

A CHOREOGRAPHY OF VIOLENCE
MANAGING CONFLICT ALONG KASHMIR'S LINE OF CONTROL

Master of Arts in Law and Diplomacy Capstone Project

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I: Introduction

Two siblings sit in a sprawling orchard. Neither wants to share it, but this is the reality they must live with. Their father abandoned this orchard, taking most of its fruits when they left. Now, it has become blighted. The siblings inherit the few fruits that remain as well as the thorns that surround them. Rather than tend to the garden in unison, the siblings quarrel over it, each wanting the entire share. They are both wary of each other and incredibly possessive. They watch each other constantly, counting what the other takes and leaves behind. Their obsession with the fruits has left the rest of the orchard in disarray. Overgrown weeds and trampled beds cover the ground. Broken branches and bramble bushes litter the garden. They do not fight every day, but each harvest reignites their quarrel. This further erodes the soil and strains the roots.

At the center of this orchard is a lone tree: big, bountiful with fruit, and growing each day. Both siblings view it as the prized possession of the garden, but this tree is more than that. It existed before the siblings and their father. It is a living, breathing organism that finds itself caught in the middle of the feud. Each sibling claims it as their own, but the tree grows on its own terms. It provides fruit for them yet bears the scars of their quarrels. Over time, the tree has become weathered. With its bark split, roots exposed, and branches under strain, it tries to protect itself. It wants to speak, but the siblings do not hear its voice. Despite this, the siblings show restraint. They do not let their fighting destroy the tree completely. They admire its beauty and recognize its importance for the orchard.

India and Pakistan have one of the most turbulent relationships in the world, enduring multiple territorial wars, religious conflicts, and political tensions since their inception into separate states in 1947.¹ Despite shared history and culture, both nations remain divided due to the bloody legacies of Partition, competing national identities, and territorial disputes. Explained in more detail further into the paper, this has fueled a perpetual security dilemma between the two countries.² The legacies of colonialism are the driving force behind the bitterness between these two neighbors. Manipulated and manufactured identities facilitated the process of

¹ Ashley J. Tellis, *Are India-Pakistan Peace Talks Worth a Damn?*, A Tangled Tapestry in the Interlocking Antagonisms Between India and Pakistan (Carnegie Endowment for International Peace, 2017), 16–19, <https://www.jstor.org/stable/resrep26912.7>.

² Umme Raesa and Nasreen Akhtar, “India-Pakistan Security Dilemma: Analyzing the Deterrence and Coercive Diplomacy in the Context of Regional Stability,” *Journal of Development and Social Sciences* 6, no. 2 (2025): 508, [https://doi.org/10.47205/jdss.2025\(6-II\)42](https://doi.org/10.47205/jdss.2025(6-II)42).

“othering”, fueling in-group/out-group dynamics.³ The Partition of the Indian sub-continent represents the climax of British failures. Rushed and poorly planned, it left many issues of state succession unresolved, passing the buck to the new nation states of India and Pakistan to deal with.⁴ At the heart of this issue was the princely states of the British Raj. Their status as autonomous territories made their succession messy, and Kashmir represents the epitome of this challenge.⁵ Kashmir is arguably one of the most contested elements of their relationship. To this day, it is a manifestation of the tragedies of Partition and a symbol of the atrocities of colonialism. Nestled between India and Pakistan, Kashmir remains divided along a *de facto* boundary line, but each country claims sovereignty over the totality of the region. This boundary line, known as the Line of Control (LoC), has separated Indian and Pakistan-controlled Kashmir for over 50 years, successfully preventing major outbreaks of war amid shaky ceasefire agreements and continuous ceasefire violations.⁶

The purpose of this paper is not to dissect the adversarial bond between these two countries. Nor is it to suggest potential avenues of conflict resolution over Kashmir as well as the broader Indian-Pakistan relationship. To put it bluntly, solving this issue is not realistic, at least in the foreseeable future. Entrenched political positions on key contested issues and the strategic role of Kashmir as a core part of each country’s sovereign identity prevent diplomatic success. Combined with a history of violent conflict and nuclear deterrence dynamics, India and Pakistan prefer to maintain lower levels of conflict and control the extent to which it escalates rather than attempt to outright resolve these longstanding issues. Additionally, this analysis is not a study in International Humanitarian Law or International Human Rights law. However, that does not mean that the normative frameworks established by these legal regimes are irrelevant. The opposite is true. Rather, their relevance is not a topic for investigation in this paper outside of a brief analysis in section VII.

³ Shashi Tharoor, *An Era of Darkness: The British Empire in India* (Aleph, 2016), 121–122, 127.

⁴ Adil Najam, “How a British Royal’s Monumental Errors Made India’s Partition More Painful,” *The Conversation*, August 16, 2017, <https://theconversation.com/how-a-british-royals-monumental-errors-made-indias-partition-more-painful-81657>.

⁵ Shaiba Rather, “Falling Through the Cracks: Kashmir’s Resistance Against Settler Colonialism and the Limits of International Law,” *Harvard International Law Journal Online* 63 (February 2022): 4.

⁶ Christopher Clary, “The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned,” *US Institute of Peace* 527 (February 2024): 3–4.

This paper seeks to analyze the LoC's effectiveness at conflict management and preventing higher levels of escalation between both sides. Conflict resolution should be the goal for India and Pakistan, but since this does not seem feasible, the narrative must pivot towards conflict management. Although maintaining the *status quo* might seem like a complacent action given the ongoing violence in Kashmir, the LoC has effectively prevented a protracted escalation of violence for the better part of 50 years.

The paper begins with a breakdown of two approaches to peacebuilding: conflict resolution and conflict management. This is to show why conflict management is better suited for Kashmir at the current moment. The paper then provides a brief history of Kashmir at the time of independence. Investigating Kashmir without mention of its colonial chapter would be painting an incomplete picture. It then details the four wars between India and Pakistan, the creation of the Simla Agreement, and a timeline of ceasefires and their eventual breakdown. The paper builds on this, discussing how the LoC has been an effective manifestation of conflict management for Kashmir. Following this section is an introduction of the GIS component of the paper, detailing the methodology and overall goals of the analysis prior to the conclusion of the paper.

II: To Resolve or Manage?

Conflict Resolution vs. Conflict Management

Before diving into the Kashmir issue, it is important to differentiate between conflict resolution and conflict management. Both can be effective methods of peacebuilding, but it is critical to analyze all elements of a given conflict to determine which approach is best suited for it.

In the context of violent conflict, the key difference between conflict resolution and conflict management revolves around the prospects of ending and avoiding violence/war.⁷ Conflict resolution is better suited for situations in which an end to violence is not outright impossible. It aims to address the root causes of conflict and identify the parties' underlying interests and positions in order to end conflict and build long-term peace. Oftentimes, third

⁷ GSC Admin, "Conflict Management, Conflict Resolution, and Conflict Transformation: What's the Difference?," Research, *Pollack Peacebuilding Systems*, November 18, 2020, <https://pollackpeacebuilding.com/blog/conflict-management-conflict-resolution-and-conflict-transformation-whats-the-difference/>.

parties serve as mediators. They facilitate discussion between warring parties so that each understands the other's rationale for fighting as well as their ulterior motives and desires.⁸ The end goal is to find a mutually acceptable agreement between warring parties in order to build long-term peace that can be sustained after a potential third party is out of the picture.

Traditionally, state and intergovernmental actors drove these processes through formal and informal interactions (track I and track I.5 diplomacy). However, non-state actors have had a more prominent role in facilitating conflict resolution (track II and track III diplomacy).⁹ The increasing contribution of these actors is crucial for effective conflict resolution as it brings more voices (non-traditional voices) to the table and provides further perspectives on parties' interests and positions.¹⁰ As such, conflict resolution can be viewed as more of a societal approach.

On the other hand, conflict management is better suited for conflicts where the prospects for settling the conflict are simply not realistic.¹¹ It bases itself on the assumption that violent conflict can never be fully avoided nor ended given the entrenchment of differing values and interests between different actors in conflict.¹² As a result, the best course of action is managing the conflict and mitigating its negative effects.¹³ Unlike conflict resolution where non-state actors can have a prominent role, conflict management places more of an emphasis on state actors. Conflict management manifests itself through bargaining and negotiation between belligerent parties so that when conflict arises, it can be properly managed and channeled so as to not escalate out of control.¹⁴ It means settling a sub-conflict between parties to maintain the *status quo* rather than attempting to facilitate long-term peace by ending the whole conflict outright.¹⁵

However, it is important to note that just because conflict management is better suited for a conflict, it does not mean that conflict resolution aspirations should be abandoned. Timing is of

⁸ Fanny Badache et al., "Conflict Management or Conflict Resolution: How Do Major Powers Conceive the Role of the United Nations in Peacebuilding?," *Contemporary Security Policy* (Geneva, Switzerland) 43, no. 4 (2022): 551, <https://doi.org/10.1080/13523260.2022.2147334>.

⁹ Eileen F. Babbitt, "The Evolution of International Conflict Resolution: From Cold War to Peacebuilding," *Negotiation Journal*, October 2009, 544–46, <https://doi.org/10.1111/j.1571-9979.2009.00244.x>.

¹⁰ Fanny Badache et al., "Conflict Management or Conflict Resolution," 552–54.

¹¹ GSC Admin, "Conflict Management, Conflict Resolution, and Conflict Transformation: What's the Difference?"

¹² Fanny Badache et al., "Conflict Management or Conflict Resolution," 551.

¹³ GSC Admin, "Conflict Management, Conflict Resolution, and Conflict Transformation: What's the Difference?"

¹⁴ Fanny Badache et al., "Conflict Management or Conflict Resolution," 552–55.

¹⁵ *Ibid.*, 551.

the utmost importance when determining if a conflict is ready for attempts at resolution. One of the most important theories in peacebuilding is the concept of ripeness, coined by I. William Zartman.¹⁶ Essentially, for parties to feel like there is a way out of conflict, there must be a combination of a mutually hurting stalemate (push factor) and a way out in the form of negotiated settlement (pull factor).¹⁷ If the conflict does not have either of these, then it is not ripe for resolution. It is also important to add that beyond the push and pull factors, the presence of a mutually enticing opportunity is equally important. Mutually enticing opportunities build a process between conflicting parties, leading to normal politics and guiding them towards a suitable agreement.¹⁸ They are the invention of the parties to the conflict, and they develop a resolving formula that addresses both substantive and procedural issues during the negotiation process.¹⁹

In situations where conflict is not ripe for resolution efforts, negotiating parties should prioritize conflict management. Preventing the conflict from spiraling out of control and preventing a degeneration or escalation from the *status quo* in protracted conflicts is necessary to maintain the prospects for potential resolution in the future.²⁰ Just because a conflict is not ripe for the foreseeable future does not mean it will never be resolvable. When conflict management is in place, how can one tell when the situation has ripened for resolution? Perception is key. Essentially, if neither party has the perception of a mutually hurting stalemate nor a perceived way out, the conflict is not ripe.²¹ This is one of the main complexities that Zartman grapples with.²² Is ripeness determined in the moment, or is it a post-hoc determination? Since ripeness centers on perception, it only exists if the parties themselves believe it.²³ Third parties can

¹⁶ I. William Zartman, “‘Ripeness’: The Importance of Timing in Negotiation and Conflict Resolution,” *E-International Relations*, December 20, 2008, <https://www.e-ir.info/2008/12/20/ripeness-the-importance-of-timing-in-negotiation-and-conflict-resolution/>.

¹⁷ I. William Zartman, “Ripeness: The Hurting Stalemate and Beyond,” in *International Conflict Resolution After the Cold War*, by National Research Council (The National Academic Press, 2000), 237, <https://doi.org/10.17226/5103>.

¹⁸ *Ibid.*, 241–43.

¹⁹ I. William Zartman, “‘Ripeness’: The Importance of Timing in Negotiation and Conflict Resolution,” 241–43.

²⁰ I. William Zartman, “Conflict Prevention and Management,” in *Peacebuilding Paradigms*, 1st ed., ed. Henry F. Carey (Cambridge University Press, 2020), 101, <https://doi.org/10.1017/9781108652162.006>.

²¹ I. William Zartman, “Ripeness: The Hurting Stalemate and Beyond,” 228–29.

²² *Ibid.*, 228–32.

²³ *Ibid.*, 235–37.

declare a situation ripe for negotiation, but this is difficult.²⁴ However, the subjectivity of perception can lead to a misperception of reality. Sometimes, parties attempt conflict resolution before the situation has become ripe.²⁵ This could be due to a variety of factors such as pleasing third parties, gaining time to achieve an ulterior goal, or to avoid external pressures. This leads to a post-hoc issue. The only way to truly tell if a conflict is ripe is the start of negotiations as it signals that parties have perceived a hurting stalemate and a way out. As a result, external actors often identify ripeness through post hoc research and analysis.²⁶ This reveals how ripeness theory is a useful framework for identifying what must be present for conflict resolution but not an effective tool for predicting when ripe moments occur.

One might counter the dynamics between conflict resolution and management with the argument that conflict escalation would be more likely to produce a mutually hurting stalemate. On the one hand, this might seem successful. Party A escalates the conflict and inflicts disproportionate destruction upon Party B. Party B retaliates proportionally, and both sides increase their escalation until the parties hurt so much in conflict that further hurt becomes too hard to endure. On the other hand, the opposite could unfold. Both parties could escalate the conflict to the point of complete destruction out of personal pride and a refusal to surrender. It is also important to add that conflict resolution and conflict management should seek to minimize as much death and destruction as possible. Justifying increased violence for the possibility of a potential mutually hurting stalemate is a risky gamble that will produce a greater loss of life. Maintaining the *status quo* may be less likely to immediately produce a mutually hurting stalemate, but if violence is contained and loss of life is minimized as much as possible, the hope is that sustained conflict will wear belligerents down over time.²⁷ Ripeness has the potential to come about naturally, and if it does, parties are likely to hold less animosity towards each other due to familiarity with the *status quo*.

Conflict resolution between India and Pakistan must be the goal. However, it is important to stay realistic. Conflict resolution is simply not feasible in the current climate between India and Pakistan. Disputes are caught in a complex web of history, politics, religion, and sovereignty. The same holds for Kashmir. Whether conflict resolution means autonomy for

²⁴ Ibid., 229.

²⁵ I. William Zartman, “‘Ripeness’: The Importance of Timing in Negotiation and Conflict Resolution.”

²⁶ Ibid.

²⁷ I. William Zartman, “Ripeness: The Hurting Stalemate and Beyond,” 233.

Kashmir, an internationally recognized border for India and Pakistan, complete possession of the disputed territory for one country, or anything in between these options, it is highly unlikely that any party would be agreeing to anything at the negotiating table. This is especially true given the positions of the current political administrations in both India and Pakistan.²⁸ As such, conflict management should be the priority.

Containment or Stabilization?

There are multiple tools in the conflict management toolbox, but it is important to employ the right tool at the right time in the Kashmir conflict. These can be best broken down into conflict containment and conflict stabilization. Conflict stabilization involves reducing violence in order to restore security and governance to an area. It is more often associated with a military paradigm of security rather than a peace paradigm.²⁹ It is about managing the conflict through efforts to maintain order. Actions could range from increased state security presence to third party peacekeeping efforts.³⁰ Given the nature of conflict stabilization, it is better suited for short to medium term efforts.³¹ The following example is a helpful way to conceptualize it, though in very simplified manner. If a fire broke out in an apartment, conflict stabilization would mean putting out the fire in that apartment. The fire might have destroyed some items in the apartment, smoke may still linger, and embers still could be hot, but the emergency of the fire has been handled. Whether the resident used a fire extinguisher or a third-party firefighter doused the flame, the risk of the apartment burning down has been handled. Though the apartment has changed from before the fire and the risk of a fire will always exist, the resident can continue living in the apartment. For example, possession of a fire extinguisher allows the resident to live with any flare ups and prevent it from escalating out of hand.

On the other hand, conflict containment involves efforts to prevent the conflict from spreading and escalating. This includes the spread of conflict to new geographic areas, new

²⁸ Clary, “The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned,” 16, 20. Crisis Group Asia, *India-Pakistan: Avoiding a War in Waiting*, Crisis Group Asia Briefing N°185 (International Crisis Group, 2025), 3–5, <https://www.jstor.org/stable/resrep72256>.

²⁹ Roger Mac Ginty, “Against Stabilization,” *Stability: International Journal of Security and Development* 1, no. 1 (2012): 23–24, <http://dx.doi.org/10.5334/sta.ab>.

³⁰ Ibid., 23–27.

³¹ Isadora Gotts et al., “International Conflict Stabilisation: Assessing Progress and Future Prospects,” *Rusi*, September 26, 2022, <https://www.rusi.org/explore-our-research/publications/occasional-papers/international-conflict-stabilisation-assessing-progress-and-future-prospects>.

groups, new countries, or new levels of intensity.³² Going back to the example of the fire, conflict containment is preventing the fire from spreading to the apartment next door, to the apartment building across the street, or a city-wide conflagration. Put simply, conflict stabilization reduces the level of active conflict. Conflict containment prevents the increase of the intensity of conflict as well as the geographic spread of where conflict occurs.³³

In the context of Kashmir, conflict stabilization and conflict containment must continue to be present. The contested territory and extreme militarization of Kashmir create a propensity for conflict escalation along the Line of Control. As will be explored in this paper, its status as a dynamic ceasefire line subtly permits cross-border shelling and ceasefire violations. As a result, sovereign parties and third-party practitioners must continuously monitor interstate relations to cool tensions when the situation escalates. Simultaneously, the LoC's status as a dynamic ceasefire line allows it to successfully prevent the spread of interstate conflict to new geographic areas and new intensities of violence. While actors must take active measures to limit the spread of hostilities after ceasefire violations, these violations function as a venting mechanism for when tensions are high.

III: The Mess of Colonialism

Manufactured Identity

Centuries of extractive colonialism had taken its toll on what had once been one of the most powerful and prosperous regions in the world during the Mughal Empire. The British strategy of divide and conquer took advantage of pre-existing divisions in society, codifying them with social, economic, and political power.³⁴ It was the most effective way for a small population to dominate the vast sub-continent. What enabled them to do this so effectively? As Indian Scholar and MP Shashi Tharoor states, the map was a key instrument of colonial control.³⁵ The British paired the power of the map with the census in order to legitimize their

³² Kyle Beardsley and Kristian Skrede Gleditsch, "Peacekeeping as Conflict Containment," *International Studies Review* 17, no. 1 (2015): 68–69, <https://doi.org/10.1111/misr.12205>.

³³ *Ibid.*, 74.

³⁴ Shashi Tharoor, *An Era of Darkness: The British Empire in India*, 123–25.

³⁵ *Ibid.*, 127–31.

process of social classification.³⁶ Prior to colonization, identities and communities were far more permeable. Cultures overlapped, and differences between communities existed only in a general sense. Scholar Sudipta Kaviraj labels them as “fuzzy boundaries” since identities were not based on territory.³⁷ The census allowed the British to define castes, add labels to races, attribute hard boundaries to communities, and assign specific functions to certain groups.

This was especially true of religion. Religious groups were not mutually exclusive, both culturally and geographically. Communities were not strictly Hindu, Muslim, Sikh, or Jain, for example. Rather, these communities were intermixed, sharing societal and cultural practices (marriage, food, celebratory events, etc.).³⁸ However, the British quickly realized that religion was the best way to divide and conquer. Colonial authorities planted the seeds that would grow to become the two-nation theory by codifying history into periods of Hindu and Muslim rule.³⁹ Doing so painted religion as a monolith, unchanging and incompatible with other religions. Colonial reconstructions of history skewed in favor of Hindu society, relabeling the arrival of Muslims as that of invading conquerors.⁴⁰

While Hindus and Muslims certainly did fight one another prior to colonial period, British revisionist history ignored the centuries of collaboration and intermingling between the two groups.⁴¹ Additionally, this violence was rooted in political conquest rather than religious hate. In fact, large-scale religious conflicts between the two groups only occurred under colonial rule.⁴² As mentioned earlier, these divisions existed both between and within religions. For Hindus, the hyper-codification of the caste system is still prevalent today as a legitimized system of discrimination. For Muslims, the British promoted divisions between Sunni and Shia communities to splinter political power.⁴³ This shows that while the British had exacerbated and sowed divisions within society, they still viewed all Indians the same: as colonial subjects they sought to dominate.

³⁶ Ibid., 128.

³⁷ Ibid., 129–31.

³⁸ Ibid., 129.

³⁹ Ibid., 131–32.

⁴⁰ Ibid., 132.

⁴¹ Ibid., 133–34.

⁴² Ibid., 135.

⁴³ Ibid., 143–45.

However, one does not need to go back that far to see how Hindus and Muslims have cooperated. The Indian Rebellion of 1857 was one of the most significant events of colonial rule. First, it effectively ended the rule of the East India Company, transferring power to the British Crown.⁴⁴ This resulted in policy changes at the administrative and social level as well as a restructuring of the military. Divide and conquer became the key tactic for the Crown. Second, and more importantly, this was one of the first instances of Indian nationalism. In fact, the big spark for this mutiny was the union of Hindu and Muslim soldiers.⁴⁵ The British provided all soldiers with new cartridges for their rifles which they had to bite open to use them. Rumors arose that Hindus were provided cartridges made from cow fat, and Muslims were provided cartridges made from pig fat.⁴⁶ Given the sacredness of both animals to their respective religions, this enraged troops to rebel together and fight side-by-side against the British.⁴⁷ Although the rebellion was ultimately unsuccessful, it marks the rise of the pan-Indian nationalist movement that would eventually shed the yoke of colonial rule.

Partition and the Pivotal Decision of Hari Singh

As the British colonial experiment approached its end in 1947, there was much to be decided regarding the territory known as the Indian Sub-Continent. At the heart of the issue was the question of how to draw the new border line. In the leadup to independence, there were two main political forces in India: the Indian National Congress led by several key figures including Mohandas Gandhi, Jawaharlal Nehru, and Sardar Vallabhbhai Patel and the All-India Muslim League led by Muhammad Ali Jinnah.⁴⁸ The Congress Party was a nationalist party, aiming to unite all Indians with a vision of a democratic, secular India. The Muslim League shared similar democratic visions for India but prioritized protections and guaranteed representation for India's Muslim minority, fearing that a fully democratic India would favor the Hindu majority.⁴⁹

⁴⁴ Ibid., 6, 55.

⁴⁵ Ibid., 124.

⁴⁶ Alisdare Hickson, "Indian Soldiers Refuse Orders to Use Cartridges Greased with Pig and Cow Fat," secs. 1800-1859 | India, *Rogue Nation*, August 25, 2019, <https://roguenation.org/indian-soldiers-refuse-orders-to-use-cartridges-greased-with-pig-and-cow-fat/>.

⁴⁷ Ibid.

⁴⁸ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War* (2000; New Edition, I.B. Tauris, 2003), 21, 25.

⁴⁹ Sajjad Zaheer, *A Case for Congress-League Unity*, (Bombay, India), April 1944, 1–2.

The Congress Party and Muslim League cooperated with each other at the start of the 20th century, united against a common foe in the British.⁵⁰ Originally, Muslim League leader Muhammad Ali Jinnah and many Indian Muslims bought into the notion of Hindu-Muslim unity in an independent India.⁵¹ However, differing political approaches and rising communal tensions eroded this relationship over the following decades.⁵² After continued political losses, underrepresentation, and overshadowing by India's Congress Party, legitimate fears arose of marginalization in a Hindu-majority country.⁵³ This culminated with the Lahore Resolution in 1940 in which the Muslim League asked for greater Muslim autonomy in Muslim-majority states.⁵⁴ This later became labeled as the Muslim League's formal request for an independent Muslim state. Seven years later, on June 3, 1947, Lord Louis Mountbatten issued a formal declaration to partition British India into two states, India and Pakistan.⁵⁵

The partition of India ought to be considered as the British Empire's *magnum opus* of failures across all their colonial ventures. This is not to minimize atrocities they committed across the Global South, but the immediate horrors of partition set the precedent for India and Pakistan's relationship, shaping the decades-long conflict that would follow. A key part of this partition plan was the establishment of the Punjab Boundary Commission chaired by British lawyer Cyril Radcliffe (also known as the Radcliffe Award).⁵⁶ Four judges also comprised the commission. The Muslim League would nominate two Muslim judges to represent them, and the Congress party would nominate two Hindu judges.⁵⁷ The Muslim League nominated Din

⁵⁰ Ibid., 2–4, 23.

⁵¹ Ibid., 4–5.

⁵² William Dalrymple, "The Great Divide," Books, *The New Yorker*, June 22, 2015, <https://www.newyorker.com/magazine/2015/06/29/the-great-divide-books-dalrymple>.

⁵³ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 21–24; Ashley J. Tellis, *Are India-Pakistan Peace Talks Worth a Damn?*, A Tangled Tapestry in the Interlocking Antagonisms Between India and Pakistan (Carnegie Endowment for International Peace, 2017), 12–13, <https://www.jstor.org/stable/resrep26912.7>; Ian Copland, "The Princely States, the Muslim League, and the Partition of India in 1947," *The International History Review* 13, no. 1 (1991): 42, <https://doi.org/10.1080/07075332.1991.9640572>; William Dalrymple, "The Great Divide," Books, *The New Yorker*, June 22, 2015.

⁵⁴ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 21.

⁵⁵ Ibid., 28, 33, 62.

⁵⁶ Ibid., 33.

⁵⁷ V.N. Datta, "The Punjab Boundary Commission Award (12 August, 1947)," *Proceedings of the Indian History Congress* 59 (1998): 851.

Muhammad and Muhammad Munir, while the Congress Party nominated Mehr Chand Mahajan and Teja Singh.⁵⁸

Assigning Radcliffe to this role arguably might be one of the biggest blunders of the British Raj. Although he was an excellent litigator, he was incredibly ill-equipped to handle the massive task of partitioning India.⁵⁹ He came to the country for the first time on July 8, 1947, tasked with partitioning Punjab in the west and Bengal in the east in order to denote Muslim-majority regions as a part of the new state of Pakistan.⁶⁰ However, he only had five weeks to do so.⁶¹ To be able to gain a proper understanding of communities inhabiting this land and divide them along religious lines in such a short amount of time was simply an impossible task.⁶² The British approach to partition ignored the shared cultures that border communities had. It is important to highlight once again that prior conflict certainly existed, but it was not strictly along religious lines.

As the clock struck midnight on August 15, 1947, centuries of brutal British colonial rule came to an end. In the year that followed, the lives of millions of Hindus and Muslims came to an end. The Partition of India is one of the bloodiest single atrocities in human history and was a driver in fueling India and Pakistan's rivalry today.⁶³ The partition line was an inadequately drawn boundary that was rushed in a matter of weeks, prioritizing geographic aesthetic over the cultural and tribal boundaries that had existed for millennia.⁶⁴ The mere fact that Mountbatten ordered Radcliffe to determine the dividing line in just weeks added significant tension to Muslims in India and Hindus in Pakistan who had to uproot their lives and migrate to an unknown area. Families were separated, and Hindus and Muslims within the same communities were pitted against one another.⁶⁵ Many did not want to move, and rightfully so, but these families then found themselves in the midst of a violent struggle against those who did move and

⁵⁸ Ibid., 851.

⁵⁹ Ibid., 852, 856-857.

⁶⁰ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 33.

⁶¹ V.N. Datta, "The Punjab Boundary Commission Award (12 August, 1947)," 856.

⁶² Qazi Shakil Ahmad, "The Partition Plan, Indian Design and the Kashmir Issue," *Kashmir, Pakistan Horizon* 56, no. 2 (2003): 27-28.

⁶³ Adil Najam, "How a British Royal's Monumental Errors Made India's Partition More Painful."

⁶⁴ Ibid.

⁶⁵ Diaa Hadid et al., "YouTube Videos Are Helping Reunite Loved Ones Separated by India-Pakistan Border," *India and Pakistan at 75, NPR*, August 12, 2022, <https://www.npr.org/2022/08/12/1115419350/youtube-videos-helping-reunite-loved-separated-india-pakistan-border-partition>.

claimed the former's home to now be theirs.⁶⁶ It formed new, bitter rivalries and the humanitarian crisis that ensued was incomprehensible.⁶⁷ Gruesome acts of sectarian violence and destruction resulted in 15 million displaced, 2 million killed, and a seething hatred between many Indians and Pakistanis.⁶⁸ Less than two months after independence, both countries would be at war.

The power of the map once again reveals itself with the partition of India. The creation of both nations displaced millions of people, destabilized livelihoods, and divided the existing societal structures and modes of belonging.⁶⁹ Now, to belong meant to be a part of the nation, drawing strong similarities to Europe after the Treaty of Westphalia in 1648. The map was a form of legitimization for this belonging, presenting scientific evidence of the sovereignty of each nation and their fundamental differences from one another.⁷⁰ In a way, this drove the narratives of incompatibility between Indian and Pakistani societies, fueling conflict dynamics. The creation of boundaries coexists with imagined communities. It reflects India, Pakistan, and even the British Raj's attempts to control how people understood their relationship to the state.⁷¹

What was Kashmir's role during this period? As aforementioned, the British did not have the resources to directly govern every part of India. Rather, they indirectly ruled many regions through an existing indigenous monarch. These were known as princely states. In exchange for quasi-autonomy over their territory, protection, and military support from the British, these monarchs recognized British authority and maintained a subsidiary alliance with the Crown.⁷² As independence loomed, the leaders of these princely states had a decision to make regarding their future. According to the Indian Independence Act of 1947, princely states could either accede to India, accede to Pakistan, or remain independent.⁷³ The British cautioned and pressured princely

⁶⁶ Moni Mohsin, "'The Wounds Have Never Healed': Living Through the Terror of Partition," South and Central Asia, *The Guardian*, August 2, 2017, <https://www.theguardian.com/world/2017/aug/02/wounds-have-never-healed-living-through-terror-partition-india-pakistan-1947>.

⁶⁷ William Dalrymple, "The Great Divide."

⁶⁸ Ibid.

⁶⁹ Ananya Jahanara Kabir, "Cartographic Irresolution and the Line of Control," *Social Text* 27, no. 4 (2009): 50–51, <https://doi.org/10.1215/01642472-2009-054>.

⁷⁰ Ibid., 51.

⁷¹ Ibid., 48, 60.

⁷² Ian Copland, "The Princely States, the Muslim League, and the Partition of India in 1947," 38–39.

⁷³ Qazi Shakil Ahmad, "The Partition Plan, Indian Design and the Kashmir Issue," 19; "Indian Independence Act (1947)," Act, The National Archives of the United Kingdom, July 18, 1947, https://www.cvce.eu/obj/indian_independence_act_1947-en-b95cc09b-eb90-400d-848d-266e2346a603.html.

states to avoid independence, and the majority ended up acceding to India, surprisingly with little bloodshed.⁷⁴

This pressure often occurred in a more subtle manner. The case of *Rahimtoola v. Nizam of Hyderabad* (1958) is one of the most notable regarding a princely state. For context, Hyderabad was one of the wealthiest princely states and attempted to remain independent. However, this was short lived as India annexed the territory in 1948.⁷⁵ Essentially, the Nizam (ruler) of Hyderabad, transferred \$1,000,000 pounds to a bank account in London, held by a Pakistani diplomat Rahimtoola.⁷⁶ The Nizam claimed that this transfer was a mistake and that the money belonged to him, while Pakistan claimed that the money was a valid transfer and as such belonged to them.⁷⁷ The Nizam brought the case to be heard England to determine who the money belonged to, but there was a deeper legal issue at play: could the court decide on a case involving a foreign sovereign (Pakistan) that had not consented to a judgment of its rights? Pakistan maintained this argument, and eventually, the court held that sovereign immunity applied.⁷⁸ They approved Rahimtoola's appeal to not have the case go forward on the grounds that Pakistan had a direct interest in the matter.⁷⁹ Siding with the Nizam would equate to agreeing that Pakistan did not own the money, which would violate their sovereign immunity.⁸⁰ Ultimately, it took another 70 years before the question of ownership of money was resolved resulting in the courts dismissal of Pakistan's claim to the funds.⁸¹ Indirectly, this case reveals the legal consequences princely states experienced as a result of decolonization. It shows how princely states would no longer be recognized as international sovereign states while the new

⁷⁴ Ian Copland, "The Princely States, the Muslim League, and the Partition of India in 1947," 38, 45; "Operation Polo (1948): The Story of Liberation of Hyderabad State," Papers and Articles, *Centre for South Indian Studies*, n.d., <https://csisindia.com/operation-polo-1948/>.

⁷⁵ *Centre for South Indian Studies*, "Operation Polo (1948): The Story of Liberation of Hyderabad State."

⁷⁶ *Rahimtoola, Appellant; and Nizam of Hyderabad and Another, Respondents.*, House of Lords (1958), A.C. 379, <http://www.uniset.ca/other/css/1958AC379.html>.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

⁸¹ Fiona Whiteside, "After More Than 70 Years, the Heirs of a Beneficiary Are Entitled to His Trust Fund (High Commissioner for Pakistan in the United Kingdom v Prince Mukarram Jah, His Exalted Highness The 8th Nizam of Hyderabad and Others)," TwentyEssex, Lexis Nexis, October 10, 2019, <https://twentyessex.com/wp-content/uploads/2019/10/CA-1232-High-Commissioner-for-Pakistan-in-the-United-Kingdom-v-Prince-Mukarram-Jah-His-Exalted-Highness-The-8th-Nizam-of-Hyderabad-and-others.pdf>.

nation states of India and Pakistan would. It provides a rationale for why princely states might have acceded so quickly given the collapse of princely sovereignty.

Kashmir was another one of these 565 princely states.⁸² Although the region was primarily Muslim, Hari Singh Bahadur, a Hindu, was the King of Kashmir at the time of independence.⁸³ Due to this demographic disconnect on top of authoritarian rule as a monarch, Singh was not a popular ruler among his constituents.⁸⁴ It may seem obvious that Kashmir should accede to Pakistan given its religious demographics. However, after independence, Singh delayed his decision and resisted pressures to join either side, citing desires to remain independent.⁸⁵ This was because he felt that Kashmir's Muslims would be unhappy with accession to India, and Kashmir's Hindus would be vulnerable with accession to Pakistan.⁸⁶ The limbo status of Kashmir would not last. On October 22, 1947, armed tribal militias from Pakistan launched an attack into Kashmir in an attempt to overthrow Hari Singh and force accession to Pakistan.⁸⁷ In a panic, Singh turned to India for military assistance in order to respond to these attacks.⁸⁸ India would agree to support Singh on the condition that he accede Kashmir to India. Four days later, on October 26, 1947, he signed the instrument of accession to India. Indian troops were sent to Srinagar the following day, and Pakistan would respond with their own in 1948, commencing the first war between the two countries.⁸⁹ Armed conflict, rather than diplomacy, marked the birth of these nations.

⁸² R.P. Bhargava, *Chamber of Princes* (Northern Book Centre, 1991), 313.

⁸³ Christopher Snedden, "The Forgotten Poonch Uprising of 1947," *India-Seminar*, March 2013, https://www.india-seminar.com/2013/643/643_christopher_snedden.htm#top.

⁸⁴ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 17–19.

⁸⁵ Shaiba Rather, "Falling Through the Cracks: Kashmir's Resistance Against Settler Colonialism and the Limits of International Law," 5. Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 25, 29.

⁸⁶ Christopher Snedden, "The Forgotten Poonch Uprising of 1947," *India-Seminar*, March 2013, https://www.india-seminar.com/2013/643/643_christopher_snedden.htm#top; Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 24; Ian Copland, "The Princely States, the Muslim League, and the Partition of India in 1947," 45, 61.

⁸⁷ Christopher Snedden, *Ibid.*

⁸⁸ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 53–56.

⁸⁹ *Ibid.*, 53–66.

IV: Warring Neighbors, Simla, and the LoC

The history of conflict between India and Pakistan is one of the clearest examples of the security dilemma. The security dilemma is a foundational theory in international relations.⁹⁰ Essentially, State A undertakes actions to improve its own security such as increasing its arms, building fortifications, or deploying troops. State B starts to worry when they see State A doing this and undertakes similar actions to strengthen its own security in response. Defensive actions are perceived as threatening, and this leads to the situation spiraling into a game of escalation.⁹¹ Oftentimes, this leads to an arms race such as the one that occurred between the United States and USSR during the Cold War.⁹²

India and Pakistan's security dilemma has been brewing since independence in 1947. The very creation of Pakistan and the violence of partition created a relationship built on difference. It created an environment where each country sees the other as a security threat. This drives their mistrust of each other.⁹³ Both countries spend exorbitant amounts of money on military capabilities. In 2024, India spent \$86 billion USD on their military while Pakistan spent \$10 billion.⁹⁴ Additionally, both sides have invested a considerable amount of personnel, with India having nearly 1.5 million active-duty military members and Pakistan having nearly 700,000.⁹⁵ While India has a significant conventional advantage over Pakistan, both countries have nuclear military capabilities. India's arsenal is estimated to be around 180 warheads and Pakistan's around 170, balancing the conventional asymmetry and acting as the primary form of deterrence.⁹⁶

The nuclear element itself is indicative of the security dilemma as both sides seek the ability to retaliate to a preliminary nuclear strike from the other side, building up their arsenals to

⁹⁰ Robert Jervis, "Cooperation Under the Security Dilemma," *World Politics* 30, no. 2 (1978): 167, 169-170.

⁹¹ *Ibid.*, 171-174.

⁹² *Ibid.*, 182-183.

⁹³ Umme Raeesa and Nasreen Akhtar, "India-Pakistan Security Dilemma: Analyzing the Deterrence and Coercive Diplomacy in the Context of Regional Stability," 508-509, 513-514.

⁹⁴ World Bank Group, "Military Expenditure (Current USD)," SIPRI Military Expenditure Database, 2024, <https://data.worldbank.org/indicator/MS.MIL.XPND.CD>.

⁹⁵ Riazat Butt, "India and Pakistan Don't Fight Wars Like Other Countries. Here's Why," World News, *AP*, May 9, 2025, <https://apnews.com/article/pakistan-india-military-explainer-0708bbf29ea81126aeac0d141f5a4026>.

⁹⁶ *Ibid.*

have more than the other. This is called mutually assured destruction.⁹⁷ Neither side can win a nuclear war by striking first because the other possesses what is called a survivable second strike.⁹⁸ In a way, mutually assured destruction makes all-out nuclear war unlikely. While the nuclear element drives the security dilemma and fuels a nuclear arms race, it also serves as a form of restraint. In times of war, neither side seeks full-blown war, fearing the risk of nuclear escalation. Rather, nuclear capabilities lead to a substitution into lower levels of conflict such as proxy wars or border skirmishes.⁹⁹ IR scholars refer to this as the stability-instability paradox.¹⁰⁰ This is especially prevalent in Kashmir, as both countries substitute conflict into cross-border violence and ceasefire violations along the line of control.

Overall, India and Pakistan have fought four wars against each other, occurring in 1947, 1965, 1971, and 1999.¹⁰¹ Of these wars, three took place over the Kashmir dispute (1947, 1965, and 1999). While the 1971 war did not center on Kashmir, the end of the conflict had tremendous implications for the region as it cemented the current LoC.¹⁰² It is important to develop a general understanding of the history of conflict between India and Pakistan. First, it shows how war primarily stems from issues of sovereignty. Second, it reveals the shift away from multilateralism to bilateralism over Kashmir which has strong implications for managing conflict.

1947

As described above, the 1947 War happened in the wake of partition. Frustrated with Hari Singh's push for independence, delay with a formal decision, and heavy taxation policies, the Muslim-majority Poonch region staged an uprising, taking control of a handful of districts.¹⁰³

⁹⁷ Kyle Atwell and David C. Logan, "Shadow Wars in the Shadow of the Bomb: The Link Between Nuclear Weapons and Indirect Conflict," *Journal of Conflict Resolution*, February 7, 2026, 21, <https://doi.org/10.1177/00220027261421160>.

⁹⁸ Riazat Butt, "India and Pakistan Don't Fight Wars Like Other Countries. Here's Why."

⁹⁹ Kyle Atwell and David C. Logan, "Shadow Wars in the Shadow of the Bomb: The Link Between Nuclear Weapons and Indirect Conflict," 7–8.

¹⁰⁰ *Ibid.*, 4, 9, 22.

¹⁰¹ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 4–8.

¹⁰² Sohail Akhtar and Sadat Hassan Bilal, "Military Tensions Across the Line of Control: Implications for Local Population in Pakistan-Administered Kashmir," *Pakistan Journal of Social Research* 3, no. 4 (2021): 222, <https://doi.org/10.52567/pjsr.v3i4.105>.

¹⁰³ Christopher Snedden, "The Forgotten Poonch Uprising of 1947."

In October of that year, armed tribesmen invaded Kashmir in an attempt to take Srinagar.¹⁰⁴ At first, fighting was between these armed tribesmen and Jammu and Kashmir state forces. After Singh acceded to India, forces deployed in Srinagar where they engaged in combat against the militia tribesmen.¹⁰⁵ Pakistani forces deployed in 1948 against India, transforming the conflict into full blown war.¹⁰⁶ Fighting continued until January 5 of 1949 when a U.N. Security Council Resolution facilitated a U.N.-mediated ceasefire.¹⁰⁷ In July of that year, both sides signed the Karachi Agreement, which established a ceasefire line that was to have U.N. observers.¹⁰⁸

1965

Tensions between both sides simmered until August 5, 1965, when Pakistan attempted to infiltrate Jammu and Kashmir to spark an insurgency against India's controlled territory.¹⁰⁹ This was because they believed that the majority of the population was frustrated with the Indian government and that a liberation movement could be sparked quite easily. Known as Operation Gibraltar, Pakistani forces crossed the LoC disguised as locals to attempt to ignite an insurrection.¹¹⁰ However, the operation ultimately failed as locals tipped off Indian soldiers about this operation.¹¹¹ War ensued in the following days. Although it was a short conflict, roughly a month and a half, casualties numbered in the thousands.¹¹² On top of this, the war also represented a grand showing of military capabilities between both countries. Hostilities included infantry, armor, and aerial components.¹¹³ On September 20 of that year, the U.N. Security Council passed a resolution demanding India and Pakistan to accept a ceasefire.¹¹⁴ Despite India claiming 585 ceasefire violations and Pakistan claiming 450, both sides agreed to the ceasefire

¹⁰⁴ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, xi.

¹⁰⁵ Sohail Akhtar and Sadat Hassan Bilal, "Military Tensions Across the Line of Control," 222.

¹⁰⁶ Muhammad Waqas and Khalil Ur Rehman, "The Kashmir Dispute: A Strategic Analysis," *VFAST Transactions on Education and Social Sciences* (Khyber Pakhtunkhwa, Pakistan) 11, no. 3 (2023): 19, <https://doi.org/10.21015/vtess.v11i3.1662>.

¹⁰⁷ Ashley J. Tellis, *Are India-Pakistan Peace Talks Worth a Damn?*, 15.

¹⁰⁸ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 4.

¹⁰⁹ Harinder Baweja, "The Logic of Third Party Mediation over Kashmir," *The Stimson Center*, n.d., 90, <https://www.stimson.org/wp-content/files/NRRMBaweja.pdf#:~:text=It,case%20for%20third%20party%20facilitation>.

¹¹⁰ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 108–109.

¹¹¹ Ibid.

¹¹² Editorial Team, "The 1965 War in Retrospect," *Geostrategy, DefStrat*, September 23, 2025.

¹¹³ Ibid.

¹¹⁴ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 111.

terms a few days later.¹¹⁵ Following the war, the United States and Soviet Union facilitated the signing of the Tashkent Declaration in January 1966, a diplomatic peace agreement that returned both countries to pre-war positions.¹¹⁶ While successful in facilitating a return to the *status quo*, this would be the last formal multilateral peace agreement over Kashmir.¹¹⁷

1971

1971 marks the only war between India and Pakistan that did not center on the Kashmir issue.¹¹⁸ Although fighting between Indian and Pakistani forces occurred along the ceasefire line, the war focused on East Pakistan. When the British created Pakistan, the country was split into two parts: West Pakistan and East Pakistan.¹¹⁹ In the years leading up to 1971, East Pakistan, now known as Bangladesh, increasingly pushed for independence from West Pakistan due to political marginalization, economic exploitation, and social repression.¹²⁰ Civil war erupted in March of 1971, and the Bangladeshi Liberation War sparked war between India and Pakistan.¹²¹ This led to a massive refugee crisis as 10 million Bengalis fled to India.¹²²

India began aiding Bangladesh's resistance movement, the Mukti Bahini, as the influx of refugees placed a strain on their economy and infrastructure.¹²³ Given India's increasing role, Pakistan launched a pre-emptive strike on Indian air bases on December 3, 1971.¹²⁴ Hostilities occurred on both the eastern and western front. Although Kashmir was not at the heart of this

¹¹⁵ "A Cease-Fire of Sorts," *TIME*, November 5, 1965, <https://web.archive.org/web/20071221214020/http://www.time.com:80/time/magazine/article/0,9171,901761,00.html>.

¹¹⁶ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 6.

¹¹⁷ Happymon Jacob, *Line on Fire: Ceasefire Violations and India-Pakistan Escalation Dynamics*, 1st ed., ed. Sumit Ganguly and E. Sridharan (Oxford University Press, 2019), 83, 129, <https://doi.org/10.1093/oso/9780199489893.001.0001>.

¹¹⁸ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 4.

¹¹⁹ Christopher Paul et al., "Bangladesh, 1971 Case Outcome: COIN Loss," in *Paths to Victory: Detailed Insurgency Case Studies* (<http://www.jstor.com/stable/10.7249/j.ctt5hhsjk.40>, 2013), 341, <https://www.jstor.org/stable/10.7249/j.ctt5hhsjk.40>.

¹²⁰ *Ibid.*, 340.

¹²¹ *Ibid.*, 342.

¹²² Christopher Booth, "Lessons in Maritime Insurgency from the Mukti Bahini Freedom Fighters of 1971," *Articles, Irregular Warfare Initiative*, September 20, 2023, <https://irregularwarfare.org/articles/lessons-in-maritime-insurgency-from-the-mukti-bahini-freedom-fighters-of-1971/>.

¹²³ *Ibid.*

¹²⁴ Christopher Paul et al., "Bangladesh, 1971 Case Outcome: COIN Loss," 343.

war, Indian and Pakistani troops fought along the LoC to relieve pressure on the Eastern front.¹²⁵ Hundreds of thousands of combatants died on top of the 300,000 civilians dead from the civil war. Pakistan suffered heavy losses from the conflict, including 90,000 prisoners of war.¹²⁶ They quickly surrendered on the Eastern front and accepted a ceasefire agreement.¹²⁷ India and Pakistan would then sign the Simla Agreement in 1972, a document that to this day has major implications on Kashmir.¹²⁸

1999

The 1999 War, also known as the Kargil War, was a limited conflict between India and Pakistan over Kashmir. Fought between May and July 1999, hostilities between both countries occurred in the Kargil district of Ladakh, located in Indian-controlled Kashmir.¹²⁹ Multiple important events occurred in the buildup to war. First, Indian-controlled Kashmir had been undergoing an intense insurgency movement since the 1980s from groups vying for Kashmiri independence.¹³⁰ Second, both countries had successfully tested nuclear weapons.¹³¹ Third, as a result, they signed the Lahore Declaration in 1999, agreeing to resolve disputes through peaceful means to avoid nuclear escalation.¹³² However, this would prove to be unsuccessful.¹³³

In the months following the Lahore Declaration, Pakistan sent forces across the LoC to capture portions of Indian territory in order to spark the Kashmiri freedom struggle.¹³⁴ When India learned of their attempt to capture Kargil, they responded by mobilizing troops to push back Pakistani forces.¹³⁵ Pakistan eventually withdrew from all positions they had captured on

¹²⁵ Zubeida Mustafa, "The Kashmir Dispute and the Simla Agreement," *The Simla Accord*, *Pakistan Horizon* 25, no. 3 (1972): 45–46.

¹²⁶ Harinder Baweja, "The Logic of Third Party Mediation over Kashmir," 90.

¹²⁷ Christopher Paul et al., "Bangladesh, 1971 Case Outcome: COIN Loss," 344.

¹²⁸ Sohail Akhtar and Sadat Hassan Bilal, "Military Tensions Across the Line of Control," 222, 224.

¹²⁹ Ashley J. Tellis, *Are India-Pakistan Peace Talks Worth a Damn?*, 14.

¹³⁰ Muhammad Waqas and Khalil Ur Rehman, "The Kashmir Dispute," 17, 19-20.

¹³¹ Umme Raeesa and Nasreen Akhtar, "India-Pakistan Security Dilemma: Analyzing the Deterrence and Coercive Diplomacy in the Context of Regional Stability," 509–510, 512.

¹³² Partha S. Ghosh, *From Legalism to Realism in Kashmir: Internationalising the Line of Control*, *Working Paper No. 7*, (New Delhi, India), Heidelberg Papers in South Asian and Comparative Politics, September 2002, 2, 23.

¹³³ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 18.

¹³⁴ Shaukat Qadir, "An Analysis of the Kargil Conflict 1999," *The RUSI Journal* 147, no. 2 (2002): 24, 26-27, <https://doi.org/10.1080/03071840208446752>.

¹³⁵ *Ibid.*, 25.

the Indian side of the LoC.¹³⁶ This conflict is unique for two reasons. First, fighting took place in harsh weather conditions and extreme altitudes.¹³⁷ Second is the fact that it is one of the only instances of two nuclear-armed states engaging in war. However, it is important to note that this is methodologically debatable. It is widely agreed upon that an armed conflict is classified as war/major conflict when there are 1,000 battle related deaths in a calendar year.¹³⁸ With Kargil, fluctuations with estimated casualties adds uncertainty to the conflict's classification. India reported losing 522 troops, but estimates for Pakistan range from 400-4000.¹³⁹ Using the lower extreme would put Kargil just under the threshold of war, making it more of a limited conflict.

The Simla Agreement and the LoC

By the end of the 1971 War, Pakistan found itself in a weak position after losing the civil war against the Bengali Nationalist Movement as well as what many would consider a loss against India. The state of their armed forces was in poor condition, they became alienated from the rest of the world, and they were in debt to the West.¹⁴⁰ In addition to the creation of Bangladesh as an independent state, one of the most significant outcomes of the 1971 war was the Simla Agreement.¹⁴¹ Signed in 1972, a year after the end of hostilities, the agreement sought to facilitate peace between both countries, normalize relations, and coordinate the release of over 90,000 captured Pakistani POWs.¹⁴² In sum, the primary takeaways from the agreement are as follows:

1. That both countries settle their differences through bilateral negotiations or any other peaceful means that are mutually agreed upon. Both sides should prevent any acts detrimental to the maintenance of peaceful and harmonious relations. This includes

¹³⁶ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 8.

¹³⁷ Shaukat Qadir, "An Analysis of the Kargil Conflict 1999," 25.

¹³⁸ Kyle Atwell and David C. Logan, "Shadow Wars in the Shadow of the Bomb: The Link Between Nuclear Weapons and Indirect Conflict," *Journal of Conflict Resolution*, February 7, 2026, 10, 24, <https://doi.org/10.1177/00220027261421160>.

¹³⁹ M. Ilyas Khan, "Kargil: The Forgotten Victims of the World's Highest War," *BBC* (Islamabad), July 25, 2019, <https://www.bbc.com/news/world-asia-49101016>; Ministry of Defense and Shri George Fernandes, *Soldiers Killed in Kargil War*, STARRED QUESTION NO 160 (Government of India, 2002), 1, <https://web.archive.org/web/20081202045832/http://164.100.24.208/lsq/quest.asp?qref=51302>.

¹⁴⁰ Shirin Tahir-Kheli, "Bilateralism in South Asia," *World Affairs* 1, no. 136 (1973): 77–78.

¹⁴¹ Shirin Tahir-Kheli, 76; Christopher Paul et al., "Bangladesh, 1971 Case Outcome: COIN Loss," 344.

¹⁴² Shirin Tahir-Kheli, "Bilateralism in South Asia," 81.

mutual recognition of national unity, territorial integrity, political independence, and sovereign equality.¹⁴³

2. That both countries take steps to restore and normalize relations with one another, including the resumption of communications, promotion of travel facilities, resumption of trade and economic cooperation, and scientific and cultural exchanges.¹⁴⁴
3. That in Jammu and Kashmir, the LoC resulting from the ceasefire of 17 December 1971, shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat or the use of force in violation of this line.¹⁴⁵

The last point is one of the most significant as this created what is now the LoC. Stretching 740 kilometers from Sangam to Point NJ 9842, the LoC divides Indian-controlled Kashmir and Pakistan-controlled Kashmir.¹⁴⁶ For India, the region is split into two union territories: Jammu and Kashmir in the west and Ladakh in the east. The territory used to be a state until the 2019 abrogation of Article 370 of the constitution, significantly reducing its autonomy.¹⁴⁷ For Pakistan, the territory is also divided into two regions, Azad Kashmir (meaning Free Kashmir) in the south and Gilgit Baltistan in the North. Unlike India, neither of these regions are provinces of Pakistan but rather special administrative regions. The key difference is that India's territories are integrated into its constitutional framework whereas Pakistan's are not.¹⁴⁸ In a literal sense, the LoC is an active ceasefire boundary that demarcates the zero line of conflict in Kashmir. Symbolically, it is an artifact of British rule, serving as the ultimate proof of failure of the Radcliffe Line.

On the surface, it might seem that the LoC is an updated version of the 1949 Ceasefire Line. Geographically, there are only a handful of places where the LoC differs from the previous

¹⁴³ "Agreement Between the Government of India and the Government of the Islamic Republic of Pakistan on Bilateral Relations (Simla Agreement)," Agreement, Simla, July 2, 1972.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

¹⁴⁶ Happymon Jacob, *Line on Fire*, 69.

¹⁴⁷ Resul Yalçın and Umair Gul, "Religion, Armed Conflict and the Quest for 'Secular': Mapping Martyrdom in Kashmir," *Insight Turkey* (Ankara, Türkiye) 25, no. 1 (2023): 206, <https://doi.org/10.25253/99.2023251.11>.

¹⁴⁸ Antía Mato Bouzas, "The Kashmir Space: Bordering and Belonging Across the Line of Control," *Revista Electrónica de Estudios Internacionales*, no. 31 (June 2016): 7, 11, 14, <https://doi.org/10.17103/reei.31.13>.

ceasefire line.¹⁴⁹ However, there are two key differences that indicate broader implications for the dynamics of the conflict. First, the Simla Agreement marked a shift from multilateral to bilateral diplomacy over Kashmir.¹⁵⁰ A U.N.-led ceasefire agreement created the 1947 Ceasefire Line, whereas the LoC resulted from a bilateral agreement.¹⁵¹ Second, the Simla Agreement makes no mention of defense construction along the LoC, whereas the Karachi Agreement had restrictions on such constructions.¹⁵² While an unwritten agreement somewhat exists on defense construction, both sides still do so.¹⁵³

The LoC is a manifestation of contradiction. As Ananya Kabir puts it, it represents a cartographic conundrum.¹⁵⁴ India and Pakistan challenge the LOC both politically and militarily. Both dispute its legitimacy, refusing to accept it as an internationally recognized border. Rather it is a temporary ceasefire line. This is because accepting it as a permanent, legal border would invalidate their claims to the entirety of Kashmir. It would recognize the other country's claims to the territory as valid. Additionally, there are hundreds of thousands of ceasefire violations each year, often in the form of cross-border shellings and military stand-offs.¹⁵⁵

V: Shaky Ceasefires

Ceasefires

Ceasefire violations (CFV) across the LoC are the most common and frequent forms of violent conflict between India and Pakistan.¹⁵⁶ After the Simla Agreement, formal war between India and Pakistan all but disappeared. The Kargil conflict is the lone outlier, but even this is categorically tricky given its limited nature. However, the reduction of war has gone hand in

¹⁴⁹ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 6.

¹⁵⁰ "Agreement Between the Government of India and the Government of the Islamic Republic of Pakistan on Bilateral Relations (Simla Agreement)."

¹⁵¹ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 83–87; "Agreement Between the Government of India and the Government of the Islamic Republic of Pakistan on Bilateral Relations (Simla Agreement)."

¹⁵² Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, no. 131, Peaceworks (United States Institute of Peace, 2017), 15.

¹⁵³ Ibid., 17–18.

¹⁵⁴ Ananya Jahanara Kabir, "Cartographic Irresolution and the Line of Control," 46.

¹⁵⁵ Happymon Jacob, *Toward a Kashmir Endgame? How India and Pakistan Could Negotiate a Lasting Solution*, no. 474 (United States Institute of Peace, 2020), 5–6.

¹⁵⁶ This section primarily draws upon the works of Dr. Christopher Clary and Dr. Happymon Jacob.

hand with a rise in ceasefire violations at the LoC.¹⁵⁷ This is especially true since the rise of the Kashmiri insurgency in Indian-controlled Kashmir during the 1980s.¹⁵⁸ India and Pakistan could certainly use any ceasefire violation as a rationale to go to war with the other, but they never have due to a multitude of reasons.

Since Partition, there have been ten major ceasefire attempts regarding Kashmir. However, excluding cases before the Simla Agreement, there have been seven: 1999 after the Kargil War, 2000-2001, 2003, 2013, 2018, 2021, and 2025.¹⁵⁹ However, ceasefires have been the exception rather than the rule.¹⁶⁰ Essentially, ceasefires overall have been ineffective at preventing violence. A ceasefire is only as sturdy as its next violation, and its durability is as strong as the biggest shock. For ceasefire agreements (CFAs) to be successful, perhaps the most important requirement is political will.¹⁶¹ If senior political leaders do not buy into the conditions of the ceasefire, it is unlikely that the agreement will hold. Additionally, international pressure can affect the success of a ceasefire agreement. If at least one side perceives a legitimate third-party threat, it will reduce any motivations to violate a CFA.¹⁶² Finally, CFAs are more likely to persist when accompanied by confidence building measures between both sides.¹⁶³ This reinforces the idea that conflict resolution efforts should not be fully abandoned for conflict management and that both can coexist. Scholar Happymon Jacob identifies six reasons why ceasefire agreements are so prone to failure:¹⁶⁴

1. Political and cultural events including holidays, elections, and visits from upper leadership to the region
2. Lack of legal and institutional mechanisms to regulate the border
3. Significant defense construction by Indian and Pakistani forces along the LoC
4. Local force operational factors
5. Attacks from insurgent groups
6. Irregular crossing of civilians across the LoC

¹⁵⁷ Clary, “The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned,” 13.

¹⁵⁸ Resul Yalçın and Umair Gul, “Religion, Armed Conflict and the Quest for ‘Secular’: Mapping Martyrdom in Kashmir,” 208–9.

¹⁵⁹ Clary, “The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned,” 2.

¹⁶⁰ Ibid., 8.

¹⁶¹ Happymon Jacob, *Line on Fire*, 295, 305-306.

¹⁶² Clary, “The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned,” 9, 16, 18.

¹⁶³ Happymon Jacob, *Toward a Kashmir Endgame?*, 17–18.

¹⁶⁴ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 6.

While these criteria effectively explain reasons for ceasefire agreement failure on a micro level, I would add that on a macro level, the history of failed ceasefires coupled with the nature of conflict provides a seventh reason. Ceasefires break down often, and there are hundreds of violations across the LoC each year. History reminds India and Pakistan that if one ceasefire agreement fails, a new one will replace it. When that one fails, a new one will take its place. With each of these major CFAs, war did not ensue, and conflict was contained in a big picture sense. Because both sides recognize that the LoC manages conflict, it indicates that there is little fear that a CFV between local forces will not escalate into more formal conflict between the countries.

What makes these ceasefires interesting are the factors that contributed to their breakdown. It is never one single reason that contributes to failure. However, across the majority of these ceasefires, attacks from non-state actors had a significant impact in eroding existing agreements and worsening relations.¹⁶⁵ The 2000/2001 CFA arose in the aftermath of the Kargil conflict, and tensions between India and Pakistan remained high. An attempt at a bilateral summit in 2001 failed, and relations between both sides were falling apart.¹⁶⁶ A terror attack on India's legislative assembly in 2001 fully collapsed relations, resulting in Indian mobilization along the LoC and cross-border shelling.¹⁶⁷

2003 was the most effective and enduring CFA in Kashmir. Political buy-in was the key ingredient for its initial success as Indian prime minister Atal Vajpayee and Pakistani president Pervez Musharraf sought out diplomacy in an effort to normalize relations.¹⁶⁸ The 2003 CFA led to the reestablishment of transportation across the LoC as well as other cross-border links, including economic activity.¹⁶⁹ However, following the waning popularity of Musharraf, the process became vulnerable to spoilers.¹⁷⁰ The 2008 Mumbai terror attacks destroyed much of this

¹⁶⁵ Crisis Group Asia, *India-Pakistan: Avoiding a War in Waiting*, Crisis Group Asia Briefing N°185 (International Crisis Group, 2025), 5, 11, 25, <https://www.jstor.org/stable/resrep72256>.

¹⁶⁶ Clary, "The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned," 9.

¹⁶⁷ Ryan French, "Deterrence Adrift?: Mapping Conflict and Escalation in South Asia," *Strategic Studies Quarterly* 10, no. 1 (2016): 108–11; Happymon Jacob, *Line on Fire*, 1–6.

¹⁶⁸ Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, no. 527 (United States Institute of Peace, 2024), 10–12, <https://www.jstor.org/stable/resrep58014>.

¹⁶⁹ Pawan Bali and Shaheen Akhtar, *Kashmir Line of Control and Grassroots Peacebuilding*, no. 410 (United States Institute of Peace, 2017), 1–2.

¹⁷⁰ Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, 12.

progress, and both countries had to abandon cooperation to appease domestic sentiment. This led to heightened clashes across the LoC, especially in 2013.¹⁷¹

The 2013 ceasefire was extremely short lived, reducing violence for the first half of the year before incidents rose again.¹⁷² The domestic situation in India and Pakistan first weakened the 2013 CFA. For Pakistan, the army had considerable influence in restricting the prime minister's ability to pursue cordial relations with India. For India, Narendra Modi and the BJP were in the midst of their push for power and took an aggressive position on Kashmir so as to appear tough to constituents prior to the election.¹⁷³ However, tensions cooled down following elections, and the administrations attempted diplomacy. Once again, this broke down in 2016 after a suicide bombing by non-state militants in Pathankot on the Indian Air Force's base.¹⁷⁴ Shelling across the LoC worsened, and all talks between both sides stopped.

Pakistan's civil-military tensions seemed to improve in 2016 with the appointment of new army chief Qamar Javed Bajwa.¹⁷⁵ Coupled with new prime minister Imran Khan, talks resumed, and in May of 2018, both countries agreed to re-implement the 2003 ceasefire.¹⁷⁶ However, this was extremely short-lived as India called off the ceasefire agreement a month later.¹⁷⁷ While the ceasefire had already ended, a terrorist attack in February of 2019 against Indian police reserve forces in Pulwama brought both countries to the brink of crisis.¹⁷⁸ This would appear as a weak link to the argument, as there was no ceasefire in place, but the attack significantly worsened relations between the two countries. India launched airstrikes against alleged insurgent facilities in Pakistan, who would launch retaliatory strikes in response.¹⁷⁹ Deescalation occurred quickly, but India's abrogation of article 370 (discussed later) soured relations even more as Pakistan was heavily critical of this move.¹⁸⁰

¹⁷¹ Ibid.

¹⁷² Happymon Jacob, *Line on Fire*, 266.

¹⁷³ Happymon Jacob, 215–17; Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, 12–14.

¹⁷⁴ Happymon Jacob, 144–45.

¹⁷⁵ Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, 14.

¹⁷⁶ Ibid., 14–15.

¹⁷⁷ Ibid., 15.

¹⁷⁸ Ibid., 16.

¹⁷⁹ Ibid.

¹⁸⁰ Happymon Jacob, *Toward a Kashmir Endgame?*, 7–8; Muhammad Waqas and Khalil Ur Rehman, "The Kashmir Dispute," 20–21.

Despite this, backchannel discussions resumed in 2020 leading to the 2021 ceasefire. At first, this CFA was effective, immediately reducing CFVs across the LoC.¹⁸¹ Compared to the previous CFAs, 2021 gave reason for cautious optimism as it did not collapse within months. However, in April of 2025, a large terror attack in Pahalgam on Indian civilians abruptly ended the agreement, leading to the largest military escalation between both sides since Kargil.¹⁸²

It might seem that this is indicative of a failure by the LoC to preclude the drivers of conflict. This certainly has some validity. On the one hand, the failure to prevent the incursion of non-state militants indirectly represents an inability to manage conflict. Given how these attacks significantly affect Indo-Pakistani relations, erode CFAs, and directly correlate to an increase in CFVs, successful conflict management should entail terrorism prevention. On the other hand, this critique misdiagnoses the LoC's purpose. The LoC does not exist to prevent all conflict. Rather, it serves to contain violence that occurs between state actors in India and Pakistan. Additionally, it prevents activities from non-state actors from escalating into interstate conflict. Despite worries of broader conflict, the LoC has been a successful escalation management tool given the fact that sustained war has been prevented.

Conflict management is relegated to the LoC due to the lack of effective diplomatic measures in place. There is a general absence of formal treaties and legal instruments to manage the border.¹⁸³ While efforts have certainly been made, they never cross the finish line as proposed ground rules have yet to be fully ratified. Ad hoc arrangements certainly mark progress, but they do not hold considerable legal power. On top of this, both countries have different interpretations of existing arrangements.¹⁸⁴ This leads to buffet-style interpretations of agreements as both sides pick and choose the rules that best suit their interests. For example, India is of the view that the Simla Agreement negated the Karachi Agreement, and Pakistan disagrees with this stance.¹⁸⁵ However, this is ironic for both countries as they both consistently violate provisions of both agreements.

¹⁸¹ Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, 17–18.

¹⁸² Sudha Ramachandran, "Operation Sindoor," *Counter Terrorist Trends and Analyses*, South Asia's Diverse and Evolving Landscape Amid Rising Tensions in the Middle East, vol. 17, no. 4 (2025): 8; Christopher Clary, "Four Days in May: The India-Pakistan Crisis of 2025," South Asia, *Stimson Center*, May 28, 2025, <https://www.stimson.org/2025/four-days-in-may-the-india-pakistan-crisis-of-2025/>.

¹⁸³ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 14–15.

¹⁸⁴ Happymon Jacob, *Line on Fire*, 186–87.

¹⁸⁵ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 15, 17, 24.

VI: The LoC: Managing Conflict and Containing Violence

One might wonder how the LoC is able to manage conflict between India and Pakistan as it is simply a physical ceasefire boundary. However, it is important to view the LoC as a dynamic system rather than a physical line. It shapes the daily interactions of civilians and combatants, manufactures identity, and regulates how and where conflict occurs.¹⁸⁶ It is a buffer that tolerates and normalizes interstate conflict.¹⁸⁷ It permits violence based on the rationale that frustrated neighbors need to vent their frustrations with one another while simultaneously refusing to let it spiral out of control. As such, the LoC is a system of dual containment: it has largely prevented the escalation of conflict to new scales of warfare as well as the escalation of conflict to new geographies. Still, this is not a justification for allowing ceasefire violations occur out of the rationale that it prevents war. CFVs have tremendous escalatory potential as seen in the 2025 4-Day Conflict, and they have major implications for larger stability dynamics.¹⁸⁸ Efforts should always be made to ease tensions and facilitate peace. Rather, this is the reality of the dynamic that the LoC creates, which has been able to prevent total war.

Prior to delving deeper into these two categories of containment, it is important to establish the nature of ceasefire violations in order to understand why they occur and how they are managed. What constitutes a CFV? It is difficult to provide one definition given the different criteria and methods to count CFVs. However, a single shot does not necessarily constitute a CFV. Nor do 1,000 shots. In general, CFVs are measured temporally in 24-hour periods.¹⁸⁹ If the first shot is fired at midnight, all violence that occurs until midnight the next day constitutes one CFV. A major violation occurs when more than 200 rounds are fired, and anything below that threshold is considered minor.¹⁹⁰

The LoC does not necessarily facilitate peace, but it certainly stabilizes hostility. This is especially true given the constant communication between local commanders as well as the resources both sides commit to their respective outposts.¹⁹¹ India and Pakistan deploy several

¹⁸⁶ Antia Mato Bouzas, "(B)Ordering and the Politics of Belonging," Home, Displacement, and Belonging, *St. Antony's International Review* 12, no. 2 (2017): 123, 129-130.

¹⁸⁷ Soutik Biswas, "How India and Pakistan Share One of the World's Most Dangerous Borders," *BBC*, May 15, 2025, <https://www.bbc.com/news/articles/cgmj7l0lne3o>.

¹⁸⁸ Happymon Jacob, *Line on Fire*, 297.

¹⁸⁹ *Ibid.*, 160.

¹⁹⁰ *Ibid.*, 181.

¹⁹¹ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 9–10.

battalions of their armed forces along the LoC, supplemented with paramilitary forces. In total India has around 200,000 to 225,000 troops stationed along the LoC while Pakistan has roughly half of that number.¹⁹² Combined with patrols along the LoC, the addition of unmanned aerial vehicles to their arsenals (UAVs) has resulted in increased surveillance capabilities.¹⁹³ Local commanders meet on the zero line along the LoC on a near daily basis.¹⁹⁴ On top of this, there are four hotlines that director generals of military options (DGMOs) and their assistants use consistently.¹⁹⁵ While DGMOs almost never meet in person, the hotlines are a crucial way to keep both sides informed as well as inquire about unknown activities.¹⁹⁶ Although casual in nature, these meetings reveal how the LoC is not just a border line. It creates a third space of interaction and even negotiation between parties. Constant communication, even if informal, is an example of the LoC actively managing conflict. It helps to prevent misunderstandings from escalating into active hostilities and regulates violence in real time. While trust might build as sides inch towards peace, this is not the main objective. The frequency of CFVs can quickly erase trust. The LoC is more of a tool that the forces use to communicate and diffuse escalation.

This is why the LoC's status as a ceasefire line rather than an international border allows it to manage conflict. In a way, violence becomes a communication mechanism. Both sides can envision it as a frontline of conflict. It means that not every shot fired and shell launched needs to be relayed to top authorities as an attack on sovereignty. The localization of conflict through the existence of the LoC prevents automatic escalation to the national level with every CFV. The LoC creates a buffer zone that is simultaneously tangible and intangible. Clashes of violence are accepted and even normalized. While the violence itself should not be considered as "good", the perspective can be reframed to show the occurrence of CFVs as necessary outlets to diffuse tensions to prevent the broader escalation of conflict and risk of total war. In fact, this is often the reality. While CFVs have increasingly spiraled up in recent years, local forces do not report every single CFV to senior political leadership and higher military command along the LoC.¹⁹⁷ The LoC creates a framework that allows for the containment of conflict without needing to answer the question of sovereignty in Kashmir.

¹⁹² Happymon Jacob, *Line on Fire*, 93–97.

¹⁹³ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 24–25.

¹⁹⁴ *Ibid.*, 9.

¹⁹⁵ Happymon Jacob, *Line on Fire*, 112–115.

¹⁹⁶ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 11.

¹⁹⁷ *Ibid.*, 7–8.

Geographic Containment

Pakistan and India do not tend to exchange violence beyond the geographic buffer that the LoC creates, which is why it has been a successful conflict management tool. In order to understand how the LoC geographically contains violence, it is important to get a sense of the region. Kashmir boasts visually stunning scenery, with much of the region located within several mountain ranges, most notably the Himalayas.¹⁹⁸ As a result, the LoC cuts through diverse topography, including tall mountain ranges, narrow passes, sprawling valleys, dense forests, and steep ridgelines.¹⁹⁹ While this attracts a plethora of tourists each year, the natural geography of Kashmir and along the LoC plays a key role in containing conflict. Given how significant portions of the LoC do not have man-made demarcations, and military outposts are sporadic, much of the line is up to interpretation.²⁰⁰ It is a notional line. Natural terrain demarcates significant portions of the LoC. For example, the Neelum River runs along portions of the LoC which creates a natural buffer zone between the Indian and Pakistani sides.²⁰¹ This reinforces the idea that the LoC is a dynamic boundary, even if it does not move. Man-made demarcations become inherently political, and either side can dispute the other in an attempt to alter the boundary. When a natural object such as the Neelum River represents the boundary, it is much more difficult to dispute. The river, for the most part, is fixed. It precedes the current conflict, and neither side would be able to legitimately claim possession of the river. Not only does it provide little military strategic value, but it also would have little effect on any sovereign claims to the territory.

The presence of natural boundaries and a lack of physical demarcations have drawbacks though. On the one hand, a lack of physical demarcation creates ambiguity and uncertainty. This issue is especially relevant for civilians who live along the zero line. Crossings, whether accidental or intentional, have the potential to spark CFVs.²⁰² Whether a cattle herder inadvertently crosses the LoC to chase a loose cow or a family member purposefully crosses to attend a wedding, civilian crossings can trigger tit-for-tat exchanges of fire between Indian and

¹⁹⁸ Shaukat Qadir, "An Analysis of the Kargil Conflict 1999," 25.

¹⁹⁹ Ananya Jahanara Kabir, "Cartographic Irresolution and the Line of Control," 53–59.

²⁰⁰ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 5.

²⁰¹ Ananya Jahanara Kabir, "Cartographic Irresolution and the Line of Control," 61–62; Zafar Bangash, "At the Line of Control in Kashmir," News & Analysis, *Crescent International*, January 1, 2020, <https://crescent.icit-digital.org/articles/at-the-line-of-control-in-kashmir>.

²⁰² Happymon Jacob, *Line on Fire*, 120–122, 126–128.

Pakistani forces. However, if the LoC was an international border, these events would carry a greater risk of escalation. Oftentimes, unauthorized civilian crossing does not result in any incident. This is due to the local concentration of conflict. Since local commanders have the discretion to handle these situations and maintain contact with the other side, they can often diffuse them without further issue.²⁰³

Overall, the topography around the LoC helps contain violence because it channels movement in limited corridors. Much of the terrain is difficult to traverse, which dramatically reduces the spread of violence to new areas. This is especially true given the presence of mountainous terrain.²⁰⁴ Instead, violence occurs in similar places, often correlating with the presence of man-made structures. The human geography along the LoC plays a key role in containing conflict.

India, for example, has constructed fences along much of their side of the LoC. These fences can range anywhere from a few hundred meters to a few kilometers from the LoC. Although infrequent, a lack of consensus regarding the location of the zero line has led to military standoffs and CFVs. Natural conditions can exacerbate this risk. While ecological evolution over time is less relevant, terrain changes seasonally. For example, snow cover in colder months can make it difficult to tell where the boundary is. On top of this, conflict has the potential to reshape the physical landscape, though this is less likely. Additionally, the fence requires frequent repairs, and both sides occasionally misperceive repair attempts which can lead to CFVs. Still, while this fencing is only semi-effective, it marks an attempt to demarcate the LoC and address its ambiguity.

As mentioned earlier, defense construction has been a point of contention. The Karachi Agreement had an explicit restriction on defense construction, but Simla makes no mention of it.²⁰⁵ Given the differing interpretations of the validity of the Karachi Agreement, this has been a contentious issue along the LoC. Both sides construct defenses conspicuously to avoid the objection of the other.²⁰⁶ Defense construction causes worry for both sides given the increased observational capabilities they provide.²⁰⁷ However, this has not directly caused a CFV that led

²⁰³ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 11, 23.

²⁰⁴ Kyle Beardsley and Kristian Skrede Gleditsch, "Peacekeeping as Conflict Containment," 77.

²⁰⁵ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 15.

²⁰⁶ *Ibid.*, 17–18.

²⁰⁷ *Ibid.*

to major escalation. First, the legal ambiguity of agreements means the behavior is inevitably tolerated. Second, defense construction does not necessarily increase the risk of conflict. The *ad hoc* nature of this construction has become a normalized provocation that might result in a CFV, but not necessarily. Surveillance does not directly signal offensive capability.

Additionally, although defense construction violates the Simla Agreement and hinders conflict resolution efforts, it can be beneficial for managing conflict. Outposts become an impromptu demarcation of the LoC. Even though they play a role in the breakdown of CFAs, they simultaneously allow the LoC to contain the conflict geographically. It provides both sides with a hard target, reducing the likelihood of indiscriminate targeting of civilians. However, indiscriminate targeting of civilians is still prevalent, which reiterates the fact that the LoC is far from perfect despite being the best option for conflict management.²⁰⁸

Intensity Containment

The biggest evidence for why the LoC successfully manages conflict is the localized nature of CFVs. CFVs are not a part of broader military strategy but instead the result of group dynamics, individual personalities, and psychological factors. The overwhelming majority of CFVs are not the results of directives from central military/political command in both India and Pakistan. Rather, it is the result of local military dynamics. For example, Happymon Jacob uses the term “testing the new boys” to describe how one side will try and test the resolve of a new battalion that is stationed on the other side.²⁰⁹ Additionally, battalions that are exiting a post may trigger a CFV as a show of strength.²¹⁰ These tests show how normalized CFVs are. Forces do not misperceive these violations as an assault on India or Pakistan’s territorial sovereignty but rather a symptom of the dispute over Kashmir. It gives both sides a sense of moral ascendancy.²¹¹ In a way, these neighborly greetings and farewells in the form of shrapnel resemble a sort of rite of passage.

Individual psychology and emotion play a big role in triggering CFVs. Given the rugged terrain, harsh winters, and the monotony of outpost life, soldiers will often take shots at the other

²⁰⁸ Muddasir Ali and Majid Maqbool, “In the Line of Fire Along Kashmir’s Line of Control,” Foreign Policy / Top News, *The Business Standard* (Chakra, India), November 11, 2019, <https://www.tbsnews.net/international/line-fire-along-kashmirs-line-control>.

²⁰⁹ Happymon Jacob, *Line on Fire*, 238–40.

²¹⁰ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 18–19.

²¹¹ Happymon Jacob, *Line on Fire*, 168.

side to simply maintain morale.²¹² Jacob, in his interview with a Pakistani official, noted that “At times CFVs are a result of the emotional state or frustration of local commanders and soldiers in a certain sector. Conditions are also harsh. To vent their frustration, soldiers and even commanders will sometimes resort to firing”.²¹³ The individual personality also plays an important role.²¹⁴ Despite the limited nature of CFVs, death still occurs. Even in the instance where a CFV mistakenly occurred, if it kills an infantry member, the commanding officer has no choice but to respond. Regardless of whether the officer has a personal vengeance to do so, they have a professional obligation to retaliate.²¹⁵ This dynamic feeds back into the notion of morale. Neither side can simply endure CFVs without responding, yet it seems that for Indian and Pakistani forces, response is as much the cost of business along the LoC as it is a personal attack.

If the LoC were an official border, central command of both countries would not be able to allow this to occur with no response. Instead, the LoC’s status as a *de facto* ceasefire line contains the escalation of violence. It is an active conflict zone, so low level hostilities are par for the course. Since high level command rarely initiates CFVs, and the majority of CFVs are more tit-for-tat encounters, it is clear that escalation stems from local factors rather than central directives.²¹⁶ This indicates how important the LoC is for conflict management. For one, the LoC is more than just a line. It functions as a system of conflict containment with the way it channels, localizes, and regulates conflict. While CFVs can certainly escalate into broader conflict, the reactive nature of violence along the LoC helps keep it localized.

At the core of the Kashmir issue is sovereignty. India claims the entire region as its sovereign territory, and Pakistan claims the same.²¹⁷ This is one of the biggest reasons as to why the LoC remains a *de facto* boundary line rather than an internationally recognized border line. However, this is actually beneficial for the LoC’s effectiveness as a conflict management tool. Since it is not a legally binding, internationally recognized border, the LoC is malleable. It

²¹² Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, 7; Happymon Jacob, *Line on Fire*, 198.

²¹³ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 19.

²¹⁴ Happymon Jacob, *Line on Fire*, 192–197.

²¹⁵ *Ibid.*, 195–196.

²¹⁶ *Ibid.*, 62.

²¹⁷ Shaiba Rather, “Falling Through the Cracks: Kashmir’s Resistance Against Settler Colonialism and the Limits of International Law,” 9–10.

highlights how the LoC is as much of a psychological boundary as it is a physical boundary.²¹⁸ This is all to say that the ambiguity of where the zero line exists helps prevent conflict. In many areas along the LoC, uncertainty can justify encroachment. It contains conflict to local levels of military leadership. If the line were an international border, cross-border incidents would be more likely to rise to higher military decision-makers and increase the risk of escalation. Even though India and Pakistan dispute each other's claims to the region, they seem to accept the fact that Kashmir is disputed territory. The endurance of the LoC as a ceasefire boundary signals a willingness of both nations to use its status to allow lower levels of military engagement as a substitute to larger, protracted inter-state conflict. Crossing an international border is a violation of sovereignty, whereas crossing the LoC is a violation of perception, even if each state views it as a violation of their sovereignty.

Despite disagreements regarding its legitimacy, the LoC is a successful conflict management tool because India and Pakistan have not sought to unilaterally alter it.²¹⁹ While the Indian army made plans to do so in 2001, they ultimately called off the operation.²²⁰ In a way, the CFVs that occur are better than an all-out attempt to alter the line by force given the risk of war. Diplomatic efforts at altering the line are essentially impossible given the restriction to bilateral talks.²²¹ Some might point out that the recent 4-Day Conflict and the involvement of the U.S. as a third-party mediator indicates a warming up to multilateral talks.²²² Still, this indicates that both countries have some semblance of respect for the line. While one could point out that both have used force to grab territory, this argument falls short.

First, land grabbing is infrequent.²²³ Oftentimes, land grabbing occurs due to border misperceptions given the ambiguity of the LoC's demarcations.²²⁴ In terms of major moves, the Kargil conflict marks the only attempt by state forces to cross the LoC in order to capture territory. There has been a plethora of attempts by non-state actors that Pakistan has allegedly

²¹⁸ Harinder Baweja, "The Logic of Third Party Mediation over Kashmir," 100–101; Sohail Akhtar and Sadat Hassan Bilal, "Military Tensions Across the Line of Control," 225–26.

²¹⁹ Zubeida Mustafa, "The Kashmir Dispute and the Simla Agreement," 47–48.

²²⁰ Happymon Jacob, *Line on Fire*, 222–223.

²²¹ "Agreement Between the Government of India and the Government of the Islamic Republic of Pakistan on Bilateral Relations (Simla Agreement)."

²²² Sudha Ramachandran, "Operation Sindoor," 12.

²²³ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 20.

²²⁴ Ibid.

supported, but Kargil marks the only attempt by Pakistani forces.²²⁵ Still, elements of the incursion do not support the territorial acquisition argument. For one, the posts that Pakistan captured were empty and abandoned since Indian troops vacated them every winter.²²⁶ Second, the capture of these high-altitude posts seems more strategic than territorial. Command of these posts would provide Pakistan with capabilities to disrupt the NH1 highway, a key supply route for India, in addition to enhanced surveillance capabilities.²²⁷ It is also important to emphasize how rough the terrain in Kargil is. If Pakistan's goal was a sovereign territorial claim, it would make sense to launch a larger, more overt operation in a more accessible area along the LoC. Even if one can justify Pakistan's efforts in Kargil as an attempt at sovereign territorial capture, it was a considerably weak one. The brevity of the conflict and restraint by both sides to escalate hostilities is a clear indicator that Pakistan did not view Kargil as an indispensable part of its sovereign territory. Rather, it was an opportunity to aid the Kashmiri freedom struggle. The only other high intensity clash between India and Pakistan since Simla was the 4 Day Conflict following the 2025 Pahalgam Terror Attack.²²⁸ However, this example also falls short as this conflict was not rooted in territorial capture. Rather, India escalated as a result of the terror attack, and Pakistan responded after Indian air-strikes in their territory.²²⁹ The 2025 Four Day Conflict was more of a retaliatory skirmish.

One might also point out that the Siachen Glacier conflict is a clear example of state forces encroaching on disputed territory. This applies more so to India with Operation Meghdoot in 1984 when it airlifted and stationed troops on the Siachen Glacier.²³⁰ Pakistan, who also claimed the glacier, sent troops in response, creating a militarized zone.²³¹ However, once again, this example falls short. First, the Siachen Glacier is technically an undefined boundary. The furthest demarcated point of the LoC is known as NJ9842 which is south of the Siachen

²²⁵ Ashley J. Tellis et al., "Kargil: Lessons Learned on Both Sides," in *Limited Conflicts Under the Nuclear Umbrella: Indian and Pakistani Lessons from the Kargil Crisis* (RAND Corporation, 2002), 32–37, <https://www.jstor.org/stable/10.7249/mr1450usca.9>.

²²⁶ Antia Mato Bouzas, "The Kashmir Space," 16.

²²⁷ Happymon Jacob, *Line on Fire*, 7.

²²⁸ Christopher Clary, "Four Days in May: The India-Pakistan Crisis of 2025."

²²⁹ Ibid.

²³⁰ Ashley J. Tellis, *Are India-Pakistan Peace Talks Worth a Damn?*, 16.

²³¹ Javed Hussain, "The Fight for Siachen," Opinion, *The Express Tribune*, April 22, 2012, <https://tribune.com.pk/story/368394/the-fight-for-siachen>.

Glacier.²³² Backchannel talks of extending the LoC have occurred, but nothing official has come from them. Part of this lies in the fact that India and Pakistan have different visions for this extension. Pakistan believes the line should extend eastward, while India prefers its extension northwards.²³³ As expected, each country's desired trajectory would allow it to claim the entirety of the Siachen Glacier. Additionally, conflict on the glacier is extremely sporadic and limited. Most death occurs due to climate conditions given the freezing temperatures, extremely high altitudes, and high risk of avalanches.²³⁴ Incursions into the other's territory seem more likely to be inadvertent than deliberate due to the lack of boundary demarcation. The glacier remains militarized simply because neither one wants to leave out of fear that the other will claim the territory.²³⁵ It shows how possession by force does little to legitimize claims of sovereignty in the Kashmir conflict.

Second, military control does not equate to a physical boundary change. Despite hundreds of ceasefire violations and instances of limited conflict, there have been no legal propositions to redefine the boundaries of the LoC. The LoC remains institutionally, cartographically, and legally fixed. In fact, examples such as the Kargil conflict show how Kashmir requires a diplomatic solution rather than a military one.²³⁶ Military territory capture does not alter the LoC. Instead, it just reinforces each side's refusal to recognize the other's territorial claim.

Recent Developments: 2025 Pahalgam Attack and 4-Day Conflict

The Indo-Pakistani relationship has come under increasing strain in the past decade as both nations' political administrations have inched away from the collaborative relationship their predecessors strived for. 2019 marked a critical juncture for Kashmir with India's abrogation of Article 370, significantly reducing Jammu and Kashmir's autonomy and rendering them as union territories.²³⁷ This is one of many pieces of evidence of the long-term implications of partition.

²³² Ananya Jahanara Kabir, "Cartographic Irresolution and the Line of Control," 46.

²³³ Javed Hussain, "The Fight for Siachen."

²³⁴ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*, 245.

²³⁵ Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, 8.

²³⁶ Ashley J. Tellis et al., "Kargil: Lessons Learned on Both Sides," 32.

²³⁷ Sameer P. Lalwani and Gillian Gayner, *India's Kashmir Conundrum: Before and After the Abrogation of Article 370*, no. 473 (United States Institute of Peace, 2020), 13–14, https://www.usip.org/sites/default/files/2020-08/sr_473-indias_kashmir_conundrum_before_and_after_the_abrogation_of_article_370-sr.pdf.

Back in 1949 when Hari Singh signed the instrument of accession to India, there was one key caveat. What made this accession different from other princely states was the fact that India would only control, defense, foreign affairs, and communication.²³⁸ All other elements of power remained with Kashmir, including its own constitution.²³⁹ In a way, this signals more of a protectorate-style relationship rather than a full accession. Unlike the full integration of other princely states, Kashmir preserved more internal sovereignty. However, the Modi administration's revocation of Article 370 removed this special status. The breakdown of diplomatic relations between India and Pakistan adds a further responsibility to the LoC as it freezes the conflict, reduces avenues of communication, and solidifies it as a de facto ceasefire line. It reinforces the stalemate between India and Pakistan in Kashmir, allowing them to strategically position themselves in the long-term to compete along the LoC.

The 2021 Ceasefire Agreement was shaky given the political climate in Kashmir. In fact, it was a bit of a surprise that it held strong for four years. However, in April of 2025, armed non-state actors committed acts of terror against civilians in Pahalgam, a town in Jammu and Kashmir, killing 26 civilians.²⁴⁰ What ensued was arguably the largest escalation of violence between India and Pakistan since Kargil in 1999. Coined the 4-Day Conflict, India and Pakistan engaged in limited albeit escalated conflict, primarily through traditional air engagement, drone usage, and general crossfire along the LoC.²⁴¹

On the surface, it may seem clear that the Pahalgam attack and 4-Day Conflict are clear cases where the LoC failed to contain conflict. However, there are important caveats to consider. First, the location of the attack itself makes it a unique case, as Pahalgam is located roughly 100 kilometers east and 60 kilometers south of the LoC. Defining how far the LoC's buffer extends is a crucial methodological consideration as five kilometers would yield different results than 50 kilometers. 100 kilometers is simply too large of a distance to justify as being a part of the LoC's domain. Still, the shelling that did occur after the attack remained bounded to the LoC and its immediate surrounding area.

²³⁸ Sameer P. Lalwani and Gillian Gayner Ibid., 4.

²³⁹ Ibid.

²⁴⁰ Sudha Ramachandran, "Operation Sindoor," 8.

²⁴¹ Christopher Clary, "Four Days in May: The India-Pakistan Crisis of 2025."

Additionally, it is important to note that Pakistan did not directly spark conflict with India for this to occur. Regardless of the validity of India's claims that Pakistan supported these groups, it was the act committed by the non-state group itself that led to this conflict.²⁴² Lastly, as much as the 4-Day Conflict marks the highest escalation of conflict in decades between India and Pakistan, it also displays the level of restraint taken by both sides to prevent the conflict from escalating further. An Indian spokesperson reiterated that the May 7 strikes only hit "terrorist infrastructure" and were "focused, measured, and non-escalatory in nature." No Pakistani military targets were hit.²⁴³ Both sides were careful about the manner in which they escalated both within and outside the LoC, bearing resemblance to the Kargil conflict.²⁴⁴ India especially could have attempted to push the conflict up the escalation ladder given its conventional military superiority, but the perceived benefits did not outweigh the costs. Even in Kashmir, the violence resembled that of CFVs during times of "peace". This included intense firing with small arms, mortars, and artillery but a lack of tanks and anti-tank guided missiles.²⁴⁵ Additionally, land and outpost seizure did not occur. Forces refrained from attempting to permanently take posts as well as redefine the LoC. This reinforces the idea that both sides treat the LoC as a mechanism for managing the conflict rather than resolving it.

Second, the conflict only lasting four days is extraordinary. India especially could have executed a protracted campaign of airstrikes in Pakistani territory targeting the responsible group, Lashkar-e-Taiba, given the atrocity of the Pahalgam attack.²⁴⁶ It is important to note that the United States played a mediating role that diffused the conflict which reinforces the fact that bilateralism in Kashmir must be revisited moving forward.²⁴⁷ Had a third party not been involved, the potential for uncontrolled escalation would have been greater. At the same time, the large-scale deployment of ground forces seemed unlikely. Third, the death toll from the conflict was less than 200.²⁴⁸ While 200 deaths are 200 too many, once again, this is an

²⁴² Ibid.

²⁴³ Ibid.

²⁴⁴ Umme Raeesa and Nasreen Akhtar, "India-Pakistan Security Dilemma: Analyzing the Deterrence and Coercive Diplomacy in the Context of Regional Stability," 511, 513-515.

²⁴⁵ Christopher Clary, "Four Days in May: The India-Pakistan Crisis of 2025."

²⁴⁶ Sudha Ramachandran, "Operation Sindoor," 8-10.

²⁴⁷ Hannah Ellis-Petersen et al., "India and Pakistan Agree Kashmir Ceasefire but Accuse Each Other of Breaches," Kashmir, *The Guardian*, May 10, 2025, <https://www.theguardian.com/world/2025/may/10/india-pakistan-immediate-us-mediated-ceasefire>.

²⁴⁸ Christopher Clary, "Four Days in May: The India-Pakistan Crisis of 2025."

extremely favorable number given India and Pakistan's destructive capacity and hostile relationship.

VII: Issues with the LoC

The symbolism of the LoC must not be overlooked. In this sense, the LoC is more than just a line that controls. Rather, it is a system. It does not create division. Instead, it actively manages it. Seeing how this issue is often framed as between India and Pakistan, the Kashmiri perspective is often silenced. For many Kashmiris, their lineage predates the creations of India and Pakistan. Their families existed before these boundaries.²⁴⁹ For those who live in the region, it is a reminder that partition is still ongoing. The border is the creation of historical construction, and those who live in the area suffer the most.²⁵⁰ Many living on one side of the LoC still have family on the other, unable to see each other given the near impossibility of crossing the LoC.²⁵¹

There are obvious drawbacks to the *status quo*, most notably that Kashmiris are stuck in limbo. Regardless of wanting to be a part of India, Pakistan, or becoming independent, the existence of the LoC is a daily reminder of occupation.²⁵² However, successful conflict management is not guaranteed to leave all parties involved satisfied. One should not view conflict management as a failure to improve prospects of resolution by maintaining the *status quo*. Rather, conflict management is about maintaining the *status quo* in order to prevent a deterioration of the situation.

One might argue that the best way forward is to render the entirety of Kashmir as an autonomous state. Kashmir must have the right to self-determination as its occupiers did. Kashmiris must be given the autonomy to choose their future. This would liberate the hundreds of thousands of Kashmiris fighting for independence, but once again, issues arise. India and Pakistan view Kashmir as an integral part of its territorial sovereignty, citing political, military, and cultural justifications in the process. Still, in the event that Kashmir became a new state, what is stopping an attack from either side to topple the new regime and retake control? While this may be a pessimistic take, it does not seem likely that India and Pakistan would work

²⁴⁹ Antia Mato Bouzas, "(B)Ordering and the Politics of Belonging," 114–117.

²⁵⁰ Ibid., 122.

²⁵¹ Pawan Bali and Shaheen Akhtar, *Kashmir Line of Control and Grassroots Peacebuilding*, 1–3.

²⁵² Crisis Group Asia, *India-Pakistan: Avoiding a War in Waiting*, 4.

together to support a new nation nestled right between them that represents the core of their geopolitical interests.

The Human Element

The premise of this paper is that the LoC has been a useful tool of conflict management, and it has successfully prevented escalation of violence to dangerous levels. However, it is incredibly important to emphasize that this success does not justify the loss of civilian life that occurs on a far-too consistent basis in Kashmir. Regarded by many as one of the most militarized places on earth, innocent civilians are caught in the crossfire far too often.²⁵³ This is especially true for those on the Pakistani side of the LoC. There are a little under 300 villages along the LoC, significantly more than the Indian side.²⁵⁴ Many of these villages are on the zero line, which as mentioned earlier, is poorly demarcated. Considering the fact that these villages are densely populated, it renders these civilians at extreme risk to be caught in the crossfire when tensions escalate. For those living near the LoC, every day is a dice roll between fragile peace and open conflict.²⁵⁵

In addition to the risk of death, ceasefire violations across the LoC harm livelihoods. The destruction of houses, schools and hospitals threatens individuals' access to basic human needs. Increased shelling from both sides has caused many people to abandon their homes to seek safety.²⁵⁶ This temporary migration comes at an incredible cost. Many of those who live in these border villages are by no means wealthy, and economic opportunity for many comes from agricultural practices. During periods of shelling, economic opportunities disappear. The destruction of crops such as maize and walnuts in addition to the killing of cattle eliminates means of income for many.²⁵⁷ On top of this, those who flee often sell household items out of fear that the next shelling will lead to war.²⁵⁸ All of this contributes to the psychological element. Living under these conditions and coming face to face with death on such a consistent basis creates significant trauma.

²⁵³ Soutik Biswas, "How India and Pakistan Share One of the World's Most Dangerous Borders."

²⁵⁴ Sohail Akhtar and Sadat Hassan Bilal, "Military Tensions Across the Line of Control," 225.

²⁵⁵ Soutik Biswas, "How India and Pakistan Share One of the World's Most Dangerous Borders."

²⁵⁶ Muddasir Ali and Majid Maqbool, "In the Line of Fire Along Kashmir's Line of Control."

²⁵⁷ Ibid.

²⁵⁸ Ibid.

Additionally, there is the potential to cite international law violations for both India and Pakistan. The death of civilians could be defended with the rule of proportionality, but forced displacement, for example, is another area where there is a clear violation. Even though India and Pakistan are not party to key bodies of treaty law that prohibit forced displacement, the prohibition is also enshrined in customary international law under rule 129.²⁵⁹ This means that both countries have an obligation to uphold said prohibition. On top of this, both India and Pakistan are parties to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) which protects individual freedoms and rights essential to human welfare. The ICCPR protects negative rights (rights one is free from) while the ICESCR protects positive rights (rights one is provided).²⁶⁰ The situation in Kashmir would seem to reveal a slew of violations committed by both countries against the local populations' human rights. A legal analysis of obligations and violations would need an entirely separate paper, but this point is to show the various frameworks that must be considered when taking into account the human element of the Kashmir conflict.

This is all to say that the LoC is far from perfect. For one, it is a constant reminder of the failure of British colonialism and the haunting tragedies of Partition. This should always be kept in mind. Moving forward, the goal should be the complete eradication of violence. Conflict resolution practitioners should not lose sight of that even if it seems unlikely now. From a humanitarian law perspective, it is simply inadequate to justify any civilian death as unavoidable collateral in a broader power struggle between two states. Civilian death is still bad even if war is prevented. Diplomacy should reign supreme over violence, and just because that seldom occurs in the present day does not mean it should be ignored for the future. It is also not as if the region has attempted to provide concessions to affected populations in the past. The blueprint exists. For example, in 2005, a bus system across the LoC was established as a confidence building measure between India and Pakistan, allowing to the reunification of families that were divided by the

²⁵⁹ Customary International Law Rule 129: The Act of Displacement, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule129>.

²⁶⁰ UN OHCHR, "International Covenant on Civil and Political Rights," December 16, 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>; UN OHCHR, "International Covenant on Economic, Social and Cultural Rights," UN OHCHR, December 16, 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.

LoC.²⁶¹ Additionally, trade must be permitted across the border as a means to supplement livelihoods affected by conflict. It would provide new avenues of economic opportunity as well as appeasing Kashmiris who are caught in the middle of the dispute.²⁶² Indirectly, it returns some semblance of autonomy to those who are native to the region.²⁶³

Revisiting Simla

While the Simla Agreement had a definitive impact on Kashmir, it is also important to clarify that it has had no effect on the prospects for settlement. It is more accurate to say that it bypassed the Kashmir issue.²⁶⁴ The biggest barrier to successful conflict resolution over Kashmir is bilateralism. The LoC established by the Simla Agreement has been effective at managing the Kashmir conflict, times of peace must not be taken for granted. It is important to keep expectations realistic, but incremental steps can and must be taken to meet and exceed said expectations. Small wins are still wins. One such example could be revisiting certain points of the Simla Agreement. Most notable is the element that restricts discussions on Kashmir to bilateral diplomacy.

It is understandable that third party/U.N. influence causes worry. The colonial exploits of the British carry a large responsibility for conflict between India and Pakistan. Meddling from the West exacerbated issues rather than addressed them. However, the distrust and animosity harbored by both sides make bilateral diplomacy difficult if not impossible. Combined with the fact that ceasefires are shaky and eventually break down, a new strategy must be considered. Third-party involvement could be restricted. For example, third parties would not have any input into the process, but they could facilitate joint peacebuilding efforts or sit in as a mediator during discussions and/or negotiations. Additionally, third parties need not be global superpowers, nor do they need to be member states of the U.N. The field of conflict resolution has grown to include non-state groups and actors, and there is no doubt a plethora of grassroots organizations within South Asia that seek an end to the conflict. Bringing local voices to the table from both

²⁶¹ Mahwish Hafeez, "The Line of Control (LoC) Trade: A Ray of Hope," *Strategic Studies* 34, no. 1 (2014): 77–80.

²⁶² Pawan Bali and Shaheen Akhtar, *Kashmir Line of Control and Grassroots Peacebuilding*, 3–10.

²⁶³ Ather Zia, "LoC: The Line 'out' of Control in the Region of Kashmir," *American Quarterly* 71, no. 4 (2019): 1041–43.

²⁶⁴ Shirin Tahir-Kheli, "Bilateralism in South Asia," 85.

sides can help the governments of India and Pakistan better understand each other's positions and underlying interests.

Reforming Relations

As discussed earlier, one of the main reasons for CFVs are misperceptions. A lack of a mutually agreed upon standard operating procedure is one of the main culprits for these misconceptions. Joint SOPs are rare, and this fuels misunderstandings between both sides that causes CFVs.²⁶⁵ In tandem with mutually agreed upon SOPs, Indian and Pakistani stationed along the LoC should engage in confidence building measures and collaborative efforts to curb cross-border infiltrations by non-state actors.²⁶⁶ The implications of these efforts are twofold. First, joint patrols with local Indo-Pakistani forces would function as an effective confidence building measure. Coupled with standard operating procedures, it would create enhanced communication and routine interaction between forces, reducing the uncertainty and misperceptions that persist along LoC outposts. As a result, this would ripple up to higher levels of interstate interaction. India cites terrorism as a primary rationale for their aggressive presence in Kashmir and as a large contributor to LoC CFVs.²⁶⁷ They accuse Pakistan of supporting insurgent groups and hindering their reconnaissance efforts, but Pakistan has consistently rejected these claims.²⁶⁸ Successful joint efforts to curb terrorism along the LoC could signal to higher level/national military and political leaders of warming relations.²⁶⁹ It could ease India's concern of Pakistan supporting non-state groups and build legitimacy for Pakistan to be seen and treated by India as a peer on equal footing given the power asymmetry.²⁷⁰ Building trust from the ground up is a better strategy as opposed from the top down, especially for Kashmir. Since top leadership seldom initiates CFVs, addressing the local factors is the best strategy for reducing them.

²⁶⁵ Happymon Jacob, *Ceasefire Violations in Jammu and Kashmir: A Line on Fire*, 15, 23.

²⁶⁶ Ibid., 24–25.

²⁶⁷ Happymon Jacob, *Line on Fire*, 304.

²⁶⁸ Ibid.

²⁶⁹ Christopher Clary, *The 2021 India-Pakistan Ceasefire: Origins, Prospects, and Lessons Learned*, 22–24.

²⁷⁰ Ashley J. Tellis, *Are India-Pakistan Peace Talks Worth a Damn?*, 21–23.

VIII: The Spatial Containment of Violence Along the LoC

A [Story Map](#) created with ArcGIS Pro supplements this paper. The [final ArcGIS Pro Story Map](#) contains extensive detail on methods used, the workflow of the analysis, the results of the analysis, the final output maps, and the implications of the results. The GIS component provides a spatial analysis of the LoC and surrounding region. It seeks to answer the following questions:

1. Is the LoC able to spatially contain ceasefire violations? If so, to what extent?
2. Where are ceasefire violations spatially concentrated along LoC?
3. In both India and Pakistan, what districts are most vulnerable to ceasefire violations?
4. In both India and Pakistan, what districts have the highest level of accessibility to essential infrastructure and services during ceasefire violations?

Conceptual Framework

Conceptually, the first part of this Story Map focuses on the spatial distribution of conflict points. To start, I built the core spatial framework. I aimed to show that the majority of conflict points are within a specific distance from the LoC. To do this, I created a series of 5-kilometer buffer zones. I then analyzed each buffer area based on the amount of conflict events it contains, predicting that most conflict points will be within 5-10 kilometers of the LoC. With this data, I performed a hotspot analysis to see where CFV incidents geographically cluster. The second part of my work determined what districts are most at risk from CFVs.

Next, I converted non-conflict data into measurable, explanatory variables to understand which districts have higher levels of accessibility. In this context, accessibility means the existence of criteria that aid civilians during ceasefire violations. This includes roads, railways, airports, and access to essential services. Put simply, the first part of the Story Map explores where violence is concentrated overall with the expectation that it will be geographically close to the LoC. The second part of the Story Map will be to explain which of these places are most exposed/why incidents of ceasefire violations are clustered (using the variables listed above).

I then combined this with the CFV analysis to determine whether districts are at low, medium, or high risk. The variables listed above will be weighed according to importance and factored into the vulnerability analysis. For example, this vulnerability map takes into consideration criteria such as the presence of hospitals or roads. This is crucial to include as a

location that receives the same amount of ceasefire violations as another will be more vulnerable if it has less hospitals, for example.

Data strategy

The primary dataset I used is conflict data from ACLED (Armed Conflict Location & Event Data). ACLED data is particularly useful because it provides latitudes and longitudes of conflict events, allowing us to plot specific point data. The main elements of this data are the location and the type of conflict as I filtered it to interstate violence only. I excluded violence from non-state actors in this analysis.

The shapefile administrative boundaries for both India and Pakistan are from the Humanitarian Data Exchange. Given the contested boundaries of Kashmir, I overlaid this data with an ESRI layer of global disputed territories. This is to ensure I had the most accurate depiction of the LoC as possible.

All the non-conflict data is from Open Street Maps as it provides the most up to date data for both Indian and Pakistani-administered Kashmir. This is all point and polygon data. I used this data to form my criteria for the analysis and determine the risk level of districts in both countries.

Final Outputs

The following is a list of the final outputs and how they address the research questions I have formulated:

1. Buffer map – this map contains a series of buffer rings, each measuring five kilometers. It shows that the majority of ceasefire violations occur within five to ten kilometers of the LoC. It reveals where violence is concentrated, addressing the question of whether violence is spatially concentrated near the LoC.
2. Conflict density map – like the buffer map, this map identifies the clustering and concentration of ceasefire violations along the LoC, highlighting areas where more ceasefire violations have occurred. However, this more so shows what districts are experiencing the most ceasefire violations whereas the buffer map shows that ceasefire violations occur close to the LoC.

3. Hotspot analysis – this map reveals statistically significant clusters of high incident areas (hot spots) and low incident areas (cold spots). This shows where violence is concentrated, addressing the question of whether violence is spatially concentrated near the LoC.
4. Accessibility Map – this map calculates and scores each district's access to key criteria, including access to roads, railways, airports, drinking water, police, fire services, doctors, clinics, and shelters. Weights are added to each variable to account for the fact that some variables will be more significant than others.
5. Vulnerability map – this map ranks all districts along the line of control in both India and Pakistan based on how vulnerable they are to ceasefire violations as well as how accessible they are, considering the additional variables listed above. I used 5 classifications to rank districts (very low, low, moderate, high, very high).

To explore the maps and the results of the analysis, please use the following link to access the Story Map: [A Choreography of Violence: Analyzing Ceasefire Violations Along Kashmir's Line of Control](#)

IX: Conclusion

It is highly unlikely that India and Pakistan's unforgiving dispute over Kashmir will be resolved in the near future. Tensions remain high between both countries, especially following last year's attack in Pahalgam and ensuing conflict. However, through decades of war, violence, and conflict, the LoC has effectively contained escalation. Ceasefires will come and go in Kashmir, but unless a resolution on the territorial issue of Kashmir occurs, the LoC should remain as it is: a de facto ceasefire line. Its status as a ceasefire line gives it the flexibility to effectively manage conflict, containing both its intensity as well as its geographic boundaries. However, the LoC is not perfect nor is its job complete. Conflict management is necessary for the current situation in Kashmir, but this should not be the end goal. The LoC should aim to become a border line, but until the prospects for violence have been all but eliminated, it must endure as a conflict management tool.

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