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THE UNITED STATES' INVOLVEMENT IN TERRITORIAL DISPUTES IN SOUTH ASIA: THE CASE OF INDIA - PAKISTAN

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Abstract

The territorial dispute between the two nuclear-armed countries in South Asia, India, and Pakistan, has always been a big issue for the region and globally. Over the decades, the United States' involvement in this issue has been adjusted due to the impact of the regional and international context, strategic interests, and political perspectives of the United States toward South Asia. This article clarifies the United States' policy of engagement in territorial disputes between India and Pakistan. Through historical analysis, policy analysis, discourse analysis, and case study methods, the article analyzes (i) The motives for the United States engagement, (ii) Specific policies and practical implementation of U.S. engagement, (iii) The role of the United States in resolving territorial disputes in the region, particularly the India-Pakistan dispute. The research findings indicate that the United States has changed its approach and role from a conflict resolution actor to a crisis management entity, acting as a mediator and facilitator. As two nuclear-armed countries in South Asia, the prolonged territorial dispute between India and Pakistan for over seven decades has caused significant security fractures and instability in the South Asian region and is a direct cause of the three wars between New Delhi and Islamabad. The U.S. involvement in this issue manifests its globally pervasive influence in the "hot and cold" crises of the region and the world.

Keywords: The United States, India, Pakistan, Territorial dispute, Conflict resolution, Crisis management, Mediator, Facilitation.

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I. Introduction

Territorial disputes have been considered one of the most significant strengths to peace, stability, and prosperity in the region and the world. In particular, among all disputes between nations, territorial disputes tend to be the most difficult to resolve, enduring the longest and even having a tendency to escalate into armed conflicts. The territorial dispute between India and Pakistan is a clear manifestation of this pattern

The current territorial disputes among countries in the South Asian region, specifically between India and Pakistan, are getting harder to resolve. The most significant underlying factor is that these disputes originated during the colonial era. In South Asia, the British demarcated most of the current borders to serve their security interests and facilitate their control over India (Tripathi & Chaturvedi 2019, 1-9). The Jammu and Kashmir issue is the most complex, protracted, and tense border dispute within the South Asian region. Therefore, there is evidence that the borders and the current border conflicts in South Asia are a legacy of the British colonial regime. Furthermore, the historical and cultural ties, along with the complexity of religious and ethnic issues between these two countries, further complicate the resolution of territorial conflicts between India and Pakistan. Numerous studies have even shown that territorial disputes in South Asia have become more pronounced after decolonization, as there is no dominant power entity like colonial-era Britain to enforce control. The current territorial disputes in South Asia are both a cause and a consequence of political struggles and rivalries within the region (Vasquez, 1993).

RESEARCH METHODS

This article utilizes three main research methods to clarify the United States' involvement in the territorial dispute between India and Pakistan. Firstly, the policy analysis method is employed to clarify the motivations, content, instruments, and implementation of U.S. policies regarding the territorial dispute between India and Pakistan. Secondly, due to the protracted and complex nature of territorial disputes in South Asia throughout history, the historical method is employed to situate the research question within the chronological and logical progression of historical events, thereby

clarifying the interrelationships and mutual impacts of events related to the border dispute between India and Pakistan in specific historical contexts. Thirdly, the discourse analysis method is employed to elucidate the content of U.S. policies concerning the territorial dispute in South Asia through the analysis of the U.S. government's political discourse, statements, arguments, and official communications. Moreover, the case study method is also employed, wherein the border disputes between India-China and India-Pakistan are regarded as special case studies for examining the role of the United States in territorial disputes in South Asia, due to the following reasons:

(i) The India-Pakistan relationship is the central axis influencing other relationships and the security situation in the South Asian region.

(ii) The India-Pakistan territorial dispute is the largest, most complex, and longest-lasting in South Asia, posing the most significant challenge to regional security in South Asia and the interests of the United States in the South Asia region.

(iii) India - Pakistan relationship includes two critical actors in U.S. foreign policy at the global level: India, a strategic partner and a converging entity with the U.S. on global issues, and Pakistan, a long-standing ally of the U.S. but with current disagreements. During the Cold War era, Pakistan was considered as the "most important ally" of the U.S. in Asia. However, after the Cold War, India has become a "natural partner" due to its perceived potential as a potential counterweight to China.

(iv) In terms of the risk level, the territorial dispute between India and Pakistan is considered the most typical, complex, difficult to resolve, and dangerous dispute, with the most significant impact on regional security in South Asia. While other territorial disputes in South Asia have been resolved (e.g., between India and Bangladesh) or have remained mainly limited to political-diplomatic statements on sovereignty and territorial rights (such as India and Nepal), the border dispute between India and Pakistan has escalated into wars (with three border wars). Specialty, the possession of nuclear weapons by both countries further increases the level of danger of these disputes to regional and global security.

Finally, the U.S. involvement in the territorial dispute between India and Pakistan indicates its role as a global power in resolving global hotspots of conflict and security.

SOUTH ASIA IN THE UNITED STATES STRATEGY

South Asia has always been an important player in US foreign policy across different presidential administrations for several reasons. Firstly, South Asia has been a region where democratic values are gradually taking root, although there are also concerns regarding human rights. Secondly, the region is undergoing significant social, economic, and technological transformations. Thirdly, South Asia has various security challenges that directly impact global peace, mainly due to the presence of two nuclear-armed countries, India and Pakistan, engaged in border disputes. Lastly, the region is the front line in the global fight against terrorism, a top priority in US foreign policy (Christina 2004). Therefore, managing crises in South Asia is considered a top priority for the United States (Yun 2020).

Although South Asia is a region with cultural, religious, and social similarities and linkages, this commonality is not reflected in the relationship between the two nuclear powers, India and Pakistan. Currently, South Asia is one of the fastest-developing regions in the world but also one of the least integrated in terms of security and economic aspects (The World Bank, 2020). The region is characterized by a complex power structure, an "asymmetric" and "multi-layered" security architecture, and a "hegemonic security order" (Sobhan 2011) in which India holds a near-absolute advantage in terms of naval, land, and air power compared to other countries.

South Asia has always been considered an essential region for US security interests. As a result, US policymakers have continuously sought to establish a stable security framework in the region. During the Cold War era, US security programs in South Asia primarily revolved around the triangular relationship between the US, Pakistan, and India, aiming to counter the influence of the Soviet Union, with the US interests closely tied to Pakistan. Since the end of the Cold War, US policy towards South Asia has focused more on security issues rather than economics.

The main emphasis has been preventing India and Pakistan from acquiring nuclear weapons. However, this policy objective was not achieved as both South Asian countries officially declared their nuclear capabilities after May 1998. Following these events, the US gradually adjusted its policy towards South Asia, prioritizing issues such as reducing the risk of war between Pakistan and India, non-proliferation of nuclear weapons instead of disarmament, and promoting US economic, strategic, and human rights interests in the region (Cohen 2020). According to a former Assistant Secretary of State for South Asian Affairs, in the early 90s of the twentieth century, the four central policy of US policies in South Asia: non-proliferation of nuclear weapons, democratization, human rights, regional security, and development (The Asia Society 2012, 36-41).

Under President Clinton's administration, US policy priorities in South Asia focused on relations with India and Pakistan regarding nuclear issues. Two years after Hillary Clinton visited India in 1995, an evaluation of the "South Asia policy" by the National Security Council was conducted, leading to the formulation of a "more engaging" policy towards South Asia (Talbot 2004). In this context, the Clinton administration's priorities, in addition to strengthening traditional issues such as non-proliferation of nuclear weapons, regional security, and democratization, also emphasized "improving relations with South Asia," particularly expanding cooperation with India on global issues. According to a statement by the US National Security Council staff member, the policy towards South Asia during this period was "primarily crisis management rather than grand strategy" (Hagerty 1995, 79-114). With this approach, the Clinton administration became the first US administration to establish an official office within the Department of State to address South Asian issues, appointing Robin Raphel as Assistant Secretary of State for South Asia. Accordingly, the US policy agenda towards South Asia at that time focused on: (i) Preventing war and the proliferation of weapons of mass destruction; (ii) Reducing tensions and enhancing regional stability; (iii) Promoting and strengthening democratic practices, institutions, and more tremendous respect for human rights; (iv) Enhancing military diplomacy and ensuring the maintenance of US naval presence in South Asia; (v) Combating terrorism and countering the production, trafficking, and transportation of drugs (Wright 1993, 3).

However, after September 11th, 2001, the United States changed its international security strategy, with Pakistan playing an increasingly prominent role as a frontline ally in the US mission to eliminate the Taliban and defeat Al Qaeda. In this context, the US policy priorities for the South Asia region focused on: (i) Controlling the issue of nuclear weapons in South Asia; (ii) Preventing the escalation of tensions between nuclear-armed states; (iii) Maintaining cooperation with India, and Pakistan in the fight against international terrorism; (iv) Preventing the increasing rapidly and development of nuclear and missile capabilities by India and Pakistan; and (v) Engaging India and Pakistan in negotiations to seek a reasonable solution to the Kashmir conflict.

Under President George W. Bush, the United States established a network of partner relationships based on national interests and shared spreading to promote human dignity and spread development, freedom, and democracy in the South Asia region. During President Obama's term, as the US expanded its engagement in South Asia, India played a crucial role in its Asia-Pacific rebalancing strategy. Washington viewed New Delhi as a counterweight to Beijing. Afghanistan and providing economic and security assistance to the country were also priorities in the US South Asia policy to achieve a "peace process led and owned by Afghans".

Under President Donald Trump, South Asia was a priority in the country's foreign policy, focusing on defense and strategic aspects. In 2017, the Trump administration announced two critical foreign policy frameworks, with South Asia as a focal point. First, the "South Asia Strategy" was officially declared on August 21, 2017, and focused on the protracted conflict in Afghanistan and the significance of Pakistan and India for the success of the Afghan issue. Secondly, the "Free and Open Indo and Pacific Strategy" expands the geographic scope of the Asia-Pacific region to include both India and Indian Ocean countries. Both strategies demonstrated continuity with previous U.S. administrations' general approaches to Asia and South Asia.

Mainly, when announcing the new South Asia Strategy in August 2017, in a televised speech at Fort Myer, the Trump administration addressed the following policy priorities: Firstly, aiming for security and stability in Afghanistan to create a foundation for feasible political negotiations. Secondly, seeking better cooperation from Pakistan and, in particular, pushing the country to end the presence of terrorist groups within its borders. And finally, highlighting the role of India as an

economic and development partner in Afghanistan. Therefore, President Trump's South Asia strategy was a continuation of the policy priorities under President Obama but presented in a new form to adapt to the dynamics in the South Asia region.

President Trump's South Asia strategy's centerpiece was ending the Afghanistan conflict by advancing U.S. core interests in defeating terrorism and working towards building a peaceful Islamic state connected to the international community. The conflict would end under conditions the Afghan people and international partners could accept to safeguard the achieved results in Afghanistan, primarily contributing to U.S. security. This strategy aimed to help Afghanistan become a more stable country capable of protecting its people with limited external support, laying the foundation for engaging the Taliban in negotiations and ultimately ending the conflict. Additionally, the U.S. could promote the strategy by increasing military pressure on the Taliban and using international efforts to shape the diplomatic environment, influencing the behavior and calculations of the Taliban and other parties, especially Pakistan.

However, in the Trump administration's perspective, this was not privately the responsibility of the US and Afghanistan. Under the US leadership, allied countries and international partners with shared goals and interests in Afghanistan played an important role. These entities included NATO members and other allied partners, the United Nations, the European Union, the World Bank, the International Monetary Fund (IMF), Japan, and even China (through the BRI) and India (Gopalaswamy 2018, 2-13). In particular, the role of India was highly regarded by the Trump administration, as New Delhi was seen as an economic connectivity factor in the region and ensuring long-term stability in Afghanistan.

Thus, the Trump administration's South Asia strategy focused on something other than the tensions between South Asia's two most influential entities, India and Pakistan. Instead, it prioritized Afghanistan-related policies, counterterrorism, and issues directly affecting US interests.

Under President Biden, he declared that the US would reclaim its global leadership role, value international diplomacy, restore US alliances, and promote democracy and human rights abroad. Like President Trump, he strongly supported the withdrawal of troops from Afghanistan. When Biden served as Vice President during the Obama administration, he was a

vocal opponent of the country's increase in US troop levels. Therefore, the US poses in South Asia primarily revolves around ensuring Islamabad's support in promoting an ongoing peace process in Afghanistan, enhancing the strategic partnership between India and the US, countering terrorism, improving relations with Iran, and promoting democracy and human rights. With the collapse of the Afghan government (August 15th, 2021) and the US withdrawal from the country, the US needs to adjust its policies and adopt a new approach to the South Asia region. This includes building relationships based on trust and shared interests suitable for the current situation.

Therefore, it can be seen that from the end of the Cold War until now, South Asia has transitioned from a peripheral region to a "center" in US foreign policy. The recent policy concerns of the US have been focused on more than just a range of core issues. Specifically, these include nuclear proliferation, counterterrorism, Afghanistan, cooperation with India and Pakistan, and, on a broader scale, "rebalancing" Asia in the context of the rising East with significant contributions from various entities in and related to South Asia. The territorial disputes between countries in the region are not the primary policy priority for the US in South Asia. However, based on the roles and positions of the disputing countries in the region, the scale and impact of territorial disputes in South Asia on the US, specifically in South Asia and Asia as a whole, the US always has a vested interest. As a result, territorial disputes among South Asian countries are considered an extension of security issues and security instability in South Asia that the US is concerned about. In fact, for some territorial conflicts in South Asia, border disputes have become an extension of the strategic priority of safeguarding human rights and promoting democracy that the US has towards the region. These territorial disputes directly impact the human rights of the communities living along the disputed borders.

MOTIVES FOR THE U.S. INTERVENTION IN TERRITORIAL DISPUTES IN SOUTHEAST ASIA

Although not directly mentioned in US diplomatic texts, a geographical analysis reveals the motives behind US intervention in territorial disputes in Southeast Asia, which include:

Global Level

Motives for US intervention include:

Firstly, asserting the United States' role as the primary power. The US aims to demonstrate to the world that its intervention in this region is not limited to issues such as Afghanistan, India-Pakistan nuclear tensions, or democratic and market reforms in Southeast Asian countries. The US also plays a role in preventing conflicts in any form in Southeast Asia, particularly sensitive territorial disputes. Moreover, it aims to affirm that crises, whether hot or cold, anywhere in the world will be met with the presence and intervention of the US, as it is the responsibility of the world's number one superpower to address global issues (Robert 2009).

Secondly, besides maintaining global dominance, intervening in territorial disputes in this volatile security hotspot is a way for the US to maintain a balance of power in all regions and counter emerging hegemony that could challenge its role. Mainly significant is the opportunity to build and strengthen alliances and partnerships with countries involved in territorial disputes in the region, thus becoming a "third party" with influence and advantages in dealing with the conflicting parties. This is true from the US perspective on the India-China and India-Pakistan border agreement. In these cases, supporting India is a way to build a counterbalance against China (Singh 2020), and in some cases, the US becomes an intermediary in resolving the India-Pakistan border dispute, as it does not want to upset either party, both of which play significant roles in the Afghanistan issue. This is also rooted in the US actively enhancing relations with India and viewing India as a "potential counterweight to China's regional power and influence" (Malone 2011, 31).

Thirdly, pushing back against China's increasingly dominant influence. In Southeast Asia, the region is heading towards a bipolar alliance system, with the US and India on one side and Pakistan and China on the other. While China is building an economic corridor in Pakistan that will connect their landlocked areas to the Arabian Sea and allow them to bypass the strategic chokepoint of the Malacca Strait, the US is heavily investing in India as a counterbalance. Despite increased efforts, the influence of the US is still affected by China's expanding footprint through the Belt and Road Initiative (BRI), including infrastructure projects

in Afghanistan and Pakistan, including the China-Pakistan Economic Corridor. Meanwhile, India is developing regional infrastructure projects, albeit more modest than China. Still, the country is striving to expand its influence through strategic projects such as constructing the Chabahar port in southern Iran, along with road and rail links to the Iran-Afghanistan border. Southeast Asia, like Asia in general, has become a battlefield for influence between the two rising Asian powers. Therefore, alongside economic and military tools that require substantial investment, intervening in territorial disputes of countries with territorial disputes in Southeast Asia through diplomatic measures is a "wise" step that ensures an increased presence and minimizes material costs. This is particularly true in the context of China's hardline and "militant" approach to border issues with Asian countries in general and Southeast Asia in particular, which directly motivates the US to actively create powerful alliances to balance and deter China's security and power threats (Rajagopalan 2017).

Fourthly, from a security perspective, ensuring regional and global security stability. Increasing intervention in territorial disputes in Southeast Asia is a contributing measure to indirectly help the US "manage conflicts," avoid escalations of conflicts, territorial disputes turning into wars, and impacting the stability and development of the region and the world.

Moreover, similar to territorial disputes among East Asian countries, the US has also exploited territorial disputes among Southeast Asian countries as a primary tool to strengthen relations with allies and create a network of military partnerships to contain China. Despite claims of neutrality, the practical priority of the US is evident in its relationships with preferred partners (Wu 2012).

Regional Level

Firstly, pursuing regional stability is a clear objective in the United States' policy statements on South Asia during the Obama administration (Robert 2009), (Nisha 2014). This objective was set within the context of South Asia facing numerous traditional and non-traditional security challenges, such as territorial disputes among neighboring nuclear-armed countries, the threat of terrorism, violence, conflicts, and health security. These factors prevent

the United States from "turning its back" on South Asia, even when issues and developments in the Middle East remain a top security priority for US policymakers.

Secondly, ensuring nuclear security in the South Asian region is crucial. It aims to prevent conflicts between India and Pakistan and between India and China, as these three countries not only possess nuclear weapons but also impact US interests. A large-scale war, especially between nuclear-armed nations in the region, would be a catastrophe for US interests and global security. Moreover, Pakistan is a haven for terrorist criminals and militant groups, and if a war were to occur between India and Pakistan, there is a significant risk of nuclear weapons falling into the hands of these elements. This directly threatens global security. Therefore, concerning the India-Pakistan border conflict, the United States consistently strives to: (i) prevent conflicts from escalating into a nuclear war, (ii) maintain Pakistan's support for the US-led counterterrorism efforts in Afghanistan if border warfare were to happen again, and (iii) resolve the Kashmir issue, essential for maintaining good relations with Pakistan and India.

Furthermore, with over 30% of the Muslim population residing in South Asia, the region becomes a vital link in US policies toward the Muslim world. Thus, acting as an "intermediary reconciler" in the territorial disputes between India and Pakistan- a Muslim country - is also a religious security issue for the United States.

On the economic side, in the context of global economic prosperity shifting towards the East and significant powers striving to expand their market presence in emerging Asian markets, there is increasingly fierce competition for resources and labor among these powers. South Asia emerges as one of the largest consumer markets with a young workforce, a growing middle class, and the potential to benefit the US economy. Currently, South Asia is gaining recognition for its dynamic entrepreneurial ecosystem, capital mobilization, and financial services. Consequently, the two main economic objectives of the United States in this region are to ensure economic benefits and support potential partners (Amber Jamil 2020). Additionally, US economic interests in the region are also related to controlling oil flow from the Persian Gulf and asserting control over sea lines of communication (SLOCs) in the Indian Ocean (*Special Dissertation Services* 2019). Going against that, effectively implementing US trade policies in the region also contributes to promoting economic growth and the integration of South Asian countries into the

regional value chain.

Notably, in the context of the COVID-19 pandemic, this will contribute to the recovery and strengthening of public healthcare systems, creating opportunities for developing the healthcare production sector in South Asian economies to contribute to the value chain of medical commodities in the region. "Border stability" and preventing border disputes from escalating into wars are among the factors ensuring US trade interests. South Asia lies adjacent to the Indian Ocean region, which is described as a region that "could encompass a map that is symbolically predictive of the new century, much as Europe was in the past" (Kaplan 2010).

National Level

At the national level, the U.S. involvement in the India-Pakistan territorial dispute is driven by several factors: (i) The India-Pakistan territorial dispute is the largest, most complex, longest-standing, and most challenging to resolve territorial dispute in South Asia. It has the most significant impact on the security of the South Asian region and U.S. interests in the region. (ii) These two disputes involve two critical actors for the U.S. in South Asia and the world. India is a strategic partner for the U.S. on global issues, while Pakistan, although a long-standing ally, currently experiences differences in the bilateral relationship. (iii) The level of danger posed by these disputes is significant.

While other territorial disputes in South Asia have been resolved (such as between India and Bangladesh) or have remained mainly at the level of political and diplomatic statements regarding sovereignty and ownership (such as between India and Nepal), the border dispute between India and Pakistan has resulted in wars in the past, and to this day, there are frequent clashes and risk of escalation to war along their borders. The fact that both countries possess nuclear weapons further increases the danger associated with these disputes for regional and global security.

In short, the motivations for U.S. involvement in the territorial dispute in South Asia are primarily strategic and security-driven. These motivations aim to demonstrate stable intervention from both multilateral and bilateral perspectives, maintain peace and stability to

safeguard free trade, protect the operational capacity of the U.S. Navy in the Indian Ocean, encourage regional rules-based frameworks that discourage coercion or the use of force manage U.S. alliance commitments with relevant countries involved in the dispute and promote regional rules-based frameworks that discourage coercion or the use of force.

IMPLEMENTATION OF US POLICY IN THE TERRIAL DISTRIBUTION BETWEEN INDIA AND PAKISTAN

Although the United States is not directly involved in and has no territorial ambitions in the South Asian region in general and between India and Pakistan particularly as the world's leading nation, its long-term policy opposes the use of force. It supports international law, including arbitration mechanisms, to peacefully resolve disputes (Congressional Research Service 2014, 1-43). Furthermore, the U.S. believes that territorial disputes are matters for the parties involved and often issues general statements, emphasizing the parties' responsibility to resolve the disputes themselves. In the India-Pakistan territorial dispute, the U.S. policy adjusts based on the U.S. national interests and its relationship with the parties involved. Therefore, the U.S. may adopt a passive-neutral stance or active neutrality and participate through diplomatic and military means as the primary tools. However, in the recent two decades, U.S. involvement in the India-Pakistan territorial dispute has primarily been passive-neutral engagement through diplomatic measures. The U.S. intervention process includes mediation, conciliation, and good offices (Ramsbotham 2005, 19).

Regarding the history and current territorial disputes between India and Pakistan, the disputes primarily focus on the following aspects: First, the issue of Jammu and Kashmir. For now, the region of Jammu and Kashmir is the center of the most considerable territorial dispute between India and Pakistan. Three wars have been fought between these two countries over this region. Presently, Pakistan controls one-third of the territory of Kashmir, while India owns the remaining two-thirds. With a population of over 17.5 million people and a land area of over 300,000 square kilometers, it is the world's largest disputed territory in terms of scale and population (Bukh 2020). The Kashmir dispute remains the primary cause of conflict between the

two nuclear-armed powers in South Asia, affecting the regional security structure and influencing the involvement of major countries such as the United States, China, and Russia (Bukh 2020). The Kashmir territorial dispute is a compendium of all the conflicts between India and Pakistan (Nguyen Thi Oanh 2013, 321-322). Three border wars have occurred between the two countries in this region (in 1947-1948, 1965, and 1971), and numerous border clashes continue to occur. The Siachen Glacier is the second issue here. The Siachen Glacier is an area where both India and Pakistan claim sovereignty. The territorial dispute in this region is often referred to as the "coldest" conflict or the "highest" battlefield in the world, as the Siachen Glacier is located at an altitude of 6,300 meters above sea level in the western part of the Karakoram range in the Himalayas. The territorial dispute between India and Pakistan in this region is related to the demarcation of the territorial boundary according to the Shimla Agreement of 1972 (Omer 2016, 73-82). This agreement did not define clearly which country has jurisdiction over the Siachen Glacier. According to India's explanation, Pakistan's territory extends to the Salto Ridge, which does not correspond to the details of the Shimla Agreement¹, where the two countries agreed that the territorial boundary lies in the "northernmost suitable position" from the demarcation point on the map. Pakistan claims that its territory extends to the Karakoram Pass and accuses India of violating the Shimla Agreement 1972 (Omer 2016, 73-82). As a result, both countries claim sovereignty over this glacier. India controls the high-altitude region of the Salto Ridge, while Pakistan holds the lower-lying areas. Since 2004, the two countries have negotiated to end the conflict and demilitarize the Siachen Glacier, but no agreement has yet been reached.

¹ The Shimla Agreement, signed in 1972, consists of 6 points with the main content being the agreement between India and Pakistan to resolve their related differences through peaceful negotiations and establish the Line of Control (LoC) by the ceasefire agreement of December 17, 1972. The agreement states: "Both sides shall withdraw their forces behind the LoC, to their respective territories; Both countries shall respect the LoC; Both countries shall exercise restraint and not use force or threaten to cross the LoC; The withdrawal of forces shall be completed within 30 days from the effective date of the agreement; Both countries shall endeavor to normalize relations and establish lasting peace along the border, including the resolution of the Kashmir issue." (<https://www.mea.gov.in/Portal/LegalTreatiesDoc/PA72B1578.pdf>)

The Cold War Era

The involvement of the United States in the Kashmir issue began in 1947-1948.

After 1989, a Kashmir uprising started to change the role of the United States from active involvement to limited intervention. This was primarily due to the open confrontation between India and Pakistan over Kashmir (Rathnam 2005, 32-33). In the later years of the Cold War, the role of the United States was more focused on crisis management rather than resolving the Kashmir conflict between India and Pakistan. This was shown through its intermediary role in the 1947-1948 war.

The intermediary role of the United States in the territorial dispute between India and Pakistan was shown from the time of President Truman to President Reagan. The Truman administration was the first to take proactive steps to resolve the Kashmir conflict. Senior US officials saw the issue of Jammu and Kashmir as the hottest point with the potential for a nuclear war (Rathnam 2005, 32-33).

The policy pursued by the United States regarding the issue of Jammu and Kashmir mainly adhered to the principles of realism. During the conflict in the region since 1947, Prime Minister Nehru brought the issue to the United Nations Security Council (UNSC). At first, the United States hesitated to intervene in the Kashmir issue to "avoid choosing between supporting the interests of India or the interests of Pakistan." However, the United States cooperated with Britain when the Kashmir issue was brought before the UNSC. With the US and UK delegations as key motivators, on April 21st, 1948, the UNSC passed a resolution establishing a United Nations Commission for India and Pakistan (UNCIP) (Le Thi Hang Nga, 2018, 95-96).

On August 25th, 1947, President Truman suggested in his message that India accept arbitration to break the deadlock of the plebiscite. However, India opposed President Truman's suggestion (Rathnam 2005, 32-33). Furthermore, from the US perspective, this was a severe issue between two countries with which the US had friendly relations, but it was not a matter of vital interest to this country (Rathnam 2005, 32-33). Therefore, after the first Indo-Pakistani war in 1947-1948, the United States and the UK through the United Nations (UN) conducted peacekeeping operations and established observer forces along the ceasefire line in Kashmir.

Additionally, during the Sino-Indian border war, the US made efforts to engage in the Kashmir issue in 1962-1963, to prevent Pakistan from taking advantage of the situation to launch a war with India.

Despite diplomatic efforts from the United States, the conflict between India and Pakistan escalated into wars in 1965 and 1971. During this period, the role of the United States was primarily demonstrated through its intermediary role via the UN rather than direct involvement in the Kashmir issue (Navnita 2002). Although the Control Line was established between India and Pakistan, border conflicts continued in the Kashmir region in 1965 and 1999. After World War II, the International Court of Justice under the United Nations often resolved border and territorial disputes like Kashmir. However, international law has repeatedly failed to resolve the conflict in Kashmir. The UN has made several unsuccessful attempts to facilitate dialogue between India and Pakistan regarding Kashmir. In 1958, the United Nations proposed to the UNSC that India and Pakistan should demilitarize Kashmir and conduct a plebiscite, but India rejected this proposal.

During the Indo-Pakistan War of 1965 in the disputed region of Kashmir, Pakistan was a crucial essential ally in the United States' Cold War strategy, and Pakistani President Ayub Khan convinced President John F. Kennedy's administration to encourage India to engage in negotiations regarding Kashmir. From 1962 to 1963, India and Pakistan held six rounds of negotiations, but they did not yield any results due to India's firm stance.

This war could not resolve the underlying conflict between the two countries regarding Kashmir. Still, it allowed the United States to demonstrate a more critical role in global disputes. In this conflict, the United States took clear actions to reduce the level of danger in the war by ending military aid to India and Pakistan, despite having signed a mutual defense agreement with Pakistan in 1959 and having close relations with India. Therefore, during this period, the fragmented efforts of the United States to intervene in Kashmir were unsuccessful. Specifically of a mediator, the United States and Britain organized six rounds of talks in 1961 and 1962. Still, India consistently refused to relinquish control of the Kashmir Valley (Sumit 2019). This was evident in the border dispute between India and Pakistan over the Kashmir region following the 1971 war between India and Pakistan (State Department 2019). Since 1972, India, in general, has

avoided third-party involvement in Kashmir, while Pakistan has consistently sought to internationalize the issue, primarily through the UNSC.

After the third Indo-Pakistani war in 1971, which was closely linked to the birth of the state of Bangladesh, India ultimately hindered the role of external mediation, especially that of the United States². In 1972, under the leadership of Indian Prime Minister Indira Gandhi and Pakistani President Zulfikar Ali Bhutto, the Shimla Agreement was established, declaring that the two countries would "resolve their differences through peaceful means via bilateral negotiations." From this point onwards, the United States decided to minimize its intervention in the Kashmir issue because such interference would bring more trouble than benefits (Hang Nga 2018, 95-96). However, by 1989, India and Pakistan found themselves on the edge of war in Kashmir. Consequently, US President George Bush had to send National Security Advisor Robert Gates to dialogue with India and Pakistan in South Asia. However, the intermediary role of the United States through diplomatic means did not yield significant results, as in 1999, a conflict broke out between India and Pakistan in Kargil.

Post-Cold War era

The role of the United States was manifested in its efforts to prevent further escalation of tensions in border disputes through diplomatic means in the Kargil crisis (1999) and its role as a mediator in other conflicts between India and Pakistan.

In the conflict in 1999 between India and Pakistan in the Kargil region, Pakistani Prime Minister Nawaz Sharif visited Washington seeking US intervention. President Bill Clinton believed that Pakistan had ignited this conflict. This time, US intervention helped de-escalate the conflict and prevented a war between the neighboring South Asian countries. It was the first time the US employed diplomatic intervention and took a stance in favor of India (Ahmed 2021).

² The involvement of the United States in this war was reflected in its support for Pakistan's standpoint. In this event, while India supported the struggle for the freedom of the people of East Pakistan, the US stood behind the Pakistani government based on West Pakistan. Starting from December 1st, 1971, President Nixon suspended all licenses for the future shipment of weapons to India, and approved licenses were canceled. Additionally, the US continued to supply weapons to Pakistan and placed the entire responsibility for the tension in the subcontinent on India. (Source: Le Thi Hang Nga, 2018, "India-U.S. Relation (1947-1991)," National Political Truth Publishing House, pp. 95-96)

Specifically, during the India-Pakistan border conflict 1999, the US determined that Pakistan had intentionally violated the Control Line near Kargil. President Clinton blamed Pakistan for pushing India and Pakistan into a large-scale war. This marked the first instance in history where the US government sided with India, publicly criticized Pakistan's actions, and demanded the withdrawal of Pakistani forces behind the original Line of Control (Bruce 2019). Therefore, the focus of US policy shifted towards conflict prevention.

During the post-Cold War era, the United States maintained its role as an intermediary in the territorial dispute between India and Pakistan. The US response to conflicts during the post-Cold War period was based on valuing the rights of the Kashmiri people. In the early 1990s, a series of uprisings in Kashmir brought the conflict back to the attention of the US. In March 1990, the US Secretary of State for Near Eastern and South Asian Affairs urged India and Pakistan to resolve the Kashmir dispute according to the Simla Agreement, and later, the US Ambassador of Pakistan, Robert Oakley, requested both countries to consider the aspirations of the people of Kashmir. To monitor the situation between Pakistan and India, the Bush administration sent National Security Advisor Robert M. Gates to Islamabad and New Delhi to reduce tensions between the two countries. Therefore, as a mediator, the US played a role in containing the crisis and the risk of nuclear weapons use in the conflict between the two nuclear powers in South Asia (Indurthy 2005, 32-33).

The US policy and role in the short but intense conflict between India and Pakistan in the Kargil region (Kashmir) were evident in its demand for both sides to abandon military escalation and in its proposal for India and Pakistan to resume political dialogue after the conflict. Washington urged Pakistan to withdraw its forces from the positions it had occupied from the Indian side along the "Line of Control." Conversely, the US also urged India to exercise restraint, not to cross the Line of Control or to attack Pakistan in other areas.

In the following decades, the United Nations Security Council (UNSC) issued a total of 18 resolutions related to the Kashmir dispute, with a focus on recommending a three-step process to restore peace and order and "create conducive conditions for a free and fair plebiscite" in the region. Still, no referendum has occurred so far (United Nations Security Council 2019). Although the personal diplomatic commitment of President Bill Clinton is

believed to have prevented the risk of a war between the two nuclear powers in the South Asian region in 1999, the situation of the Kashmir dispute remains unchanged (Strobe 2004). Both India and Pakistan claim sovereignty over Kashmir. During President Clinton's term (1993-2001), the United States attached importance to the rights of the Kashmiri people and tended to seek a peaceful resolution to the dispute between India and Pakistan. This policy continued into President Clinton's second term. However, during the time of George W. Bush, the United States did not focus on playing a mediator role as it realized that its mediation efforts in the Kashmir issue were rarely appreciated and effective since both India and Pakistan were determined and uncompromising. The Kashmir issue was difficult to resolve. Conversely, U.S. intervention made the relationship between India and the United States worse" (Le Thi Hang Nga 2018, 96-97).

According to the 2020 report of the bipartisan company serving the U.S. Congress, the long-term stance of the United States towards Kashmir was that the status of this territory should be resolved through negotiations between India and Pakistan, taking into consideration the aspirations of the Kashmiri people (State Department 2019). Following the attack in the Kashmiri region controlled by India in 2001, some analysts believed that resolving the Kashmir issue would positively impact the U.S. prospects in Afghanistan. Still, the U.S. Presidents have not actively promoted this argument as a public aspect of U.S. policy (Congressional Research Service 2020, 7-8).

During the post-Cold War era, the United States aligned with India and accused Pakistan of harboring terrorism in Kashmir. However, India declared that it did not recognize the U.S. involvement as a third party and mediator in the Kashmir conflict (Farzna 2001, 26). Under President Clinton, the U.S. tried to prevent war between India and Pakistan. The U.S. intermediary role was overshadowed by the Kargil conflict in 1999. Similarly, the Bush administration favored India due to strategic interests in New Delhi and pressured Pakistan to suppress terrorist organizations in Kashmir (Farzna 2001, 26). Under President Obama, the U.S. proposed talks on the Kashmir dispute between India and Pakistan. However, India maintained a determined stance to address the issue bilaterally and disregarded the U.S. presence as a mediator. This diminished the U.S. role as a mediator in the Kashmir issue. Similarly, the

administration of President Donald Trump also declared its intention to maintain the U.S. role in the Kashmir issue as a mediator.

Until now, the United States has remained involved in conflicts related to the Jammu and Kashmir issue between India and Pakistan. However, this involvement has been more passive and neutral than active neutrality. Specifically:

Regarding the Pulwama crisis in February 2019, on February 14, 2019, an explosive-laden SUV rammed into a convoy of police vehicles in the city of Pulwama in the Kashmir Valley (an area controlled by India), allegedly carried out by a member of Jaish-e-Mohammad (JeM), a terrorist group based in Pakistan. Immediately, the U.S. declared that Jaish-e-Mohammad must take responsibility for the bombing. By early March 2019, the crisis had subsided, but tensions remained high. In response to the event, on the day of the Pulwama bombing (February 14, 2019), the White House issued a statement calling Pakistan to "immediately end support and safe haven for all terrorist groups operating on its soil". It emphasized that this incident "strengthens our resolve to bolster counterterrorism cooperation between the United States and India" (*The Economic Times* 2019). However, throughout the crisis, a former senior U.S. official described the Trump administration as "standing outside" the most serious South Asian crises in decades (*NBC News* 2019).

Until July 2019, the United States had more apparent diplomatic actions. During a press briefing during the visit of Pakistan's Prime Minister Imran Khan, President Trump declared that "the U.S. plays the role of a mediator" in the Kashmir conflict (Rebecca and Saeed 2019). On the same day, the U.S. State Department posted on social media, saying that "Kashmir is a bilateral issue" between India and Pakistan, and the Trump administration is "ready to assist" (State Department 2019) as a mediator. According to a statement from the Chairman of the U.S. House Foreign Affairs Committee, the "long-standing position of the U.S." regarding Kashmir is that it is a bilateral issue, and it calls on Pakistan to create favorable conditions for dialogue by taking "specific steps to remove terrorists in Pakistan" (State Department 2019).

In August 2019, the Indian government officially revoked Articles 370 and 35A of the Constitution, granting special rights to Jammu and Kashmir within the Indian federation. This meant that the Indian government transformed Jammu and Kashmir from a relatively autonomous state into a union territory directly administered by the central government, and it separated Ladakh, the disputed region between India and China located in the eastern part of Jammu and Kashmir, into a separate union land under the direct administration of New Delhi (Congressional Research Service 2020, 7-8). In response to this event, the Trump administration called for peace and respect for human rights in the region. Members of the U.S. Congress

expressed concerns about human rights violations in Kashmir and the potential for continued conflict between India and Pakistan (Congressional Research Service 2020, 7-8). Faced with these developments, the U.S. sought to balance pursuing the U.S.- India partnership while maintaining human rights safeguards and cooperation with Pakistan. On August 5th, 2019, a speaker for the U.S. State Department stated the U.S. position on the Kashmir issue, saying, "We call on all parties to maintain peace and stability along the Line of Control" (Reuters 2019) and "We support direct dialogue between India and Pakistan on Kashmir... For any area of the world that has tensions, we call on everyone to observe rule of law, respect for human rights, and respect for international norms. We call on everyone to maintain peace and security and to have direct dialogue" (Richard 2019).

As a mediator, the United States has sought to avoid biased actions favoring India or Pakistan in the Kashmir border conflict. Currently, Washington has come closer to India in their relationship. At the same time, relations with Pakistan have been strained since the Trump administration "suspended" security assistance to Pakistan in 2018 and significantly reduced non-military aid. This is partly due to the US considering India as an anchor in the "Free and Opened Indo-Pacific" strategy (US Department of State 2019). However, in the Kashmir dispute, the US aims to prevent an escalation of conflict into a nuclear war between these two powers, not primarily for its bilateral relations with New Delhi or Islamabad, but to avoid instability in South Asia, allowing a focus on addressing the Afghanistan problem. (Richard 2019)

Since the Kargil conflict in 1999, US policy has been focused on preventing an escalation of the dispute and conflict between India and Pakistan, both nuclear-armed nations. Under President Joe Biden, the US State Department has emphasized that there will be no change in US policy on Kashmir, and Washington continues to consider Jammu and Kashmir as a disputed territory between India and Pakistan (Anwar Iqbal Published 2021). This shows that the US continues to pursue the traditional view that India and Pakistan need to resolve the issue through bilateral negotiations, as proposed by the Shimla Agreement of 1972 and the Lahore process of 1999, the most recent effort to normalize relations between the two countries (Indian Express 2020)

EVALUATION OF THE U.S. ROLE IN THE INDIA-PAKISTAN TERRITORIAL DISPUTE

From the US's South Asia policy and its involvement in the India-Pakistan border dispute, it can be seen that the U.S. plays a crucial role in preventing conflict, managing and escalating tensions again, and ensuring stability in the region. Its proactive, positive-neutral, and impartial engagement has helped the country using diplomatic, military, and economic tools to prevent crises, reduce conflicts, and encourage disputing parties to engage in peaceful negotiations to resolve issues.

The US's involvement in territorial disputes in South Asia is important in ensuring regional stability. This is achieved through its indirect influence on the strength and policies of countries involved in border disputes. This was particularly evident during the Cold War era when the collapse of the Soviet Union made the US the sole superpower in the post-Cold War era, requiring other countries, including India, to adjust their policies to "accommodate" the US and avoid displeasing it. Specifically, for India, the collapse of the Soviet Union made its old policies no longer suitable. Politically, India had to pay attention to the provisions of the new world order set by the US. India had pursued a non-aligned policy since the time of Prime Minister Nehru, not aligning with either bloc or alliance in a world divided between the US and the Soviet Union. However, in the early 1990s, it became hard to remain non-aligned when there was no country that was "aligned" or "non-aligned." Moreover, India had also tried an ambitious effort to liberalize and open up its economy in 1991. This required a prolonged period of peace during India's economic crisis and set the country on a new trajectory. For China, as the US emerged as the sole remaining superpower after the crisis and collapse of the Soviet Union and declared the beginning of a new free-market world order, China had to avoid provocations and prevent the US from having the opportunity to change the regime in China as it had done in the Soviet Union and other Eastern European countries. Therefore, maintaining stability at the border with India to avoid US intervention and managing the India-China relationship were

measures pursued by Beijing. So, economic security, rather than territorial security, became the main principle of China's strategic plan and India's (Holslag, Jonathan 2010: 43-47).

The US policy towards the India-Pakistan territorial dispute combines two main strategies, one aimed at preventing crises leading to war or escalating conflicts between the disputing nations and the other involving diplomatic efforts to bring the relevant parties to the negotiating table for dialogue. Furthermore, the US's engagement in the territorial dispute is considered in the broader regional context and its specific relationships with India and Pakistan. The US's proactive involvement in preventing crises has been effective and has encouraged the disputing parties to engage in negotiations rather than allowing conflicts to escalate into war. The US's diplomatic efforts have been crucial in managing the India-Pakistan territorial dispute and promoting regional stability. By employing a combination of strategies, the US has successfully created an environment conducive to peaceful negotiations, thereby reducing the likelihood of conflict.

TRENDS IN THE U.S. INVOLVEMENT IN THE INDIA - PAKISTAN TERRITORIAL DISPUTE

The territorial dispute is not only a matter of history and the present but also closely attaches to and directly impacts the bilateral and multilateral relations between India and Pakistan. Indeed, these two countries will not be completely resolved in the short and medium term. The border will always be a concern in the US involvement in the India-Pakistan relationship.

From the US involvement in territorial disputes in South Asia, as well as changes in the US government and the dynamic regional and international context, we can predict the trends in US involvement in territorial disputes in South Asia based on the following scenarios:

Scenario 1: Continuing involvement as a mediator through political and diplomatic tools

This scenario takes place in a context where disputing countries, particularly India, Pakistan, and China, continue to deploy troops on both sides of the border and adhere to the

agreements signed regarding the Line of Control to assert and show their respective strengths, aiming to maintain the status quo in the disputed region without direct military conflicts or full-scale war. In this policy, considering the interests of the United States, its alliance with Pakistan, strategic partnership with India, and the challenges posed by China to its position, Washington would choose the role of a mediator to encourage parties to engage in bilateral negotiations and resolve territorial disputes.

Scenario 2: Increased involvement as a mediator through military measures to manage and prevent conflicts.

This scenario is set in the context of the rise of nationalism in India and Pakistan's firm policies, leading these countries to take decisive actions regarding the border issue. Instead of deploying troops and building military infrastructure along the border, border clashes occur between these entities, causing insecurity and instability in the South Asian region. This situation impacts the interests of the United States. Therefore, the US is determined to actively engage as a neutral mediator, utilizing political, diplomatic, and military means. The US would continue supporting India in the territorial dispute with Pakistan and China in this approach.

On the other hand, India is currently a significant-aspiring power with regional ambitions, while Pakistan is emerging as an influential player in South Asia. Indeed, structural conflicts between countries involved in territorial disputes in South Asia cannot be reconciled until these nations find a compromise and resolve the border disputes definitively. However, in the era of power competition among significant nations and the rise of nationalism and territorialism, such efforts will be challenging. Therefore, taking into account the historical relationship between the US, India, and Pakistan, assessing economic, security, and political issues in the regional context, connecting South Asia with a comprehensive Asia strategy, and integrating diplomacy, defense, and development policy dialogues, the US will undoubtedly continue to use diplomatic tools to promote conflict moderation. In this regard, the US government will seek to foster a stronger strategic partnership with India to counter an increasingly powerful and assertive China. Additionally, to avoid being drawn into being a party

directly involved in the territorial disputes in the region, the US will primarily adopt a more passive neutral role rather than actively intervening in these disputes. Accordingly, commitments and strategic support from the US towards India as a partner or Pakistan as an ally will be considered depending on the interests of the United States.

Based on these considerations, it can be predicted that the US policy of involvement in the India-Pakistan territorial dispute will continue to call for restraint and conflict management. Moreover, the US needs to reaffirm its influence and position in the region by building capabilities to timely and effectively respond to overlapping and complex crises, preventing or minimizing the escalation of these disputes to a more dangerous level. The focus will be on seeking diplomatic opportunities to promote restraint and remove barriers to the peaceful resolution of disputes between India and Pakistan.

Regarding the India-Pakistan border dispute, despite the declaration in the US-Pakistan alliance, an evident fact is that Pakistan still heavily relies on the US and the West economically. Therefore, the US will leverage economic leverage to "warn" any aggressive actions concerning the border conflict with India. Secondly, a crucial and overarching measure that the US will undertake in the India-Pakistan territorial dispute is publicly encouraging both countries to resume dialogue on Kashmir by acting as an unofficial communication channel between Delhi and Islamabad. Third, a special envoy of the US should be appointed for the Kashmir issue to attempt a reconciliation of the dispute. Still, this representative would harmonize US policies with the policies of other countries, playing a role as an intermediary for ideas and policies while promoting diplomacy between India and Pakistan.

CONCLUSION

It can be seen that the United States' policy of involvement in the territorial dispute between India and Pakistan is based on the overall context of the region and the specific relationships with both India and Pakistan. Since the Cold War era, the United States has employed various approaches, including unilateral initiatives, bilateral efforts (with the UK), and multilateral proposals under the auspices of the United Nations, to address the India-Pakistan

conflict in the Kashmir issue (Devin 2003, 72). With a neutral and positive-neutral role, the United States' engagement in the India-Pakistan territorial dispute is manifested in crisis management rather than conflict resolution. Through its involvement in the India-Pakistan border dispute, it can be observed that the United States has played a positive role in preventing conflicts, managing conflicts, preventing conflicts from escalating into war, stabilizing crises, and mediating reconciliation.

However, it is clearly shown that the role of the United States is not highly regarded in the Kashmir territorial conflict between India and Pakistan. Over the past seven decades, US administrations have consistently attempted to intervene in this dispute. However, all of these efforts have failed to yield precise results. The ineffective intervention in the Kashmir issue can be attributed to several reasons: Firstly, it is due to indecisive policies and a lack of determined and active involvement. Secondly, the US does not want the Kashmir issue to impact its strategic partnership with India and its alliance with Pakistan. Thirdly, and most importantly, it is the resolute stance of India regarding the Kashmir issue because New Delhi has always been skeptical of the motives of international organizations and external powers in their involvement in territorial issues. India has maintained a dual strategy to resist third-party interference and has implemented stringent security measures to avoid political concessions.

Additionally, India emphasizes itself as a "natural leader" in the South Asian region. Therefore, it does not necessarily require the involvement of external powers in regional internal matters. Furthermore, according to India's perspective, the prospect of reconciliation with third-party involvement is incompatible with the Shimla Agreement of 1972, in which India and Pakistan "resolved their differences through peaceful means by bilateral negotiations or by any other peaceful means mutually agreed upon" (Dion 2010). The Lahore Declaration of 1999 reaffirmed the bilateral nature of the Kashmir issue (Government of India 1999).

Therefore, as the world's number one and most vital power with influence in South Asia, Washington should go beyond the role of crisis management and strive for non-military solutions and diplomatic dialogue for the territorial dispute between India and Pakistan. Currently, in the context of increasing competition among major countries in the South Asian region and the collapse of the Afghan government, the presence of the United States in the territorial dispute

between India and Pakistan serves as a solution for the US to maintain its engagement in the security issues of the South Asian region.

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