appraising India’s Options.” *Electronic Journal Of Social And Strategic Studies* 2 (2021), 32, <https://doi.org/10.47362/EJSSS.2021.2103>.

⁵⁹ Office of Legal Affairs, *Reports of International Arbitral Awards*, 9.

⁶⁰ Office of Legal Affairs, *Reports of International Arbitral Awards*, 10.

⁶¹ Shah, “River boundary delimitation,” 357–358.

⁶² Office of Legal Affairs, *Reports of International Arbitral Awards*, 12.

⁶³ Shah, “River boundary delimitation,” 358.

⁶⁴ Abdul Gafoor Abdul Majeed Noorani, *Easing the Indo-Pakistani Dialogue on Kashmir: Confidence-Building Measures for the Siachen Glacier, Sir Creek and the Wular Barrage Disputes*, Occasional Paper 16 (Washington, DC: Stimson Center, 1994), 26, https://www.stimson.org/wp-content/files/file-attachments/occasionalpaper16_1.pdf.

in the emergence of the dispute. Subsequently, India and Pakistan put forth their respective claims from their perspectives.

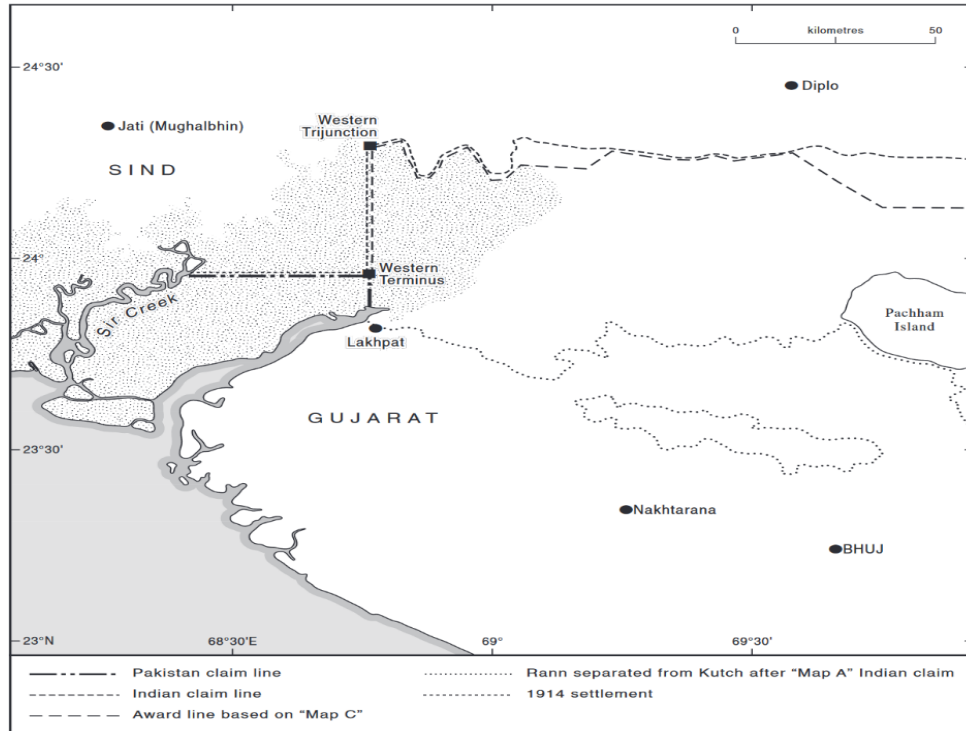


Figure 2. Claim lines for Rann of Kutch Arbitration⁶⁵

3. Competing Claims from India and Pakistan

Pakistan asserted that neither New Delhi nor Islamabad raised any dispute over the Sir Creek boundary before the arbitration tribunal because the entire creek, including its bank on the Indian side, was considered part of the Sindh province of Pakistan.⁶⁶ This claim is backed by the 1192 Resolution passed by the Government of Bombay on February 24, 1914, prior to the independence of India and Pakistan. According to Pakistan, the

⁶⁵ Source: Ashutosh Misra. “The Sir Creek Boundary Dispute: A Victim of India-Pakistan Linkage Politics,” *IBRU Boundary and Security Bulletin* 8, no. 4 (2001), 92, https://www.durham.ac.uk/media/durham-university/research/research-centres/ibru-centre-for-borders-research/maps-and-databases/publications-database/boundary-amp-security-bulletins/bsb8-4_misra.pdf.

⁶⁶ Misra. “The Sir Creek Boundary Dispute,” 91–92.

boundary line is represented by the green line on the eastern bank of Sir Creek, see Figure 1 for Map B-44, was established as a result of a compromise in which the Sindh Government relinquished its claim over Kori Creek in order to claim the entirety of Sir Creek.⁶⁷ Thus, Pakistan contends that the 1192 resolution mandates the permanent fixing of the boundary between Pakistan and India on the eastern bank of Sir Creek. Pakistan cites paragraph 9 of Letter 5543 to support its claim:

On a full review of the evidence, therefore, Government arrived at the conclusion that the boundary between Cutch and Sind should be the green line in the accompanying map from the mouth of the Sir Creek to the top of the Sir Creek at the point where it joins the blue dotted line; from there it should follow the blue dotted line due east until it joins the Sind boundary as marked in purple on the map [Ind. Map B-44], and His Highness the Rao has now expressed his willingness to agree to this compromise.⁶⁸

Under the international legal concept of *uti possidatis juris*, which preserves the boundaries of colonies emerging as states, Sindh province was incorporated into Pakistan so the territories of the former British-Sindh region, as detailed in the 1914 resolution, should be included in newborn Pakistan.⁶⁹

India claims that the thalweg principle is the sole method to determine the appropriate boundary in Sir Creek in compliance with international law.⁷⁰ The thalweg, originally of German origin, “translates to mean the channel continuously used for navigation” and applied in various treaties and global law decisions, reference as the “fairway, midway, main channel, middle of channel, middle of stream, mid channel of river, and as the boundary line in a river.”⁷¹ According to Shah, India argues that Pakistan itself admitted in an official note on May 19, 1958, that the 1914 Resolution Map was only

⁶⁷ Ali, “Maritime Issues Between Pakistan and India,” 18.

⁶⁸ Office of Legal Affairs, *Reports of International Arbitral Awards*, 336.

⁶⁹ Legal Information Institute, “Uti Possidatis Juris,” *Cornell Law School*, https://www.law.cornell.edu/wex/uti_possidatis_juris.

⁷⁰ Ashutosh Misra, “The Sir Creek Dispute: A Case of Compromise Driven by Common Interests,” in *India-Pakistan: Coming to Terms*, (New York: Palgrave Macmillan, 2010), 140, https://doi.org/10.1057/9780230109780_7.

⁷¹ Shah, “River Boundary Delimitation,” 367–369.

meant to be an annexure to the 1914 Resolution and not a decisive factor in resolving the Sir Creek dispute.⁷² Therefore, India claims that the 1192 Resolution, including the 1924 maps with demarcated center-channel pillars, should be the guiding factor in resolving the dispute.⁷³ India also cites the statement of the Commissioner in Sind, who is considered to be the predecessor of Pakistan, as supporting India's position that the thalweg of Sir Creek should be considered as the actual boundary in the river according to international law in paragraph 10 of Letter Number 5543:

On this proposed settlement being referred to the Commissioner in Sind that officer agreed to the adoption, as the frontier line, of the blue dotted line running due east from the top of the Sir Creek. He observed, however, that the Sir Creek changes its course from time to time and the western boundary of the area, which it is proposed to surrender to the Rao, should, therefore, be described as the centre of the navigable channel of the Sir Creek.⁷⁴

According to Misra, the ongoing dispute over the boundary delineation in the creek area stems from conflicting claims regarding the applicability of the thalweg principle for boundary demarcation. The principle involves using the midpoint of a given watercourse as the boundary; however, whether thalweg applies to Sir Creek is contentious. Pakistan has consistently refused to accept that the creek is a navigable channel and has asserted that the boundary runs along its eastern side, thereby maintaining Pakistani authority over the creek. India contends that Sir Creek is a navigable channel and therefore falls under the thalweg principle for boundary demarcation.⁷⁵

4. Stalled Maritime Boundary Demarcation

These competing claims, which thwart a Sir Creek resolution, have also hindered the maritime boundary demarcation. Each state holds opposing perspectives on how the issues should be resolved. Furthermore, the process in which the maritime boundary may be demarcated is eristic. As observed by Ansari and Vohra, Pakistan demands that a

⁷² Shah, "River Boundary Delimitation," 359.

⁷³ Misra, "The Sir Creek Boundary Dispute," 94.

⁷⁴ Office of Legal Affairs, *Reports of International Arbitral Awards*, 336.

⁷⁵ Misra, "The Sir Creek Dispute," 140–141.

mutually agreeable land terminus—in the Sir Creek region—must first be established in order to delineate the maritime boundary. This land terminus would serve as a reference point for drawing the boundary line on charts up to 200 nautical miles from the shore, which is the limit of the exclusive economic zone (EEZ).⁷⁶

Although India insists that no progress could be made until the Sir Creek dispute is resolved, New Delhi has made some efforts for headway. India maintains that the delimitation of the Sir Creek boundary is linked to the maritime boundary but also contends that these issues can be dealt with independently of each other.⁷⁷ The maritime boundary could be delineated without considering the Sir Creek dispute, or both problems could be addressed concurrently. India attempted this in January 1994 when New Delhi suggested using the thalweg principle.⁷⁸ However, Pakistan and India disagree on delineating Sir Creek and maritime boundaries. As discussed above, Pakistan asserts that the green line shown on Map B-44, see Figure 1, along the east bank of Sir Creek should be regarded as the boundary line, and the land boundary should run along the same line.

Consequently, Pakistan believes that after settling the dispute and determining the land terminus, the delimitation of the maritime boundary could be addressed separately from the Sir Creek issue. Therefore, Pakistan views the maritime boundary and Sir Creek as two distinct issues that can be handled independently. Official documentation submitted to the United Nations reflects the stalled demarcation of maritime boundaries.

Both states are signatories to UNCLOS and are required to resolve disputes and establish their maritime boundaries by 2009.⁷⁹ Pakistan submitted its baseline

⁷⁶ Ansari and Vohra, *Confidence Building Measures at Sea*, 12.

⁷⁷ Ali, “Maritime Issues Between Pakistan and India,” 21.

⁷⁸ Misra, “The Sir Creek Boundary Dispute,” 93.

⁷⁹ Khan, “Sir Creek,” 8.

coordinates⁸⁰ in 1996 and followed a straight baseline route, covering parts of Sir Creek.⁸¹ New Delhi did not reply or contest these points or maps. India submitted their baseline coordinates⁸² in 2009 using the straight baseline method to establish their internal waters. Pakistan responded that several coordinates “impinge upon Pakistan’s territorial limits in the Sir Creek area.”⁸³ Furthermore, India’s continental shelf submission includes points in the Arabian Sea, which they claim as their outer limit; see Figure 3. Pakistan similarly contains points in the Arabian Sea as their outer limit; see Figure 4.

⁸⁰ Ministry of Foreign Affairs, *Gazette of Pakistan*, M302/L7646, (Islamabad, 1996), https://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/pak_mzn27_1999.pdf.

⁸¹ Ministry of Foreign Affairs, *Gazette of Pakistan Illustrative Map*, M302/L7646, (Islamabad, August 1996), https://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/MAPS/PAK_MZN27_1999_00ill.jpg.

⁸² Minister of External Affairs, *Gazette of India*, 251.1/04/2009, (New Delhi, May 2009), 7–14. https://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/ind_mzn7x_2009.pdf.

⁸³ Pakistan Mission to the United Nations, No. Sixth/LS/7/2021, (December, 2011), https://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/communicationsredeposit/mzn76_2011_pak.pdf.

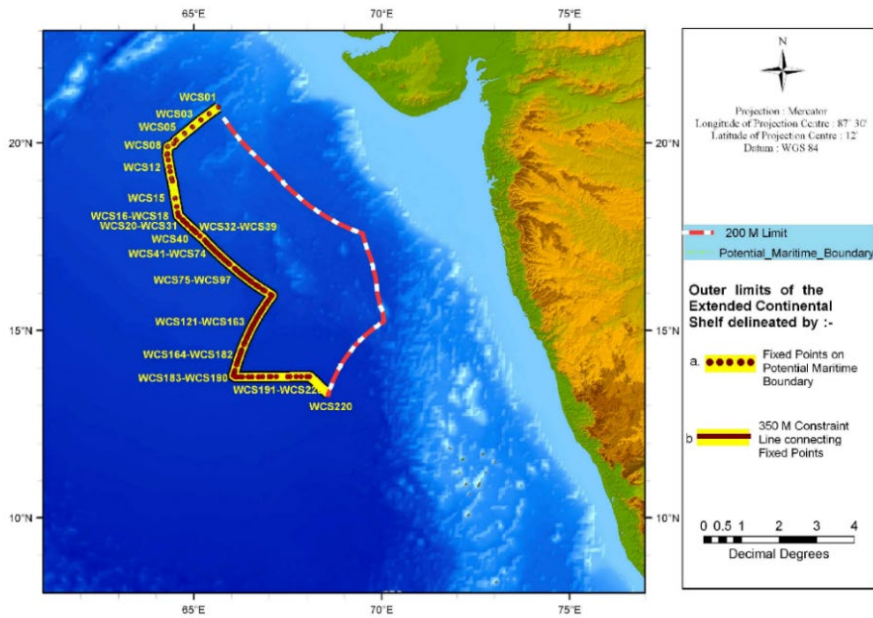


Figure 3. Outer Limits of India’s Extended Continental Shelf ⁸⁴

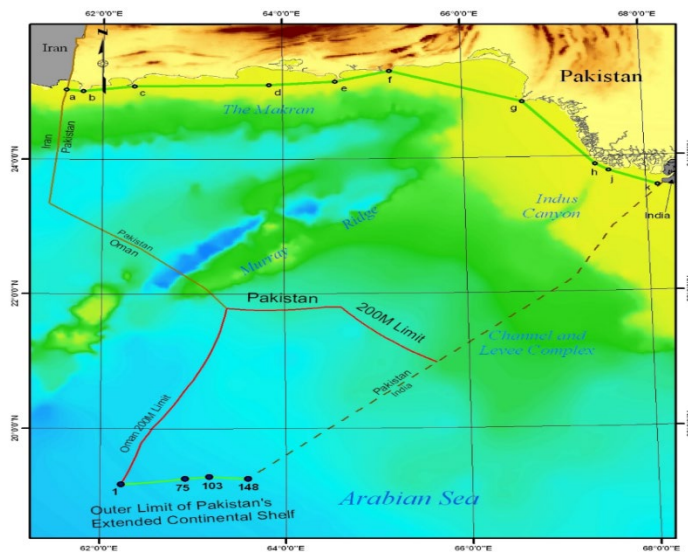


Figure 4. Outer Limits of Pakistan’s Extended Continental Shelf⁸⁵

⁸⁴ Source: Government of India, *The Indian Continental Shelf*, (2009), 13, https://www.un.org/depts/los/clcs_new/submissions_files/ind48_09/ind2009executive_summary.pdf.

⁸⁵ Source: Government of Pakistan, *Establishment of the Outer Limits of the Continental Shelf of Pakistan*, (2009), 8, https://www.un.org/depts/los/clcs_new/submissions_files/pak29_09/pak2009executivesummary.pdf.

These maps were produced internally and reflect how the unresolved issue of Sir Creek prevents the states' maritime boundaries from being demarcated. In July 2020, Pakistan contested India's submission for "failing to reflect [the] Sir Creek dispute and unilaterally constructing the median lines as potential maritime boundary."⁸⁶ A few months later, in response, India deemed "Pakistan's objection after 11 years...inappropriate" and "that the potential maritime boundary is based on the median line equidistance principle and Pakistan has also followed the same."⁸⁷ A subsequent reply from Pakistan's officials reiterated India's violation and restated their request "not to consider and qualify" India's submission.⁸⁸ Progress on the Sir Creek dispute and demarcation of maritime boundaries are stalled. As recent as 2021, these official documents highlight how the Sir Creek dispute thwarted maritime boundaries' demarcation.

Lastly, there exists domestic political inertia in India that seems to thwart a resolution of these disputes. Before Prime Minister Modi was elected to lead the central government in 2014, he was the Chief Minister of Gujarat. In December 2012, he condemned the "hand over of Sir Creek to Pakistan."⁸⁹ He highlights the abundance of unexplored hydrocarbons, offshore gas and oil reserves, mineral deposits, and security implications that will endanger India's future potential. Although Prime Minister Modi has been silent on Sir Creek and maritime demarcation since assuming federal office, he may have similar views on conceding territory or compromising India's stance as when he was Chief Minister of Gujarat. To be discussed in a later section will be the progress made on Sir Creek and maritime demarcation through MCBMs in the form of political and

⁸⁶ Pakistan Mission to the United Nations, No. Sixth/LS/7/2020, (2020), https://www.un.org/depts/los/clcs_new/submissions_files/ind48_09/EOSG-2020-04845.pdf

⁸⁷ Permanent Mission of India to the United Nations New York, NY/PM/443/3/2010, (2020), https://www.un.org/depts/los/clcs_new/submissions_files/ind48_09/2020_11_17_IND_NV_UN_010.pdf.

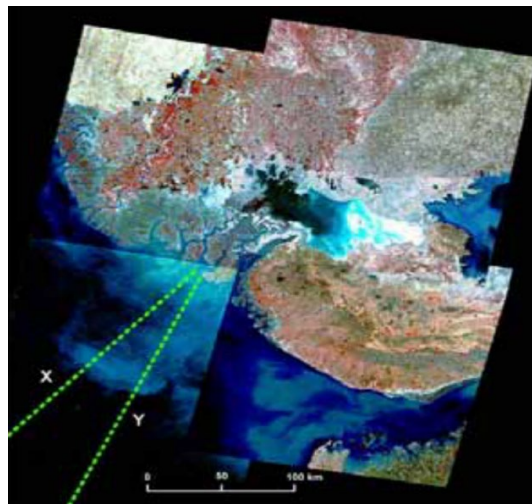
⁸⁸ Pakistan Mission to the United Nations, No. Sixth/LS/7/2021, (2021), https://www.un.org/depts/los/clcs_new/submissions_files/ind48_09/20210114PakNvUn002OLA202000189.pdf.

⁸⁹ Modi, Narendra to Singh, Manmohan. Letter, December 12th, 2012, https://www.bjp.org/images/pdf/2012_h/letter_pm.pdf.

diplomatic engagement. For now, however, reviewing resolution recommendations will provide insight into how the issues may be resolved.

5. Recommendations from Scholars

Many scholars have recommended similar possibilities to resolve their maritime boundary.⁹⁰ With regard to the varying perceptions of maritime demarcation, Siddiqa highlights the perceptual divergence between the states; see Figure 5. Ansari and Vohra note that “depending on the starting point on land, one country will gain or lose” up to 2500 square nautical miles (NM) or as little as 25 square NM. Furthermore, they contend that the maritime boundary may be delimited using the land terminus, base line, or seaward approach; the third option is their preferred recommendation and will be discussed further.⁹¹



X – India’s projection, Y – Pakistan’s projection

Figure 5. Perceptions of Maritime Boundaries from Sir Creek⁹²

⁹⁰ Ansari and Vohra, *Confidence Building Measures at Sea*, 13; Ali, “Maritime Issues Between Pakistan and India,” 29–32; Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan*, 30–32; Srinivasan, “Maritime Boundaries and Sir Creek Dispute,” 35–39.

⁹¹ Ansari and Vohra, *Confidence Building Measures at Sea*, 13–14.

⁹² Source: Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan*, 32.

The seaward approach is in accordance with the Technical Aspects of Law of the Sea (TALOS) principle.⁹³ Scholars have illustrated this method to demarcate the maritime boundary, see Figure 6 for TALOS sea seaward approach. The process includes using two undisputed, equidistant points on the shore, followed by an outer offshore point 200 NM away. From here, multiple points at 35, 50, 100, and 150 NMs are marked away from the shore vertex that is equidistant from the two shore points. Then the “line joining these points would be marked on the chart and considered the maritime boundary between India and Pakistan.”⁹⁴ Furthermore, Ansari and Vohra advise to “de-link Sir Creek from the maritime boundary issue [and] agree to adopt the seaward approach.”⁹⁵ This seaward approach method would effectively demarcate the maritime boundary, allowing the delineation of Sir Creek through historical claims or thalweg.

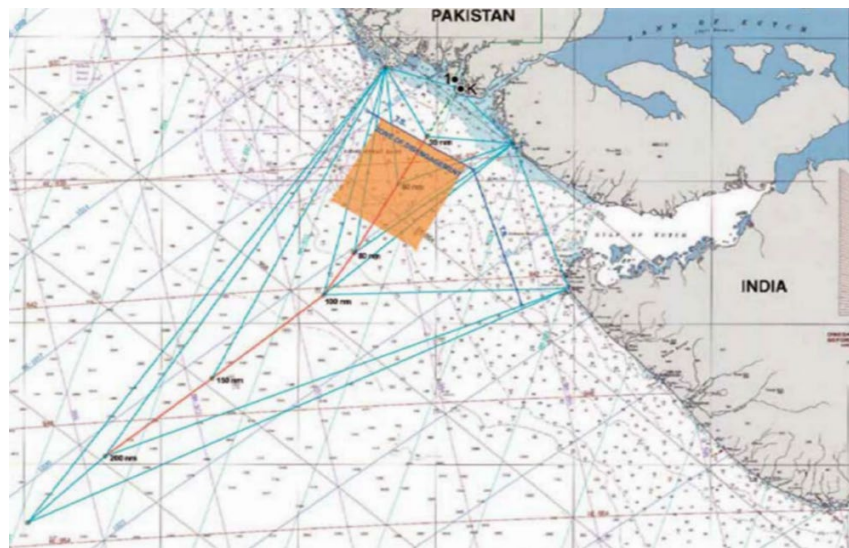


Figure 6. Seaward Approach Example to Demarcate Maritime Boundary⁹⁶

⁹³ International Hydrographic Bureau, *A Manual on Technical Aspects of the United Nations Convention on the Law of the Sea*, No. 51, 4th edition (MONACO, 2006), 109–112, https://www.gc.noaa.gov/documents/gcil_iho_tech_aspects_los.pdf.

⁹⁴ Ali, “Maritime Issues Between Pakistan and India,” 32.

⁹⁵ Ansari and Vohra, *Confidence Building Measures at Sea*, 14.

⁹⁶ Source: Ansari and Vohra, *Confidence Building Measures at Sea*, 15.

Another approach is adopted by Ali, who highlights two international concepts for resolution. First, he cites a 2005 International Court of Justice (ICJ) case between the Benin and Niger maritime dispute.⁹⁷ The ICJ’s ruling applied the thalweg principle to the Niger River, clearly delineating the boundary between the two states. The court used the 1960— independence year of the states—status of the river to apply thalweg. Ali contends, “Pakistan and India should agree to ascertain the position of Sir Creek at the time of 1947 and subsequently apply the same decision of the ICJ.”⁹⁸ In this case, Pakistan would compromise since they have repeatedly rejected India’s attempts to apply the thalweg. Second, Ali cites the 2007 tribunal arbitration to demarcate the maritime boundaries between Suriname and Guyana.⁹⁹ An international arbitration tribunal ascertained the land terminus boundary and conclusively determined their maritime demarcations. Ali recommends that “a tribunal should be constituted to analyze Pakistan’s and India’s claims over Sir Creek” and award the state’s claims over the boundaries.¹⁰⁰ In this case, India would comprise since New Delhi prefers resolving disputes bilaterally in accordance with the 1972 Simla Agreement.

These recommendations are viable solutions to the Sir Creek delineation and maritime boundary demarcation disputes. India and Pakistan have historical claims and competing perspectives on ownership of Sir Creek and the process of demarcating their maritime boundaries; therefore, one state must compromise on a stance for a peaceful resolution. This raises the question: what has been done to resolve these issues?

6. Sluggish Progress: Negotiations and MCBMs

There have been multiple bilateral negotiations that not only include Sir Creek and maritime boundary demarcation but also produced some tangible MCBMs. Pakistan contends that “12 rounds of bilateral talks” on Sir Creek have been conducted until they

⁹⁷ Ali, “Maritime Issues Between Pakistan and India,” 25–27.

⁹⁸ Ali, “Maritime Issues Between Pakistan and India,” 29.

⁹⁹ Ali, “Maritime Issues Between Pakistan and India,” 22–24.

¹⁰⁰ Ali, “Maritime Issues Between Pakistan and India,” 30.

“were discontinued by India in 2013.”¹⁰¹ According to Meena, from 1989 to 1998 six rounds of talks were conducted that resulted in little progress toward dispute resolutions. The negotiations ranged from: discussions on “fundamental aspects of the dispute” in 1989; no progress through the second and third rounds in 1990 and 1991; Pakistan reinforcing its stance not to delink the two issues in the fourth round; Islamabad rejecting New Delhi’s thalweg principle in the fifth round; and lastly the creation of “working groups for each of the six issues...as part of the Composite Dialogue.”¹⁰² Although the dispute of Sir Creek and maritime boundary demarcation progressed only slightly, more development was made with regard to military-related MCBMs in this decade.

Noteworthy during the 1990s are two MCBMs, one finalized and the other desired by both states. First, signed on April 6th, 1991, was the ‘Agreement Between Pakistan and India on Advance Notice of Military Exercises, Maneuvers, and Troop Movements.’ According to Pendharkar, this agreement has the capacity to avoid any potential crisis situation that may arise as a result of misinterpreting each other’s intentions.¹⁰³ Although both states have mostly adhered to the agreement, guidelines are absent to prevent sea incidents. Without this framework, there have been operation encounters of dangerous maneuvers by each state’s military assets. Ali categorizes “shadowing and buzzing” as dangerous maneuvers given the consequence of “coming close to each other and routinely monitor each other’s activities.”¹⁰⁴ Throughout the 1990s, Ali identified several examples of dangerous maneuvers among naval and air assets, emphasizing the guidelines to prevent incidents at sea.¹⁰⁵ The frequency of such incidents may be reduced and both states have addressed this concern with a way forward.

¹⁰¹ Pakistan Mission to the United Nations, No. Sixth/LS/7/2021, (January 2021), 5, https://www.un.org/depts/los/clcs_new/submissions_files/ind48_09/20210114PakNvUn002OLA202000189.pdf.

¹⁰² C. M. Meena, “The Geopolitics of Sir Creek: An Evolution.” *International Journal of Research and Analytical Review* 3, Vol 3, Issue 4, (2016), 99–100, http://ijrar.com/upload_issue/ijrar_issue_387.pdf.

¹⁰³ Pendharkar, *The Lahore Declaration and Beyond*, 4.

¹⁰⁴ Ali, “Maritime Issues Between Pakistan and India,” 52.

¹⁰⁵ Ali, “Maritime Issues Between Pakistan and India,” 52–53.

Second, as part of the purpose of the Lahore Declaration in September 1998, India and Pakistan agreed to “conclude an agreement on prevention of incident at sea in order to ensure the safety of navigation by naval vessels, and aircraft belonging to the two sides.”¹⁰⁶ Many scholars have identified the need for mutually-decided guidelines to prevent incidents at sea.¹⁰⁷ They all cite the success of the 1972 United States and Soviet Union Prevention of Incidents at Sea Agreement (INCSEA). Each author points to how the agreement reduced tensions and minimized escalations through annual navy-to-navy dialogues and guidelines. Although the Lahore Declaration developed a foundation, no tangible MCBMs resulted from the memorandum of understanding. Furthermore, the momentum of positive relations was thwarted by the Kargil Crisis of 1999.¹⁰⁸ Nevertheless, the subsequent decade would bring some progress.

Another set of “six rounds of talks was held between 1998 and 2004” with two tangible efforts achieved in the maritime domain, yet with no conclusive resolution.¹⁰⁹ These efforts were held within the Composite Dialogue Process negotiations—which include India and Pakistan extensively discussing issues marked by intransigence. In 2004, India and Pakistan released a joint statement to renew bilateral efforts in the Composite Dialogue Process; included are measures to resolve Sir Creek.¹¹⁰ Consequently, in August

¹⁰⁶ Ministry of External Relations Republic of India and Ministry of Foreign Affairs Islamic Republic of Pakistan, *The Lahore Declaration Memorandum of Understanding*, (United States Institute of Peace Library, 1999), 4, https://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/ip_lahore19990221.pdf.

¹⁰⁷ Feroz Hassan Khan, “Prospects for Indian and Pakistani Arms Control and Confidence-Building Measures.” *Naval War College Review* 63, no. 3 (2010), 119, <http://www.jstor.org/stable/26397127>; Ali, “Maritime Issues Between Pakistan and India,” 62; Ansari and Vohra, *Confidence Building Measures at Sea*, 34–35; Siddiqua-Agha, *Maritime Cooperation Between India and Pakistan*, 26–27; Pendharkar, *The Lahore Declaration and Beyond*, 5–7; Vijay Sakhuja, “Cold War in the Arabian Sea,” *Strategic Analysis* 25, no. 3 (2001), 377–379, <https://doi.org/10.1080/09700160108458963>; Nathan Cohn, “An Incidents at Sea Agreement for South Asia,” *Stimson Center*, (2012), <https://www.stimson.org/2012/an-incidents-at-sea-agreement-for-south-asia/>.

¹⁰⁸ Misra, “The Sir Creek Dispute,” 148.

¹⁰⁹ Khan, “Sir Creek” 9.

¹¹⁰ Ministry of External Affairs Government of India, *Joint Statement, Meeting between Foreign Secretaries of India and Pakistan*, (South Asian Terrorism Portal, 2004), https://www.satp.org/satporgt/p/countries/india/document/papers/indo_pakJune04.htm.

2004, hydrographic and defense experts appraised and discussed methods to resolve Sir Creek. First of the tangible MCBM efforts were joint surveys in 2005 and 2007.¹¹¹ These hydrographic surveys allowed the states to determine the degree of change in the area, exchange survey maps, and evaluate the best method to resolve the dispute. Nevertheless, in subsequent discussions, the disagreement “persisted whether the boundary lay in the middle or on the eastern bank of the Creek” and no resolution passed joint surveys was achieved.¹¹² These survey efforts were motivated by the 2009 “deadline fixed by the UNCLOS for submitting their claims on the demarcation of the continental shelf and EEZ.”¹¹³ Yet as observed in the United Nations communication notes above, both states are unwilling to compromise and the tractable issue remains unresolved.

Second, in 2005, New Delhi and Islamabad signed a memorandum of understanding which established a communication link between their Coast Guards.¹¹⁴ This MCBM provides a framework for their respective maritime security organizations to facilitate relevant information sharing and cooperation of humanitarian operations such as search and rescue (SAR) and disaster relief. Absent in this decade, however, are guidelines to prevent incidents at sea and conclusive resolution to Sir Creek and maritime boundary demarcation. Similar to the previous decade, peace process negotiations were stalled after heightened tensions following extreme violence; in the 2000s, it was the 2008 Mumbai carnage that has “put all negotiations on hold.”¹¹⁵ Since then, little to no efforts have been conducted to resolve the Sir Creek Despite or maritime boundary demarcation. These

¹¹¹ Khan, “Sir Creek,” 8.

¹¹² Ashutosh Misra, “An Audit of the India-Pakistan Peace Process,” *Australian Journal of International Affairs* 61, no. 4 (2007), 515, <https://doi.org/10.1080/10357710701684955>.

¹¹³ Khan, “Sir Creek,” 9.

¹¹⁴ Ministry of External Affairs Republic of India and Ministry of Foreign Affairs Islamic Republic of Pakistan, *Memorandum of Understanding Between India and Pakistan for the Establishment of Communication Link*, (New Delhi: MEA, 2005), <https://mea.gov.in/Portal/LegalTreatiesDoc/PA05B1822.pdf>.

¹¹⁵ Shah, “River boundary delimitation,” 397.

unresolved maritime disputes have significant geopolitical and strategic implications for both states.

C. RAMIFICATIONS OF THE UNRESOLVED DISPUTES

With India and Pakistan at an impasse in resolving Sir Creek and demarcating their maritime boundaries, considerable ramifications exist for the subcontinent. This section will identify the two significant consequences which have precipitated from the unresolved issues and analyze their implications for South Asia. First, given the lack of clearly demarcated maritime boundaries, fishermen are apprehended in each other's seas and imprisoned for extended periods of time. Second, significant maritime resources remain unclaimed and unexplored. These aspects further demonstrate the need for MCBMs.

1. Fishermen's Plight

Many Indian and Pakistani fishermen are caught in an extremely unfortunate situation. Frequently, fishermen from both sides violate the disputed maritime boundaries in search of fish. Consequently, security forces arrest them, seize their boats, and turn them over to local authorities.¹¹⁶ This practice of regular apprehension results in the loss of both their catch and their means of living—further worsened by their loss of freedom for extended periods, sometimes for several years.¹¹⁷ These detentions adversely affect public opinion, particularly among the victims' families, and place strain on bilateral relations.¹¹⁸ As of 2023, India has a total of 434 Pakistani citizens lodged in jail and Pakistan has 654 Indian fishermen in its custody.¹¹⁹ While in jail, “the arrested fishermen from both sides suffer... as there are no proper sanitation facilities, there is a lack of privacy, and many of

¹¹⁶ Charu Gupta and Sharma Mukul, “Blurred Borders: Coastal Conflicts Between India and Pakistan,” *Economic and Political Weekly* (2004), 3005, <https://www.jstor.org/stable/4415232>.

¹¹⁷ Ansari and Vohra, *Confidence Building Measures at Sea*, 29.

¹¹⁸ Ali, “Maritime Issues Between Pakistan and India,” 35.

¹¹⁹ Ministry of Foreign Affairs Islamic Republic of Pakistan, *Exchange of Lists of Prisoners between Pakistan and India*, (Islamabad, MFA, 2023), <https://mofa.gov.pk/exchange-of-lists-of-prisoners-between-pakistan-and-india/>.

them are housed in crowded conditions.”¹²⁰ The Director of Pakistan Institute of Labor Education and Research (PILER), Karamat Ali, criticized the states for their “criminal negligence” in not resolving their maritime boundary and unnecessarily creating a humanitarian crisis.¹²¹ Some MCBMs have addressed this issue, but with a slight impact.

Under the 2008 Agreement on Consular Access, India and Pakistan have exchanged prisoner information annually.¹²² Each state can track their arrested citizens and request repatriation from this information. Nevertheless, these apprehended fishermen are “objects of state politics, never their subjects,” such that “their release is mainly dependent on the state of relations between their governments.”¹²³ Although the governments of both sides periodically release these fishermen as a gesture of goodwill for political purposes, without adhering to any legal formalities, it does not alleviate the more significant unresolved issue between Pakistan and India.¹²⁴ These goodwill gestures for prisoner release may be seen as an MCBM; however, more is required to mitigate this humanitarian crisis.

Academics have recommended various MCBMs to address the plight of fishermen holistically.¹²⁵ Collectively, they posit several recommendations for MCBMs. Some scholars advised the creation of Maritime Risk Reduction Centers (MRRC), which can be

¹²⁰ Subramanyam Raju, “The (In)security of Fishermen in South Asia,” in *Fisheries Exploitation in the Indian Ocean: Threats and Opportunities* (Singapore: Institute of Southeast Asian Studies, 2009), 172.

¹²¹ Raju, “The (In)security of Fishermen in South Asia,” 173.

¹²² High Commissioner of India and High Commission of Pakistan, *Agreement on Consular Access*, (New York: United Nations, No. 54471, 2008), <https://treaties.un.org/doc/Publication/UNTS/No%20Volume/54471/Part/I-54471-08000002804b7dde.pdf>.

¹²³ Gupta and Mukul, “Blurred Borders,” 3011.

¹²⁴ Press Trust of India, “Pakistan Releases 26 Indian Fishermen as Goodwill Gesture,” *The Hindu*, August 13, 2018, <https://www.thehindu.com/news/national/pakistan-releases-26-indian-fishermen-as-goodwill-gesture/article24674877.ece>;

Imran Ayub, “India Releases 88 Pakistani Fishermen as Goodwill Gesture,” *The Dawn*, June 19, 2015. <https://www.dawn.com/news/1189206>.

¹²⁵ Ansari and Vohra, *Confidence Building Measures at Sea*, 31–33; Ali, “Maritime Issues Between Pakistan and India,” 50–51; Siddiq-Agha, *Maritime Cooperation Between India and Pakistan*, 28–29; Pendharkar, *The Lahore Declaration and Beyond*, 12.

used to coordinate communication between each state's maritime security agencies.¹²⁶ Others highlight the need for a Zone of Disengagement or Joint Activity Zone to allow fishermen to operate without fear of arrest.¹²⁷ While some recommend warning aids to inform fishermen crossing boundaries.¹²⁸ Nevertheless, without resolving Sir Creek and the respective maritime boundaries, "the unnecessary suffering of thousands of innocent fishermen at the hands of border security forces of both states will" continue.¹²⁹ Another ramification of these unresolved disputes is the impact on each state's resources in their respective EEZs.

2. Economic Exclusion Zone Resources

Part V, Article 56 of UNCLOS defines the rights, jurisdiction, and duties of a coastal state's EEZ. The 200 NM zone is entitled to sovereign rights to explore, exploit, conserve, and manage its natural resources, including living and non-living elements of the waters above the seabed and the seabed itself, as well as other economic activities such as energy production from water, currents, and winds.¹³⁰ Given the unresolved Sir Creek dispute and lack of maritime boundary demarcation, neither India nor Pakistan has a clearly delineated EEZ. Therefore, neither state can thoroughly explore, exploit, converse, and manage the natural resources that exist above and on the seabed. Within this zone, each state contends that "the area is potentially rich in petroleum, oil and gas, minerals, and plant life and therefore has potential for commercial exploitation."¹³¹ Untapped economic value

¹²⁶ Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan*, 28–29; Raju, "The (In)security of Fishermen in South Asia," 174.

¹²⁷ Ansari and Vohra, *Confidence Building Measures at Sea*, 31–33; Ali, Muhammad. "Maritime Issues Between Pakistan and India: Seeking Cooperation and Regional Stability," 50; Siddiqa-Agha, Ayesha. "Maritime Cooperation Between India and Pakistan," 28; Pendharkar, Rajesh. *Lahore Declaration and Beyond*, 12.

¹²⁸ Ansari and Vohra, "Sandia National Laboratories Cooperative Monitoring Center," 31–33; Ali, "Maritime Issues Between Pakistan and India," 50.

¹²⁹ Shah, "River boundary delimitation," 397.

¹³⁰ United Nations, *UNCLOS Part V: Exclusive Economic Zone*, (New York: United Nations, 1982) https://www.un.org/depts/los/convention_agreements/texts/unclos/part5.htm.

¹³¹ Shah, "River boundary delimitation," 360.

is significant for both states and warrants Sir Creek's resolution and maritime boundaries' demarcation. Recommendations for maritime delineation have been discussed in section B.5 which highlights the seaward approach per TALOS.

D. CONCLUSION

The Sir Creek dispute and maritime boundary demarcation remain unresolved. Although international legal obligations, domestic resource claims, and humanitarian concerns exist, bilateral efforts and attempted MCBMs have failed to settle the maritime issues. As highlighted throughout this chapter, experts from both states have posited that these maritime issues are not only tractable but possess the ability to bridge the trust deficit, create a cooperation spiral, and facilitate the resolution of more contentious issues. For these maritime issues to be resolved, either state must compromise. The thalweg principle, as recommended by India, to settle Sir Creek and establish a land terminus will need to be accepted by Pakistan. As Pakistan urged, an international tribunal to investigate claims and declare awards will need to be accepted by India. Negotiations, however, have been thwarted by mutual suspicion and distrust. Subsequent chapters will highlight how historical legacies, political narratives, and domestic media environments have cemented enmity into India-Pakistan relations.

III. SYSTEMIC OBSTACLES FROM HISTORICAL LEGACIES

A. INTRODUCTION

South Asia is one of the most densely populated regions with significant security, political, and economic global issues. The enduring rivalry between India and Pakistan is a tense interstate conflict, further exacerbated by nuclear weapons. Since Partition, the two nations have fought four conventional wars, experienced several skirmishes, and a few standoffs. Do national identities contribute to conflict between the two? Given the diversity and complexity of the region, Indian and Pakistani identity are difficult to ascertain; however, by observing each state's foundational national narrative and parsing the origins for the interstate wars, then state identity—and its impact on conflict—may be determined.

In this chapter, I argue that the rivalry between India and Pakistan is rooted in each state's ontological security, such that conflict has been perpetuated by identities, ideas, and norms that have developed an adverse normative structure reinforced through continued negative exchanges. This can be shown by historical legacies of grievances, evolution of national discourse through dominant political parties, and repetitive negative interactions. As discussed in the previous chapter, many scholars have highlighted that the prospects for peace between India and Pakistan are anchored to the maritime domain; yet MCBMs have yielded little tangible progress. Therefore, this chapter examines the historical context, which serves as a systemic obstacle related to cooperation and the proposed MCBMs.

This chapter is partitioned in three sections. First, it presents a review of historical events to connect how they precipitated into modern-day ideas. Second, it considers the influence of dominant political parties in the formation and evolution of national identities. Lastly, it describes how institutionalized norms of identity perpetuated conflict in conventional wars, reinforced through a negative normative structure. These three sections reveal the environment in which the proposed MCBMs were fostered and serve as systemic obstacles to cooperation.

B. HISTORICAL LEGACIES AND SOCIAL CONSTRUCTION

Historical legacies profoundly influence the formation of India and Pakistan’s state identities. This can be shown by looking at two distinct eras: colonial India under British rule and the Partition years. Policies and prejudices from the British Empire during the colonial era instilled a sense of societal division. Consequently, the partition of the British Empire and the dividing of India into two states was manifested by such ideas imposed on the subcontinent during the colonial period. The enforced ethno-religious divisions socially constructed by the British for control engrained itself in society and continue to influence decades of state interaction.

1. British Raj’s Impact on Social Construction of Hostility

Precolonial Indian society was remarkably different when compared under the rule of the British Empire. Mostly marked by “numerous examples of harmony and co-existence,”¹³² Medieval India “incorporated individuals of diverse regions and religions.”¹³³ Although there are records of violence from temple protection and desecration, these “strategies [were] aimed at consolidating community allegiance...to shore up shaky claims to legitimacy”—being political in nature, and not religious.¹³⁴ Historians of precolonial India identified how “the contrasting image of self-conscious ‘horizontal communities of Hindus and Muslims...reads characteristics of colonial society, not the pre-colonial past.”¹³⁵ The pivotal shift in widespread conflict and tension between religiously defined Hindu and Muslim communities began to occur during colonial oversight because of the British policy of *divide et impera*.

¹³² Shashi Tharoor, *Inglorious Empire: What the British Did To India*, (Westminster, UK: Penguin 2018),121.

¹³³ Barbara D. Metcalf, and Thomas R. Metcalf, *A Concise History of Modern India*. (Cambridge: Cambridge University Press, 2006), 27.

¹³⁴ Cynthia Talbot, “Inscribing the Other, Inscribing the Self: Hindu-Muslim Identities in Pre-Colonial India,” *Comparative Studies In Society and History* 37, no. 4 (1995), 720, <https://www.jstor.org/stable/179206>.

¹³⁵ Metcalf and Metcalf, *A Concise History of Modern India*, 28.

London's 'divide and rule' policy profoundly altered communities during colonial India. Early 20th-century historian Will Durant observed Britain's "conscious and deliberate bleeding of India" through a "century of unmitigated rape on the resources of India."¹³⁶ To accomplish this "the 'existence of hostile creeds among the Indian people' was essential for [British] 'political position in India.'"¹³⁷ The British mechanic of 'divide and rule' was fashioned to change essential aspects of pre-colonial Indian society in order to control and govern it through classification variations, and "the most important of these identity differences was the religious cleavage."¹³⁸

Fundamental to the British's ability to maintain control was dividing people based on religion. They disregarded the "long lived intertwined lives" that existed prior to colonial rule and imposed "differences between Hindus and Muslims to persuade the latter that their interests were incompatible with the advancement of the former."¹³⁹ The British furthered animosities to "divide Hindus and Muslims to perpetuate their rule"¹⁴⁰ since "a divided people were easier to subjugate."¹⁴¹ By design from the British in the 1909 Minto-Morley Reforms, communal representation and identity became major issues "when separate electorates were being defined based on religious identity for the first time."¹⁴² As the British defined "communities based on religious identity and attached political representation to them...Indian politicians began to focus on religion as a central part of their politics—defining themselves by what they were, and even more by what they were

¹³⁶ Will Durant, *The Case For India*, (New York: Simon and Schuster, 1930), x, 10.

¹³⁷ Sir Strachey. *India* (London, 1888), 225, in *Inglorious Empire: What the British Did to India*, 106

¹³⁸ Tharoor, *Inglorious Empire*, 116.

¹³⁹ Tharoor, *Inglorious Empire*, 118–119.

¹⁴⁰ Ramachandra Guha, *India After Gandhi: The History of the World's Largest Democracy*, (Hampshire, Pan Macmillan, 2017), 26–27.

¹⁴¹ Tharoor, *Inglorious Empire*, 126.

¹⁴² Tharoor, *Inglorious Empire*, 126.

not.”¹⁴³ This societal divide on ethno-religious perspectives simmered for decades and boiled in the years of the Partition.

2. Partition Era: Deepening Social Hostility

The Partition deeply influenced socially constructed national identities and reinforced hostility because of two significant manifestations. First, the creation of two separate states—based on ethno-religious identities—represented the continuation of London’s ‘divide and rule’. Second, the Partition of British India resulted in haunting communal violence and unparalleled massive migration which deeply impacted the perception of each states’ identity, both of each other and themselves. The experience of the Partition created a historical legacy that has seeped into the South Asian enduring rivalry.

The Partition created two independent states: India and Pakistan. Lord Mountbatten was appointed as the last viceroy of India and was responsible for India’s independence.¹⁴⁴ Given the impasse on previous negotiations, Britain’s dwindling commitment of resources to India, and economic strain from World War II, he was determined that “the Indians had to be allowed to run their own country.”¹⁴⁵ Mountbatten deviated from previous arrangements with the requirement that the British “must put in a time limit” and declared August 15 for independence.¹⁴⁶ Sir Radcliffe, a British lawyer who never traveled to India, was appointed to devise the boundary line and produced it in a mere forty days.¹⁴⁷ Scholars have criticized Mountbatten and Radcliffe for being too hasty.¹⁴⁸ The Viceroy especially

¹⁴³ Alex Von Tunzelmann, *Indian Summer: The Secret History of the End of an Empire*, (London: Picador, 2007), 170.

¹⁴⁴ Larry Collins and Dominique Lapierre, *Mountbatten and the Partition of India*. (Noida, IN: Vikas Publishing House, 1982), 22.

¹⁴⁵ Collins and Lapierre, *Mountbatten and the Partition of India*, 19.

¹⁴⁶ Collins and Lapierre, *Mountbatten and the Partition of India*, 21, 109.

¹⁴⁷ Tharoor, *Inglorious Empire*, 155.

¹⁴⁸ Tharoor, *Inglorious Empire*; Collins and Lapierre, *Mountbatten and the Partition of India*; Metcalf and Metcalf, *A Concise History of Modern India*.

was criticized since he expediated the Partition by ten months; however, when interviewed two decades later, he reminisced that “neither side would cooperate with each other. I could feel the damn thing summering. It’s like standing on the edge of a volcano and feeling the moment of explosion.”¹⁴⁹ On that day Nehru stated that “at the stroke of the midnight hour, when the world sleeps, India [and Pakistan] will awake to life and freedom” while also awake to widespread violence and bloodshed.¹⁵⁰

Cities such as Delhi, Calcutta, Karachi, and Lahore experienced a transformation of their social geography and culture by the Partition. As independence neared, celebrations were “disfigured by the ugly horrors of riot and massacre” accompanied from the resettlement of people.¹⁵¹ The two states experienced massive migration, dominantly in Punjab and Bengal regions which were divided between the two countries. In the proceeding months after Partition, “5 million moved from West Punjab into India, while 5.5 million Muslims traveled in the opposite direction...overall, Partition uprooted some 12.5 million of undivided India’s people.”¹⁵² Communal violence resulted in immense death of Muslims, Hindus, and Sikhs. Trains moving refugees across regions would be targeted and ambushed, “and the hapless passengers murdered as they say in their compartments...hundreds of dead bodies” would arrive at their location.”¹⁵³ The estimated death toll ranged from several hundred thousand to millions. With the most tangible consequence of Partition was the creation of Pakistan from dividing India, the most visceral effect was the enormous loss of life and movement of people—both had a lasting impact on the perception of each state.

The horrors of Partition impacted the social construction of hostility between the two newly formed states. With the widespread violence, fear gripped the migrants and

¹⁴⁹ Collins and Lapierre, *Mountbatten and the Partition of India*, 21, 73.

¹⁵⁰ Ludo Rocher, “Nehru: A Tryst with Destiny,” *The Journal of the American Oriental Society*, vol. 119, no. 3, (1999), 551, <https://www.jstor.org/stable/605930>.

¹⁵¹ Metcalf and Metcalf, *A Concise History of Modern India*, 217.

¹⁵² Metcalf and Metcalf, *A Concise History of Modern India*, 218–219.

¹⁵³ Metcalf and Metcalf, *A Concise History of Modern India*, 217.

residents. A perception arose that “one could only be safe only among the members of one’s own community, and this in turn helped consolidate loyalties...in which one might find safe haven.”¹⁵⁴ Individuals who migrated into or stayed in the “wrong community often found themselves treated as though they were the enemy.”¹⁵⁵ With each state newly born, their DNA was tainted with an inherent rivalry that would plague relations for decades. By 1948, communal riots and mass migration were nearly done, and the new governments in New Delhi and Karachi settled in to administer the two states and regular politics took over. An overview on the development of dominant political parties reflects the national identity and how it has changed over time.

C. INFLUENCE OF POLITICAL PARTIES ON IDENTITY CONSTRUCTION

Voting behaviors have been studied as a cognitive process linking internal competition between economic incentives and social identity.¹⁵⁶ In the case of large electorates, voter behaviors illustrate the supersedure of immediate utility derived from voting based on identity over voting based on policy such that “identity also provides a simple explanation” for “why do people vote at all?”¹⁵⁷ The identity construction of India and Pakistan vis-à-vis each other may be shown through a narrative analysis of democratically chosen leaders since voter preferences leads “to voting based on identity rather than policy” to position leaders at the helm of their respective nation’s foreign policy.¹⁵⁸ This section hypothesizes that the rise of dominant political leaders since Partition reflect the national identities for India and Pakistan. Analysis will note key speeches, letters, and other primary correspondences that explicitly reflect the leader’s

¹⁵⁴ Metcalf and Metcalf, *A Concise History of Modern India*, 218.

¹⁵⁵ Metcalf and Metcalf, *A Concise History of Modern India*, 218–219.

¹⁵⁶ Libby Jenke and Scott A. Huettel, “Issues or Identity? Cognitive Foundations of Voter Choice,” *Trends in Cognitive Sciences* 20, no. 11 (2016): 794–804, <https://doi.org/10.1016/j.tics.2016.08.013>.

¹⁵⁷ Jenke and Huettel, “Issues or Identity,” 9.

¹⁵⁸ Jenke and Huettel, “Issues or Identity,” 10.

stance on the rival nation to help uncover the development of identities in each state and the existing inherent enmity.

1. India's National Identity Development

India's national identity can be assessed through political leanings since independence through the discourse analysis of the state's leaders. Building on Varshney's analysis of Indian state identity, it is evident that India's initial commitment to secularism evolved into a largely nationalistic framework with three varieties: secular nationalism, Hindu nationalism and various separatist region-based nationalism.¹⁵⁹ This schismatic evolution in India's identity can be traced back through prominent, favorable leaders' policy choices.

From 1947, Prime Minister Jawaharlal Nehru focused on policies such as non-alignment and nuclear energy to pave the way for India's post-colonial ambivalent identity. Nehru believed that nuclear technology would instill in India a scientific temper alongside affordable source of power for accelerated economic and scientific development.¹⁶⁰ It was a vital component of Indian post-colonial modernity where a previously humiliated India would gain a more masculine, stronger, and secular international identity. His intentions were further solidified with increasing chaos alongside the Pakistan border. On June 7, 1958, Prime Minister Nehru penned a reply to United States President Eisenhower highlighting his concerns regarding Pakistan:

Unfortunately for us and for Pakistan, our hopes were not realised and the Pakistan government continued to pursue that old policy of hatred and violence. Every government that comes to power in Pakistan bases itself on this policy of hatred against India...

Military pacts and military aid have made Pakistan think in terms of coercing India. No self-respecting country can submit to this, much more

¹⁵⁹ Ashutosh Varshney, "Contested Meanings: India's National Identity, Hindu Nationalism, and the Politics of Anxiety," *Daedalus* 122, no. 3 (1993), 227, <https://www.jstor.org/stable/20027190>.

¹⁶⁰ Priya Chacko, "Nuclear Technology, Disarmament and the Ambivalence of Postcolonial Identity" in *Indian Foreign Policy*, (London: Routledge, 2013), 31–55, <https://doi.org/10.4324/9780203147733>

so when that country is an aggrieved party and the other country continues to profit by its aggression...

Kashmir, canal waters and other matters in issue between India and Pakistan are the result, and not the basic cause, of Pakistan's hostility to India. The atmosphere between the two countries has been worsened further by the incitement by Pakistan of subversion and sabotage in Kashmir and by speeches by Pakistan's leaders advocating holy war against India...

The Pakistani authorities have been responsible for frequent border incidents; early this week, seven of our border police were shot down in cold blood while negotiating under the white flag with their Pakistan counterparts along the border.¹⁶¹

Prime Minister Nehru was clear on three fronts regarding Pakistan which sheds light on India's collective stance. First, he believed that Pakistan continued a policy of violence against India after Partition and India was the aggrieved party. Second, he observed that any of Pakistan's governments that came into power based themselves on a "policy of hatred against India."¹⁶² Third, the issues of Kashmir and canal waters were a result of Pakistan's hostility towards India rather than a cause of rivalry.

Arguably, the rivalry between the two countries reached a high point under Prime Minister Indira Gandhi when she took office in 1966. Gandhi's India exemplified secular arrogance. Gandhi's ideas such as dissolution of state institutions and the opposition, Nath Pai's, inclination towards a participatory democracy polarized and confused the state.¹⁶³ It was in this flux of ideologies and collapsing parties where ethnic, religious and caste loyalties filled in the void between democracy and authoritarianism. Gandhi's assertive Indian nationalism was seen in her stern attitude towards foreign powers,¹⁶⁴ ethnic and

¹⁶¹ Jawaharlal Nehru in Sarvepalli Gopal, *Selected Works of Jawaharlal Nehru*, (New Delhi: Oxford University Press, 1974), <https://economictimes.indiatimes.com/opinion/et-commentary/so-said-nehru-to-eisenhower/articleshow/6862680.cms?from=mdr>.

¹⁶² Nehru *Selected Works of Jawaharlal Nehru*, <https://economictimes.indiatimes.com/opinion/et-commentary/so-said-nehru-to-eisenhower/articleshow/6862680.cms?from=mdr>.

¹⁶³ Balraj Puri, "Era of Indira Gandhi," *Economic and Political Weekly*, 20, no. 4 (1985), 148–150, <https://www.jstor.org/stable/4374003>.

¹⁶⁴ Bernard Weinraub, "Mrs. Gandhi Hits U.S. Policy In Asia," *The New York Times*, February 7, 1973, <https://www.nytimes.com/1973/02/07/archives/mrs-gandhi-hits-us-policy-in-asia-she-voices-bitter-doubts-on.html>.

religious minorities,¹⁶⁵ Pakistan,¹⁶⁶ and her decision to not condemn Soviet Union's invasion of Afghanistan.¹⁶⁷ It was under the rule of Gandhi where India's identity started to gain populist tendencies further deepening the rivalry between the two states. Her assertiveness against the 'other' remained dormant but alive after her assassination and eventually surfaced as the dominant ideational pattern. On October 19, 1971, Prime Minister Gandhi gave an interview that resonated her predecessor's feelings towards the state of Pakistan:

We certainly will do nothing to provoke an attack or to start any hostilities, but we have to be alive to our interests and safeguard our security... Unfortunately, Pakistan's record has been one of hatred and desperation. The military regime has let loose a war on its own people, and there is no knowing what it will do next.¹⁶⁸

Gandhi, much like her predecessors, was distrustful of Pakistan owing to military aggression. She believed that Pakistan was a terror state that housed and trained terrorists. While not overt in her speeches, her political rivalry with the Nixon administration highlighted the United States-Pakistan alliance while India grew closer to the Soviet Bloc.

In the early 1990, Prime Minister P.V. Narasimha Rao liberated, privatized, and globalized India. He also developed bi-lateral relations with South Asian countries, the United States, Iran, and Israel. Under Rao, India saw its first departure from staunch socialism to a more capitalistic, modern economic state. While (Bharatiya Janata Party) BJP strongly supported Rao in economic reforms, they criticized his approach on populist grounds where domestic insinuations included "selling the country" to foreign powers and

¹⁶⁵ A. G. Noorani, "Indira Gandhi and Indian Muslims," *Economic and Political Weekly* (1990), 2417–2420, <https://www.jstor.org/stable/4396930>.

¹⁶⁶ Charles Mohr, "Mrs. Gandhi Vows to Repel the Foe," *The New York Times*, December 4, 1971. <https://www.nytimes.com/1971/12/04/archives/mrs-gandhi-vows-to-repel-the-foe-indians-charge-pakistan-started.html>.

¹⁶⁷ Michael J Berlin, "India Supports Soviets' Afghan Position in U.N. Debate," *The Washington Post*, January 12, 1980, <https://www.washingtonpost.com/archive/politics/1980/01/12/india-supports-soviets-afghan-position-in-un-debate/17dd1eb5-93f9-44bf-9f95-ecda7285843c/>.

¹⁶⁸ Sydney Schanberg, "Warning by Mrs. Gandhi," *The New York Times*, October 19, 1971 <https://www.nytimes.com/1971/10/19/archives/warning-by-mrs-gandhi-mrs-gandhi-says-situation-on-pakistani-border.html>.

soiling the legacy of the Nehru-Gandhi India.¹⁶⁹ Despite the many domestic issues such as outbursts in Assam and Kashmir, conflict between Karnataka and Tamil Nadu over Cauvery river, and communal tensions, Rao led India towards a conciliation, reasonability and an overall sense of maturity in foreign policy.¹⁷⁰ He was also extremely vocal against Pakistani aggression in Kashmir.¹⁷¹ In 1993, he firmly warned Pakistan against abetting terror in Kashmir and India would be ready to respond to any acts of aggression. Furthermore, Rao iterated on multiple occasions that Jammu and Kashmir would ascend to India. In 1994, Pakistan's role in Kashmir dominated national thinking and Rao addressed Pakistan's military advancement in Kashmir.

In 1996, Atal Bihari Vajpayee became Rao's successor. Vajpayee's prime ministerial position was short-lived ranging from 13 days in 1996, 13 months from 1998 to 1999, and finally a full term from 1999 to 2004; however, his policies had important implications for the future of India's identity as the first non-INC party ruler. Prime Minister Vajpayee clearly signaled for Hindu-led domestic measures; insistence on the globalization of Hindu culture; and emphasis on *swadeshi* (indigenous) business interests.¹⁷² Vajpayee's unification of domestic and foreign policies being grounded in Hindu principles with clear demarcations of what is *swadeshi* and *videshi* (foreign) created the groundwork for the state's economic nationalism that was in complete contrast to former identities of secularism. It became clear that India's nationalism was beginning to derive structure ethnic differences rather than anti-colonial sentiment. Prime Minister Vajpayee in his speech remarked that "since the birth of Pakistan, the United States has

¹⁶⁹ Shankar K. Bajpai, "India in 1991: New Beginnings," *Asian Survey* 32, no. 2 (1992), 207–216, <https://doi.org/10.1177/0971523113513368>

¹⁷⁰ Vinay Sitapati, *The Man Who Remade India: A Biography of P.V. Narasimha Rao* (New York: Oxford University Press, 2018)

¹⁷¹ Hindustan Times Desk, "A Look at Independence Day Speeches Made by Prime Ministers Since 1991," *Hindustan Times*, August 15, 2018. <https://www.hindustantimes.com/india-news/a-look-at-the-independence-day-speeches-made-by-prime-ministers-since-1991/story-W06QQX6jIT9mAQAn8Dk9HI.html>.

¹⁷² Sagarika Dutt, "Identities and the Indian State: An Overview," *Third World Quarterly* 19, no. 3 (1998), 411–34., <https://www.jstor.org/stable/3993131>.

patted her on the back.”¹⁷³ He continued to highlight this alliance as problematic to India and positioned the nations as a joint force scheming against the development of India. In this impassioned speech, with heightened populist rhetoric, regarding the threat to invasion of Kashmir while providing a firm warning against any acts of aggression.

India’s status as a rising power unequivocally took shape under the leadership of Vajpayee’s successor, Manmohan Singh in 2004 from the United Progressive Alliance (UPA): a center-left coalition of political parties in India. Prime Minister Manmohan Singh led a pluralistic discursive shift towards the anglosphere in the realm of identity politics that was witnessed in the India-United States nuclear deal in 2005. Singh insisted that this “Anglosphere identity” of India was a pre-existing element of the state which paved the way for India’s nuclear materials trade with the United States, despite India’s continued defiance in signing the Nuclear Non-Proliferation Treaty (NPT).¹⁷⁴ This unique identity saw national discourse move towards terms such as common values, rule of law, multi-ethnic democracy, freedom, and free trade. He continued to insist on secularism but relied heavily on post-colonial ambivalence by aligning India’s identity with the Western bloc for domestic gains. While Prime Minister Singh continued to condemn Pakistan in his speeches and addresses to the nation, his approach was far more moderate than that of his predecessors.

We have... strived for friendship with our neighbouring countries. However, for relations with Pakistan to improve, it is essential that they prevent the use of their territory and territory under their control for any anti-India activity...

Recently, there was a dastardly attack on our soldiers on the line of control with Pakistan. We will take all possible steps to prevent such incidents in the future...¹⁷⁵

¹⁷³ “Atal Bihari Vajpayee Strong Statement to Pakistan Over Kashmir,” Jan, 15th 2017. Mango News, video speech, 0:10, https://www.youtube.com/watch?v=a_sSM8qE778.

¹⁷⁴ Alexander Davis, “The Identity Politics of India–US Nuclear Engagement: Problematising India as Part of the Anglosphere,” *Journal of the Indian Ocean Region* 10, no. 1 (2014), 81–96. <https://doi.org/10.1080/19480881.2014.895483>

¹⁷⁵ BBC News Desk, “India PM Manmohan Singh: Pakistan Attack dastardly,” *BBC News*, 15 August, 2013, <https://www.bbc.com/news/world-asia-india-23707479>.

Prime Minister Singh curbed to the pressures of balancing against India's rival bordering state of Pakistan. The image of Pakistan as an aggressor could not be quelled for long despite Prime Minister Singh's much more diplomatic stance.

Manmohan Singh's successor, Narendra Modi has primarily used populist rhetoric in his discourse. He has been a vocal opposition to the Nehru-Gandhi led elite nepotism he called the Delhi Sultanate while portraying himself as an *aam aadmi* (common man). Modi's Gujarati sub-nationalism that Gujarati identity while clearly excluding Muslims from the culture.¹⁷⁶ He often leveraged populist narratives with nationalist logics, blurring the lines of *Hindutva* undertones.¹⁷⁷ India's nationalistic identity has been solidified by the similar *swadeshi* versus *videshi* narrative at all levels; where the other includes elites of the opposition, foreign powers, out-groups such as Muslims and Pakistan. It is in this culmination of the Indian identity where Pakistan becomes the external non-Indian threat given the primacy placed on Hindu identity. In terms of his stance on Pakistan, Prime Minister Modi noted:

The fundamental reason for disturbances in Kashmir is cross-border terrorism promoted by our neighbouring country. Due to terrorism normal life in Kashmir Valley is affected...

Pakistan forgets that it bombs its own citizens using fighter planes. The time has come when Pakistan shall have to answer to the world for the atrocities committed by it against people in Baluchistan and PoK...¹⁷⁸

Prime Minister Modi mentions Atal Bihari Vajpayee while referring to the issues faced with Pakistan regarding Kashmir. He does not shy away from condemning the neighboring state and neither alludes to cooperation, but rather focuses on what is

¹⁷⁶ Christophe Jaffrelot, "Narendra Modi Between Hindutva and Subnationalism: The Gujarati *Asmita* of a Hindu Hriday Samrat," *India Review* 15, no. 2 (2016), 196–217, <https://doi.org/10.1080/14736489.2016.1165557>.

¹⁷⁷ Thorsten Wojczewski, "Populism, Hindu nationalism, and Foreign Policy in India: The Politics of Representing The People," *International Studies Review* 22, no. 3 (2020), 396–422, <https://doi.org/10.1093/isr/viz007>

¹⁷⁸ Indian Express Desk, "Full Text of PM Narendra Modi's Speech," *IndianExpress*, August 14, 2016, <https://indianexpress.com/article/india/india-news-india/full-text-of-pm-narendra-modi-speech-pakistan-forgets-that-it-bombs-its-own-citizens/>.

constitutional and historically legitimate when it comes to laying claim to Jammu and Kashmir.

Throughout differing leadership in the Indian democratic system, Pakistan has been viewed as a constant threat to Indian leaders from various parties. While some approached the issue through the lens of possible cooperation others had a sterner approach. Nevertheless, all leaders agreed that the Pakistani state was a rival that needed to be balanced against.

2. Pakistan's National Identity Development

Since its inception in 1947, religion and politics remain intimately fused in Pakistan. Islamabad has been divided on ethnic, linguistic, economic, and sectarian issues while discourse, internally and externally, sternly reiterated the inseparability of Islam and national identity. With identity as the action-guiding variable for decision-making, elaborating Pakistan's ontological elements requires an overview of political leanings, the military, religious leaders, and citizen's perceptions through the lens of Islamic authority. Similarly analyzed with India, analyzing prominent Pakistani political leaders' discourse may reveal embedded enmity.

Pakistan's identity was a shared identity with India from remnants of various religions, violent invasions, and colonial history until 1947. Pakistan's founder, Muhammed Ali Jinnah, in his speech on 11 August to the Constituent Assembly in Karachi, emphasized freedom to celebrate any religion as individual citizens as long as it did not interfere with the workings of the state.¹⁷⁹ But many such secular speeches by the founder was overshadowed and hidden from the public by religious leaders with Jinnah being rebranded and displayed as a religious leader himself.¹⁸⁰ This initial schism of diluting the founder's vision and erasure of secular values that were deemed Western by a small group

¹⁷⁹ Hamza Alavi, "Nationhood and the Nationalities in Pakistan," In *Economy and Culture in Pakistan* (London: Palgrave Macmillan, 1991), 1529.

¹⁸⁰ Jillani Shahzeb, "The Search for Jinnah's Vision of Pakistan," *BBC*, September 11, 2013, <https://www.bbc.com/news/world-asia-24034873>.

of religious elites is at core of Pakistan's identity crisis. On 6 December 1945, in a statement to the British Government, Governor-General Jinnah remarked:

Muslim India will never accept any method of framing the Constitution of India by means of one Constitution-making body of all India, in which Mussulmans will be in a hopeless minority and the conclusions are foregone in such an assembly. Nor will they agree to any united India Constitution, federal or otherwise, with one Centre, in which again, they will be in a hopeless minority, and will be at the mercy of the perennial Hindu majority domination...¹⁸¹

Jinnah was convinced that India and Pakistan partition could not be negotiated. Despite his exceptional secularism, his vocabulary constantly contained clear demarcations of identity such as Hindu, Mussulman, India, and Pakistan. The religious and theological identity being at the crux of Jinnah's argument for the state of Pakistan.

Therefore, Pakistan's identity began rife with theological tensions that were exacerbated by leaders such as Zulfikar Ali Bhutto, who institutionalized religious strictness into everyday bureaucratic lives of citizens.¹⁸² In the light of these circumstances, Pakistan's identity rooted, overtly in Islam, can further be established through its nationalism being defined as 'not-India'—markers such as the Urdu language become definitive of what the state stands for and who the other is.¹⁸³ As foreign minister Bhutto, India was perceived as a threat to the much smaller country of Pakistan. In his speech at the United Nations Security Council (UNSC) regarding the Kashmir issue Bhutto said:

We are facing a great monster, a great aggressor always given to aggression. During the last 16 or 17 years of our independence we have seen India commit aggression time and again. Ever since 1947, India has followed the road of aggression. It has committed aggression against Junagadh, against

¹⁸¹ Muhammad Ali Jinnah, *Annexure II. Extract from a Statement by Mr. Jinnah dated 6th December, 1945*, December 6th, 1945, https://www.cvce.eu/en/obj/extract_from_a_statement_by_muhammad_ali_jinnah_on_the_indian_problem_6_december_1945-en-ab232eb9-5320-41a3-bb96-da87438d5820.html.

¹⁸² Kim Lawton, "Can Pakistan Declare Ahmadis Non-Muslim?," *Public Broadcasting Service*, September 14, 2015, <https://www.pbs.org/wnet/religionandethics/blog/can-pakistan-declare-ahmadis-non-muslim/>.

¹⁸³ Christophe Jaffrelot, *Pakistan: Nationalism Without a Nation* (Delhi: Manohar, 2002).

Manavadar, against Mongrol, against Hyderabad and against Goa. It has brought about a situation which has caused the Sino-Indian conflict. It has committed aggression against Pakistan. And Pakistan, according to Indian leaders, is its enemy number one. Pakistan is supposed to be the country which is the fulcrum of India's fundamental policies. From 1947 we have been faced with this situation. We have always known that India is determined to annihilate Pakistan.¹⁸⁴

Bhutto, who later became president in 1971, reiterated multiple times the size discrepancy between the two states and India's role as an aggressor when it comes to the state of Kashmir. At this point, Pakistan was convinced that they have been victimized and such conviction was clear through President Bhutto's assertive demand of the UNSC to support the state's cause in Kashmir.

Pakistan's conflict with India also needs to be understood through its blurred lines with Afghan identity. Under the leadership of General Zia-ul Haq, Pakistan's internal institutions, such as legislation and education, became governed by Islamic law while Islamization became the cornerstone of Pakistan's foreign policy.¹⁸⁵ This made Pakistan's perception to the world that of Islam's organizational center and the same identity was reinforced by the state's anti-Soviet stance in Afghanistan through the operations of the mujahideen.¹⁸⁶ The success of the Jihadist movement became intertwined with Pakistani identity as it was expanded to other conflicts in the neighboring state of India.¹⁸⁷ With regards to the Soviet invasion of Afghanistan, General Haq was convinced that India remained a covert force operating out of animosity. In an interview he stated:

If the Soviet Union had herself agreed to symmetry and Pakistan is not violating the Geneva Accord then what was at the back of the tirade against

¹⁸⁴ Zulfikar Ali Bhutto, "Speech Delivered at the UNSC," September 22nd, 1965, <https://bhutto.org/index.php/speeches/speeches-from-1948-1965/speech-delivered-at-the-un-security-council-on-september-22-1965-on-kashmir-issue/>.

¹⁸⁵ Mumtaz Ahmad, "The Crescent and the Sword: Islam, the Military, and Political Legitimacy in Pakistan, 1977–1985." *Middle East Journal* 50, no. 3 (1996), 372–86, <https://www.jstor.org/stable/4328957>.

¹⁸⁶ Mohammad Yousaf and Mark Adkin, *The Bear Trap: Afghanistan's Untold Story*. (Lahore: Jang Publishers, 1992), 25.

¹⁸⁷ Zahid Hussain, *No-win War: The Paradox of US-Pakistan Relations in Afghanistan's Shadow* (Oxford: Oxford University Press, 2021), 308–309.

Pakistan? At the back of this is the non-participation of India in the Geneva agreement. The background is known to you. India for the last eight years was quiet on the occupation of Afghanistan by the Soviet troops.¹⁸⁸

The distrust of India remained deeply seated in the functioning of Pakistan under General Haq. While relations with China and United States were strengthened under General Haq, ties noticeably got worse with India amid the Siachen conflict.

Secularism, once again, became the focus of Pakistan with the election of Zulfiqar Ali Bhutto daughter Benazir Bhutto as the 11 and 13 Prime Minister of the state. In 1972, Benazir Bhutto, accompanying her father, attended the India-Pakistan Summit and gained much media attention to which she remarked stated that she symbolized a new generation, one that has never been Indian. She insisted that she was free of the traumatic past of the two nations bloody partition.¹⁸⁹ Under her two short tenures as prime minister, the two countries reduced their military levels along the border and agreed to terminate any attacks on the other's respective nuclear installations.¹⁹⁰ Her conciliatory approach soon gained condemnation from right wing opposition and military establishment forcing Benazir Bhutto to take a harder line against India on the Kashmir issue. On November 11, 1997, Prime Minister Bhutto remarked in her speech:

One of these long simmering tensions is related to the dispute over Jammu and Kashmir. The valley of Kashmir has been occupied by India and denied the basic right of self-determination. Tens of thousands of men, women and children have lost their lives in the quest for freedom.

It is time now, consistent with President Clinton's stated policy of preemptive crisis management, to facilitate an agreement between India and Pakistan so that the people of Kashmir and Jammu are finally allowed to determine their own political futures.¹⁹¹

¹⁸⁸ "DOCUMENTS," *Pakistan Horizon* 41, no. 4 (1988), 185–212. <http://www.jstor.org/stable/41393887>.

¹⁸⁹ Brooke Allen, *Benazir Bhutto: Favored Daughter*. (New Harvest: Houghton Mifflin Harcourt, 2016), 32–33.

¹⁹⁰ G.S. Bhargava, *Benazir: Pakistan's New Hope* (London: Aspect Publications, 1990), 87.

¹⁹¹ Sani H. Panhwar, "Benazir Bhutto Selected Speeches 1989–2007," (2009), 79, <https://bhutto.org/wp-content/uploads/2020/12/Benazir-Bhutto-Selected-Speeches-from-1989-2007.pdf>.

Benazir Bhutto was a strong supporter of the plebiscite in Kashmir that never happened. Her assassination on December 27, 2007, did not impact security tensions between the two nations, but a mixed legacy of cooperation had been produced for the two states.

This could be noticed in Pakistan's succeeding nuclear program where under Nawaz Sharif, the policy was deemed less aggressive towards India with its focus being medicine and public use of nuclear power. However, this understanding was short lived when Prime Minister Sharif conducted the first nuclear weapons test in response to tests by India. Prime Minister Sharif remarked:

The issue of [atomic] capability is an established fact. Hence, the debate on this nuclear issue should come to an end... Since 1972, Pakistan had progressed significantly, and we have left that developmental stage far behind. Pakistan will not be made a "hostage" to India by signing the CTBT before India.¹⁹²

Despite continuing historical legacies of distrust, Prime Minister Sharif attempted to normalize trade with India. The attempts to cooperation were eventually thwarted with the assassination of Burhan Wani and the military conflict in Kashmir in 2016.

With regards to Kashmir, Prime Minister Imran Khan was the first to designate Kashmir a humanitarian issue rather than a territorial dispute. He was sternly opposed to a military resolution for conflict resolution and attempted to strengthen ties with China, Afghanistan, United States and India. It became central to Prime Minister Khan's policy that no negotiations will take place regarding Kashmir until autonomy was restored in Indian-held regions of the state.¹⁹³ In a statement to the 76th session of United Nations General Assembly (UNGA) he stated:

We have unveiled a detailed dossier on gross and systematic violations of human rights by the Indian Security Forces in Occupied Jammu and Kashmir. This repression is accompanied by illegal efforts to change the

¹⁹² "Pakistan Nuclear Chronology," Nuclear Threat Initiative, June 2011, 38 https://www.nti.org/wp-content/uploads/2021/09/pakistan_nuclear.pdf.

¹⁹³ Dunya News Desk, "Pakistan Ready to Talk with India," *Dunya News*, June 4th, 2011, <https://dunyanews.tv/en/Pakistan/604682-Pakistan-ready-to-talk-with-India-restores-Kashmir-autonomy-PM-Imran>.

demographic structure of the occupied territory and transform it from a Muslim majority into a Muslim minority. Indian actions violate the resolutions of the UN Security Council on Jammu and Kashmir. The resolutions clearly prescribe that the final disposition of the disputed territory should be decided by its people, through a free and impartial plebiscite held under the UN auspices. India's actions in Occupied Jammu and Kashmir also violate International Human Rights and Humanitarian Laws, including the 4th Geneva Convention, and amount to war crimes and crimes against humanity.¹⁹⁴

Despite Prime Minister Khan's best efforts, India under Modi continued to give cold shoulder to overtures, resultantly the issue of Kashmir has remained tense and led to further tension and escalations in the region.¹⁹⁵

It is also key to not that in its Islamic nationalistic fervor, Pakistan's identity fractured once more during the war on terror declared by the United States. Pakistan, perhaps reluctantly, revived their alliance with the Western hegemon in response to its ultimatum.¹⁹⁶ Pakistan had to ally with a non-Muslim state against the Muslim brotherhood, which was primarily an extension of the state to begin with. In the wake of this identity crisis, Pakistan doubled down on the state identity of being anti-India.¹⁹⁷ In assigning meaning to events, Pakistani leaders—generals and politicians—framed the state's actions in the light of India's opportunistic tendencies seeking the downfall of the nation.¹⁹⁸

¹⁹⁴ Imran Khan, "Statement by the PM of Pakistan," *United Nations General Assembly*, September 24th, 2021, 5, https://estatements.unmeetings.org/estatements/10.0010/20210924/ajen3uMeQSDH/XOqp89IAVee9_en.pdf.

¹⁹⁵ Ashish K. Sen, "One Year Since Their State Was Split Up, Kashmiris' Lives Remain in Limbo," *USIP*, August 20th 2020, <https://www.usip.org/publications/2020/08/one-year-their-state-was-split-kashmiris-lives-remain-limbo>.

¹⁹⁶ Tughral Yamin, "Examining Pakistan's Strategic Decision to Support the U.S. War on Terror," *Strategic Studies* 35, no. 2 (2015), 113–35, <https://www.jstor.org/stable/48527464>.

¹⁹⁷ Nabih Gul, "Post-9/11 Pakistan-India Relations," *Pakistan Horizon* 57, no. 3 (2004), 67–77, <https://www.jstor.org/stable/41394058>

¹⁹⁸ Nazya Fiaz, "Constructivism Meets Critical Realism: Explaining Pakistan's State Practice in the Aftermath of 9/11," *European Journal of International Relations* 20, no. 2 (2014), 491–515., <https://doi.org/10.1177/1354066112466572>

Pakistan’s Muslim nationalistic identity did not arise from ancient identity markers but was rather ideologically and socially constructed. In defining itself, Pakistan’s military takes center-stage as a Punjab force alongside the formation of the Inter-Services Intelligence (ISI). Since Partition, the military has remained the dominant institution of the state—impacting laws, politics, ideologies, and security agendas.¹⁹⁹ Periodic, frequent interventions by the military have ensured that state matters continue to be resolved unconstitutionally by impeding civilians’ ability to govern themselves.²⁰⁰

The India threat came to the forefront of multiple political narratives and shows the inherent enmity from political leaders’ discourse. It eventually eased Pakistan’s reorientation of state policy towards an Islamic custodian, rather than the ardent supporter of the Taliban regime. By highlighting the Indian threat, Pakistan attempted to ensure the West feels supported, while Afghanistan is managed, rather than opposed. With India and Pakistan’s identities observed, the cyclic friction between the two can be examined through successive conflicts.

D. INSTITUTIONALIZED ENMITY: WAR AND CONFLICT

Recognized with a sense statehood character following Partition, their identities would be challenged through negative iterative interactions, which further institutionalized enmity through conflict. This can be shown by the inception of a normative structure of hostility connected to the ontological security of each country through their four conventional wars throughout the 20th century. First, the First Kashmir War in 1947 was the eruptive intersection of historical legacies and early national identities—setting the tone for subsequent decades. Second, the War of 1965 continued Pakistan’s challenge of India’s ideological legitimacy and claim on Kashmir. Third, the 1971 Bangladesh Liberation War exacerbated and reinforced Islamabad’s hostile perception of New Delhi. Fourth, the 1999 Kargil War—under the context of nuclear development—reflected Pakistan’s ontological

¹⁹⁹ Ghulam Sarwar, “The Military and Politics In Pakistan,” in *Pakistan Horizon* 39, no. 4 (1986), 98–103, <http://www.jstor.org/stable/41394233>.

²⁰⁰ Husain Haqqani, “The Role of Islam in Pakistan’s Future,” *The Washington Quarterly* 28, no. 1, (2004), 83–96., muse.jhu.edu/article/175457.

insecurity and reinforced India’s evolving national identity. Unresolved during Partition, the “dispute over Kashmir demonstrates how both states have sought recognition of the ideologies that underpin their respective identities.”²⁰¹

1. Kashmir War of 1947

The First Kashmir War in 1947 represented the flashpoint between emerging national identities and historical enmity between the two states. Both India and Pakistan “vested their respective ideologies of nationhood...in the battle for Kashmir.”²⁰² For New Delhi, the consolidation of Kashmir into India would “demonstrate that Muslims could thrive in a predominantly Hindu but secular state” and reflect that India’s secularism was not “merely cosmetic.”²⁰³ For Pakistan, through the absorption of Kashmir into its domain, the Muslim-state would solidify its two-nation theory claim and represent the completeness of “all Muslim-majority regions of the former British Indian empire.”²⁰⁴ As one of the first interactions between newly formed India and Pakistan, the dispute of Kashmir would institutionalize the socially constructed hostility into state relations.

With Kashmir as a Muslim-majority state, Pakistan expected the princely state to join it; however, India contended that the religious majority was not a factor since New Delhi was a secular state after Partition. For the Hindu-leader of Muslim-majority Kashmir, however, Maharaja Singh “clung to the dream of independence...to make Kashmir the Switzerland of the East—a State that is completely neutral.”²⁰⁵ Furthermore, India’s consolidation of princely states, namely Hyderabad, prompted Pakistan’s irridentist claim to Kashmir.²⁰⁶ Both states recognized the importance of Kashmir in their ideological

²⁰¹ Shafique, “The Case for Constructivism in Analyzing the India-Pakistan Conflict.”

²⁰² Guha, *India After Gandhi*, Pg 80.

²⁰³ Sumit Ganguly, *The Origins of War in South Asia: Indo-Pakistani Conflicts Since 1947* (New Delhi: Routledge, 1999), 9.

²⁰⁴ Ganguly, *The Origins of War in South Asia*, 9.

²⁰⁵ Guha, *India After Gandhi*, 26–27.

²⁰⁶ Guha, *India After Gandhi*, 15.

legitimacy which prompted the escalation from an unconventional operation to conventional conflict.

Following the death of Muslim peasants for their refusal to pay land tax to the Hindu landlords, in October 1947 tribal Pathan groups—supported by soldiers from the Pakistan army—infiltrated to “liberate Kashmir from Hindu control.”²⁰⁷ Maharaja Hari Singh then requested military assistance from India to which Nehru agreed under two preconditions: the accession of Kashmir to India and the imprimatur of Sheikh Abdullah. After the maharaja “had signed the Instrument of Ascension and Abdullah granted his approval, Nehru instructed Indian troops to be airlifted into Kashmir.”²⁰⁸ With the introduction of New Delhi’s army to defend the Maharaja’s armed forces, Pakistan dedicated its forces to the “cause of liberating Kashmir.”²⁰⁹ As New Delhi’s forces repulsed the raiders, “Jinnah described Kashmir’s accession to India as based on fraud and violence.”²¹⁰ After four months of ensuing conflict, India brought the issue of Pakistan’s aggression to the United Nations and a ceasefire was called a year later in January 1949.²¹¹ In 1950, the United Nations Security Council issued a resolution to hold a plebiscite; ultimately however, a constituent assembly of Kashmir passed the Jammu and Kashmir Constitution Act in 1951. The act absolved the Maharaja of all his powers and limited India’s authority to defense, foreign affairs, and communications—“all these moves strengthened India’s position in Kashmir and infuriated Pakistan.”²¹² First Kashmir War concluded with Pakistan controlling one-third of Kashmir and India claiming the remainder of the princely state. The war institutionalized a norm of enmity and established a negative normative structure between the two states; precipitated by the socially constructed

²⁰⁷ Scott Gates, and Roy Kaushik, *Limited War in South Asia: From Decolonization to Recent Times* (New York: Routledge, 2019), 26.

²⁰⁸ Sumit Ganguly, *Conflict unending: India-Pakistan Tensions Since 1947* (New York: Columbia University Press, 2002), 17.

²⁰⁹ Ganguly, *The Origins of War in South Asia*, 13.

²¹⁰ Guha, *India After Gandhi*, 70.

²¹¹ Gates and Kaushik, *Limited War in South Asia*, 37.

²¹² Gates and Kaushik, *Limited War in South Asia*, 38.

historically legacies. A decade and a half later, a seventeen-day war would further emphasize the South Asian ideological rivalry again.

2. Second Kashmir War of 1965

There exist extensive parallels between the First and Second Kashmir wars—with the core being rooted in each states’ identity. Similarly, Pakistan infiltrated Kashmir with unconventional insurgents supported by Islamabad’s armed forces, India responded with their conventional army, and the United Nations intervened with declarations for a ceasefire.²¹³ Analogous to the structural, socially constructed tensions after Partition, both states’ national identities of secularism and Islamic irredentism are pivotal to the conflict. This reflects how the normative structure, rooted in an ideological and diametrical opposed statehood character, persisted. New Delhi continued to assert the importance of how incorporating Kashmir into “its domain was necessary to demonstrate...that it was a genuine secular state” and Islamabad reiterated “the completeness of the nation depended on the integration of the contiguous Muslim-majority state into Pakistan.”²¹⁴ Intransigence on both sides during mediated negotiations reinforced hostility and layered the normative structure with negative interactions. Heightened polarization between West and East Pakistan resulted in the Bangladesh Liberation War.

3. Bangladesh Liberation War

By 1971, Islamic nationalism that empowered the sense of state was diminished by staunch regionalism between West Pakistan and East Pakistan.²¹⁵ Linguistic, economic, and political inequalities severed Pakistan into a civil war.²¹⁶ Nearly three million refugees from East Pakistan spilled over into India which prompted Indira Gandhi to act.²¹⁷ As Islamabad continued a pursuit for Islamic representation and unity under Pakistan, Bengali

²¹³ Ganguly, *The Origins of War in South Asia*, 48–49.

²¹⁴ Ganguly, *The Origins of War in South Asia*, 50.

²¹⁵ Willem Schendel, *A History of Bangladesh* (Cambridge: Cambridge University Press, 2020), 183

²¹⁶ Schendel, *A History of Bangladesh*, 152–161.

²¹⁷ Gates and Kaushik, *Limited War in South Asia*, 98.

nationalism tilted toward secular representation.²¹⁸ While Pakistan attempted to eradicate the secular and rebellious faction within its borders, India aided and abetted the Bengali liberation movement.²¹⁹ Ultimately, Pakistan's ontological security and claim of legitimacy to Kashmir was severely weakened with the creation of Bangladesh. Pakistan experienced an "ideological crisis that threatened its very existence" since the "bonds of Islam" were fragmented by more significant symbols of national integration like language and race.²²⁰ Islamabad's hostile perception of New Delhi was reinforced given India's participation to spilt Pakistan in half. The normative structure of enmity hardened following the Bangladesh Liberation War of 1971. The next conventional war between the two states occurred under the umbrella of nuclear capabilities.

4. Kargil War

The Kargil War in 1999 was the first conventional war between the two states after the successful development of nuclear weapons.²²¹ Pakistan mimicked India's tactic to claim the Siachen Glacier in 1984 by securing outposts along the un-demarcated LOC during winter months to establish *faits accomplis* of ownership once the snow melts.²²² In the spring of 1999, Pakistan sent fighters to "seize mountainous territory near the strategically important Srinagar-Leh highway in Indian-held Kashmir."²²³ The consequent conflict resulted in significant casualties on both sides and, through mediation from the United States, had ended in a ceasefire with Islamabad's forces exiting Indian-held

²¹⁸ Craig Baxter, *Bangladesh: From a Nation to a State*, (New York: Routledge, 1998), 70.

²¹⁹ Schendel, *A History of Bangladesh*, 166–170, 176.

²²⁰ Ganguly, *The Origins of War in South Asia*, 119–120.

²²¹ Gates and Kaushik, *Limited War in South Asia*, 115.

²²² Cheema Zafar, "The Strategic Context of the Kargil Conflict: A Pakistani Perspective," in *Asymmetric Warfare in South Asia: The Causes and Consequences of the Kargil Conflict*, (Cambridge: Cambridge University Press, 2009), 52–55.

²²³ Peter Lavoy, *Asymmetric Warfare in South Asia: The Causes and Consequences of the Kargil Conflict*, (Cambridge: Cambridge University Press, 2009), 171.

Kashmir territories.²²⁴ Pakistan sought a strategic position to thwart Indian defensive advantage in Kashmir and consequently reduced its international reputation “as an unstable country ready to use nuclear blackmail to back up reckless land-grab.”²²⁵ Pakistan “wished to remain a relevant player in the Kashmir problem” given its long-standing identity as the South Asian homeland for Muslims. Also, Pakistan’s military operation was “designed to revive the Kashmir issue on the international agenda and possibly jump-start the flagging insurgency.”²²⁶ Furthermore, Pakistan determined that “their achievement of rough nuclear parity with India now enabled them to probe along the LoC with impunity.”²²⁷ These perceptions emboldened Islamabad to contest Kashmir through infiltrating Kargil. Pakistan’s pursuit for ontological security and ideological legitimacy vis-à-vis India has led the state to disastrous losses. Islamabad has increased enmity and hostility through miscalculated ventures for its ideational legitimacy of Kashmir.

E. CONCLUSION

Conflict between India and Pakistan is rooted in diametrically opposed identities and perpetuated through war. The Partition of British India Empire “on the basis of religion and secularism placed the two continuous nations on an immediate collision course, for the success of one was naturally intolerable to the other.”²²⁸ Historical legacies from colonial rule and the Partition socially constructed hostility between the peoples of India and Pakistan. Consequently, the national identities of each state were influenced by this inherent enmity of the *other*. Each subsequent iteration of war reinforced a negative normative structure that would deleteriously impact relations. The issue of Kashmir has been in the foreground of conflict and is deeply embedded in a dispute of identities and

²²⁴ Feroz Hassan Khan, *Subcontinent Adrift: Strategic Futures of South Asia*, (New York: Cambria Press, 2022), 24.

²²⁵ Myra MacDonald, *Defeat is an Orphan: How Pakistan Lost the Great South Asian War*, (Oxford: Oxford University Press, 2017), 38

²²⁶ Ganguly, *Conflict Unending*, 115.

²²⁷ Ganguly, *Conflict Unending*, 122.

²²⁸ Ganguly, *The Origins of War in South Asia*, 72.

ideologies. Until mutual perceptions of hostility and ideological differences are diluted through forms of transparency and cooperation measures, the enduring rivalry is likely to continue.

Under this context of institutionalized enmity—precipitated by 20th-century historical legacies of state identity, political narratives, and war—the proposed MCBMs were set to run adrift. Although mutual amicable political climates that sought dispute resolution existed, they were overcome by events. To change course, a societal paradigm shift is necessary. Such a pivot may be observed through media narratives and their impact on public opinion and policy. Therefore, the subsequent chapter will appraise how 21st-century domestic media environments in each state further complicate reconciliation measures.

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IV. DOMESTIC OBSTACLE: MEDIA AT WAR

A. INTRODUCTION

Media in a state may be characterized as a double-edge sword. On one side to be “the sword arm of democracy”²²⁹ and serve a “watchdog role... [as the] ‘fourth estate’: a check on executive power;” and on the other side a “commercial enterprise... [that] exist in order to generate profit” and may be used as a weapon by various actors to influence the public.²³⁰ Given the enduring rivalry between India and Pakistan has imbedded festering wounds into both societies, there may exist an internecine effect for both states. I hypothesize that media in India and Pakistan has perpetuated animosity through domestic narratives. This can be shown through a review of media environments and a qualitative assessment of other scholars’ content analyses of dominant media outlets in each states’ response to two case studies along with the impact of Bollywood media. First, an overview of media in each state provides perspective to the case studies. Second, two case studies: 2008 Mumbai Blast and 2019 Balakot Strike, will be studied to examine the impact media has had on the South Asian rivalry. This research ties into the larger thesis of the prospects for MCBMs between India and Pakistan since the hypothesis may provide evidence as a domestic obstacle to peace-oriented measures.

B. INDIA AND PAKISTAN’S MEDIA ENVIRONMENTS

Although acclaimed as the largest multiparty democracy, India is afflicted with a myriad of poor press practices. The concentration of press outlets into “a handful of sprawling media companies at the national level” has monetized agenda setting.²³¹ Consequently, rather than servicing information to the public, media propagates

²²⁹ Masroor Khanum, “Strain on India-Pakistan Relations through Indian Media,” *Pakistan Journal of International Affairs*, Vol 3, Issue 2 (2020), 305, <http://pjia.com.pk/index.php/pjia/article/view/32>.

²³⁰ Susan Carruthers, *The Media at War*, (New York: Bloomsbury Publishing, 2011), 9.

²³¹ “RSF’s on India,” Reporters Without Borders, July 21, 2022, <https://rsf.org/en/country/india>

coverage that is “profitable and serves business interests.”²³² A report revealed that the most viewed Indian broadcast outlets, along with their associated YouTube channels, sensationalized communal Hindu-Muslim issues and vilified minorities over social related concerns like unemployment and inflation.²³³ According to India’s Senior Adviser to the Ministry of Information and Broadcasting, Kanchan Gupta, hate speech directed toward Muslims and minorities is merely click-bait speech.²³⁴ Furthermore, the proliferation of smartphones has had a ubiquitous misinformation influence.²³⁵ Social media platforms such as WhatsApp and YouTube have spread misinformation campaigns that have been “widely blamed for incidents of mob lynching incidences in India.”²³⁶ Broadcast media deliberately fueled false and violence-inciting media “indulged in propaganda, demonization of Muslims, and peddled false information.”²³⁷ The framing of Muslims in India has had deleterious effects since this social construction from media “shapes the mind-set of the people and creates their attitudes towards neighboring countries.”²³⁸ Jingoistic, *Hindutva* narratives have become the conventional norm for mainstream media outlets. Which raises the question: what is the media environment in Pakistan?

²³² Farzia Yashmeen Chaliha, “Role of Media in Indian Democracy,” *Psychology and Education* 57(9), 4508, <https://doi.org/10.17762/pae.v57i9.1740>.

²³³ Tarmeem Shaikh, “TV Newsance 176: Data on Job Debates” Newslaundry, 24th June 2022. <https://www.newslaundry.com/2022/06/25/tv-newsance-176-the-data-on-job-debates-studio-veers-dont-want-you-to-know>.

²³⁴ “India: Narratives of Division and Hate,” 6th Aug 2022, Al Jazeera, video, 11:40 <https://www.aljazeera.com/program/the-listening-post/2022/8/6/india-narratives-of-division-and-hate>.

²³⁵ Anjana Krishman, “India” in *Digital News Report 2022* (Oxford: Reuters Institute for the Study of Journalism), 134 https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2022-06/Digital_News-Report_2022.pdf.

²³⁶ Taberez A. Neyazi and Antonis Kalogeropoulos and Rasmus K. Nielsen, “Misinformation Concerns and Online News Participation Among Internet Users in India,” *Social Media + Society*, 7(2), 7, <https://doi.org/10.1177/20563051211009013>

²³⁷ Geeta Seshu, “Behind Bars: Arrest and Detention of Journalists in India 2010–20,” *Free Speech Collective*, 4, <https://freespeechcollectivedotin.files.wordpress.com/2020/12/behind-bars-arrests-of-journalists-in-india-2010-20.pdf>.

²³⁸ Chaliha, “Role of Media in Indian Democracy,” 4511.

Pakistan has experienced significant turbulence with regard to media; however, a clear separation exists between the 20th-century nationalization and 21st-century liberalization. Since Partition, Pakistan’s governance has “resembled a fast paced-game of musical chairs” of politics with the rise and fall of successive civilian and military governments.²³⁹ The importance of Islam for Pakistan’s national identity naturally created an alliance between prominent religious leaders, the military, the civil bureaucracy, and the intelligence services. This nexus profoundly impacted media “as they tried to use or control media to defend their interests and the national identity.”²⁴⁰ Blasphemy laws would be enacted by religious leaders while others would manipulate, control, or censor the media. Military regimes tightened state control over media through laws which enabled authorities to persecute and prosecute journalists and publishers; ultimately, media became nationalized and subject to strict government control. By 2002, however, the military regime liberalized the press “to strengthen national security and counter the threat from India” since they believed that Pakistan “lost the media war...during the two past confrontations.”²⁴¹ Consequently, broadcast media mobilized civil society to protest and oust the military regime. Nevertheless, repression continued during civilian governance through physical assaults, abductions, raids, detentions, arrests, and murders by various actors.²⁴² It is unclear who the perpetrators are, given the lack of proper investigations, but militants and extremist factions are presumed to be the aggressors. Furthermore, media content is distorted with speculations and conspiracy theories “because of coercion, pressure, bribery, and propaganda from

²³⁹ Maya Tudor, *The Promise of Power: The Origins of Democracy in India and Autocracy in Pakistan*, (Cambridge: Cambridge University Press, 2013), 203.

²⁴⁰ International Media Support, *Between Radicalisation and Democratisation in an Unfolding Conflict: Media in Pakistan* (Denmark: International Media Support, 2009), 15, <https://www.mediasupport.org/publication/pakistan-between-radicalisation-and-democratisation-in-an-unfolding-conflict/>.

²⁴¹ International Media Support, *Between Radicalisation and Democratisation*, 16.

²⁴² *Press Freedom in Pakistan Jan 1st, 2021- April 2022 Attacks, Legislation, Rhetoric and Trolling—a Media Under Pressure* (Karachi: Pakistan Press Foundation, 2022), 7–13, <https://www.pakistanpressfoundation.org/wp-content/uploads/2022/05/Press-Freedom-Report-New.pdf>.

outside actors.”²⁴³ Lastly, the quality of print, broadcast, and radio output is low due to a lack of sufficient training which has resulted in sensationalized reporting “where insignificant details are blown out of proportion.”²⁴⁴ Ultimately, nationalistic, bias-reporting has become the dominant trend in Pakistan.

C. MUMBAI BLAST CASE STUDY

The Mumbai Blast of 2008, or 26/11, was India’s 9/11. The sophisticated, well-coordinated assault targeted five prominent locations around Mumbai and killed more than 160 people and injured hundreds more.²⁴⁵ The attackers were members of the Lashkar-e-Taiba (LeT) terrorist group based in Pakistan with the objective to liberate “Muslim Kashmir ruled by majority Hindu India.”²⁴⁶ They targeted Mumbai since “it is a prosperous symbol of modern India...[and] attacks on foreigners guaranteed international media coverage.”²⁴⁷ The carnage was one of the deadliest terrorist attacks in Indian history. It not only led to a significant increase in tensions between India and Pakistan, but also stalled ongoing Composite Dialogue peace talks.²⁴⁸ Many scholars have conducted content analysis on how dominant media outlets in India and Pakistan framed and reacted to the terrorist attack.

Vaidya’s “The 26/11 Mumbai Terror Attack: A Comparative Analysis of Indian and Pakistani Print Media” examines press coverage from India’s *The Times of India*, *The Hindu*, and *The Indian Express*, and from Pakistan’s *Dawn*, *Daily Times*, and *The Nation*. Through her qualitative content analysis, she identified that “the mainstream

²⁴³International Media Support, *Between Radicalisation and Democratisation*, 30.

²⁴⁴International Media Support, *Between Radicalisation and Democratisation*, 34.

²⁴⁵India Ministry of External Affairs, *Mumbai Terrorist Attacks 2008 Dossier*, (New Delhi: MEA, 2009), 4–5, <https://archive.org/details/MumbaiTerrorAttacksDossier>.

²⁴⁶Angel Rabasa and Robert D. Blackwill and Peter Chalk and Kim Cragin, and Christine C. Fair, *The Lessons of Mumbai*, Vol. 249. (Santa Monica: Rand Corporation, 2009), 1 https://www.rand.org/content/dam/rand/pubs/occasional_papers/2009/RAND_OP249.pdf.

²⁴⁷Rabasa et al., *The Lessons of Mumbai*, 1.

²⁴⁸Sajjad Muhammad Malik, “Pak-India Composite Dialogue: Trends in Media Coverage,” *Journal of Contemporary Studies* 6, no. 1 (2017), 36, <https://jcs.ndu.edu.pk/site/article/view/82>.

Indian media perceived the attack as an act of war against the country” while “Pakistani dailies were not ready to accept their country’s role in the 26/11 Mumbai terror attack in any way.”²⁴⁹ She highlights Indian media outlets’ headlines and editorials which express the gravity of the carnage. Furthermore, Vaidya is critical of Indian media for being “jingoistic and...indulging in war mongering. Even while the events were unfolding and nobody knew what was happening, the media—both electronic and print—started raising fingers of suspicion to Islamabad.”²⁵⁰ With regard to Pakistan’s press, she observed a shift from trivialization to discourse retaliation and counteraccusation. The initial reporting by Islamabad’s media outlets reflect the “carnage merely as a matter of news” with underreported casualties and zero editorial content.²⁵¹ Following, Pakistan’s press began to not only deny state involvement but also publish columns dedicated to “the rumor that home-grown terrorists [in India called Deccan Mujahideen] were behind the Mumbai attack.”²⁵² Counter-claims continued as Islamabad’s media condemned India’s “round of Pakistan-bashing, mixing facts with theories to present ‘evidence’ of Pakistani malice and perfidy”²⁵³ and “without giving concrete evidence, New Delhi was announcing a Pakistani link.”²⁵⁴ Ultimately, she sharply concludes that “objectivity, the cornerstone of good journalism, was a clear victim in the conduct of the media of both countries as the 26/11 attack unfolded.”²⁵⁵ Other content analysis observed similar findings.

Arun’s “The Print Media Coverage of the 26/11 Mumbai Terror Attacks” used survey and content analysis to observe how Indian media covered the attack, how the

²⁴⁹ Apra Vaidya, “The 26/11 Mumbai Terror Attack.” *World Affairs: The Journal of International Issues* 21, no. 4 (2017), 100, 108 <https://www.jstor.org/stable/48531308>.

²⁵⁰ Vaidya, “The 26/11 Mumbai Terror Attack,” 108.

²⁵¹ Vaidya, “The 26/11 Mumbai Terror Attack,” 102.

²⁵² Vaidya, “The 26/11 Mumbai Terror Attack,” 103.

²⁵³ *Dawn* editorial 29 Nov 2008 in Vaidya, “The 26/11 Mumbai Terror Attack,” 104.

²⁵⁴ *Dawn* “Times of Terror” 2 Dec 2008 in Vaidya, “The 26/11 Mumbai Terror Attack,” 105.

²⁵⁵ Vaidya, “The 26/11 Mumbai Terror Attack,” 109.

public reacted to the coverage, and determine the impact of coverage. He examined *The Hindu*, *Times of India*, *New Indian Express*, and *Deccan Chronicle* under six broad categories to parse percentage of news stories and infer importance. From the three-day content analysis, he identified that the categories with the highest percentage of news stories was initially about the terrorist group behind the attack, then internal security and human casualties reporting followed.²⁵⁶ From the surveys conducted, he discovered that 68% of respondents “felt that the newspapers are sensationalizing the incident unnecessarily.”²⁵⁷ He reprimands the press for sensationalizing “reports of terror attacks [to] increase newspaper sales... and create panic and insecurity among the people.”²⁵⁸ A more robust content analysis was conducted for a 2010 Ohio University thesis.

Jannepally’s “The 2008 Mumbai Attack and Press Nationalism: A Content Analysis of Coverage” investigates the *New York Times*, *Times of London*, *Hindu*, and *Dawn* reporting on the 2008 Mumbai attack. For the purposes of this research paper, findings on the *Hindu* and *Dawn* will be examined. He sets four hypothesis that are related to India and Pakistan.²⁵⁹ First, that *Hindu* and *Dawn* will conduct hawkish reporting to ready the publics for war. Second, *Hindu* will report on previous attacks incited by Islamabad and *Dawn* will highlight religious fanaticism and Islamic unrest in India. Third, *Hindu* is not likely to depict Pakistan as a victim whereas *Dawn* will portray itself as one. Lastly, *Hindu* will claim that Pakistan supported LeT and *Dawn* will deny state involvement. He coded six story themes into the content analysis: war denouncement, war advocacy, embracing war, extradition of terrorists, trail in Pakistan, and other. His two-week time frame content analysis revealed surprising results. First, both the *Hindu* and *Dawn* mostly denounced war, with only three stories from each

²⁵⁶ Arun Darwin, “The Print Media Coverage of the 26/11 Mumbai Terror Attacks: A Study on the Coverage of Leading Indian Newspapers and its Impact on People,” *Journal of Media and Communication Studies* 1, no. 6 (2009), 99–100, <https://academicjournals.org/journal/JMCS/article-abstract/0946F6610258>.

²⁵⁷ Darwin, “The Print Media Coverage of the 26/11 Mumbai Terror Attacks,” 102.

²⁵⁸ Darwin, “The Print Media Coverage of the 26/11 Mumbai Terror Attacks,” 104, 102.

²⁵⁹ Hariwardhan Jannepally, “The 2008 Mumbai Attack and Press Nationalism: A Content Analysis of Coverage in the New York Times, Times of London, Dawn, and the Hindu,” (master’s thesis, Ohio University, 2010), 63–64, http://rave.ohiolink.edu/etdc/view?acc_num=ohiou1283534128.

outlet advocating for conflict, and *Hindu* reporting the highest percentage of war denouncement articles.²⁶⁰ Second, *Hindu* hardly mentioned—less than the *Times of London*—of previous terrorist attacks on India and Pakistan abetted attacks, while rarely addressed Hindu fanaticism and Muslim unrest in India. *Dawn*'s coverage outnumbered references to previous attacks and frequently reported on Hindu fanaticism and Muslim unrest, yet did not report any Pakistan abetted attacks.²⁶¹ Third, *Hindu* only had one article reporting Pakistan as a victim while *Dawn* consistently portrayed Pakistan either as neutral or a victim.²⁶² Lastly, *Hindu* overwhelmingly blamed the attacks on Pakistan while *Dawn* mostly addressed the terrorist group originated from Pakistan and seldomly reported the attack as home-grown Indian domestic terrorism.²⁶³ Jannepally concludes that “framing was evident in the coverage of the attack.”²⁶⁴ Although printed media has been the focal point for analysis, Bollywood entertainment is not only a form of media but has the ability to influence perceptions of animosity.

Sial et al.'s “Pakistan in the Bollywood Movies: A Discourse Analysis” is an analysis on the image of Pakistan in Bollywood cinema following the 2008 Mumbai terrorist attacks. Three films have been *Agent Vinod* (2012), *Ek Tha Tiger* (2012), and *Attacks of 26/11* (2013) have been selected due to “their popularity and their significance in creating an image of Pakistan in the minds of the Indian public.”²⁶⁵ Furthermore, these films were banned for presentation throughout Pakistan which highlights the controversial depiction of the state. For *Agent Vinod*, scenes are shown of Pakistan's military forces covertly collaborating with extremist religious groups to conduct a massive attack on India. Another scene portrays a heated phone conversation between

²⁶⁰ Jannepally, “The 2008 Mumbai Attack and Press Nationalism,” 78.

²⁶¹ Jannepally, “The 2008 Mumbai Attack and Press Nationalism,” 86–87.

²⁶² Jannepally, “The 2008 Mumbai Attack and Press Nationalism,” 88–89.

²⁶³ Jannepally, “The 2008 Mumbai Attack and Press Nationalism,” 91.

²⁶⁴ Jannepally, “The 2008 Mumbai Attack and Press Nationalism,” 105.

²⁶⁵ Nauman Sial and Yasar Arafat and Abid Zafar, “Pakistan in the Bollywood Movies: A Discourse Analysis,” *Journal of Indian Studies* 5, no. 1 (2019), 129, https://www.researchgate.net/publication/335192457_Pakistan_in_the_Bollywood_Movies_A_Discourse_Analysis

the two highest ranking officials from India and Pakistan’s intelligence communities where the former belittles and bulldozes the latter—giving an impression of inferiority.²⁶⁶ In *Ek Tha Tiger*, Pakistan’s intelligence agency is shown to not only purchase Indian intelligence officials but also regularly kidnap and assassinate New Delhi’s agents.²⁶⁷ The film *Attacks of 26/11* provides a clear impression that the terrorists responsible for the attack are from Pakistan.²⁶⁸ Sial concludes that Pakistanis are not only depicted as villains and terrorists but also that Pakistan’s religious groups and military forces are harmful, abusive, or incompetent. Consequently, “anti-Pakistani content seem to motivate the hatred for the Indian nation against its neighbor Pakistan.”²⁶⁹ Given the reach Bollywood films have, there exist a tremendous impact in shaping the social perceptions of Pakistan.

From the 2008 Mumbai attack case study, the original hypothesis and argument appears to be one-sided. Indian media is quick to disseminate a negative perception of Pakistan; however, during wartime “media outlets appear positively eager to act as war’s cheerleaders.”²⁷⁰ Pakistan’s initiation of three conventional wars in 1948, 1965, and 1999—all of which used militant insurgents—exacerbated India’s perception of distrust and animosity.²⁷¹ Since “the use of Islamist militants has been a primary component of Pakistani grand strategy,” then the ongoing insurgency in Indian administered Kashmir, and any terrorist related incidents in India such as the 2008 Mumbai attack, will be perceived as a concentrated effort from Islamabad to destabilize New Delhi.²⁷² Although India is not at war with Pakistan, there exists a general feeling of war in which

²⁶⁶ Sial et al., “Pakistan in the Bollywood Movies,” 130.

²⁶⁷ Sial et al., “Pakistan in the Bollywood Movies,” 132.

²⁶⁸ Sial et al., “Pakistan in the Bollywood Movies,” 133.

²⁶⁹ Sial et al., “Pakistan in the Bollywood Movies,” 135.

²⁷⁰ Carruthers, *The Media at War*, 9.

²⁷¹ Christine C. Fair, “The Militant Challenge in Pakistan,” *Asia Policy*, no. 11 (2011), 105–138, <http://www.jstor.org/stable/24905028>

²⁷² Paul Kapur, *Jihad as Grand Strategy: Islamist Militancy, National Security, and the Pakistani State*. (Oxford: Oxford University Press, 2016), 9 <https://searchworks.stanford.edu/view/11896474>.

the media exploits. The profit-driven and sensationalized nature of Indian media generated war hysteria, hostility, and negative perceptions of Pakistan. Due to historical grievances and recurring terrorist attacks, animosity is perpetuated—locked in a cyclic nature between the public, state, and media. Perceptions of hostility and distrust have created a self-fulfilling prophecy at each level that is continually reinforced with each negative interaction. In the aftermath of the terrorist attack, however, New Delhi did not mobilize their military. The Indian government’s restraint, despite the public and media’s hawkish response, indicates that although media may have an influence in public opinion, it does not dictate government policy. A decade later, subsequent attacks would be met with less restraint.

D. PULWAMA/BALAKOT STRIKE CASE STUDY

On 14 February 2019, a *Jaish-e-Mohammed* (JeM) suicide bomber attacked a convoy of Indian security personnel and killed 40 people in Pulwama. Consequently, tensions flared for weeks and intensified when New Delhi launched air strikes into a JeM training camp in Balakot on the 26th of February 2019. India’s response to violate Pakistan’s territorial sovereignty with air strikes signals “a strategic breakthrough—a much more assertive Indian state in response to terrorist activities.”²⁷³ How did media influence enmity during this case study? The qualitative assessment that follows will examine three scholarly content analyses based on print, broadcast, and social media, respectively.

Naveed et al.’s “Pulwama Attack: Comparative Analysis of Pakistani and Indian Print Media” examined India’s *The Hindu* and Pakistan’s *The Nation* over a three-month period after the terrorist attack and subsequent strike. The team of researchers categorized three variables of framing: war themed, peace and better relations, and neutral. Between the two print media outlets, they identified that *the Hindu* gave more coverage in comparison to *the Nation*, with 171 printed stories compared to 159, respectively. Furthermore, their data indicates that *the Hindu* published 64.3% of 171

²⁷³ Abhinav Pandya, “The Future of Indo-Pak Relations after the Pulwama Attack,” *Perspectives on Terrorism* 13, no. 2 (2019), 68, <https://www.jstor.org/stable/26626866>.

articles with a war framing theme, whereas *the Nation* published 56.6% with a peace framing theme.²⁷⁴ After the Pulwama terrorist attack and Balakot air strike, Islamabad’s print media was focused on peace overtones whereas the Indian counterpart highlighted framed their stories toward war. Did broadcast media follow the same trend?

Husnain et al.’s “Analysis of Pakistani and Indian Media Towards Warfare” studied four prominent broadcast outlets, India’s *AajTak News* and *India Today* compared with Pakistan’s *Geo News* and *ARY News*. Their researched spanned from the 14th of February 2019 to the 5th of March 2019 and compiled 863 segments of aired news and 79 special programs. They operationalized their variables under four categories: fact-less news, face-based news, supported news towards warfare, and unsupported content towards warfare. They identified that both India and Pakistan “created an environment of warfare among people by broadcasting” warfare related content.²⁷⁵ That said, India’s broadcast services *AajTak* and *India Today* aired more war-supported stories than Pakistan’s *Geo News* and *ARY News*. The data shows *AajTak* with 92%, *India Today* with 88%, *Geo News* with 63%, and *ARY News* with 78% of supported news towards warfare.²⁷⁶ Furthermore, they discovered that the Indian channels reported more fact-less news, such that the broadcasts “did not involve any visual or documentary proof, and mostly based on rumors.”²⁷⁷ The data indicates that both states’ broadcast media mostly supported news toward warfare and India sensationalized their stories. Given the proliferation of smart phones and internet’s reach to masses, the influence from social media is important to consider.

²⁷⁴ Shahzad Naveed, and Usman Khan, “Pulwama Attack: Comparative Analysis of Pakistani and Indian Print Media,” *Print, Radio, TV & Film Studies* 2 (2021), 51, <http://hnpublisher.com/ojs/index.php/PRTFS/article/download/27/69>.

²⁷⁵ Muhammad Husnain and Muhammad Mateen and Asia Maqsood, “Analysis of Pakistani and Indian Media towards Warfare: Case Study of Pulwama Attack & Balakot Airstrike,” *Turkish Online Journal of Qualitative Inquiry* (2021), 7325, <https://www.tojq.net/index.php/journal/article/view/7836>.

²⁷⁶ Husnain et al., “Analysis of Pakistani and Indian Media towards Warfare,” 7322.

²⁷⁷ Husnain et al., “Analysis of Pakistani and Indian Media towards Warfare,” 7320–1.

Hussain et al.'s "Analyzing the State of Digital Information Warfare Between India and Pakistan on Twittersphere" manually reviewed 20,000 tweets, circulated from two leading hashtags from each country, for a five-day period. For the terrorist attack, the hashtags studied were "#PulwamaAttack" for India and "#PulwamaDrama" for Pakistan; whereas for the surgical strike the hashtags followed were "#IndiaStrikesBack" and "#Pakistanzindabad."²⁷⁸ For a tweet to be selected for analysis, it needed to be retweeted five times and the researchers restricted their data to 5,000 tweets per hashtag. For the #PulwamaAttack, most tweets circulated supported the Indian stance to blame Pakistan, offered condolences, and called for revenge. For the #PulwamaDrama, the trend of tweets highly criticized India for blaming Pakistan. For the #IndiaStrikesBack, the word cloud celebrated the air strikes and efforts to return the imprisoned Indian pilot. For #PakistanZindabad, the overall theme was a cheer for capturing an Indian pilot and calls for peace. The team of researchers discovered that "common people produced bulk of information and openly defended their country's perspective;" however, "troll armies masqueraded as common citizens" influenced the outcomes.²⁷⁹ Since both hashtags originated inside each country's populous and there was little to no cross border online interaction, then the myriad of pro-Indian and pro-Pakistani tweets and retweets reinforced negative perceptions and national narratives. They conclude that jingoistic content dominated the online platform such that "the substance of enemy image and hyperpatriotic youth...provide excellent opportunities to the policymakers to foment these emotions for their political and military gain."²⁸⁰ Instead of "bringing people together...the Twittersphere is full of blind nationalism and raw patriotism."²⁸¹

²⁷⁸ Shabir Hussain and Farrukh Shahzad and Adam Saud, "Analyzing the State of Digital Information Warfare Between India and Pakistan on Twittersphere," *SAGE Open* 11, no. 3 (2021), 7 <https://journals.sagepub.com/doi/full/10.1177/21582440211031905>.

²⁷⁹ Hussain et al., "Analyzing the State of Digital Information Warfare," 13.

²⁸⁰ Hussain et al., "Analyzing the State of Digital Information Warfare," 14.

²⁸¹ Hussain et al., "Analyzing the State of Digital Information Warfare," 14.

Overall, the content analysis of print, broadcast, and social media regarding the Pulwama attack and Balakot air strike further reveals that the original hypothesis is one-sided. Indian print media has been shown to be the most war oriented. Broadcast media was nearly equal between the two states, but New Delhi's TV outlets did favor content that supported war more frequently. Social media has been shown to reinforce national narratives, whether their origin was from the state or media. Nevertheless, there exists a significant difference between the two case studies given India's response. Although the 2008 Mumbai Blasts were more deadly, New Delhi did not respond militarily. Prime Minister Modi's administration has "publicly demonstrated greater resolve than its predecessors" given the government's escalation to attacks and threats.²⁸² From the 2016 Uri surgical strikes, 2017 Chinese standoff at Doklam, and 2019 Balakot strike, India has deviated from restraint to action. Specially with the Balakot strike, the military response signals that "India is willing to escalate a crisis with Pakistan."²⁸³ This increased boldness from New Delhi may be attributed to a multitude of factors from a shift in domestic politics to international recognition as a South Asian power; however, media is clearly an underlining influence in perpetuating hostility and negative perception.

E. CONCLUSION

A qualitative assessment of content analyses and discourse analysis has revealed that domestic narratives in India have perpetuated animosity. The 2008 Mumbai terrorist attack and 2019 Balakot air strike case studies have shown consistent negative framing of Pakistan from Indian media outlets. This negative perception is loaded with historical baggage that reinforces enmity. Although observing media narratives after a terrorist attack will inherently unpack festering cognitive biases, there exist underlying social hostility that serve as obstacles to any peace measures between India and Pakistan.

²⁸² Rohan Mukherjee, "Climbing the Escalation Ladder: India and the Balakot Crisis," *War on the Rocks*, October 2 (2019), <https://warontherocks.com/2019/10/climbing-the-escalation-ladder-india-and-the-balakot-crisis/>.

²⁸³ Mukherjee, "Climbing the Escalation Ladder."

This chapter also identified how Pakistan's media environment facilitates dispute resolution given the emphasis on peace-journalism. Although there may be a positive societal paradigm shift in Pakistan to resolve issues, India's media environment has reinforced enmity and distrust. Through Bollywood film, broadcast, print, and social media, Indian public opinion of Pakistan is antagonistic. Furthermore, there exists a troubling trend in India's foreign policy response of increased kinetic retaliation to Pakistan. Therefore, the prospects for MCBMs, or any reconciliation measures, to move forward seems unlikely. With an emboldened India, Islamabad must compromise on their stance against thalweg principle; lest the maritime issues remain unresolved.

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V. CONCLUSION

There exists a structural problem inherent in India-Pakistan relations such that the deep-rooted history of enmity has institutionalized the rivalry. The historical legacy of colonial British divide-and-rule and the Partition facilitated the social construction of hostility between the two states. Subsequently, narratives from prominent political leaders and parties reflect the adverse confirmation bias vis-à-vis each other. This hostile perspective was further reinforced through decades of war and conflict. Lastly, media environments in each state have hardened animosity—highlighting how the conflict itself has become its own driver for social and political gains. South Asian regional experts have contended that the maritime domain is the least contentious and the resolution of the two key maritime issues may provide momentum to solve land-based disputes.²⁸⁴ Nevertheless, the examined systemic and domestic obstacles to peace measures have been shown to thwart progress on dispute resolutions, no matter the scale. Therefore, MCBMs have not been applied due to historical grievances that have precipitated into conventional war and domestic narratives that perpetuate conflict. As these systemic and domestic obstacles have hindered dispute resolution, the maritime domain may not remain the least contentious—which emphasizes the need for MCBMs agreements.

The contemporary maritime environment in South Asia is becoming increasingly volatile with the emergence of evolving military technologies and the modernization of respective fleets. Stockholm International Peace Research Institute (SIPRI) researchers have warned how shipboard hypersonic missiles, submarine-launched ballistic missiles, and autonomous weapon platforms “may change the deterrence landscape” and further caution how “China-USA competition in emerging technologies may have cascade effects”

²⁸⁴ Ansari and Vohra, *Confidence Building Measures at Sea*;" Ali, "Maritime Issues Between Pakistan and India;" Siddiqa-Agha, *Maritime Cooperation Between India and Pakistan*;" Rajamanickam, "Maritime Boundaries and Sir Creek Dispute."

in South Asia.”²⁸⁵ India currently operates one nuclear-powered submarine, *INS Arihant*, with the capability for sea-based deterrence and has plans to commission a second, *INS Arighat*, in the next few years.²⁸⁶ Onboard these nuclear-powered submarines are *K-15 Sagarika* ballistic missiles which solidifies India’s sea-based nuclear deterrence mission.²⁸⁷ Although Pakistan has no nuclear-powered submarines yet, the 2017 cruise missile launch of *Babur-3* from a submarine indicates that Islamabad maintains a second strike nuclear capability.²⁸⁸ These naval assets provide nuclear-strike mission capacity and highlights a need for further MCBMs. On the conventional side, the incorporation of unmanned systems onboard ships and submarines may pose another emerging security concern given their low-cost and abundance. With aerial drones and unwater unmanned vehicles, the machines minimize the risk of friendly casualties while maximize surveillance and strike missions.²⁸⁹ Both aspects appeal to “policymakers to make wars less violent when applying military tools.”²⁹⁰ Furthermore, India and Pakistan have been expanding and modernizing their fleets.²⁹¹ Most notable developments for New Delhi are their aircraft carriers, submarines, and destroyers—a mix of acquiring internationally and shipbuilding domestically. For Pakistan, however, “the majority of its new heavy arms [come] from China, especially naval frigates, submarines, and fighter aircraft.”²⁹² Without

²⁸⁵ Lora Saalman and Petr Topychkanov, “South Asia’s Nuclear Challenges: Interlocking Views from India, Pakistan, China, Russia and the United States,” SIPRI, Sweden, 2021, 5, 9, 23–24, https://www.sipri.org/sites/default/files/2021-03/2104_south_asias_nuclear_challenges_0.pdf.

²⁸⁶ “India Submarine Capabilities,” Nuclear Threat Initiative, Oct 2022, <https://www.nti.org/analysis/articles/india-submarine-capabilities/>.

²⁸⁷ Khan, *Subcontinent Adrift*, 174.

²⁸⁸ Christopher Clary and Ankit Panda, “Safer at Sea? Pakistan’s Sea-Based Deterrent and Nuclear Weapons Security,” *The Washington Quarterly* 40, no. 3 (2017), 149–168, <https://www.tandfonline.com/doi/abs/10.1080/0163660X.2017.1370344>.

²⁸⁹ Khan, *Subcontinent Adrift*, 231.

²⁹⁰ Khan, *Subcontinent Adrift*, 181.

²⁹¹ Dinshaw Mistry, “Pakistan, India, and U.S. Strategic Interests,” In *Enduring and Emerging Issues in South Asian Security*, (Washington, DC: Brookings Institution Press, 2022) 27–28 for India, 39 for Pakistan. Brookings Institution Press, 2022, <http://www.jstor.org/stable/10.7864/j.ctv13qfw3b.5>.

²⁹² Mistry, “Pakistan, India, and U.S. Strategic Interests,” pg. 39.

an agreement similar to INCSEA, there exists a potential for dangerous maneuvers and bitter operational encounters. Therefore, given the increased volatility in the contemporary maritime environment, more MCBMs are needed; however, some recommendations below may help facilitate the implementation of the peace measures:

Recommendation 1: Expand CENTCOM’s Combined Maritime Force (CMF) to the IOR through a fourth Combined Task Force (CTF), CTF-153, which focuses on SAR and Humanitarian Assistance and Disaster Relief (HADR) efforts. Currently the CMF’s main focus areas are: maritime security and counterterrorism, CTF-150; counter piracy, CTF-151; and Arabian Gulf security and cooperation, CTF-152.²⁹³ Operations extend from the Red Sea, throughout the Arabian Sea, and through the Straits of Hormuz into the Arabian Gulf with participating countries from North America, Europe, Middle East, South Asia and Southeast Asia. CMF conducts SAR and HADR operations upon request; however, establishing a dedicated CTF for these operations is useful for multiple reasons. First, climate change has severely impacted littoral states in the region—especially apparent given the 2022 catastrophic floods in Pakistan.²⁹⁴ CTF-153 may increase response time and preparedness for disasters in the region. Second, given the nature of the operations, India may be more willing to participate with CMF tasks; increasing friendly military-to-military interaction between New Delhi and Islamabad. This prospective MCBM is underway given India’s participation in CENTCOM’s 2023 International Maritime Exercise (IMX).²⁹⁵ India’s decision to engage with the CMF’s exercise—notably hesitant given Pakistan’s inclusion—“reflects New Delhi’s willingness to operate on non-traditional security threats at multilateral levels.”²⁹⁶ Nevertheless, CTF-153 may

²⁹³ “Combined Maritime Force,” CENTCOM, <https://www.cusnc.navy.mil/Combined-Maritime-Forces/>.

²⁹⁴ Gibran Peshimam, “Death Toll in Pakistan Floods Nears 1,500; Hundreds of Thousands Sleep in Open.” Reuters, September 15, 2022, <https://www.reuters.com/world/asia-pacific/pakistan-floods-death-toll-nears-1500-2022-09-15/>.

²⁹⁵ Government of India, “Participation of INS Trikand,” Press Information Bureau, March 2023, <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1905563>.

²⁹⁶ Rushali Saha, “Pakistan in the Indo-Pacific Framework?” South Asian Voices, February 17, 2023, <https://southasianvoices.org/pakistan-in-the-indo-pacific-framework>.

provide a multilateral forum for India and Pakistan to have a constructive security engagement.

Recommendation 2: Increase United States Coast Guard (USCG) presence in the IOR and create a tabletop exercise for littoral states. This recommendation is aligned with the Biden administration’s Indo-Pacific Strategy to increase USCG “presence and cooperation in Southeast and South Asia and the Pacific Islands, with a focus on advising, training, deployment, and capacity-building.”²⁹⁷ Ideally, the facilitation of these tabletop exercises could be conducted through a regional forum, such as the Association of Southeast Asian Nations (ASEAN), or conducted bilaterally with littoral states. The purpose here, similar to recommendation 1, is to encourage India and Pakistan to interact and cooperate.

Recommendation 3: India and Pakistan to develop and staff Maritime Risk Reduction Centers (MRRC) in the Sir Creek region. As identified from previous scholar’s recommendations, MRRCs will allow the maritime security organizations to coordinate relief efforts, conduct prisoner repatriations, and deconflict security misunderstandings or concerns. The development of MRRCs meets the spirit of the 2005 India-Pakistan memorandum of understanding to have communication links set between their respective coast guard agencies. The MRRCs could build upon the already established Vessel Traffic Services (VTS) in the vicinity of Sir Creek.²⁹⁸ Coast Guard personnel could be stationed here to assist in bilateral coordination efforts.

Recommendation 4: India and Pakistan to sign an INCSEA with annual senior defense official meetings. This would be a longtime relief for many academics who have highlighted the lacuna. Annual meetings would ensure consistent dialogue between the two states and address any change over time—as United States and Russia still abided to the agreement with then Soviet Union. Furthermore, INCSEA meetings could allow senior

²⁹⁷ White House. *Indo-Pacific Strategy of the United States* pg. 15.

²⁹⁸ National Geospatial-Intelligence Agency, *Publication 173 Sailing Directions*, fifteenth edition, (Springfield, VA: NGA, 2022), 11 <https://msi.nga.mil/api/publications/download?key=16694491/SFH00000/Pub173bk.pdf&type=view>.

officials to speak to concerns over emerging technology and how best to mitigate misperceptions and miscalculations.

Recommendation 5: Compromise on a respective stance to resolve the maritime issues. Either India or Pakistan may concede on their stance with regard to Sir Creek and maritime delineation. India could compromise on its stance to only resolve matters bilaterally and allow an ICJ tribunal to arbitrate the maritime claims. Pakistan could compromise on its stance and accept the thalweg principle to establish a land terminus at Sir Creek and then apply the TALOS seaward approach to demarcate the maritime boundary. Currently, the two states are at an impasse with no prospect for settlement.

Recommendation 6: India to soften on the media’s jingoistic fervor. As discussed in Chapter III, the Indian media environment is overwhelming hostile toward Pakistan. There exists a consistent negative perception of Islamabad through print, broadcast, social media, and Bollywood films. Across the LoC, Pakistan’s media has trended toward peace journalism which may facilitate a paradigm shift for reconciliation measures. Nevertheless, ethno-religious nationalism and *Hindutva* narratives have taken root in India to the degree that “under Prime Minister Modi, India seems to be on a similar trajectory to that of Pakistan under...Muhammad Zia-ul-Haq’s dictatorship [that] changed the fabric of Pakistani society.”²⁹⁹

Ultimately, the existence and persistence of enmity and mistrust throughout the decades has thwarted peace reconciliation measures—no matter the scale. In January 2023, Pakistan’s Prime Minister Shehbaz Sharif extended a request to the Indian leadership and Prime Minister Narendra Modi to “sit down on the table and have serious and sincere talks to resolve our burning issues like Kashmir;” however, was rejected by Indian foreign ministry spokesmen, Arindam Bagchi, that New Delhi believes there does not exist a “conducive atmosphere that is free of terror, hostility, and violence.”³⁰⁰ Evidently, peace

²⁹⁹ Khan, *Subcontinent Adrift*, 209

³⁰⁰ Abid Hussain, “India Says No ‘Conducive Atmosphere’ for Talks with Pakistan,” Al Jazeera, January 20, 2023, <https://www.aljazeera.com/news/2023/1/20/india-says-no-conducive-atmosphere-for-talks-with-pakistan>.

negotiations still do not have headway currently due to a lack of political will. Nevertheless, general elections are expected in India and Pakistan in 2024 and 2023, respectively. There may be a potential to elect leaders who seek “accommodation with each other and reaching some form of *modus vivendi*” to end this “enduring regional cold war.”³⁰¹

³⁰¹ Khan, *Subcontinent Adrift*, 199.

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