

Proxy Warfare in Kashmir

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Abstract

The use of proxy warfare by Pakistan against India finds its roots way back in 1947 as both countries wanted complete control over the state of Kashmir. Using the tactics and resources from supporting the CIA in Afghanistan, Pakistan's ISI launched 'Operation Tupac' in Kashmir, aimed at creating multiple terror proxies to destabilize the region. A major component of Tupac was radicalizing the Kashmiri population, which was already disgruntled by harsh crackdowns by the Indian security forces in the region. Two of Pakistan's most successful proxies are Lashkar-e-Taiba (LT) and Jaish-e-Mohammed (JeM). Both of these organizations operate with direct logistical and operational support from ISI. Moreover, many of the attacks by these organizations have a policy aftermath which is very much in line with ISI's agenda, clearly indicating that Pakistan uses terrorism as an effective foreign policy tool. There have been multiple vocal criticisms of Pakistan's sponsoring of terrorist organization, however, there have been no measures taken to actively persuade it to cease its terror funding activities. Three main inferences can be drawn from the arguments in this paper- 1) Pakistan is now overdependent on its terror proxies as a tool to achieve its foreign policy objectives, 2) These proxies have so deeply embedded themselves into the social fabric of Pakistan's domestic politics that even if their armed wings are shut down, they'll still find ways to function, and 3) the balance of power in Pakistan needs to shift towards the democratically elected government from the ISI and the military elite for any meaningful progress to occur.

Proxy Warfare in Kashmir

Kashmir is in the northwestern region of the Indian subcontinent, with its borders touching China to the east, India to the south, and Pakistan to the west. The region is host to breathtaking landscapes and is often called the 'paradise on earth'. It is also one of the most volatile nuclear flashpoints in the world and has witnessed two major wars between India and Pakistan over its complete control. Apart from being the root cause of conventional wars, it is also a raging proxy battleground, with Pakistan's Inter-Services Intelligence agency funding insurgency and separatist movements. (Nabi & Burhan, 2020) This paper looks at the history of the use of proxy warfare against India, how these proxies evolved and function, and how Pakistan's funding of these proxies plays into its domestic and foreign policies.

To understand how such an aesthetic place can have such a bloody history, it is important to trace the chain of events that was triggered in 1947, following the independence of India from the British colonial rule. The British had historically segregated the Hindu and Muslim populations of India for the purposes of creating political constituencies, but this segregation fueled a Muslim separatist movement, which, consequently, led to partition of India, and creation of Pakistan. The roots of the conflict lie in the unique demographics of Kashmir at the time-the majority population was Muslim, but the princely ruler of the state, Hari Singh, was a Hindu. Unconventionally enough, Singh did not want Kashmir to join either India or Pakistan; rather, he envisioned Kashmir as a separate, independent, and autonomous state. Needless to say, this ambition was challenged due to immense pressure by, both, India and Pakistan to incorporate Kashmir into their respective territories. In order to ease off this pressure, Singh signed a standing agreement with Pakistan that allowed the Kashmiri people to freely trade with and travel to the newly formed state. However, the move was not helpful and pro-Pakistan

rebels, funded by the Pakistani government, took over the western portion of Kashmir. The situation turned worse in September 1947, when Pashtun tribal fighters crossed into the region from Pakistan, resulting in, by definition, an invasion. Ill-equipped to ward off the Pakistani offensive, Singh turned to India for help. India readily agreed to come to Singh's aid under one condition- he would have to sign an 'Instrument of Accession,' that would align Kashmir with India, while having some partial autonomy. The instrument was signed in October 1947, giving Kashmir complete autonomy to make legislative decisions on most issues except defense, foreign policy, and communication. (Blakemore, 2019)

Hari Singh's decision to align with India directly resulted in years of diplomatic and military tension between Pakistan and India, with the former launching a sophisticated proxy warfare campaign against the latter. Proxy warfare is a form of asymmetric warfare in which an external state sponsors certain actors to influence the outcome of an ongoing conflict. Doing so gives the sponsoring state a certain degree of deniability and, consequently, allows the state to achieve its strategic objectives while minimizing the risk of a conventional confrontation. (Hoffman & Orner, 2021) Pakistan's campaign aimed at the complete integration of Kashmir into Pakistan by means of propping and fueling insurgency and separatist movements, and discrediting the Indian governmental administration in the region. Codenamed 'Operation Tupac,' the campaign was planned under close supervision of the then Pakistani President Zia ul Haq, whose basic idea was to spur communal sentiments of the India administered Kashmir's Muslim populace in order to set up the groundwork for creating localized separatist networks. Tupac's operational command was given to Pakistan's Inter-Services Intelligence (ISI), which, by then, had quite extensive experience in waging guerilla warfare given its collaboration with the CIA in Afghanistan against the Soviets starting in 1979.

By 1989, when the Soviets started withdrawing, the ISI had access to most of the weaponry that was originally intended for the Afghan Mujahideen from the United States (around \$5 billion in valuation). (Kanwal, 1999) This weapons stash was strategically used by the ISI to arm the separatist groups it was propping up in Kashmir. Apart from weapons acquisition, ISI was quite creative with arranging funding as well; it used the profits from the sale of narcotics in the Afghan black markets and launched well-coordinated campaigns to attract donations from Islamic zealots around the world. (Kanwal, 1999)

In addition to effective resourcing tactics, the harsh crackdown of the Indian security forces on the Kashmiri population provides ISI the perfect conditions to cultivate local assets by capitalizing upon their disgruntlement with the Indian government. Since 1990, there have been multiple allegations against the Indian security forces of human rights violations ranging from forced disappearances to extrajudicial killings to rape. This can be attributed to Indian government's Armed Forces (Jammu and Kashmir) Special Powers Act (AFSPA), which grants the military wide powers to arrest without warrant, shoot-to-kill, and destroy property in so-called "disturbed areas," and shields any armed forces personnel engaging in crimes of such nature from legal repercussions. (Human Rights Watch, 2008) This sense of impunity diminishes accountability, and paves way for human rights violations, which is directly reflected in 2019 Office of the UN High Commissioner for Human Rights (OHCHR) report titled "*Update of the Situation of Human Rights in Indian-Administered Kashmir and Pakistan-Administered Kashmir from May 2018 to April 2019.*" According to the report, 1,081 Kashmiri civilians have been subjected to extrajudicial killings between 2008 and 2018. Despite multiple investigations being launched in several cases, there has been no tangible change in Indian armed forces' methods and tactics in Kashmir. (Office of the UN High Commissioner for Human Rights

(OHCHR), 2019) Such grave disregard for the basic human rights by the hands of Indian armed forces causes the local Kashmiris- especially the youth- to gravitate towards localized anti-governmental factions, most of which are directly or indirectly funded by the ISI. (Human Rights Watch, 2008)

The combination of proper funding, arms supply, and local disdain for the Indian government served as the perfect recipe for the ISI to create multiple proxies against India. Two of the most notable ones are Lashkar-e-Taiba and Jaish-e-Mohammed. Out of all the proxies supported by ISI, Lashkar-e-Taiba (LT) is perhaps the most effective and notorious. This can be attributed to its deep integration with Pakistan's domestic politics, and the successful siege of the Indian city of Mumbai in 2008. LT found its origins as the militant wing of Markaz-ud-Dawa-wal-Irshad (MDI), a so-called 'missionary and social-welfare' organization found in Pakistan during the 1980s to oppose the Soviet presence in Afghanistan. (CIA, n.d.) Following the Soviet withdrawal, it focused its attention on Indian administered Kashmir, and consequently garnered ISI's support in the form of funding and training. LT surpassed the effectiveness of most Kashmiri militant organizations in 1999, when it introduced *fidayeen* style suicide attacks in Kashmir, primarily targeting Indian paramilitary and police forces. (Macander, 2021)

Emboldened by the development of a successful *fidayeen* strategy in Kashmir, LT targeted the Indian capital, New Delhi. In 2000, two LT terrorists open fired on the historical Red Fort, killing two Indian army personnel. Almost a year later, in 2001, LT, in collaboration with Jaish-e-Mohammed, targeted the Indian parliament. (Center for International Security and Cooperation , 2018)

However, LT's most notorious attack was in 2008 on the Indian city of Mumbai, which consisted of multiple near simultaneous attacks on multiple locations, lasting for four days and

resulting in around 174 deaths. (D'Souza, 2022) The sophistication, coordination, and ingenuity of these attacks was far beyond what LT alone is capable of and suggests that there was direct involvement of ISI in planning and executing these attacks. This was confirmed by one of LT's operatives, David Coleman Headley, who was responsible for narrowing down potential targets and performing reconnaissance. According to Headley's statement, every major LT operative had a direct ISI handler. Moreover, the planning of these attacks involved oversight from serving and retired ISI officers. (Tankel, 2011) The direct operational and logistical support by the ISI clearly shows that the Pakistan's state support for LT goes far beyond training and funding.

Jaish-e-Mohammed (JeM) is yet another proxy used by the ISI against India. Unlike LT, the ISI was directly responsible for creating JeM. Following the hijacking of Indian passenger flight IC-814 by terrorists associated with Harkat-ul-Mujahideen, and the consequent release of the Pakistani terrorist Maulana Masood Azhar, the ISI saw the opportunity to prop up another proxy in Kashmir. ISI's exact rationale for having another proxy in the region remains unknown, but many analysts claim that this was done because, at the time, ISI was losing its grip over LT, and wanted a more reliant and compliant proxy. In 2001, as JeM evolved to operate outside ISI's complete sphere of influence, it underwent an ideological split. The primary reason for this was Pakistani President Pervez Musharraf's support for the United States campaign against the Taliban in Afghanistan. Between the two splintering JeM factions, Azhar remained with the one loyal to the state of Pakistan and continued reporting to the ISI, demonstrating his loyalty. (Fair, 2017)

Other than that joint attack, in collaboration with LT, on the Indian parliament in 2001, JeM has carried out several attacks on its own against Indian armed forces. In January 2016, it attacked the Indian Air Force station in Pathankot, Punjab, that led to 25 casualties. The notable aspect of

this attack was its timing- just a few days after the Indian Prime Minister Narendra Modi addressed the Afghan parliament, signed a new defense deal with Russia, and, most importantly, held bilateral talks with the then Pakistani Prime Minister Nawaz Sharif. These bilateral talks were critical to diffusing the 2015 tensions and exploring diplomatic solutions for the Kashmir situation. (Rifaat, 2016) Both of these things go against what ISI has been working for since the past forty or so years in Kashmir. Conveniently enough for the ISI, JeM's attack sabotaged the diplomatic progress as Indian politicians from the far-right called for armed retaliation. Therefore, the Pathankot attack serves as a prime example of the ISI using proxy warfare as a tool to achieve Pakistan's policy objectives. Other attacks by JeM along similar lines include the 2016 Uri attack and the 2019 Pulwama attack. Both were followed by Indian armed forces conducting surgical strikes on Pakistani soil.

Even though Pakistan's support of terrorism has been, more or less, an open secret in the international community, it is quite difficult to take outright punitive action against it given its diplomatic ties with the United States and China, and its nuclear status. However, there have been countless vocal criticisms of Pakistan having warm relations with the terrorist organizations that use its territory as their base of operations. Many times, these critiques have been followed by punitive measures as well. The July 2016 hearing before the US House Subcommittee on Terrorism, several experts explicitly highlighted the Pakistani government's blatant support for terror outfits and questioned the legitimacy of Pakistan's foreign aid requests. (Committee on Foreign Affairs, 2016) Following the hearing, Congressman Ted Poe from Texas, along with Dana Rohrabacher from California introduced a bill aimed at officially declaring Pakistan a state sponsor of terrorism. (Poe, 2016) The bill was not passed. In 2018, the Financial Action Task Force (FATF) placed Pakistan on its Terrorism Financing Watch List due to "strategic counter-

terrorist financing-related deficiencies,” monitoring its international finance flows, and significantly impeding its ability to secure international loans. Apart from the United States and FATF, there is increasing pressure on the EU to crackdown on Pakistan's terror sponsoring practices, which it has been reluctant to do since Pakistan is its prominent trading partner. European MP Heinz Becker was explicit in calling EU out for "omitting all reference to state-sponsored terrorism in Pakistan in their GSP+ monitoring procedures." (Becker, 2018)

Using the arguments and evidence presented above, three solid inferences can be made. First, Pakistan's use of proxies has now become a tool for achieving policy objectives. What started out as an asymmetrical warfare tactic soon started yielding good results in the form of garnering international attention and influencing the domestic demographic politics of India administered Kashmir. However, ISI, at times, found it difficult to contain the growth of some proxies, and new ones were erected to keep them in check, creating a vicious cycle. Second, many of these proxies have evolved and are now woven into the social fabric of Pakistan's domestic politics. As seen in the case of LT, many proxies have charitable social welfare wings that actually provide aid to the local population. This essentially means that even if the armed wing of a proxy is shut down, it can still be financially stable and just create a new one thanks to its money laundering operations under the guise of being a social welfare organization. Finally, in order for any meaningful progress to take place, Pakistan's 'unofficial' governmental power structure needs to change. It is no secret that the ISI and the military elite hold much more political power than the democratically elected government. (Winchell, 2003) Unless there is a reversal in this dynamic, any prospect of Pakistan ceasing its support for terror outfits seems bleak at best.

References

- Becker, H. (2018, April 10). *Why does the EU continue to gloss over Pakistan's state-sponsored terrorism?* Retrieved from The Parliament:
<https://www.theparliamentmagazine.eu/news/article/why-does-the-eu-continue-to-gloss-over-pakistans-statesponsored-terrorism>
- Blakemore, E. (2019, March 2). *The Kashmir conflict: How did it start?* Retrieved from National Geographic: <https://www.nationalgeographic.com/culture/article/kashmir-conflict-how-did-it-start>
- Center for International Security and Cooperation . (2018, November). *Lashkar-e-Taiba*. Retrieved from Center for International Security and Cooperation (CISAC):
https://cisac.fsi.stanford.edu/mappingmilitants/profiles/lashkar-e-taiba#_ftn11
- CIA. (n.d.). *CIA World Factbook*. Retrieved from References- Terrorist Organizations :
<https://www.cia.gov/the-world-factbook/references/terrorist-organizations/>
- Committee on Foreign Affairs. (2016). *PAKISTAN: FRIEND OR FOE IN THE FIGHT AGAINST TERRORISM?* U.S. Government Publishing Office.
- D'Souza, S. M. (2022, November 19). *Mumbai terrorist attacks of 2008*. Retrieved from Britannica: <https://www.britannica.com/event/Mumbai-terrorist-attacks-of-2008>
- Fair, C. C. (2017, January 11). *Bringing back the Dead: Why Pakistan Used the Jaish-e-Mohammad to Attack an Indian Airbase*. Retrieved from Huff Post:
https://www.huffpost.com/entry/bringing-back-the-dead-wh_b_8955224

Hoffman, F., & Orner, A. (2021, August 30). *Dueling Dyads: Conceptualizing Proxy Wars in Strategic Competition*. Retrieved from FPRI:

<https://www.fpri.org/article/2021/08/dueling-dyads-conceptualizing-proxy-wars-in-strategic-competition/>

Human Rights Watch. (2008, August 18). *India: Repeal Armed Forces Special Powers Act*.

Retrieved from Human Rights Watch: <https://www.hrw.org/news/2008/08/18/india-repeal-armed-forces-special-powers-act>

Kanwal, G. (1999). Proxy war in Kashmir: Jihad or state-sponsored terrorism? *Strategic Analysis*.

Macander, M. (2021, October 28). *Examining Extremism: Lashkar-e-Taiba*. Retrieved from

CSIS: <https://www.csis.org/blogs/examining-extremism/examining-extremism-lashkar-e-taiba>

Nabi, S., & Burhan, B. (2020, December 21). *Kashmir emerges as flashpoint among 3 nuclear*

powers. Retrieved from Nikkei Asia : <https://asia.nikkei.com/Politics/Kashmir-turmoil/Kashmir-emerges-as-flashpoint-among-3-nuclear-powers>

Office of the UN High Commissioner for Human Rights (OHCHR). (2019). *Update of the*

Situation of Human Rights in Indian-Administered Kashmir and Pakistan-Administered Kashmir from May 2018 to April 2019. Office of the UN High Commissioner for Human Rights (OHCHR).

Poe, T. (2016, September 20). *Pakistan State Sponsor of Terrorism Designation Act*. Retrieved

from Congress: <https://www.congress.gov/bill/114th-congress/house-bill/6069/text>

Rifaat, H. (2016, January 19). *The Key to Understanding the Pathankot Attack*. Retrieved from The Diplomat: <https://thediplomat.com/2016/01/the-key-to-understanding-the-pathankot-attack/>

Tankel, S. (2011, May 20). *Lashkar-e-Taiba, Mumbai, and the ISI*. Retrieved from Foreign Policy: <https://foreignpolicy.com/2011/05/20/lashkar-e-taiba-mumbai-and-the-isi/>

Winchell, S. (2003). Pakistan's ISI: The Invisible Government. *International Journal of Intelligence and CounterIntelligence* .