

The Kashmir Conflict and the Global Problematique

by

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Introduction

Conflicts, crises, military conflagrations are the building blocks of, and, at the same time, obstacles to improving the Global Problematique. Key conflicts originate from differences in human attributes, culture, religion and drive for political power, inevitably leading to the enlargement of the Global Problematique.

The current Kashmir dispute is half a century old. It is now part of a quasi-permanent global conflict inventory and seems immune to attempts to resolve it. Intellectuals, politicians and the U.N. have made efforts, but without significant results. Yet, the assumption that some conflicts are impossible to resolve seems incorrect. Therefore, the reason for lack of success must lie with the methods employed, proper assessment of the variables maintaining the conflict and the improper consideration of such crucial issues as ethnic, cultural and religious sensitivities.

The objective of this study is to analyze the Kashmir issue in the context of the sub-continent as part of the global problematique.

Background

Kashmir was accessed to India in 1947 by the reigning maharaja, with a majority of Muslim population, resulting in conflicts and leading to a partitioning by the U.N. The ensuing dual administration by India and Pakistan did not stop resistance to Indian control and in 1957 India annexed the northern part by force.

At the moment, each of the three participants involved with this conflict have their distinct, apparently irreconcilable positions. The people of Kashmir are the principal players, either as victims, in case of failure of resolving the conflict, or as winners, if a suitable solution is found. There is, in fact, an active armed resistance against Indian rule. The Kashmiri resistance is divided into two main groups; the Kashmir Liberation Front striving for independence through plebiscite, and the Hisbul Mujaheddin fighting for accession to Pakistan.

India adopted the position that the Kashmiri resistance is a Pakistani instigated and supported terrorist movement for gaining control over Kashmir. This view does not accept blame for alienating the Muslim population and thus fuelling a resistance movement. Nevertheless, key Indian politicians, Rajiv Gandhi among them, stated in 1990 that "Kashmir has been lost by the Indian Government". The fact is that the Indian Army stationed in Kashmir is now considered an Army of Occupation, which in a sense legitimizes the resistance movement.

India's position hides a major contradiction. On the one hand, it proudly declares itself to be the largest democracy and the country of Mahatma Gandhi's long struggle for independence

by non-violent means, and on the other, it maintains a political administration and military presence in Kashmir alienating the majority of the population, in fact denying the right to self determination to Kashmiri Muslims. Accumulating losses of prestige and resources are pointing towards urgent need to act and start resolving the conflict more effectively. Kashmir is not the only conflict on the subcontinent and it is rapidly becoming evident that Kashmir cannot, and need not, be ruled by the gun forever. **The efficient functioning of a democratic state is a direct function of the level of conflicts produced by its administration.**

Unfortunately U.N. resolutions are of little practical value in preventing and resolving conflicts. Kashmir has become a keystone conflict acting as a barrier to solving other problems between India and Pakistan. The American concern for the potential of a nuclear confrontation and for intensifying the conflict in Jammu-Kashmir is underlined by the letter President Clinton sent to the Kashmir-American Council declaring the region a disputed territory. The current state of the conflict can be summarized by:

- an armed resistance which is bound to increase with the passing of time, despite its division into two fractions;
- an international consensus regarding the nature of the conflict and the need to resolve it;
- the fear of escalating into a regional nuclear conflict;
- efforts supported by military presence to maintain the status quo,

and last but not least

- the failure of all conventional attempts to resolve the conflict.

Options

Given the background to the Kashmir issue, experts studying it suggest the following four main options:

- **Independence;** Essentially this would re-establish the Kashmiri state to pre-47 conditions, but it is said to be unworkable, because the people of Kashmir have been highly polarized along religious lines giving peaceful coexistence a very low probability rating,
- **Division;** Strong disagreement exists on the merits of this option. India prefers retaining the present line of control with minor adjustments. Both Pakistan and the Muslim population reject this option outright.
- **Trusteeship;** This proposal would be for a five year trusteeship period followed by a plebiscite that counts among its advantages of saving face for India. However, the U.N. is considered by the developing countries as an instrument of western powers. Thus, it could not truly

represent the interest of the people of Kashmir; see Somalia and Bosnia.

- **Plebiscite**; this option has been prescribed in U.N. resolutions on Kashmir, (1948). However, several failed U.N. resolutions, and the demonstrated ease of ignoring them, undermine confidence in this mechanism.

For the past fifty years the Kashmir dispute has received numerous innovative proposals at the U.N., in bilateral discussions between India and Pakistan with the participation of third parties. India, having control over Kashmir, did not seem to hurry to alter the status quo, demonstrating again that the possession of power and control overrides all other considerations reinforcing conventional wisdom that **possession is nine-tenth of the law**.

If, at the time of dividing British India, Kashmir had been ruled by a Muslim ruler, the accession to Pakistan would have been the conventional thing to do. In such an event, to avoid conflict with the Hindu minority in Kashmir, would have required unheard of wisdom and foresight to guarantee the minority an effective forum to remedy their real, or perceived injustices.

Obstacles;

Four key obstacles have been noted in the way of resolving the Kashmir dispute: °

- Indian resistance to changing the status quo, °
- Lack of unity among the resistance movements, °
- Lack of coherent Pakistani policy on Kashmir, °
- International environment.

India's insistence on maintaining the status quo, is understandable, but lacks foresight and wisdom. It is based on the faint hope that gaining time and supporting fragmentation of the resistance movements will reduce, or eliminate the conflict. The real effect of stalling is to raise the stakes and the cost of maintaining Indian control over Kashmir. One way of achieving this is not only increasing the hostilities, but the level of sophistication of the weapons used as well renewing accusations against Pakistan for "instigating and supporting" terrorist movements in Kashmir.

Pakistani diplomacy can seek the support of wealthy Muslim states and initiate economic sanctions against India. The clear objective must be to internationalize conflicts and demonstrate the consequences of stalling and delaying.

The long range view

A long range view allows a better appreciation of the conflict situated in a broader regional "landscape". Kashmir is situated between two very large national entities, of orders of magnitude larger demographic weight, creating a precarious position for Kashmir. Historically, Kashmir has been an independent state at different time periods and by adopting Islam in the thirteenth century, created a distinct religious identity on the Indian subcontinent.

The long range view shows that attempts at concluding such major events as colonial rule, major wars or ideological struggles are hot beds of opportunities for larger, more complex, or more numerous conflicts. The latest Balkan crisis

is, but one example. Through intense propaganda, public opinion may, temporarily, be misled about the truth behind conflicts.

Colonial empires gave way to countries whose boundaries were arbitrarily drawn up, to satisfy the economic prospects of former colonial powers, or large corporations. Africa is a tragic continent that bears the curse of such political short-sightedness and ineptitude in conflict prevention. Russia's centuries old drive for expansion has created unimaginable suffering for millions of non-Russian ethnic entities, which worsened under the soviet variety of Russian colonization.

The ultimate tragedy is that unilaterally decreed truth and self declared right to geopolitical real-estate will seldom go uncontested. Contesting such lands can take a long time and untold waste of life and resources. Resources, which could otherwise be used in countless ways for better purposes. The long range view of conflict situations and recognition of common elements offers an opportunity to find long term, effective resolutions for conflicts.

The close-up view

A close-up view of the Kashmir dispute will complement the view presented from a distance. In Kashmir we have a mix of sentiments; a mix of resignation to a long enduring situation and a growing resentment to the inability and unwillingness to correct the situation. However, within these contradictory sentiments, life goes on, charged with constant friction and losses of social, political and economic energies. The governance is not according to natural laws, but maintained by force, under the pretext of maintaining law and order, and the much abused word that is applicable, indiscriminately, to any human condition: democracy.

Kashmir is, but one conflict originating from the poorly executed termination of colonial rule in British India. There is some debate whether Kashmir is the root cause of the conflict between India and Pakistan, or the symptom of some greater conflict that must and ought to be resolved and, hopefully, more equitably than the originating conflict was resolved by apparent, but faulty solutions. However, endless academic debate is pointless. The challenge calls for unconventional approach to the problems and finding truly working solutions.

The existing relationship between India and Pakistan is not a natural and mutually beneficial one. Hostilities predominate. Cultural and economic exchanges and co-operation are minimal, or non-existent. Unfortunately, Kashmir falls in between and constitutes a major bone of contention, where all the inter-ethnic/inter-religious hostilities manifest themselves daily and in all aspects of daily life. Therefore, resolving the contested position of Kashmir with proper regard to majority and minority groups will open the door to a process that can result in normalizing the interstate relationship between India and Pakistan.

A working breakthrough in Kashmir may start a process that will have wide implication and on a global scale. The all-party recognition that a mistake committed at a particular time in history and under restrictive time and operating conditions need

not go on forever is essential to begin the search for a new conflict resolving process.

Conventional Reality

Conventional reality, a major barrier to resolving conflicts, is predicated on the fact that acquired possessions are considered untouchable and their protection can often go beyond ecological feasibility, even approaching irrationality. Conversely, the dynamics of resistance to control will ensure that the cost of maintaining the possession will increase to the point where it will approach irrationality and political suicide.

Each adversary is keen to devise mechanisms to attract external support. However, each will fail invariably, because the genuine aim is not to resolve the conflict with mutual agreement, but to maintain a status quo that is slipping beyond reason already. Unfortunately, the "conquer and keep forever" disease is almost incurable.

Therefore, let us briefly examine the key issues of conventional reality:

- **Demographic dilution** to preserve the existing situations, instituted by strengthening the ruling minority; encouraging emigration of hostile populations threatening the status quo, and replacing them with a supportive population.
- **Apparent functioning** of democratic institutions and processes.
- **Provision of military presence** to ensure the maintenance of the appearances.
- **Creation of the necessary propaganda** that justifies any action in defence of the status quo, and present any opposition to it as acts of terrorism, sabotage, unlawful and antidemocratic acts perpetrated on a legitimate state.
- **Accusations of partiality**, if international mediators recommending instituting resolutions for changing the status quo.
- **Preparation and maintenance** of military readiness to subdue armed insurrection and repel military intervention.

The above issues are applicable mainly to the dominant party controlling the contested possession. Each of those issues have inherent cost to both sides of the conflict. Theoretically, it should be easy to define the cut-off point where the hostilities should cease and negotiations begin. However, conflicts are not straightforward business transactions. Complex emotions and sensitivities also enter the picture and must be given due consideration.

Two key considerations must be made on the way of seeking a non-conventional approach to resolving existing conflicts and preventing future offshoots from the same conflict. One consideration is that no amount of conventional diplomacy and brilliant academic reasoning, from either side participating in the conflict, will alter the situation that lasted decades with rigid positions and determination to prevent substantial changes. The best one can hope from ongoing conventional haggling is periodic pauses and temporary decrease in the destructive activities.

The other consideration is to change completely the traditional/conventional approach to conflict resolution by removing it entirely from the bounds of the conflict and subject it to clinically clean analysis and evaluation using only unbiased facts, estimating the future potential for renewed conflict of each recommended option and devising flexible mechanisms for remedies, if and when, the process does not serve the objective. This would be a totally independent problem solving exercise leading to non-recurring conflict resolution.

The non-conventional approach to conflicts

The critical difference between conventional and non-conventional approach is that conventional methods include traditional mind-sets formulated by the Power Principle, whereby obtaining, maintaining and enhancing power justifies any action. The non-conventional approach, by contrast, eliminates the Power Function and the supremacy of control. While conventional approach to conflict has a long tradition and its psychological roots may reach back to primeval times, the non-conventional approach requires the development of entirely new concepts and its success depends on the factual thoroughness of the rationale employed. Allowing equal treatment of religious and cultural differences the non-conventional approach is to show and prove the utmost futility and the dangers inherent in subjugating everything to the acquisition of power.

Fundamental changes to conventions and dominant mind-set cannot be wished. Therefore, the non-conventional approach to conflict must be worked out in a detached manner, avoiding direct confrontation between the two approaches, because any threats to the practice of conventional diplomacy will just add another variable to the conventional process and stall the creation of an entirely new approach. Conventional handling of conflicts often serve other purposes as well. One unadmitted use of conflicts in conventional politicking is to divert attention from other burning issues.

It is worth examining the conditions and the methodology required for the non-conventional approach to succeed with the Kashmir issue and beyond. A demonstration of success in Kashmir will make it generally attractive, and the proven method applicable to such other conflicts as the Bask conflict in Spain, the Corsican conflict in France, the traditional Balkan conflicts, through the Middle East and Central Asia all the way to China and Tibet and to yet unnamed places where emerging economic activities will bring with them a rich harvest of conflicts. **The engine of movement toward changing mind-sets to deal with conflicts will, no doubt, be security and economic development.**

Prerequisites

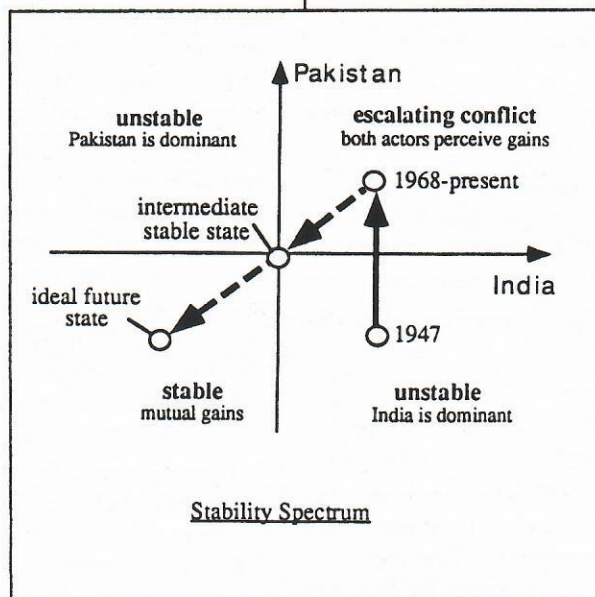
There may be many, but none will come close in importance to the agreement between all parties concerned, that the conflict in Kashmir is ripe for resolution. A "gain-loss" model can be set up to show that for a number of years, the potential losses outweigh the perceived gains.

The illustration shows that Pakistan and India are presently in an unstable relationship since both countries perceive advantages from adhering to the political positions *vis à vis* Kashmir. However, an objective assessment can show that there is little gain in holding on to the present situation:

- **A basic agreement** is needed among all participants in the Kashmir conflict to arrest the slide into an ever worsening conflict. This will, first and foremost, require an entirely new way of looking at the disputed issues. Only, and only if, an agreement is reached to have the new view and new visionaries from all three players, can the stalemate be broken and mutually acceptable results produced.
- **A rigorous value assessment** of the factors and variables to show, whether the desired values may, in fact, be only perceived gains, which in the long run could actually become damages, rather than gains. Contesting the validity of control over Kashmir will strain the resources of all participants and prevent the establishment of a natural balance between social factors, ethnic/religious sensitivities and eco-political forces.
- **Replace conventional notions and values** with entirely new visions and strategies by creating a framework for shared benefits and replacing the historical adversary practices to "retain dominion over something, at any cost", whose acquisition is questionable in the first place. The central thesis of the much heralded "New Age" will not tolerate, forever, the large scale waste of resources and endlessly worsening conditions resulting from senseless conflicts. Therefore, the plight of Kashmir deserves a new approach and India and Pakistan need a new approach to replace the evolving disastrous situation with realistically attainable goals.

of little practical significance. To convert it from a "lip service" status to a functioning process we must enlist all available forces. Families, schools and religious teachings are the strongest and most readily available forces. Political support can enhance the effectiveness of these forces without requiring major investment and resources.

- **Improved inter-state relations** between India and Pakistan to replace the current open and latent hostilities with normalized and internationally accepted practices of resolving outstanding issues and conflicts. History offers abundant proof that affluent nations look differently at lingering problems. Co-operation between India and Pakistan to improve economic conditions will inevitably reduce and eliminate the political/ideological importance of Kashmir by replacing it with a valuable contribution to the harmonious economic functioning of a multi-ethnic, multi-religious and conflict-free geopolitical region.
- **Fundamental reassessment** of India's traditional position and resistance to changing the status quo over Kashmir. It will be given strong stimulus by recognizing that:
 - the existing situation is a relic, or a version of the Cold War era conflicts;



- initiating changes over the current situation is not losing control over Kashmir, or losing prestige as a major world power,
- a perceived loss can only be a perceived gain for Pakistan and not a real one,
- entirely new, economic forces are at play and by fighting them only losses will occur for both India and Pakistan.
- **Reassessment of the Pakistani position** on Kashmir and designing a realistic policy to reflect the beginning of a new era not only with regard to Kashmir,

What should be done?

From the foregoing it becomes evident, that there are no quick fixes. Short term "patch-work" solutions will not break the petrified historical behaviour patterns and rigid mind sets. Progress will be painfully slow. Practising politicians will be reluctant to show enthusiasm for the proposed new methods, new approaches to resolving conflicts and lending their political weight to what initially may appear to be unpopular issues. The fears of threat of change and change for the worse, may discourage politicians to espouse the idea of new conflict resolving methods.

- **Education** of the population at large, and the new generation in particular, is an often mentioned remedial process. Unfortunately, this has made it a well worn phrase

but to the entire subcontinent. The cornerstone of this effort ought to be the definition of new objectives and, within those, specific goals of economically accomplishable dimensions. Regular checks on the prevailing realities and their usefulness towards emphasizing economics, instead of intangible political aspirations are essential to changing political positions. Setting political mechanisms in motion to achieve mutual economic gains, will start with an agreement to assist Kashmir to begin a process of economic recovery. The new policy should accept the process as gradual, but it must not accept partial solutions to the Kashmir conflict, because temporary measures will revert to the old situation and worsening state of conflict.

- **The international political context and environment** is more than ready to accommodate reduction of conflicts

world wide. Some of the conflicts reach back into the last century, or even farther. Globally, conflicts are reaching saturation points. Recognizing this will also provide a demonstration of a pragmatic approach to start resolving the most imminent problems of the Global Problematique.

Can it be done?

The question is not : **can it be done?**, but: **how must it be done?**! Given the long, frustrating and costly attempts to resolve the Kashmir conflict this may appear somewhat over-ambitious, idealistic, or academic. However, the key to success lies with the method and approach worked out to view the conflict from an entirely new angle, and with an entirely new objective: maximum long term benefits, for all contestants, especially for the people living in Kashmir.

However, it must be recognized that only a gradual process will deliver the results and no single step in the process will provide a satisfactory solution. Simply put, no resolution of a conflict will ever be fully successful at the first trial. Therefore, a certain degree of flexibility must be built into it, to make the necessary corrections to arrive at an operational balance free of residual weaknesses and one, which will prevent both the periodic renewal of conflicts, or their continuation.

If this cannot be achieved, attempts to resolve and prevent conflicts will fail, time and time again. The work must be carried out with the co-operation and contribution of the parties with the sincere belief that it will work equally for all and against no one. The challenge to the individuals working out the non-conventional process is to make their findings, speak for themselves and withstand the most thorough and hostile scrutiny.

One precondition of success will be the nature of the project itself. It cannot be a mega project, with a cast of thousands, multiple cost overruns and individual clamouring to get the best features into the limelight. It must be a low level, meticulous, low cost, discreet attempt, drawing on the intellectual and political resources of all participants equally and without according a preference to the views of any one in particular.

Moving towards conflict resolution

The work involved will require a clinical analysis of all past attempts at resolution, the different views on the cause of failed efforts, the changing times and conditions and separate priorities. The assembled documentation will serve as the basis for identifying possible relationships between needs, goals, concerns, as well as the challenges and opportunities for resolving the conflict.

Ample historical evidence points to the crucial fact that mediators, external to the region, or panels initiated by such large organizations as the U.N. usually fail to bring any permanent change and final resolution to the conflicts they are supposed to resolve. Individuals may seek personal glory, regardless of the cost to the parties involved with the conflict; international organizations may attempt to resolve the conflict fast, through poorly conceived political solutions, naively disregarding powerful, ancient traditions, social, religious, and other ethnic peculiarities. Such misguided attempts usually worsen the conflict and may even create others, by virtue of not

understanding the deep seated, often unclear root causes of conflicts. Some powerful nations may attempt to force a conflict resolution process onto the participants to skilfully weaken them and then force the parties to accept a necessary resolution.

The ultimate lesson that must be learned is that there is no such thing as an ideal method of resolving conflicts. Therefore, instead of seeking such elusive qualities, a new process must make use of the principle of defining very realistic and realizable economic benefits, in terms of the needs of the victims and creators of the conflict. The former can appreciate an improvement of their lot and the latter gaining by mitigating their increasing losses to maintain an unattractive status quo. Such concept makes former adversaries work together towards clearly appreciated economic goals that can gradually be integrated into larger and larger economic activities within a region and beyond.

To make things happen, India and Pakistan can engage directly in negotiations to survey the existing situation accurately. Good preparation is critical to any progress towards changing the existing hostile atmosphere. Decades of intensifying animosity will make initiating anything novel to improve relations very difficult. However, a younger generation of more pragmatic politicians, is well aware of the global economic evolution and the dangers hidden in the continuation of stoic cold war nationalism, still felt in the pre-independence hostilities of their predecessors. It can be hoped that this approach will, at least, put both countries in a intermediate stable relationship as depicted in the illustration. Thus, the achieved stability platform can then be used to buy time to search for a long term solution in an environment of diminished threat.

The fundamental concept, overriding all other subjective factors must be that Kashmir ought not be cut off the economic expansion of the geopolitical region any longer. Only through the general prosperity of the region's inhabitants can the focus be shifted from intangible and often ill defined ideologies to a vibrant, rational, multi-ethnic, multi-religious social structure. Some countries like Belgium, Canada and Switzerland have succeeded in building such functioning social structures, but, admittedly, not without constant care and maintenance. In real life conflicts no one can expect fairy tale solutions. Yet reality can offer very viable, decent and peaceful coexistence despite different views, ideologies, cultures, through commonly shared economic benefits.

If direct negotiations between India and Pakistan remain unsuccessful another approach could be a conference of regional powers with thorough understanding of the deeper, fundamental elements of the conflict. Such a conference would prevent the recurrence of the tragic events of Bosnia, where the regions were divided and then subdivided again, leaving all the historical animosities in place and only briefly dowsing the fires of future Balkan conflicts. At the present, there are conflicting thoughts on how to bring the Kashmir conflict to a conclusion. The ideal situation would be to keep Kashmir united and independent with equal economic partnership linking them to India and Pakistan. However, there are shades of strong doubts of achieving this. Partly because the relations between

India and Pakistan must be normalized before this happening, and partly because of the fear of certain quarters that such independence movements could be setting an example to other ethnic elements within national boundaries. Such views can only be justified in terms of the old traditional and antagonistic mind-sets that have produced general misery and insecurity for all populations.

Adopting the economic rationale would push all the sentiments of hostile conflict-creating mind-sets into the background and open the way to initiating economic co-operation. Evidence of economic betterment would focus more on the reasons and opportunities of beneficial co-operation, instead of hostile competition for vague political/ideological supremacy and

military hostilities that only prove temporary superiority of one expensive weapon system over another.

To replace the forces maintaining the conflicts with forces driving environmentally safe economic prosperity and security for investment from abroad, need wisdom and strength. Both of these exist in generous quantities in all three actors suffering from the Kashmir dispute. Bringing them together into a united effort is the challenge. This new situation is shown in the illustration where Pakistan and India advance into the permanent, stable sector of the stability spectrum. A challenge, that only those living the conflict and suffering its consequences, generation after generation, can turn around

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