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Modeling the Choice of the Century: The United States and The Policy Models Applicable to the Kashmir Question

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Abstract

The region of South Asia has been and remains an equation whose incredible complexity has repeatedly been underestimated and misunderstood by Western powers. For the United States, a proper policy approach to the Kashmir issue remains crucial to ensuring regional and global stability. If enacted well, the right policy could allow for advancements in nonproliferation and conflict mediation, successful competition against an increasingly aggressive China, and the insurance of the good graces of all sides for trade and counterterrorism purposes. The term “Kashmir policy” refers to the maintenance of diplomacy with both India and Pakistan bearing in mind both the propensity for conflict between the two states and broader US grand strategy. Henceforth, the question of what constitutes a proper approach will be considered in light of two models for predicting policy, the politics of domestic actors and the politics of the executive bureaucracy. Bearing in mind the ambiguity of these terms, a pithy

overview of each model in the abstract will be provided. The various actors and forces within both models will be explored, both in relationship to each other and their effect on the model. Followingly, the impact of the various actors of each model on the official American policy towards the Kashmir issue will be examined considering the strengths and weaknesses of each. On the tail end of it all, an appraisal of the likely policy outcomes to arise from these two models will attempt to predict what the next decade of American relationships on the subcontinent will look like. Within this next decade, the primary strategic interests of the United States will shift eastward and come to bear on South Asia. Subsequently, predicting potential policies towards the Kashmir issue and the maintenance of relations with Islamabad and New Delhi alike is of increasing importance to American foreign affairs.

Historical Context of Kashmir and Current India-Pakistan Relations

Emerging from the devastation of the Second World War, Britain found itself unable to hang onto its crown jewel, the Indian subcontinent. A confluence of religion and culture between both East and West, the subcontinent can be most easily understood in terms of the majority-minority relationship between Hindus and Muslims. As the state-building process progressed, the unified, secular vision of India put forth by Jawaharlal Nehru, a Hindu, was successfully defeated by Mohammed Ali Jinnah, leader of the Muslim coalition. Despite a last-ditch effort by Lord Mountbatten, the last Viceroy of India, and the British government, the unification effort failed, and the complicated partitioning process began.¹

¹ Meese, Nielsen, Sondheimer, *American National Security*, 464-473.

Although the religion aspect became extremely fraught as time wore on, it was initially seen as a vehicle of bifurcation through which inter-religion civil acrimony could be reduced. Creating a separate state for Muslims was accepted as a viable avenue to secure their civil rights and avert war. However, posing exceptional difficulty to the partitioning process was the presence of the princely states, of which Kashmir was one. Kashmir's Hindu ruler, the Maharaja Hari Singh, governed a Muslim-majority population, making the region an attractive potential territorial gain for Muslim Pakistan. However, Singh refused to accept unification with Pakistan. When Muslim rebels rose up against Singh in the town of Poonch and the surrounding area in September 1947, the Pakistanis moved quickly to provide support in form of militant tribesmen from the Northwest Frontier Province. The Azad Forces, designating the motley assemblage of the Pakistani tribal irregulars and Kashmiri rebels, quickly swept through major cities in western Kashmir and were advancing on the capital by late October. Facing a collapse of government and possible annexation, the maharaja pleaded for and successfully secured Indian military assistance, in exchange for signing a controversial "declaration of total accession" with India.² Thus began the first Indo-Pakistani War, an unofficial conflict defined by weak states with weak military apparatuses and stay-behind British generals on both sides hesitant to authorize large-scale offensive. Established in mid-1949 with the end of the war, the LoC remains one of the most volatile borders in the world, casting a long shadow of instability over the whole of South Asia.³ Such volatility finds its roots in the growth of religious nationalism within

both countries in response to the initial rivalry over Kashmir, feeding the cycle of confrontation. These bonds between religion, culture, ideology, and legitimacy grew the rivalry to incredible proportions, and will make it all the more difficult to hold meaningful negotiations and avert conflict, potentially nuclear, going forward. Finding a path towards a stable peace that accounts for these interwoven complexities has yet to be found.

Additionally, it should be noted that similar to other geopolitical issues, the United States policy towards Kashmir has not evolved in a vacuum. From the start of the partitioning process, American diplomats understood the necessity of the two-state solution to address religious enmity but drew a line there. Born from the desire to resist Communist expansionism, they envisioned two states powerful enough to act as pro-West anchors in the volatile region.⁴ From the same vein arose changes in policy towards Pakistan during the fight against al-Qaeda, and towards India in light of the "wolf warrior diplomacy" of the CCP under Xi Jinping. US grand strategy has always been the underpinning of its Kashmir policy, a fact to bear in mind as the policy particulars are dissected.

The Policy Models in the Abstract: The Domestic Politics Model

The Domestic Politics model, henceforth referred to as the DP model, posits that the creation of foreign policy stems direct from the consent of the governed, with public opinion as the determinant for success or failure. The president and Congressional leaders' chief concern will be retaining their office, so

² Clary, "Partition, the First Kashmir War, and the Origins of the Rivalry," 51 – 54.

³ Malik, "Pakistan-India Relations," 60-66.

⁴ Clary, "Partition, the First Kashmir War, and the Origins of the Rivalry," 45.

while their every action may not remain beholden to their constituents, public opinion will be the most salient factor in the decision-making process.⁵ However, public opinion comes in all shapes and sizes. The general public, who form the most fundamental version of public opinion, participate in elections that directly check the actions of their leaders. On the other hand, interest groups work to advance their respective agenda, whether it be centered around business, ethnic, or public (i.e., the environment) concerns. This work includes agenda setting, crafting specific, often slanted narratives around particular issues campaign finance, and directly lobbying lawmakers.

Additionally, the DP model is heavily impacted by broader, often ideological narratives on issues put out by the media and think tanks. Such narratives create standards by which the public, in the case of the former, and government officials, in the case of the latter, will formulate their opinions. The essence of the DP model involves how these societal actors compete to impact and utilize public opinion, with the root assumption that public opinion plays the central role in the creation of foreign policy.

The Policy Models in the Abstract: The Bureaucratic Politics Model

A diverging view is offered by the Bureaucratic Politics model, henceforth referred to as the BP model. Bearing in mind the vast depth of the foreign policy establishment, it argues that inter-governmental competition between departments and agencies, rather than public opinion, is the primary determinate of foreign policy decisions. The BP model is comprised of all executive actors with a

national security bearing. These include the Departments of State, Defense, Energy, and Treasury, and the intelligence community. With such a wide cast of actors, it argues that there cannot be a singularly rational policy, but rather a plethora of competing options. Naturally, different options will favor the skills and interests of different actors, making competition between the actors of utmost importance to securing organizational power, pride, and budgetary needs.⁶ Essential to the function of this competition is the central premise of the BP model, which is that foreign policy is not, in any way, predetermined along a general course or chosen with a particular approach in mind. The entirety of foreign policy, from the methodology to the desired outcome, is determined by competition between various bureaucratic actors.

As such, the end results are both due to and befitting of their particular organizational structure, specialization, and worldview. Meanwhile, the president and other policymakers remain passive, choosing to adopt the winner's policy approach. The BP model is predicated on the shortcomings of the DP model, replacing the shallow, volatile, and often uninformed attitudes of the public with a cadre of highly knowledgeable and worldly experts as the determining agents of policy. It is debatable whether a competition of organizationally interested experts creates the best possible outcome. Regardless, the benefits and drawbacks of each model play into the types of outcomes they produce.

The Models and Their Forces Applicable to U.S. Kashmir Policy: The Domestic Politics Model

Given the large number who reside in the United States, the political

⁵ Souva, "Foreign Policy Determinants," 153.

⁶ Freedman, "Logic, Politics, and Foreign Policy Processes," 438.

organization of the South Asian American community has become an outsized force within the DP model's approach to Kashmir policy. The unique class composition of the community, which includes a "large number of highly educated middle-class and affluent professionals," has allowed "selective elite mobilization" to dominate the community's approach to political organizing.⁷ Although smaller in number compared to other ethnic diasporas, their above-average financial and social standing has allowed Indian and Pakistani Americans to form civilian interest groups and lobbying organizations on par with groups of much broader interests.

Indian American ethnic interest groups, both grassroots civilian political associations and professional lobbying groups, constitute a major force within the DP model's approach to the Kashmir issue. With a population numbering in the millions, 70 percent of whom hold a college degree, and per capita incomes of \$20,000 over the American average, the Indian American community and its grassroots political organizing fit the criterion for elite mobilization.⁸ Again, their comparatively smaller numbers make bloc voting actions nearly irrelevant, save for a few House districts; on the other hand, the combined wealth of the community has made its civilian political organizations, such as the Association of Indians in America (AIA) and the India League of America (ILA) into a force to be reckoned with. As more Indian immigrants arrived throughout the latter 1960s and 1970s, the AIA and ILA were the first two major Indian political associations to arise. In 2008, it was the ability of the Indian American community to make campaign contributions that attracted members of Congress "who engaged and supported the community on the nuclear

deal."⁹ The 2008 US India Nuclear Deal was a watershed moment for relations between the two countries; due to their outsized opinion on the matter, their ability to effectuate that opinion, and their coordination through their political associations, the Indian American community's unavoidable pressure on lawmakers brought about a successful action on their behalf. With civilian ethnic interest groups directly affecting policymakers and their judge of public opinion on the matter, this was a prime exemplification of the DP model. Indian American civilian political associations and the wealth behind them will remain a sizable force upon U.S. policy towards Kashmir.

In the realm of professional politics, the US India Political Action Committee (USINPAC) has been the chief lobbying organization for Indian Americans for decades. Starting in 2005, it led the advocacy and lobbying efforts on Capitol Hill that ended up producing the 2008 nuclear deal. Additionally, it mounted a successful anti-Pakistan campaign that resulted, for the first time ever, in Congress recognizing Pakistan's support for terrorist activities aimed at India. USINPAC has a strong record of influential, pro-India lobbying, making it another major force regarding the DP model and Kashmir policy. In fact, it has already affected Kashmir policy in the past. During the 1999 India-Pakistan conflict over Kargil, a district of Kashmir, USINPAC successfully pressured President Clinton into requesting of the Pakistani government a withdrawal of their troops from the city.¹⁰ The organization "works closely with professional, business, and political elites from India," which ensures that its actions are closely tied to, and perhaps directly representative of, the

⁷ Mishra, "Conclusion: Negotiating Identities and Crafting Political Solidarities," 210.

⁸ Badrul, "Embracing Policy and Politics," 63-64.

⁹ Mishra, "Conclusion: Negotiating Identities and Crafting Political Solidarities," 211.

¹⁰ Badrul, "Embracing Policy and Politics," 69-70.

desires of the Indian government (however, it *cannot* be classified as a foreign lobbying organization).¹¹ A newer lobbying group, yet one representative of the religious intensity of South Asia, is the Hindu American Political Action Committee (HAPAC). Working to support candidates sympathetic to the Hindu cause, HAPAC operates in tandem with the Hindu American Foundation (HAF), a civilian political/religious organization. HAF, in turn, has been accused of working closely with Hindu nationalist elements in India.¹² Within the DP model, smaller actors such as HAPAC and HAF can harness a more extreme narrative and force it to play an outsized role in policy discussions by seizing upon the extremely contentious religious aspect. It is equally likely that this hardline stance will lead to marginalization in the US policy arena, as religion will undoubtedly play a role in the inception and perpetuation of a potential conflict. On the whole, the ethnic interest groups of Indian Americans are hugely influential and constitute an essential aspect of the DP model as it pertains to Kashmir policy. Subsequently, their actions are reciprocated by the Pakistanis.

Although ethnically representing the other side of the Kashmir issue within the DP model, Pakistani American interest groups pale in comparison to their Indian counterparts; this is due to the community numbering only about 600,000, compared to the millions of Indian Americans. Followingly, the Pakistani community has only a singular major civilian political association, the American Pakistan Foundation (APF). Despite notable progress since its founding in 2009, the APF does not operate on the same level as the AIA or ILA. Moreover, despite sharing a similarly

affluent economic status to the Indian diaspora, Pakistani Americans generally lack a sufficiently high geographical concentration to form influential blocs, even more so than Indian Americans. On the lobbying front, the Pakistan-American Political Action Committee (PAKPAC) has developed their presence throughout the US government, including with some members of Congress. In this sense, it continues to successfully fulfill its objective of advocating for stronger ties between the US and Pakistan. However, PAKPAC has failed to take decisive actions on par with the achievements of USINPAC, highlighting potential limitations to advocating for a closer US-Pakistan relationship in a post-War on Terror world. Additionally, the Council on U.S.-Pakistan Relations lobbies for increased bilateral trade and commercial opportunities between the two countries; similar to PAKPAC, there has been little to show except meetings with members of Congress.¹³ It can be expected that, in the event of a major development or crisis over Kashmir, organizations and lobbying groups on both sides would go into overdrive. Regardless of potential overseas developments, Pakistani American interest groups still lag far behind their Indian American counterparts in terms of power and influence. That said, the involvement of the Pakistani diaspora in American politics has been increasing, largely through campaign donations and a select few state and city offices in New York.¹⁴

Regardless of size or influence, the ethnic status alone of both Indian and Pakistani Americans affords them a vastly outsized voice in public opinion on US policy towards an issue concerning their respective country. This is what spurs formation of ethnic interest groups and

¹¹ Mishra, "Conclusion: Negotiating Identities and Crafting Political Solidarities," 217.

¹² Mishra, 215.

¹³ Pavri, "Pakistani Americans," 436.

¹⁴ Pavri, 434.

general political organizing in the first place. However, the DP model operates off the assumption that politicians, the policymakers, act in a manner that emphasizes “public opinion and domestic welfare.”¹⁵ Unlike with most Americans, US policy towards Kashmir will directly affect the lives of many Indian and Pakistani Americans. From this, both diasporas derive an emotional currency that, even when utilized by an extremely small minority, can cast a large shadow on a particular policy. The Russia-Ukraine War offers a tragically fitting example, as many Ukrainian Americans, who had never engaged in ethnic political organization previously, can now effectively sway the positions of policymakers. This is due to their ethnic identity and the emotional currency they have been granted stemming from their direct connection to the war. Should another conflict break out over Kashmir, or even if policymakers are considering a sizable shift in policy, Indian and Pakistani Americans would find themselves in a similar position. The core tenet of the DP model, the desire of policymakers to remain in office, would react accordingly by closely integrating the pathos of the situation with the policy response. Ethnic identity alone can be utilized to tremendous effect as a force in the DP model when conditions are right.

Finally, the views of the general American public constitute the broadest applicable force within the DP model. Whereas ethnic interest groups and ethnic identity leverage will likely only impact a select group of policymakers (such as those with previously established ties to the cause and party leadership), the opinion of the general public will affect every policymaker. The DP model posits that policy will be

designed to appease the public as much as it aims to advance US strategic interests.¹⁶ Yet, public opinion often lags behind developments in foreign policy. This can lead to a situation in which policymakers are led astray by their desire to remain in office, creating ineffectual policy that responds to the previous status quo. On the question of Kashmir, the American public will be a status quo force. Currently, 60 percent of Americans believe the country should take a more active role in global affairs, yet this interest revolves around leading on issues climate change, COVID-19, and human rights.¹⁷ It is highly unlikely that the American public will take interest in, much less rekindle action on, an issue that the US has been largely stagnant on since its inception.¹⁸ Additionally, the vast pro-business lobby in the US will constitute a status quo force, as stability in South Asia will mean unfettered economic developments in India particularly. From the end of the Cold War to the present day, the predominate worldview of American business is that India represents a large and growing opportunity for commercial interests.¹⁹

The Models and Their Forces

Applicable to U.S. Kashmir Policy: The Bureaucratic Politics Model

Whereas the DP model views the issue through the lens of various societal actors, ethnic and otherwise, the BP model contends that the path forward on Kashmir will revolve around a stark dichotomy between the forces of the Department of State and the Department of Defense. It is a divide that represents the most basic question of international relations, that being

¹⁵ Souva, “Foreign Policy Determinants,” 153.

¹⁶ Souva, “Foreign Policy Determinants,” 153-154.

¹⁷ “2022 Survey of Public Opinion on US Foreign Policy,” 19.

¹⁸ Fai, “A Resolution of the Kashmir dispute,” 6.

¹⁹ Mustafa, “US and Strategic Stability in South Asia,” 43.

when to use force and when to use diplomacy.

The Department of State has been the operational arm of the United States in foreign affairs for over two hundred years, making the prestige of the department immense. The department deals in soft power, wielding vast persuasive capabilities and diplomatic techniques to affect foreign affairs. It acts as a knowledge bank on the world, with embassies worldwide staffed with country and regional experts.²⁰ As such, any action it takes will fall into this highly institutionalized and structured worldview, making the State Department another status quo force on the Kashmir question. Looking to the past, this categorization holds true. During the tension at the Kashmir demarcation line between December 2001 and October 2002, both India and Pakistan looked the US, expecting support. According to the BP model, the State Department “won,” as the US persuaded India to restrain itself and while requiring that Pakistan to end its support for Kashmir independence. Secretary of State Colin Powell himself visited both countries in January 2002.²¹ Continuing on, the State Department won policy decisions on four separate occasions of potential war between 1980 and 2000 that returned the situation to the status quo each time. Given that the department has influenced the policy process to a great degree in the past, there is no question that it would be able to do the same going forward. Additionally, the State Department wields the power to impose sanctions, which can have a devastating multilateral effect when utilized in tandem with allies. Third party mediation efforts have proved to be the most effective tool for

crisis management in South Asia. With its preferred policy taking precedent each time, the State Department has proved itself to be a, if not *the*, major force on Kashmir policy in accordance with the BP model.²²

The Department of Defense (DoD), on the other hand, comprises the national defense structure, including the three military departments (Army, Navy, and Air Force), the Joint Chiefs of Staff, and various combat commands and intelligence capabilities. Unlike the State Department, the Pentagon does not lack funding and has dominated the course of American foreign policy generally for the better part of two decades.²³ As previously stated, the Kashmir issue is one where State has historically led in terms of policy creation. However, the DoD has refocused the US-India military relationship into one built on technological exchanges and maritime security policy. Simultaneously, it has drawn back from enlisting of Pakistan’s continued help in the fight against terrorism as it shifts focus towards great power conflicts. In 2012, the US and India jointly launched a Defense Technology and Trade Initiative (DTTI), which facilitated the transfer, co-development, and co-production of military technologies. Moreover, US-Indian naval exercises that began in 1992 have resulted in India’s participation in RIMPAC and US participation in *Yudh Abhyas* exercises with Indian ground forces.²⁴ While Islamabad has received billions of dollars in US military aid, these allocations have decreased over the past decade. At the same time, one defense secretary after another continues to reaffirm India as the lynchpin in the eastward shift of US grand strategy. This, however, is not to downplay the historical

²⁰ Meese, Nielsen, Sondheimer, *American National Security*, 106-110.

²¹ Mahmud, “Post-Cold War US Kashmir Policy,” 100.

²² Malik, “Pakistan-India Relations,” 74.

²³ Meese, Nielsen, Sondheimer, *American National Security*, 110-113.

²⁴ Weitz, “Promoting U.S.-Indian Defense Cooperation,” 9-18.

influence American intelligence has had upon South Asia. Throughout the latter half of the 20th Century, a stalwart alliance developed between the Central Intelligence Agency (CIA) and the Pakistani Inter-Services Intelligence (ISI). This relationship was furthered through coordinated efforts against Soviet activities in Afghanistan and the funding of more radical Islamic parties in the country.²⁵ Unfortunately, ISI sits in a tricky position within the Kashmir debate, as New Delhi claims the agency provides support to the anti-India terrorist group Lashkar-e-Taiba. The veracity of these claims notwithstanding, the CIA and US intelligence on the whole must tread quietly on Kashmir, allowing the more visible actors to take the lead in developing a nuanced approach free from historical baggage. The Defense Department does not have the same weight as the State Department does in charting Kashmir policy, with the latter department repeatedly “winning” the competitive aspect central to the BP model historically. DoD capabilities, as a home for the armed forces, do not mesh well when trying to effectuate policy on an issue that pits two nuclear powers against each other. The gentle persuasiveness of the State Department has triumphed historically, and that is reflected in the prediction the BP model makes going forward.

The Prospective Policy Outcomes of the Models: The Domestic Politics Model

Bearing in mind the greater influence of Indian American ethnic interest organizations and the desire on behalf of the general public and US business interests to increase international cooperation, the DP model will predict that US policy towards Kashmir will remain unchanged. The Kashmir question is a perilous balance in which both India and Pakistan have great stakes. Whether due to a US policy shift or otherwise, upsetting this balance would be detrimental to

both diasporas. Hence, the reason why none of the ethnic interest organizations are pushing for any particular policy on Kashmir. If they were to do so, policymakers might discredit them for it, harming their future lobbying efforts. Tangentially, conflict and threats thereof in South Asia are not beneficial, given the close family ties many in the American diasporas retain in their home country. The general American public’s ambivalence toward Kashmir, their desire not to become directly militarily involved abroad, and the weighty US business lobby that desires stability will all convince policymakers that shifting the status quo on Kashmir would be a mistake. Instead, the DP model posits that it will be beneficial for policymakers to build further bilateral trade ties with India, given the force of both Indian ethnic organizations and US businesses to whom India is a blooming market.

The Prospective Policy Outcomes of the Models: The Bureaucratic Politics Model

Likewise, the BP model will also predict that US policy towards Kashmir will remain unchanged, while the US will increase its defense and strategic ties with India as China looms on the horizon. Given its greater ability to affect Kashmir policy directly, the State Department and its recommendations will take precedent on US relations with Pakistan and India alike, especially on development and human rights concerns. However, despite lacking the delicate capabilities of the State Department, the BP model predicts that Defense Department’s influence over US-India military ties will continue to grow. The DoD will also play a greater role in coordinating American strategy between India and other US partners throughout Asia. This outcome suits each of the actors’ specializations within foreign policy, ensuring that both will receive ample funding and attention going forward. However, an unlikely outcome from the BP model is that more attention will be paid to Pakistan in light of the US

²⁵ Rashid, “Challenging Islam,” 84 – 85.

pivot away from the Middle East, spelling potential trouble. Failure to meaningfully engage and maintain ample relations with the nuclear-armed Pakistanis could spell destabilization down the line, making the predicted outcomes of the BP model a matter of concern and perhaps the basis of future policy adjustments.

Concluding Thoughts

On the whole, US Kashmir policy will continue to be overshadowed by a number of key developments on the international stage: increasing US-India bilateral ties, the US drawdown of attention and aid to Pakistan with the sunseting of the War on Terror footing, the US-China rivalry for influence throughout Southeast Asia and the world, and the era of great power competition as nations seek to capitalize upon global uncertainty. Despite being the longest lasting border dispute still actively in contention, the Kashmir issue is too politically muddled for any one country to resolve while achieving any beneficial returns on its efforts. The United Nations originally tackled the issue in 1949 and was able to establish the Line of Control (LoC) that remains in effect. However, the wars of the 20th Century saw both countries reluctant to adopt a total war footing, due in large part to their status as nascent, developing states with militaries unequipped to fight a large-scale war of annexation.²⁶ With both countries having greatly advanced in military, intelligence, and nuclear capabilities since then, there is no guarantee that this trifecta of destabilization will remain bottled up in perpetuity. Likewise, the rise of religious nationalism on both sides as a newfound component of foreign policy determinations and government

legitimacy overall does not bode well for future de-escalation. The Western response to Russian aggression and atrocities in Ukraine continues to paint a rosy picture of international unity that may or may not still exist when the axe falls on Kashmir. American policy actors must be ready to take the initiative regardless of contingency. Perhaps a proper Kashmir policy, one that accounts for the suffering of millions of Kashmiris and the legitimacy of two nuclear-armed countries on the line, can only come from the United Nations. Unfortunately, whether incepted by the United States or the United Nations, history shows that an effective policy response of the required magnitude does not come until well after hostilities have commenced.

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²⁶ Clary, “Partition, the First Kashmir War, and the Origins of the Rivalry,” 43 – 44.

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