

# S(c)helling in Kashmir: Bargaining under the Nuclear Shadow

Twenty years ago in the mountains of Kashmir, India and Pakistan fought one of the two limited wars between nuclear powers.<sup>1</sup> The Kargil conflict between May–July 1999 marked a watershed moment, not just for India–Pakistan relations, but also for the United States which until then had treated the two powers on an even footing. By decisively siding with India during that conflict, Washington’s stance paved the way for rapprochement with New Delhi, ending an uneasy relationship that went back to the early days of the Cold War. Nuclear theorists also found much to chew on from the Kargil conflict. After all, both India and Pakistan had declared themselves nuclear-weapons states just a year earlier, in 1998 through a set of back-to-back underground nuclear tests (even though India had an in-principle nuclear-weapons capability as early as 1974). Essentially, scholars found themselves divided into two camps: those who believed that nuclear weapons should contribute to South Asian stability (“the optimists”) and those who did not (“the pessimists”); both camps used the Kargil conflict as an example to make their case.<sup>2</sup>

In a now-classic essay first published in 1957, Thomas Schelling noted: “Limited war requires limits, so do strategic maneuvers if they are to be stabilized short of war.”<sup>3</sup> According to him, this recognition of ‘limits’ formed a part of unspoken (tacit) bargaining between adversaries. This bargaining in turn pivoted around special geographical, cartographical, or symbolic features (such as choice of weapons deployed) in such a way that if either side disregarded these features—say by crossing a line on a map *both* consider especially sacrosanct,

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or by deploying a weapon *both* regard as gravely escalatory—a limited war would no longer remain limited, or a heated crisis would become a kinetic conflict. At the same time, these features could also lead to convergence of both sides’ expectations around the outcome of the bargaining. They came to be known as “focal” (or “Schelling”) points in the literature.<sup>4</sup> (Schelling’s emphasis on focal points as leading to convergence of *mutual* expectations is what distinguishes them from tripwires which can be unilaterally drawn by either side in a conflict. All focal points are tripwires, but not all tripwires are focal points.)

To what extent were focal points present during the 1999 Kargil conflict? And how have focal points either manifested themselves, or not, in the India-Pakistan dyad since? These are not academic questions. Schelling’s own work, carried out at the height of the Cold War, was driven by the need to understand circumstances under which nuclear powers might tacitly recognize limits in a crisis or conflict and avert mutual disaster—something that remains of vital interest. Two states will tacitly bargain only when both have an interest in restraining competition, and nuclear weapons put a natural premium on such restraint.<sup>5</sup> Therefore, conflicts in South Asia since its overt nuclearization in 1998 became a natural site to test the validity of Schelling’s notions and tacit bargaining between nuclear powers.

At a basic level, Pakistan’s 1999 Kargil incursion—viewed as an attempted *fiat accompli*—showed that Islamabad did not recognize the Line of Control (LoC) as a

**Under what circumstances might nuclear powers tacitly recognize limits in a crisis?**

focal point while embarking on the intrusions. (The LoC, roughly speaking, is the de-facto border that separates India- and Pakistan-administered Kashmir.) That said, Pakistan also did not attempt to breach the LoC beyond the initial incursion that set the crisis into motion, such as attempting to interdict supply lines using air power when the Indian military started to fiercely dislodge the intruders. From the Indian side, as has already been noted by

others, New Delhi was very careful not to use its air force to cross the disputed LoC in 1999. While keeping the option of escalation open, it also did not engage in military mobilization along the established international border between India and Pakistan (in contrast to the LoC). Once kinetic actions started, the 1999 chain of events suggests a recognition of limits through tacit bargaining—in other words, the LoC *was* a focal point.<sup>6</sup>

However, since the 1999 conflict, the status of the LoC in the India-Pakistan strategic calculus—already significantly affected by Pakistan’s actions in 1999—has steadily eroded. Along with rising incidents of ceasefire violations as well as covert cross-LoC actions by both sides, India carried out an avowed shallow

cross-LoC special-operations strike inside Pakistan-administered Kashmir in September 2016. And most notably, in response to a terrorist attack on an Indian paramilitary convoy on February 14, 2019, 12 days later the Indian Air Force struck an alleged terrorist facility in the Pakistani province of Khyber Pakhtunkhwa, breaching the LoC again. The attendant Pakistan Air Force retaliation the day after brought both countries to the brink of all-out war for the first time since the Kargil conflict 20 years earlier.

Based on Schelling's conceptual framework, this essay seeks to provide a partial answer to the following question: Under what conditions would a limited kinetic engagement short of war between India and Pakistan *not* stay limited? I argue here that since the 1999 Kargil conflict, both India and Pakistan have *mutually* recalibrated their expectations around the LoC. As such they do not consider shallow breaches of the LoC by either side as irreversible stances which—according to Schelling—a focal point would demand. This suggests that, all else being equal, limited kinetic engagements across the LoC are unlikely to trigger a general war between India and Pakistan.

On the other hand, I also argue that the undisputed India-Pakistan international border will continue to remain a stable focal point, dictated by Pakistan's geography and domestic political-economic structures, features that are natural and therefore obvious to New Delhi—unlike the LoC.<sup>7</sup> In so far as there have been Indian threats to breach it in the past, it has been to generate favorable international intercession. A corollary to this argument, however, is that should India breach the India-Pakistan international border in response to a serious provocation in the future, a general war between the two countries is all but a certainty. The essay concludes with some policy lessons drawing from these arguments.

## The 1999 Kargil War

The Kargil conflict has its roots in the Ceasefire Line (CFL) drawn at the Karachi Agreement between India and Pakistan following a war over Kashmir in 1949.<sup>8</sup> The CFL was further mapped and clarified in the 1972 Simla Agreement following a third war between the two countries in 1971 that led to the creation of an independent Bangladesh. (The two countries had fought a second war, again over Kashmir, in 1965.) The Simla Agreement rechristened the CFL as the LoC after adjusting it for gains both sides made during the 1971 war.<sup>9</sup>

As the Indian government's 1999 Kargil Review Committee, instituted to investigate the causes of the conflict, would later put it, "[t]he change in nomenclature signified a transition from a military line separating the two armies brought about by the UN-arranged ceasefire in 1949 to a political divide which should evolve into a boundary." However, the 740 kilometers-long (about 460 miles)

LoC was not mapped beyond a northern-most point (“NJ 9842”) in the Siachen sector, presumably because of the difficulty in accessing that area. The Committee claimed that the wording of the 1949 Karachi Agreement—it must run “thence north to the glaciers”—implied that the Siachen glaciers area would be Indian territory,<sup>10</sup> a claim Pakistan contended. However, the glaciers remained unoccupied by either country until 1984.

By 1984, both India and Pakistan were secretly planning on occupying the passes near the Salto Ridge in Siachen. On April 13, 1984, the former beat the latter. By 1987, Pakistan occupied a mountain peak in Siachen near Bilafond-La. Given that the occupation near Bilafond-La threatened Indian supply lines in Siachen area, the Indian military, in a daring June 1987 operation, captured this peak from Pakistan.<sup>11</sup> In the minds of the Pakistani strategic elite, the Indian occupation of the passes near the Salto Ridge along with the seizure of the peak near Bilafond-La would be “a major scar, outweighed only by Dhaka’s fall in 1971.”<sup>12</sup>

In particular, the 10th Corps of the Pakistan Army responsible for the Force Command Northern Area (FCNA) was embarrassed by what it perceived as India’s illegal occupation of the Siachen Glaciers in violation of the Simla Agreement. By late 1998-early 1999, then Pakistan army chief Pervez Musharraf put in a plan that “mirror[ed] the Indian operation in Siachen, moving by stealth in the winter when they were less likely to be noticed and then claiming their new positions as *fait accompli*.”<sup>13</sup> The proximate objective of this plan was to occupy posts on the LoC from Zoji La to NJ 9842 with the grand objective *inter alia* being the eviction of Indian troops from Siachen by cutting off their supply lines.<sup>14</sup>

By the end of April 1999, the plan had been put into play. By then Pakistani paramilitary and irregulars had occupied 130 posts in the Kargil area.<sup>15</sup> These intruders were eventually discovered to be from four battalions of the then-paramilitary organization Northern Light Infantry (NLI), a plain-clothed group raised from locals from the FCNA’s area of jurisdiction who spoke Balti and other local languages (thus making it difficult for Indian intelligence agencies to decipher intercepts). The NLI battalions were supported by two companies of the elite Special Service Group commandos. The intruders turned out to be heavily armed, and also received artillery support from the Pakistan Army.<sup>16</sup>

The intrusions were 160 kilometers (100 miles) along the LoC while they were 8-10 kilometers (5-6 miles) deep.<sup>17</sup> The Indian side first discovered the intrusions on May 3 via local shepherds. Soon after, army patrols dispatched to monitor the incursions were ambushed.<sup>18</sup> The Indian establishment initially assumed that the infiltrators were ill-equipped *mujahedeens*—an assessment of the Indian civilian intelligence apparatus, according to then-chief of the Indian Army, General V.P. Malik. After realizing otherwise, the Indian Army presented “Operation Vijay” (its code name for the Kargil operation) to the Indian Cabinet Committee

on Security (CCS) on May 24, 1999 for its approval. It would enjoy significant close air support when the CCS finally assented to it that day, after rejecting the request six days earlier, under the condition that the Indian Air Force not breach the LoC. (General Malik, in his memoir, notes that the “nuclear factor too must have been weighing on the mind of the prime minister and his CCS colleagues,” along with uncertainty around “Pakistan’s political motives,” “the identity of the intruders [occupying the peaks of Kargil],” and the level of international support India was likely to receive in event of a full-scale war.<sup>19</sup>)

After decisive military engagements in the middle of June and early July, as well as the July 4, 1999 outcome-deciding intervention by then-U.S. President William J. Clinton asking then-Pakistani Prime Minister Nawaz Sharif to unconditionally withdraw his troops from the occupied posts on the LoC, the Indian army would announce Operation Vijay to be over on July 25, 1999. An American analyst with considerable experience studying the conflict would estimate that India lost 471 soldiers and airmen; Pakistan’s fatalities were estimated at 450 lives.<sup>20</sup>

### **Bargaining along the LoC: Kargil and Beyond**

What is striking is how the then-Pakistani Army chief Musharraf presented his rationale for the Kargil operation. According to Musharraf’s memoir, the Kargil offensive “was not a one-off operation, but the latest in a series of moves and counter-moves along the Line-of-Control in the inaccessible Northern Areas.”<sup>21</sup> Implicit in this view was a position articulated more clearly in Pakistan’s official defense circles, of the Kargil offensive as an exercise in “preemptive defence.”<sup>22</sup>

But this innocuous description of Kargil as an essentially defensive operation has been discarded by Indian, American and—most crucially—Pakistani sources. The picture that emerges, instead, is that of a Pakistani plan to avenge the perceived Indian aggression in Siachen in 1984.<sup>23</sup> The Kargil Committee Report listed a set of three “politico-strategic motives” and “five military/proxy war related motives.”<sup>24</sup> Triangulating this with interviews Western scholars had conducted with the relevant Pakistani authorities, the primary military objective of the Kargil offensive seems to have been acquiring the ability to interdict Indian movement through the NH-1A highway—which links the Kashmir valley with the Indian mainland—by occupying posts in the Dras-Kargil sector.<sup>25</sup> (Curiously, the public version of the Kargil Committee Report redacts a few seemingly-key lines about the military objective of the Pakistani offensive.) The political objective may very well have been to use this *fait accompli* to seek better bargaining position vis-à-vis Siachen or the larger Kashmir issue or, indeed, to change facts on the ground in the Siachen sector.<sup>26</sup> (A senior retired Indian military officer attributed maximalist motives to Pakistan for its actions in Kargil, suggesting that it was

a prelude to a full-blown invasion of India-administered Kashmir—something Pakistani sources have failed to corroborate.<sup>27</sup>)

Taking the official Indian and unofficial Pakistani accounts together, it becomes clear that at the planning stage of the 1999 Kargil conflict, Pakistan did not consider the LoC as a focal point. As scholars Feroz Hassan Khan, Peter R. Lavoy, and Christopher Clary write, “Even without nuclear weapons, however, Pakistani planners may have assumed that India would not be willing to risk general war in response to an incursion along the LoC, just as Pakistan

had accepted India’s Siachen operation as an unfortunate but unalterable *fait accompli*.”<sup>28</sup>

**At the planning stage of Kargil, Pakistan did not consider the LoC as a focal point.**

India’s own position on the LoC—as a focal point—is interesting. While some Pakistani analysts have maintained that India did try to alter the LoC soon after its designation as such, in 1972, by establishing five Indian posts in the Chorbat-La sector in Pakistan-administered Kashmir,<sup>29</sup> there is no independent confirmation of this. That said, India effectively elongated the LoC to its advantage

through the 1984 operations in Siachen based on its own reading of the ambiguously worded Karachi Agreement—an interpretation that Pakistan clearly did not share. (It needs to be reiterated that Pakistan too around the same time was planning on a similar operation.) Therefore, it is clear that the LoC—essentially a ceasefire line along a very complex topography—was far from being a stable focal point to begin with. (Recall Schelling’s basic premise that focal points have to be *natural* in that it has to be evident to both sides.) But beyond India’s 1984 operations in Siachen, it is known that both armies have regularly carried out shallow incursions across the LoC in the past to alter it in minor tactical ways.<sup>30</sup> Much more significantly, crises since Kargil and recent academic research show that the Indian Army continued to evince interest in unilaterally shifting the LoC, albeit as a way to punish Pakistan for its support of terrorist attacks in India, militancy in India-administered Kashmir and/or for casualties incurred in routine ceasefire violations.

Indian scholar Happymon Jacob has documented one such (aborted) plan—codenamed “Operation Kabaddi”—to have been carried out around September 2001, whereby “25-30 Pakistan army posts from the Batalik sector of the Ladakh region of J&K [the Indian state of Jammu and Kashmir which includes India-administered Kashmir] right down to Chamb-Jaurian in the Jammu sector were earmarked by the Indian Army’s Northern Command for capture: around one-two posts per brigade.”<sup>31</sup> (The distance from Batalik to Kargil is about 54 kilometers or 35 miles.) This planned “large scale offensive” had its origins in smaller,

similar operations in 2000 and drew its inspiration from India's success in Kargil. While it remains unclear whether the political leadership in New Delhi was aware of this plan or not, the terrorist attacks in the United States that month—and the attendant global focus on the region at large—led to the plan being called off.<sup>32</sup> The planned Operation Kabbadi demonstrates that for India—at least at an ideational level and perhaps without explicit political authorization—altering the LoC through an offensive military operation remained open two years after the Kargil War.

In December 2001, Pakistan-based suicide bombers attacked the Parliament House in New Delhi—the equivalent of the U.S. Capitol Building in the Indian system. While the attackers failed to breach the main building,<sup>33</sup> the attempt itself sparked a severe crisis, bringing India and Pakistan to the brink of war yet again a little over two years after Kargil. Along with attacking terrorist launching pads in Pakistan-administered Kashmir, India's retaliatory plan also involved making “multiple thrusts across the LoC to seize territory in Pakistan-held Kashmir, retaining the option of occupying areas of military significance, such as Lipa Valley and the Hajipir [Haji Pir] Pass.”<sup>34</sup> The option to occupy positions along the Haji Pir Pass was strategic in nature: the Pass forms an important transportation link inside Pakistan-administered Kashmir. As such, controlling positions along the Pass could significantly improve India's bargaining position vis-à-vis Kashmir—just as Pakistan's would have, had it succeeded in taking terrain in the Dras-Kargil sector in 1999. While the overall 2001 retaliatory plan itself was called off, a senior retired Indian Air Force officer has recently written that it involved cross-LoC air strikes but “they were not executed, supposedly because there was not enough support from other stakeholders,” presumably meaning the political leadership. The same officer went on to suggest that similar air-strikes options were once again presented to the political leadership after the 2008 Mumbai attacks, only to be shelved by it.<sup>35</sup>

Shifting the LoC as retaliation for Pakistan's support for terrorism and militancy in India and India-administered Kashmir continues to fuel military thinking in New Delhi. After the February 14, 2019 terrorist attack on the Indian paramilitary convoy in India-administered Kashmir, former senior Indian military officers were indeed suggesting the Haji Pir Pass as a possible target for Indian retaliation, though noting that such “an action would scale up the conflict beyond just ‘limited operations.’”<sup>36</sup> Well after the 2001 crisis but *before* the 2019 attack, a serving Indian army officer described a scenario where positions along the Haji Pir Pass would be seized within 48 hours of political authorization using a division-sized infantry formation in the Rajouri

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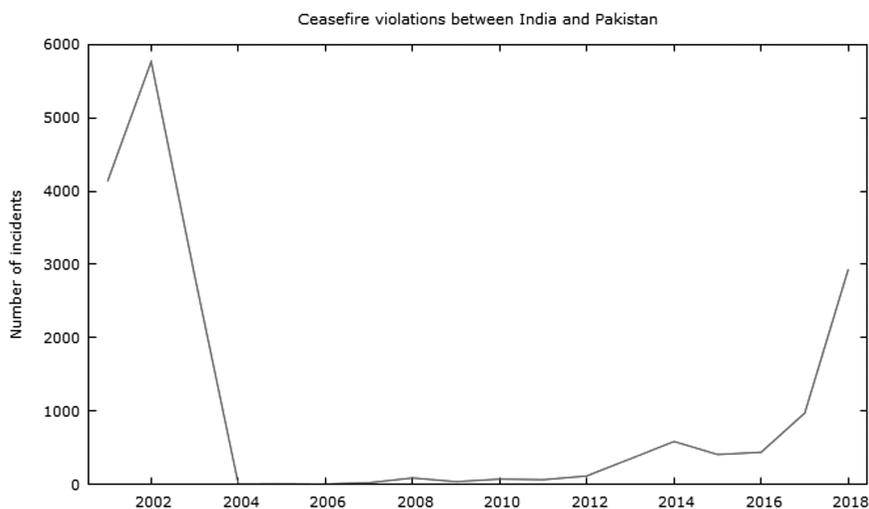
sector with rotary close air support (with support from significant counterinsurgency-centric Rashtriya Rifles and special forces in the region).

Assessing that the local balance of forces in the region favors India at six to one, the officer noted two distinct advantages with this plan: First, the officer argued, because of the terrain involved, there would be no need to deploy mechanized forces of the type envisioned in the more muscular descriptions of a limited-aims war strategy. Indeed, the use of infantry elements alone—with no use of fixed-wing air assets—would signal to Pakistan the limited nature of the offensive. Second, by limiting the offensive along the LoC, it would be inherently less escalatory than options that involve breaching the international border, the officer reasoned.<sup>37</sup>

But it is not simply at the realm of contingency planning that India seeks to make the LoC irrelevant, as it grapples with ways to end Pakistan's support of Kashmiri militants and terrorists sponsored by its intelligence services. On August 30, 2011, the Indian Army launched "Operation Ginger," in which Indian special forces crossed the LoC and killed eight Pakistani soldiers (decapitating three of them), in response to a similar Pakistani raid a month earlier in an operation that remains classified to date.<sup>38</sup> One reputable Indian news outlet has reported instances of at least two other covert operations of its kind: in 2008 and 2013.<sup>39</sup>

Most notably, on September 29, 2016, Indian special forces crossed over the LoC and attacked terrorist launch pads as retaliation against a terrorist attack on an Indian Army base in Uri, Kashmir, 11 days earlier. By publicly avowing the attack (unlike the other alleged instances), the Indian army seemed to signal Rawalpindi and Islamabad that, this time around, its actions had unambiguous political clearance even though the actions themselves—such as strictly circumscribed rules of engagement and framing the strikes as a counterterrorist mission, not as a challenge to the Pakistan army<sup>40</sup>—suggested restraint. Some Indian analysts went as far as to suggest that the cross-LoC strikes suggested their country's interest in escalation dominance.<sup>41</sup>

On its part, Pakistan chose to dismiss the "surgical strikes," as New Delhi described the cross-LoC strikes, as manufactured propaganda designed to placate an Indian domestic audience, and that it was part of routine LoC violations that both sides regularly engage in.<sup>42</sup> Indeed, Indian media regularly reports intrusion attempts by Pakistan's Border Action Teams—part of Pakistan's elite Special Services Group (which provided support to the NLI battalions that occupied the peaks of Kargil in 1999).<sup>43</sup> Whatever the truth is—India has not released any conclusive evidence to support its case publicly—Rawalpindi, by playing down India's claim, effectively helped blur the LoC as a focal point for both India and Pakistan. Meanwhile, ceasefire violations stood at a 14-year high in 2018, rendering the 2003 ceasefire agreement between India and Pakistan meaningless (see **Figure**).<sup>44</sup>

**Figure: India-Pakistan Ceasefire Violations, 2001–2018<sup>45</sup>**

But it is not just a matter of the frequency of ceasefire violations alone. Both armies have started using heavy artillery against each other across the LoC, a disturbing pattern that has intensified over the past two years.<sup>46</sup>

### The 2019 Pulwama-Balakot Crisis

The proposition behind the September 2016 cross-LoC strikes—that it would deter Pakistan-supported proxies from attacking Indian targets—was soon tested. On November 29, 2016, exactly two months after the strikes, militants attacked another Indian military base in India-administered Kashmir killing at least seven soldiers.<sup>47</sup> (Unlike India’s response to the attacks two months earlier, New Delhi chose not to militarily respond to this provocation.) But the real challenge for New Delhi came on February 14, 2019 when a suicide bomber with links to the Pakistan-based Jaish-e-Mohammad (JeM) terrorist group attacked an Indian paramilitary convoy in Pulwama, Kashmir killing at least 40 soldiers—the worst such terrorist attack in Kashmir in over three decades.<sup>48</sup> The Modi government immediately decided to avenge this attack. Officials debated “action [that] had to be “cinematic” but also “militarily effective,” “inflicting pain” on Pakistan,” according to Indian journalist Subhajit Roy.<sup>49</sup>

On the early morning of February 26, 2019, 12 Indian Air Force Mirage-2000 jets bombed an alleged JeM camp outside Balakot, a small town in the Khyber Pakhtunkhwa province of Pakistan, about 70 kilometers (45 miles) from the

LoC and 40 kilometers (25 miles) north from Muzaffarabad (the capital of “Azad Kashmir,” the term Pakistan uses for Kashmir it administers).<sup>50</sup> This “non-military preemptive action”<sup>51</sup>—as the Indian government termed it—was carried out from an (unknown) standoff range from the LoC.<sup>52</sup> (Reports suggest that Indian pilots were instructed to not breach the LoC, but they ended up making a shallow incursion into Pakistan-controlled airspace in the process of acquiring the assigned targets.<sup>53</sup>) While India claims to have destroyed five of the six intended targets, independent open-source intelligence analysis have failed to verify this assertion.<sup>54</sup>

Whatever the case, Pakistani retaliation was swift. The next morning, Pakistan Air Force breached the air space over India-administered Kashmir and attempted to attack Indian military installations, including an Indian Army Brigade Headquarters.<sup>55</sup> In the ensuing dogfight, one Indian Mig-21B jet was downed by a Pakistani F-16, and the Indian pilot was captured and returned to India on March 1, two days later. India claims to have downed a Pakistani F-16, although this is disputed.<sup>56</sup> Reports also suggest that India may have threatened to launch short-range surface-to-surface conventional missiles into Pakistan, had the captured Mig-21B pilot not been returned to India unharmed—a claim that was very recently confirmed by Prime Minister Narendra Modi during an election rally.<sup>57</sup> The same reports also suggest that Pakistan, in turn, had threatened to

retaliate in kind. Both countries had communicated the threats and counterthreats to each other and, more interestingly, to third parties including the United States, Saudi Arabia and the United Arab Emirates.<sup>58</sup>

Juxtaposed against the 1999 Kargil conflict, the 2019 Pulwama-Balakot crisis offers a set of lessons on tacit bargaining—some straightforward and others less so. Beginning with the clearer lessons, during the Kargil conflict, the Indian Air Force was prohibited by the Indian political leadership from crossing the

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LoC. (As noted earlier, the Indian CCS initially refused to allow the Air Force to participate in Operation Vijay only to acquiesce under this condition.) This imposed severe operational constraints on the use of Indian air power, a fact that then-Defence Minister Jaswant Singh noted in stark terms in his memoir: “There was another aspect that concerned me greatly: to ask our Air Force to undertake these air missions and within such narrow, tight confines bound by the LoC was to send it on virtual suicide missions. And there was no way that the political leadership would permit cross-LoC operations.”<sup>59</sup> That Rubicon was decisively crossed during the Balakot crisis. In fact, it was the first time

Indian air power was used in Pakistani territory since the 1971 war over the liberation of Bangladesh.

In Schelling's account of limited war as tacit bargaining, "the initial departure of retaliation from the locality that provokes it may be a kind of declaration of independence that is not conducive to creation of stable mutual expectations."<sup>60</sup> That was not to be the case during the Balakot crisis. India's air attack as well as Pakistan's retaliation happened to involve symmetrical shallow breaches of the LoC and not the international border. Therefore, there was no "declaration of independence" that would have broken tacitly-accepted limits completely.<sup>61</sup> In the Kargil case, India's retaliatory actions were also symmetric, localized only to those sectors of the LoC that were occupied by Pakistani intruders, even as it kept the option of horizontal as well as vertical escalation open. On Pakistan's part, it did not introduce its own Air Force even as the Indian Air Force factored that possibility in its own air operations.<sup>62</sup> Overall—as one recent analysis described the Kargil conflict—"both [sides] took prudent military precautions but evidently wanted to avoid potentially escalatory steps that would be difficult to reverse and could lead to unpredictable reactions by the other side."<sup>63</sup>

### Shifting Focal Points and the Search for Limits

The obvious lessons as described above merely note that tacit bargaining held during the 1999 Kargil conflict and the 2019 Pulwama-Balakot crisis. The less clear lessons from the latter follow from answers to the following "why" questions: *Why* did India retaliate against the Pulwama attack by striking targets in Khyber Pakhtunkhwa and not in Pakistani Punjab, a hotbed of anti-India terrorism?<sup>64</sup> *Why* did Pakistan counter-retaliate by attempting to strike targets in India-administered Kashmir? In other words, *why* did the game of tacit bargaining hold during that crisis?

In order to answer these questions, a short detour through Pakistan's strategic geography is necessary.

The country has four provinces (Punjab, Sindh, Balochistan, and Khyber Pakhtunkhwa), one capital territory (Islamabad Capital Territory), and two administered regions (Gilgit-Baltistan and Azad Kashmir, together forming Pakistan-administered Kashmir). Of the four provinces, only two border India: Punjab and Sindh. India's borders with both (running to a total of 2300 kilometers, or about 1430 miles)<sup>65</sup> are undisputed by Pakistan—save for a 193 kilometers (120 miles) stretch that borders part of the Indian state of Jammu & Kashmir and part of Pakistani Punjab—in contrast to its borders with the two administered regions.

**Why did tacit bargaining hold during the 2019 crisis?**

Punjab plays an outsized role in determining social, political, and economic outcomes in Pakistan. Punjabis make for 44.7 percent of the country by ethnicity (the largest ethnic group, by far—Pashtuns make for a distant second, at 15.4 percent) and provide 75 percent of Pakistan’s armed forces; the Punjab province is also the most densely populated in the country.<sup>66</sup> In the agriculturally fertile Punjab, the Pakistan Army is a “major stakeholder in the provincial government’s land ... since it controls 38 percent of the 68,000 acres of government farmland [2003 data].”<sup>67</sup> While not as important as Punjab in many ways, Sindh houses important commercial hubs including Karachi—Pakistan’s main commercial port as well as its most populous city.

Now compare these provinces with Khyber Pakhtunkhwa. Known as the North-Western Frontier Province (NWFP) until 2010, it is home to the Pashtuns—an ethnic group with a fraught relationship with the Punjabi-dominated Pakistani state.<sup>68</sup> Historically, Islamabad had an instrumental relationship with the then-NWFP. Traditionally hostile to Pashtun nationalism, the Pakistani military turned to that ethnic group for support in its covert war efforts against the occupying Soviet forces after its invasion of Afghanistan. NWFP’s capital, Peshawar, was used in the 1980s as the forward-operating base by Pakistani, Saudi, and U.S. entities in that fight.<sup>69</sup> In recent years, the relationship between Pashtun nationalist movements and the Pakistani state has soured considerably. A clash between the nationalist Pashtun Protection Movement and the Pakistan military on May 26, 2019 has been termed “a dangerous turning point in the growing conflict between the military and the country’s largest ethnic minority.”<sup>70</sup> With the merger of the Federally Administered Tribal Areas (areas in the mountainous and often lawless Pakistan-Afghanistan border) with Khyber Pakhtunkhwa in 2018, the province is now home to Tehrik-i-Taliban Pakistan, one of the Islamic Republic’s greatest internal threats.<sup>71</sup> But most fundamentally, the western border of that province (like Balochistan’s<sup>72</sup>) remains disputed in that Kabul, unlike Washington, refuses to endorse the colonial Durand Line as an international border.<sup>73</sup> (As the United States seeks to withdraw from Afghanistan, contestation around the Line is likely to become much more intense.) Of the four provinces of Pakistan, only two have settled international borders: Punjab and Sindh. They are its heartland.

The relative positions of Khyber Pakhtunkhwa and Punjab in Pakistan’s strategic geography answers the two “why” questions raised earlier. While India framed the Balakot air strikes in terms of a preemptive strike in the “face of imminent danger,”<sup>74</sup> it is now clear from news reports that New Delhi had made up its mind to avenge Pulwama soon after the February 14th attack. The language of “non-military preemptive action” was deployed to “justify Indian decisions in terms of the laws of war.”<sup>75</sup> Therefore, New Delhi had considerable freedom to choose its site of retaliation.

JeM—which India blames for the 2019 Pulwama attack; an early 2016 attack on another Indian military base in *mainland* India, in Pathankot, Indian Punjab; and the 2001 attack on the Indian Parliament Building—has its headquarters in Pakistani Punjab, in a small town named Bahawalpur.<sup>76</sup> In the past, India repeatedly sought to have JeM leader Masood Azhar brought to justice. Therefore, if New Delhi was interested in sending a strong signal to Pakistan about its determination to go after JeM, it could have chosen to kinetically target Azhar's location in Bahawalpur (if it had credible intelligence about his presence there) or used non-kinetic means—through a cyber-attack to shut power down in that complex, for example—to demonstrate intent.<sup>77</sup>

Equally interesting is the following hypothetical: as noted earlier, Pakistan disputes a section of the international border that roughly runs between the Indian state of Jammu and Kashmir and Sialkot in Pakistani Punjab. The Jammu-Sialkot sector of the international border has been subject to routine ceasefire violations from both sides over the past couple of years. Evidence—presented by Pakistani media—has suggested that Sialkot had an active Islamic State cell which consisted of defectors from LeT.<sup>78</sup> More notably, JeM ran a mosque in that town until March 2019.<sup>79</sup> Therefore, between Pakistan's nonrecognition of the Jammu-Sialkot sector of the international border as undisputed and the argument of preemption in face of imminent danger, New Delhi could have very well launched an air strike on Sialkot—or easier still, targeted select facilities with short-range rockets. The fact that it did not establishes how strong the international border is as a focal point for India.

“[T]he problem of finding mutually recognized limits on war is doubly difficult if the definition implicit in the aggressor's own act is not tolerable,” Schelling wrote in 1957.<sup>80</sup> By attacking Balakot in Khyber Pakhtunkhwa—which can hardly be considered Pakistani heartland, as I have argued earlier—and not Bahawalpur or Sialkot (as examples), India tacitly left Pakistan a way out of escalating the

conflict. Indeed, as American scholar Ashley Tellis noted, Pakistan's retaliatory posture on February 27th was perfunctory.<sup>81</sup> On the other hand, if India had directly targeted Pakistani Punjab on February 26, 2019, Schelling would have suggested that Pakistan's response would have been qualitatively very different—for it would have been a breach of a convention that has withstood two intense crises (1999 and 2001-2002) since India and Pakistan became *de facto* nuclear-weapons states in 1998: that the international border between India and Pakistan is inviolable.<sup>82</sup>

**By targeting Balakot, which is not the Pakistani heartland, India tacitly left Pakistan a way out.**

As noted earlier, in response to the December 2001 attack on the Indian Parliament, New Delhi had planned on seizing Pakistani positions along the LoC as a compelling measure (as the first phase of what came to be known as “Operation Parakram”). Only after another terrorist attack in the Indian state of Jammu and Kashmir, in May 2002, did New Delhi signal—through the largest ever military mobilization since 1971 which began soon after the December attack—breaching the international border to draw Pakistan’s army into the desert terrain in order to inflict attrition losses.<sup>83</sup> However, India never attacked; perhaps it never intended to. Then-Defence Minister Jaswant Singh noted that Operation Parakram was “coercive diplomacy, a combination of diplomatic and military pressure.”<sup>84</sup> This view was echoed more bluntly by others. At that time, Indian scholar and journalist C. Raja Mohan noted that India—by threatening to go to war with Pakistan, cognizant of the fact that the terminal stage of that conflict could be a nuclear exchange—sought favorable international intercession against Pakistan.<sup>85</sup>

In fact, this was exactly what India’s strategy was during the 1999 Kargil conflict as well when then-Indian National Security Advisor (NSA) Brajesh Mishra told then-U.S. National Security Advisor Sandy Berger that if Pakistan did not vacate the peaks of Kargil, India would have to escalate the war.<sup>86</sup> In an interview with an Indian journalist, Mishra had revealed that then-Prime Minister Atal Bihari Vajpayee had bluntly written to Clinton: “One way or the other, we will get them out.” Mishra explained that crossing the LoC was not ruled out; nor was the use of nuclear weapons.<sup>87</sup> While the former is plausible, the latter simply is not. Nuclear weapons use for India, as a superior conventional power in the dyad, would only have come to play had India horizontally escalated the Kargil conflict across the entire LoC and the international border and faced rout doing so.<sup>88</sup> There are also no indications from independent third-party observers that India had increased its nuclear readiness at any point during the conflict.<sup>89</sup> Therefore, the only conclusion one can draw from Mishra’s account is that Vajpayee was playing up the risk of nuclear war to generate American pressure on Pakistan.

Returning back to the 2019 Balakot crisis, as noted earlier, India had threatened to fire short-range conventional missiles at Pakistan if the Mig-21B pilot captured during the February 27, 2019 dogfight had been harmed. Given that the missile batteries were ordered to be placed in Rajasthan,<sup>90</sup> their likely targets would have been in Punjab and Sindh—the Pakistani heartland, in other words. If New Delhi had indeed breached the international border with the missile strikes, it would have conclusively established that there is no meaningful distinction between the geographic heartland and fringes in the India-Pakistan dyad, around which the two actors could coordinate their bargaining expectations.

While it is always hard to explain something that did *not* happen, one important clue is available. The very fact that this threat was explicitly communicated by the Indian external intelligence chief to his Pakistani counterpart, and by the Indian NSA Ajit Doval to his U.S. counterpart, John Bolton, seems to suggest that this was part bilateral bargaining, and part a way to seek international intercession. And the last part fits neatly in the pattern of Indian behavior during crises over the past 20 years, as I have recalled here. What supports this conjecture further is that there was no reported military reinforcement of—or mobilization to—the international border during February 27, which would have been prudent measures given the inevitable declaration of war that would have followed from Pakistan had India attacked its heartland.

While the Indian navy chief has indicated that his forces were forwarded deployed after the Pulwama terror attack—which prompted the Indian air strikes in February 2019—it is important to remember that the Indian Navy was in the middle of a massive prescheduled theater-level naval exercise during that time, which meant that a large number of naval assets were already in the Arabian Sea, off the coast of Pakistan, for that purpose.<sup>91</sup> Therefore it is unclear to what extent that ‘forward deployment’ was a signal of strategic intent or a mere prudent afterthought. But most interestingly, in a television interview during his re-election campaign, Prime Minister Modi indicated that the purpose of the Indian naval movements in the Arabian Sea in the run-up to the February 27 airstrikes was to generate the impression that India could attack Karachi—while New Delhi’s target laid elsewhere, in Balakot.<sup>92</sup>

## Policy Lessons

India-Pakistan crises over the past 20 years, viewed together from the prism of geographic focal points and tacit bargaining, establishes two facts: despite early gains in establishing the LoC as an inviolable line following the 1999 Kargil conflict, in the following two decades its status as such has steadily decayed. At the same time, the international border remains a stable focal point which has withstood one extremely acute crisis (in 2001-2002). Insofar as India has threatened to breach the LoC (in 2002 and 2019), it has been to generate favorable international intercession.

Thus, the first policy lesson from the past 20 years of conflicts in South Asia: the international community matters. Tacit bargaining is a game, and games often need referees.<sup>93</sup> The United States continues to play a vital role in crisis management in the region, even under a president not disposed to international activism, to put it mildly. While India has largely overcome what three knowledgeable analysts described as its “fetish of bilateralism”<sup>94</sup>—having on three different occasions

successfully persuaded the United States to interject on its behalf—it remains deeply suspicious of foreign powers’ interest in Kashmir in non-crisis periods. The key challenge going forward for the United States and key Arab states (who, as the Pulwama-Balakot crisis demonstrated, are beginning to emerge as important regional actors) would be to encourage India to develop a long-term plan to solve the Kashmir conundrum which continues to sap its military resources and therefore serve as a principal obstacle in its rise to great power status.

The second policy lesson follows from the structural environment of South Asia, which has changed significantly over the past few years. Ceasefire violations of the LoC have dramatically risen since 2016, right around the time it became clear that the U.S. commitment to Afghanistan had plateaued at best and flagged at worst. India has vigorously probed the LoC during this period, beginning with the September 2016 cross-LoC special operations to the February 2019 cross-LoC air strikes. At the same time, the People’s Republic of China has quietly inserted itself into the India-Pakistan dynamic. As early as 2010, there have been reports that the People’s Liberation Army now has a significant presence in the Gilgit-Baltistan area of Pakistan-administered Kashmir.<sup>95</sup> The China-Pakistan Economic Corridor—the Belt and Road Initiative’s flagship project—passes through the region, with the implication that China has significant financial stakes in that area. The simultaneous impact of American withdrawal from Afgha-

**C**hina has quietly inserted itself into the India-Pakistan dynamic.

nistan as well as increasing Chinese presence in Pakistan-administered Kashmir on the India-Pakistan dynamic in general, and the stability of the LoC in particular, remains to be seen.

A third and final policy lesson: Over the past two decades, Pakistan’s behavior has had all the hallmarks of a non-unitary state:<sup>96</sup> while terrorist groups operating from its soil (with or without clearance from the apex state authorities) have engaged in unrestrained violence, Pakistan’s military has retaliated with prudence when directly challenged by its Indian counterpart, whether that was in Kargil or Balakot. (Indirectly, it has continued to sporadically aid infiltration of militants and terrorists into India-administered Kashmir.) For its part, New Delhi has been remarkably risk-conscious and pragmatic; despite occasional proclamations to the effect that the “days of strategic restraint are over,”<sup>97</sup> India has carefully calibrated its response to provocations emanating from Pakistan.

But to expect that it will under no circumstances breach the international border—irrespective of the level of provocation—is unrealistic. Ultimately, focal points are what both sides make of them. Schelling had persuasively argued that the Yalu River *should* have been a natural focal point for the

People's Liberation Army (PLA) and UN forces during the Korean War—knowing well that it was breached by the PLA in October 1950.<sup>98</sup> While Indian military *actions* in the crises so far have suggested considerable restraint, recent Indian military *planning* indicates serious and concrete interest in putting in place a 15-year old offensive limited-aims strategy (colloquially, “Cold Start”). Under this strategy, following a serious Pakistani provocation, division-sized Indian “integrated battle groups” (a mix of mechanized infantry, artillery, and armor) would quickly mobilize to make a shallow incursion across the India-Pakistan international border and seize territory—possibly in Pakistani Punjab—for post-conflict bargaining.<sup>99</sup> While Indian strategists have theorized extensively about this strategy, it is only recently that the Indian Army has begun to acquire new—and restructure existing—capabilities needed to execute it. And as is well-known, Pakistan justifies its development—and potential deployment—of tactical nuclear weapons as a response to India's growing interest in punitive offensive strategies.

That games of tacit bargaining have held between India and Pakistan over the past twenty years is nothing short of remarkable. But there is no intrinsic guarantee that both countries will continue to play them indefinitely.

## Endnotes

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- P. Cohen, *Four Crises and a Peace Process: American Engagement in South Asia* (Noida: HarperCollins, 2007), 148. This assertion is also echoed by a recent analysis, see: John H. Gill, "Provocation, War and Restraint under the Nuclear Shadow: The Kargil Conflict 1999," *Journal of Strategic Studies* 42, no. 5 (2019): 720.
7. An important caveat is in order: there is a 193 kilometer stretch of the international border along Sialkot in Pakistani Punjab and Jammu in India-administered Kashmir that Pakistan disputes, calling it a 'Working Boundary' see: Brig. Masud Ahmed Khan (Retd.), "From Line of Control to Working Boundary," *Daily Times*, March 4, 2018, <https://dailymtimes.com.pk/209941/line-control-working-boundary/>. Indeed, as this essay notes later, the 'Working Boundary' remains contested with regular ceasefire violations in recent years. Throughout this essay, the India-Pakistan international border refers to the (overwhelmingly large) fraction of the international border that both sides regard as undisputed unless specified otherwise.
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  9. A map of the LoC (dated April 2017) is available through the United Nations Military Observer Group in India and Pakistan: <https://www.un.org/Depts/Cartographic/map/dpko/UNMOGIP.pdf>.
  10. *From Surprise to Reckoning: The Kargil Review Committee Report* (New Delhi: Sage Publishers, 2000), 48.
  11. Myra MacDonald, *Defeat Is an Orphan: How Pakistan Lost the Great South Asian War* (Gurgaon: Penguin Viking), 51–62.
  12. Feroz Hassan Khan, Peter R. Lavoy, and Christopher Clary, "Pakistan's Motivations and Calculations for the Kargil Conflict," in *Asymmetric Warfare in South Asia: The Causes and Consequences of the Kargil Conflict*, ed. Peter R. Lavoy (Delhi: Cambridge University Press: 2009), 75.
  13. MacDonald, *Defeat Is an Orphan*, 52–53.
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  20. Gill, "Provocation, War and Restraint under the Nuclear Shadow," 718.
  21. Pervez Musharraf, *In the Line of Fire: A Memoir* (London: Simon & Schuster UK, 2006), 87.
  22. Zafar Iqbal Cheema, "The Strategic Context of the Kargil Conflict: A Pakistani Perspective," in *Asymmetric Warfare in South Asia: The Causes and Consequences of the Kargil Conflict*, ed. Peter R. Lavoy (Delhi: Cambridge University Press: 2009), 59.
  23. Khan, Lavoy, and Clary, "Pakistan's Motivations and Calculations for the Kargil Conflict," 74–80.

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27. Air Commodore Jasjit Singh (Retd.), “The Fourth War,” in *Kargil 1999: Pakistan’s Fourth War for Kashmir*, ed. Air Commodore Jasjit Singh (Retd.) (New Delhi: Institute for Defence Studies and Analyses, 1999), 124.
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29. See, as an example: Zehra, *From Kargil to Coup*, 31.
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