

Indo-Pakistani Relations After 26/11(ARI)

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Theme: The author examines the prospects for Indo-Pakistani relations after the 26-29 November 2008 terrorist attack in Mumbai.

Summary: The terrorist attack in Mumbai on 26-29 November 2008 caused renewed tensions in Indo-Pakistani relations. While fears of a military confrontation have subsided, the bilateral dialogue on various political and economic issues is in a state of suspension. A return to the pre-26 November civility in bilateral relations and a resumption of dialogue could be delayed by the temporary absence of India's Prime Minister, Dr Manmohan Singh, from his duties due to cardiac surgery and the forthcoming elections to the Lok Sabha, the lower House of the Indian Parliament, which are to be held by April 2009. If there is another terrorist attack from Pakistani territory, the possibility of India carrying out a military strike against the terrorist infrastructure in Pakistani territory will increase. The revival of the unwise talk in the West about a link between terrorism against India and Kashmir has created a dangerous impression in the minds of the Pakistani military leadership that the use of terrorism has started paying results. This impression could get in the way of Pakistan sincerely acting against the terrorists. Therein lies the danger of a future military conflict between the two countries on the issue of terrorism. If that happens, the West will be largely to blame for creating such an impression in the minds of the Pakistani military and intelligence establishment.

Analysis: 138 Indian nationals and 25 foreigners –nine of them Jewish persons from Israel and the US– were killed when 10 Pakistani nationals belonging to a Pakistani jihadi organisation called the Lashkar-e-Toiba ('Army of the Pure'), who had clandestinely traveled by sea from Karachi without being intercepted by the Indian Navy and Coast Guard, landed in Mumbai, split into four groups and spread death and destruction in the seafloor area of Mumbai for about 60 hours from the night of 26 November to the morning of 29 November 2008.

Five of the fatalities were caused by explosives and the remaining 158 by hand-held weapons (assault rifles and hand grenades). This was the third act of mass casualty terrorism with fatalities of over 150 in Indian territory outside Jammu and Kashmir (J&K) since jihadi terrorism made its appearance in India in 1989. All three were committed in Mumbai, which is the financial capital of India. It is also the corporate capital of India, with many Indian and foreign corporate houses having their headquarters in Mumbai. In the first act in March 1993 a group of Indian Muslims trained and armed by Pakistan's Inter-Services Intelligence (ISI) carried out a series of timed explosions against a number of

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economic targets and killed 257 civilians. In the second incident, in July 2006, 181 commuters and others were killed when a mixed group of Indian and Pakistani Muslims trained and armed by the LET in Pakistani territory caused a series of explosions in suburban trains.

Differences from Earlier Attacks

The attack of 26 November 2008 differed from the earlier mass-casualty attacks in some important aspects. First, 158 of the 163 fatalities were caused by hand-held weapons. Explosives played only a minor role. Secondly, the terrorists attacked a mix of targets (ordinary people in public places such as a railway terminus, hospital, restaurant and café and the affluent social and business elite, Indians as well as foreigners) in two leading Mumbai hotels –the Taj Mahal and the Oberoi/Trident– and in a Jewish cultural-religious centre located in a building called Nariman House. Third, they killed a selected group of foreigners: nine from Israel and 12 from the US and other Western countries who had contributed troops to the NATO contingent in Afghanistan (the other four were from South-East Asian countries). Fourth, it was not a classic case of hostage-taking. They were not interested in using the hostages for achieving any demands. Their interest was in a prolonged armed confrontation with the security forces which would get them publicity. Fifth, all the 10 perpetrators were Pakistanis especially recruited and trained by the LET in camps in Pakistani territory. Sixth, it was a case of suicidal terrorism similar to the terrorist attack on the Indian Parliament on 13 December 2001. Nine of the terrorists died in the confrontation with the security forces. One –Ajmal Amir Kasab– was caught alive.

The terrorists had a mixture of motives. They wanted to weaken the credibility of the Indian counter-terrorism machinery in the eyes of the Indian public as well as foreigners. They wanted to shake the confidence of the foreign business community in the Indian state's ability to protect the lives and property of foreign business people and thereby retard the rise of India as a major economic power. They wanted to punish Israel and the US for their developing strategic relations with India. They wanted to retaliate against Western nations contributing troops to the NATO contingent in Afghanistan. Neither the Kashmir issue nor the grievances of the Indian Muslims against the Indian Government had motivated the terrorist strike as they had in the two earlier instances of mass-casualty terrorism, in which the anger of sections of India's Muslim youth against the Indian Government for various reasons was the dominant motive.

The successful terrorist strike was a major political embarrassment for the Government. It came after four other major terrorist strikes with timed explosions in public places, which had taken place in 2008 in Jaipur (May), Bangalore (July), Ahmedabad (July) and Delhi (September). The perpetrators in these four attacks were young Indian Muslims, who projected themselves as belonging to an organisation called the Indian Mujahideen. They denied they had any links with either Pakistan's ISI or with any of the jihadi organisations based in Pakistan. Many of those involved in the explosions had studied in secular educational institutions. Three of them were experts in information technology, with one of them occupying a well-paid position in the Indian office of an American IT company. The explosions caused considerable anger against the Government for following what was perceived as a soft counter-terrorism strategy marked by a reluctance to act against Muslims involved in terrorism because of what is called in India 'vote bank politics'. There are over 160 million Muslims in India and their votes are important in certain States, particularly in North India.

It was alleged that electoral calculations came in the way of the Government of India following a stronger policy towards jihadi terrorism by giving the police the additional powers that they needed and setting up a central agency for a coordinated investigation of terrorist attacks. However, the explosions did not cause any undue public anger against Pakistan because there was no involvement by any Pakistani national and there was no reason to suspect the involvement of the ISI.

As against this, the Mumbai terrorist attack of 26/11 caused an outburst of public anger against the Government of India as well as against Pakistan. The public anger against the Government of India was because of its failure to revamp its counter-terrorism machinery. There was a colossal failure of physical and coastal security in Mumbai despite the reports received from Indian and US intelligence in September 2008 about the LET's plans to launch a sea-borne terrorist attack on hotels on the Mumbai seafront. The Taj Mahal Hotel was specifically mentioned in these reports as one of the terrorists' likely targets. The public anger against the Government of India was also due to its perceived failure to put a stop to the ISI's use of terrorism as a weapon against India for achieving Pakistan's strategic objectives.

Pakistan's Strategic Objectives

Pakistan has three strategic objectives: (1) to change the status quo in J&K and force the Government of India to reach a compromise with Pakistan which will concede it at least part of the territory; (2) to hinder the emergence of India as a major power in Asia on par with China, an objective shared by China; and (3) to disrupt India's growing strategic relationship with the US and Israel. While China has no reasons to be worried about India's relations with Israel, it is concerned about the growing military co-operation between India and the US (particularly between the two navies, including joint exercises in the Indian Ocean and the Bay of Bengal). It suspects that Indo-US co-operation is directed at containing Chinese naval power.

Public anger against the Indian Government and Pakistan after the Mumbai attack was unprecedented. There had not been such anger even after the attempted terrorist attack on India's Parliament House in New Delhi on 13 December 2001 by terrorists from the LET and another Pakistani jihadi terrorist organisation called the Jaish-e-Mohammad (JEM). The unprecedented public anger was because the LET had targeted India's business and social elite. In the past, large sections of this elite had called for restraint in the Government's policies towards Pakistan and advocated confidence-building measures and more people-to-people contacts. They were outraged that despite their benign attitude towards Pakistan they should have been targeted and attacked by the terrorists.

Mumbai contributes a substantial share of the Indian Government's tax revenue. It also contributes a substantial portion of the Indian media's advertising revenue, particularly the privately-owned electronic media. Influential sections of the media were at the forefront of those demanding immediate action to empower the intelligence agencies and the police to deal more effectively with jihadi terrorism and to counter Pakistan's continued use of terrorism against India. Many 'doves' of the past became 'hawks' with regard to Pakistan after 26/11.

India's Reaction

Faced with this unprecedented anger, the Indian Government could not but act. The Home Minister, Shivraj Patil, responsible *inter alia* for counter-terrorism, resigned in response to public demands for action against him. Emergency legislation was approved

by Parliament with the support of most political parties to give additional powers to the Police and to create a national investigation agency. Other action was initiated by P. Chidambaram, the new Home Minister, to revamp the country's counter-terrorism machinery. The Navy and Coast Guard were ordered to strengthen coastal security in the waters to the west of India which had remained relatively neglected till recently because of the Indian Navy's over-riding focus on India's eastern waters because of the China factor and the opportunity it provided for power-projection in the friendly South-East Asian region.

In response to the demand not only from large sections of the public but also from influential sections of the media for action against Pakistan, the Government adopted a nuanced policy. While dangling a Damocles' sword of military strikes against the anti-Indian terrorist infrastructure in Pakistani territory through repeated statements by Pranab Mukherjee, India's Minister for External Affairs, that 'all options are open', it avoided the actual mobilisation of the armed forces on the ground and their deployment on the border with Pakistan as the preceding Government of Atal Behari Vajpayee had done in 2002 after the attempted attack on the Indian Parliament. It froze the bilateral dialogue process on various issues, including Kashmir, without officially abandoning it, thereby keeping open the possibility of reviving it at a later date if Pakistan satisfied India's demands. It stepped up diplomatic pressure on Pakistan –directly as well as through the US and other Western supporters of Pakistan– to act as demanded by India.

India's Demands to Pakistan

India has made three demands: (1) the arrest and handing over to India of the LET's Pakistan-based operatives named by the lone terrorist survivor as the brains behind the terrorist attack; (2) the dismantling of the LET's anti-India terrorist infrastructure and of other Pakistani jihadi organisations in Pakistani territory; and (3) the arrest and handing over of 20 other suspects (Indians as well as Pakistanis, Muslims as well as Sikhs) wanted for prosecution in India on charges of terrorism.

Since the Mumbai attack lasted about 60 hours and targeted not only Indian nationals but also citizens of Israel, the US, the UK, France, Germany, Italy, Canada and Australia, the intelligence agencies of these countries have also been closely monitoring the telephone conversations between the terrorists and their headquarters in Pakistan. Moreover, even before 26/11, US intelligence, at the same time as Indian intelligence, had collected advance information about the plans of the Pakistan-based LET to launch a seaborne attack on hotels in Mumbai. Thus, all these intelligence agencies –independently of their Indian counterparts– had collected data that convinced them that the attack was made by 10 Pakistani terrorists of the LET, who had travelled to Mumbai by sea. They also had intelligence in their archives which showed that since 1993 the ISI had been using the LET against India. However, they were not prepared to accept Indian allegations that the 26/11 attack was masterminded by the ISI. They continue to insist that they have seen no evidence to show that the ISI was behind the attack, as alleged by India.

The Western, Pakistani and Chinese Approaches

The Western approach has been to continue exerting pressure on Pakistan to arrest those involved in Pakistani territory and either hand them over to India or prosecute them before a Pakistani court and dismantle any anti-Indian terrorist infrastructures. Initially, Pakistan firmly denied the involvement of any Pakistani national or organisation. Now, under sustained US pressure, it has admitted that the terrorist caught alive by the Mumbai police is a Pakistani national. It has set up a team of three senior officers of its Federal

Investigation Agency to enquire into Indian allegations of the involvement of the LET and has promised to prosecute before its courts anyone found involved. How sincerely it will carry out this promise remains to be seen.

In response to a post-26/11 resolution of the UN Security Council's Anti-Terrorism Committee declaring the Jamaat-ud-Dawa (JUD), the Pakistan-based political wing of the LET, and some of its leaders were involved in terrorism, the Pakistani Government has placed the leaders under house arrest and has claimed to have closed down some of their training camps and taken over the management of the madrasas and medical centres at its headquarters at Muridke, near Lahore.

China's attitude in respect of Pakistan's use of terrorism against India has always been marked by double standards. It has consistently refused to admit that there has been any terrorism in J&K. It shares Pakistan's description of terrorism in J&K as a struggle for freedom. It does accept that some jihadi groups have been indulging in acts of terrorism in Indian territory outside J&K. At the same time, it is not prepared to accept that Pakistan-based organisations are involved in these acts.

The resolution declaring the JUD a terrorist organisation and some of its leaders international terrorists had come up before the committee of the UNSC repeatedly since April 2006. The resolution failed to obtain a consensus on three occasions due to opposition from China, which accepted the Pakistani claim that the JUD was a charitable and not a terrorist organisation. Only after 26/11 did it join the consensus in declaring the JUD a terrorist organisation and only after Pakistan had told Beijing that it would have no objection to the resolution being passed. But, even now, China has not come out in support of the Indian demand for action against the Pakistani nationals involved in 26/11 and dismantling anti-Indian terrorist infrastructures.

The uncertainty and concern over possible Chinese action in the event of India launching military strikes against terrorist infrastructure in Pakistani territory is one of the factors holding India back. China has a long-standing claim to the Tawang area of Arunachal Pradesh in north-eastern India adjoining the Tibetan border. The border negotiations between the two countries have made no progress because of China's refusal to give up its claim to the Tawang Tract. There is reason to fear that if India engages in military action with Pakistan, the Chinese might take advantage to occupy Tawang.

Immediately after the 26/11 attack, the West was fully behind India, while Pakistan stood isolated. But, through skilful diplomacy, the latter has managed to come out of its isolation by projecting itself as willing to undertake a thorough investigation of India's allegations and to prosecute those found guilty. It has once again sold the West its idea that any enduring end to terrorism will be impossible without addressing the Kashmir issue.

Even before 26/11, President Barack Obama and his advisers were expressing the view that the Kashmir question had to be addressed as part of a regional approach to the threat from jihadi terrorism in the Pakistan-Afghanistan region. During his recent visit to India and Pakistan in the middle of January, David Miliband, the British Foreign Secretary, spoke of the link between Kashmir and the activities of the LET. India has indignantly denied any such link and pointed out that the terrorists, who attacked Mumbai, had nothing to do with Kashmir. Their objectives were more global than sub-continental and directed against Israel, the US and the rest of the Western world.

Conclusions: India's Prime Minister, Manmohan Singh, has skilfully handled the wave of public anger against his own Government for its inaction and against Pakistan for using terrorism against India. He has undertaken measures for strengthening the country's counter-terrorism machinery, which he had been avoiding till now for electoral considerations. He and his new Home Minister P. Chidambaram have been projecting these measures as directed against terrorism and not against the Muslim community. In response to the public clamour for action against Pakistan, his Government, through Pranab Mukherjee, the Minister for External Affairs, has mounted a diplomatic drive to force Pakistan to act against those involved in planning and carrying out the attack and against their terrorist infrastructure. While proclaiming that his Government was prepared to consider any option if Pakistan failed to act, he has avoided the military option. He has not allowed the public clamour for a military strike against Pakistan to hustle him into taking the military option. While freezing the bilateral dialogue process, he has avoided a rupture in the normal diplomatic and economic relations with Pakistan. He was admitted into hospital on 23 January 2009 for cardiac surgery and, although successful, medical treatment will keep him out of action for two to three weeks. No major development in Indo-Pakistani relations is expected during this period.

After he resumes normal duties, he is expected to be busy with the forthcoming elections to Parliament. He would not like to give the opposition parties an opportunity to project him as weak in dealing with Pakistan. He is, therefore, expected to continue his present policy of a dialogue freeze and stepped-up political and diplomatic pressure on Pakistan to make it act against the terrorists. If the coalition led by his Congress (I) returns to power and if there is no further major act of terrorism from Pakistani territory, there could be the beginning of a thaw after the elections. However, if the opposition coalition led by the hard-line Bharatiya Janata Party returns to power, present tensions could escalate further and the possibility of a military strike against terrorist infrastructures in Pakistani territory could increase. The public clamour for action against Pakistan has subsided but might well revive if Pakistan fails to act against the terrorists. If there is another major attack from Pakistani territory, renewed public pressure might leave the Government with no other option but to act against Pakistan –whichever party might be in power–.

The revival of unwise talk in the West about a link between terrorism against India and the Kashmir question has created the dangerous impression in the minds of the Pakistani military leadership and the ISI that the use of terrorism has started to pay results. This impression could interfere with any sincere Pakistani action against the terrorists. Therein lies the danger of a future military conflict between the two countries on the issue of terrorism. If that happens, the West will be largely to blame for creating such an impression in the minds of the Pakistani military and intelligence establishment.

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