Conflict Resolution Strategies and the Issue of Kashmir: Contextualizing Peace in the Post-colonial era in South Asia

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Abstract

Resolution of international conflicts and promotion of peace has been a long cherished desire in South Asia. The disparaged relations between India and Pakistan due to Kashmir with a colonial legacy have kept the entire region starved of peace. Conflict (in case of Pakistan) or no conflict (in case of India by not accepting Kashmir as a disputed territory) is a foregone issue. Now the resolution strategies for Kashmir, adopted by India and Pakistan, have further intricated the already complex issue. Moreover, lack of communication enhances a conflict. Both countries have failed in keeping communication to reach to a common point to begin the resolution of conflict—Kashmir. Thus, in a time, when both countries are not interacting cooperatively, their engagement in conflict resolution strategies will muster remedy of Kashmir. By suggesting assortment of strategies of the regional dispute, South Asia may experience peace in the foreseeable future.

Keywords: Kashmir, Conflict Resolution, Pakistan, India, South Asia, Post-Colonialism

Introduction

Conflict is a disagreement or difference of opinion between two or more than two entities. This may be intragroup (when the conflict is within a group of people) or intergroup (when there is a discard amongst groups). Conflict has a positive and a negative connotation. A conflict means the society is growing. However, if it is in negative term, it leads to wars. Terms like disintegration, war, disunity, animosity, antagonism, and distrust take birth initially from conflict.

Defining the term

Pruitt and Rubin define the term conflict as a noticed incongruity of interest, or an understanding that the two or more entities’ current ends cannot be achieved concurrently (Pruitt & Rubin, 1986). Conrad describes conflicts as open relations among people who are interdependent and who feel that their interests are mismatched, unpredictable, or in strain (Conrad, 1990).

Van de Vliert and Euwema define conflict as mismatched activities, in the context of accommodating and aggressive modes, where conflicting parties may aim at cooperative or competitive ends (Van de Vliert & Euwema, 1994).

From the above definitions, we conclude that conflict arises primarily due to interests. When the interests of two parties collide, conflict emerges. Dealing with
any kind of conflict, it is hard to come up with a mutually accepted solution as no party gets benefited the way it wants to. If we apply these definitions on Kashmir dispute, we see that it is a very classic example of dispute over interests.

**Types of conflicts**

Joshua S. Goldstein in his book, *International Relations* explicates three tangible types of international conflict (Goldstein & Pevehouse, 2014). These conflicts are based on the material interests of the states, which are party to the conflict namely: Regional Disputes, Control of Regimes and Economic Disagreements.

**Regional Disputes**

Territorial conflicts are of special importance when it comes to the material interests of the states. In the modern world, states do not sell their territory. But states may go to any extent to regain the territory snatched from them by the use of force. To reacquire the lost territory is called irredentism. These goals often lead to serious interstate conflicts. In old times, territory was seen as a source of economic production and wealth. Gaining more and more territory was considered beneficial for a state. There are four types of territorial disputes:

1. **Secession**

   Dissociation of a limited region, province or an area from the main land state is secession. Numerous secession movements have been taking place across the world, but they rarely secede from their parent state. The existing state does not let go of its territory. Wars of secession can be of high intensity and lethal. They may also spread across other neighboring countries. This usually happens when the neighboring state is ethnically or religiously same as that seceding part. In some cases, the seceding state wants to associate their territory with the adjacent state for a closer collaboration and association.

2. **Interstate Borders**

   Border issues amongst the countries rarely occur and so the ones that occur are dealt with ample seriousness. In the name of nationalism and national integration border issues persist. There was a time when the borders were undefined and so it was a matter of a signature over a piece of paper with which pieces of land would be bargained. With the inception of the Cold War, such concepts came to an end as the borders have been clearly defined. No state can claim even a minute piece of land if it belongs to other state.

3. **Lingering Disputes**

   Lingering disputes are those disputes that are hard to be solved. The process of resolution is either too slow or totally ineffective. It may be because the benefit of the conflict being alive is much more than the benefit in its resolution. Usually the
states prefer to keep the conflict alive. It can be the states or any foreign power, which has its hidden interest or agenda in keeping the conflict unresolved.

4. Waters Conflict

Water issues mainly target water resources. The history of mankind is full of conflicts related to water or its division. It is a traditional as well as modern dispute with diverse reasons of wars—water as a resource, acquisition of a region, and tactical benefits. Drinking water has always been the reason of conflict between the states. Fresh water availability is important for living and impacts the economic conditions of a country or a region.

Kashmir dispute

Kashmir issue is a classic example of Lingering dispute where the main cause of the dispute is disagreement over the possession of land between India and Pakistan. Between 22 and 27 October 1947, the dispute over Kashmir rose from a subject of discussions at diplomatic level between India and Pakistan to an armed conflict. Since then, India and Pakistan has adopted a firm policy on Kashmir, which they have been unable to alter (Lamb, 1991). Kashmir held enormous strategic importance for both the countries, as, it was the only princely state that had a contiguous boundary with both India and Pakistan (Shah, 2014). Pakistan’s claim to Kashmir was based on three reasons. First, the state of Jammu and Kashmir had an overwhelmingly Muslim majority. Second, Kashmir was integrated with Pakistan more than India. Third, Kashmir was essential for the prosperity of agricultural life of Pakistan, as, the waters of Indus, Jhelum and Chenab flow through Kashmir (Lamb, 1991). The Kashmir problem has defied solution since its emergence, from the time of independence of both India and Pakistan. Kashmir is claimed to be India’s integral part and Pakistan’s jugular vein, which highlights the central position this piece of land has acquired for both the states (Bose, 2003). The conflict over Kashmir started its life, as, a contest over winning rights to a territory and not the struggle and efforts to establish the supremacy of the will of the people (Lamb, 1991). Pakistan has long considered the Kashmir dispute to be an unfinished agenda of partition and has long been demanding the resolution of Kashmir dispute. Pakistan keeps the Kashmir issue on the top of its foreign policy, and its overall relations with India are deeply affected by the issue (Snedden, 2015).

India and Pakistan have lived as enemies since partition of sub-continent and the Kashmir issue lies at the center of the animosity between these two neighboring countries. The confrontation between these two states has come at a high cost for the generally poor masses of both the countries (Lamb, 1994).

Kashmir holds great geo-strategic significance as it provides a link between Central Asian countries and India. There lie close socio-economic and cultural ties
between the peoples of Central Asia and Northern India since ancient times. Trade routes and commercial links between Central Asia, and Jammu and Kashmir, is another reason, which amplifies the importance of the region (Warikoo, 1989).

The acquisition of nuclear weapons by Pakistan and India have changed the scenario as the nuclear weapons are a source of deterrence and has created a balance between the two states. However, it has led to giving a chance to Pakistan to secure outside mediation of the Kashmir dispute (Kapur, 2007). Nevertheless, mediation in the case of Jammu and Kashmir would not be easy as, both India and Pakistan have competed for the accession of Kashmir valley since their independence from British rule and the dispute remains fundamental to the quest for nationhood of the two countries (Ankit, 2016). The complex of animosities and suspicions on both sides of the Line of Control (LoC) has further aggravated the situation (Lamb, 1994). The Kashmir dispute has a symbolic value for dominant perceptions of national identity in India and Pakistan, for this reason, its solution has become intractable (Paul, 2005). The Kashmir crisis is a unique challenge for the international community as it is a problem that arose in the twentieth-century decolonization process of the sub-continent that has defied solution and has turned into a twenty-first century conflict, with a dangerous nuclear dimension (Sidhu, Asif, & Samii, 2009).

In South Asia, the focus of the states has been on the protection of territorial integrity of the state and not much attention is paid on the socio-economic development of the people (Datta, 2012). This has been unfortunate for the people of the region where majority of the people are living in poor conditions. The future of Jammu and Kashmir remains in uncertainty and there is no clear solution to the problem, which has bedeviled the relations between India and Pakistan since 1947 (Lamb, 1991).

Approaches towards Kashmir Dispute

Following are some of the approaches towards Kashmir issue.

1. Kashmir issue and egoistic approach

Numerous famous leaders of the subcontinent such as Pundit Jawaharlal Nehru, Zulfiqar Ali Bhutto and Mian Muhammad Nawaz Sharif stated that the voice of the Kashmiri people is prime to choose between India and Pakistan. The people of Kashmir should be the decision makers of their fate. These statements have been coming from the leaders since long. However, Kashmir has become more of egoistic issue than a political dispute between the two countries. The territory of Kashmir has been transformed symbolically into the foundation of the nationhood of both countries (Bose, 2003).
2. **Fight of resources**

Kashmir's water resources are the primary resource value in the region. Kashmir is the origin of numerous rivers and tributaries in the Indus River basin. This basin is divided amongst Pakistan (60%), India (20%), Afghanistan (5%) and Tibet (15%). Indus flows into Pakistan via its two branches i.e., Jhelum and Chenab. The other three branches i.e. the Ravi, Beas, and the Sutlej provide water to northern India. Thus Indus is a lifeline for India and Pakistan for the sustenance of communities in the two countries. Both are dependent on Indus for irrigation and hydro-electricity purposes.

Kashmir dispute reflected Pakistan’s suspicions about being denied their share of the river waters of the Indus Basin by India. Water insecurity that Pakistan faces, makes the conflict over Kashmir, even more important in the strategic sense (Jalal, 2014). Thus, political issue of Kashmir as well as water division between the two countries is the core of their differences.

**What is Conflict Resolution?**

Conflict resolution is a phenomenon that finds a likely solution to a disagreement acceptable to the concerned parties. It is a win-win situation in which both the parties emerge victorious. Various methods are applied for dealing and supervising the conflicts. This depends on noticeably change of positions, conducts and performances. However, essential intricacy of conflicts, regional issues, and basic links are sometimes hard to ascertain. Conflict is the part of daily life. And so is the case with its solution. Solutions may be negotiations, communications, table talks, good offices provided by a third party, local solutions like Jirga, and Punchaiat etc. All such variety of solutions is applicable on the Kashmir issue.

**Management Strategies of Conflicts**

Conflicts vary in nature and so does the approach of resolving those conflicts. Some see conflicts as a mean for achieving their end while other wants to end the conflict. In 1974, Kenneth Thomas and Ralph Kilmann proposed the Thomas-Kilmann Conflict Model, which presents 5 main conflict resolution styles. These were named as:

- Avoiding
- Accommodating
- Competing
- Compromising
- Collaboration
1. **Accommodating**

The accommodating strategy basically suggests that the needs of the opposing side should be met. This strategy is usually in practice when the conflicting parties desire for peace, harmony and goodwill because they see the issue as minor. At times, when one of the two parties to the conflict already knows that it is going to lose any way, it adopts this strategy. Accommodation is seen as a short-term solution to any conflict.

If we apply this stratagem over the issue of Kashmir, we clearly see that it is going to be a failed strategy. It is because none of the two sides wishes to withdraw from Kashmir. Both the sides are as eager to get hold of Kashmir. For this matter, they are even ready to give away their peace and harmony. Secondly, both the states possess nuclear weapons, so there is a balance of power to some extent which is encouraging both the states to keep the old stance over Kashmir dispute. None of the two states is ready to give-up on Kashmir issue because it is a matter of national honor and it greatly shapes the foreign policy of both the states.

2. **Avoiding**

To avoid is to neglect the conflict for the betterment and peace. It usually happens when the reward is too minor to fight for. By neglecting the conflict, the avoider expects that the other party gets time for a better alternative to confrontation i.e peaceful resolution of the issue. The avoiders are not yet ready for a fight even if the stakes are high. In a given situation, sometimes, avoidance is a better war avoiding strategy. One of the problems facing conflict avoidance and confidence building measures is that exactly when they are most needed, they are most difficult to achieve (Krepon & Sevak, 1996).

In case of Pakistan and India, none of the two sides is ready to withdraw from the conflict. For both, the stakes are too high and it is not a matter to be avoided at any stage. If it is the Kashmir issue, both the countries are always ready to fight against each other. The issue has been lingering since independence and got no resolution. This issue is hard to be resolved in a manner which is acceptable to the two states.

3. **Collaborating**

Collaboration is joint work of many people with integrated thoughts. The objective of this strategy is to find a general agreement for all concerned, where both the states get at least what they want. Collaboration, though useful, needs enough time and skills. This strategy is useful in gaining commitment and creating a mutual power base. When respect and trust is established, the future relationship is maintained.

If we evaluate this strategy in context of Kashmir issue, it becomes inadequate. The international organizations have been trying to find a way so that the two
states can collaborate over Kashmir dispute but none of the two states is ready to collaborate. It is because the interests are overlapping and at no point can both the states get what they want if they collaborate. One of the two states must lose which would not be entertained by that state.

4. Compromising

This strategy pin points all irritants in a conflict with a mode of give and take from both parties. It is applied in a situation where the two parties are of almost equal power. It is adopted when the collaboration strategy fails. States usually compromise on issues when they know that by not compromising, it will lose any way. If we look at Kashmir issue, it is also perceived as an egoistic issue where both the states are not ready to compromise in any way. Pakistan and India have been in a rivalry since the beginning and compromising will nothing else but defeat in the hands of the opponent which is not acceptable either to the governments or to the people of Pakistan and India.

5. Competing

Competition believes in zero sum game in which gain of one is the loss of the other. One of the strategies of conflict management is to withdraw in a competition. Such a scheme works in the best manner in emergency situations. In this situation, when a state is ready for competing, she is sure of her righteousness. It is recommended that a state should never begin a battle if it is not certain about its victory. States usually go for war when they know that the issue is of immense importance to their sovereignty and integrity.

Pakistan and India have fought four active wars of which two were primarily because of the Kashmir dispute. Since beginning, both the states are confronting each other on the Line of Control and are fighting. This shows the interests and tendency of both the states towards competing. Keeping the fact in mind that both the states are nuclear powers, if they indulge in a war, they may use their nuclear weapons as a last resort which is never acceptable to the international community. Even though both states have wanted to go for war as an option but the super powers have never allowed for this to happen.

The importance of dialogue and negotiations can never be underestimated in conflict resolution. Any dispute has to be negotiated if the parties involved in the conflict are serious in their efforts of resolving the conflict (Kasuri, 2015).

Postcolonial Theory

Postcolonial theory sheds lights on its manifestations in Western literary and philosophical heritage and, also the reactions to it in the ex-colonies and colonial era effects on the lives and life-style of the colonized (Hamadi, 2014). Edward Said laid the foundation of Postcolonial Theory by his work on Orientalism (Said,
In his literary work on Orientalism, he not only identifies that the concept was manmade but also sheds light on the ways it has existed for so long. He has elaborated the fact how the Occident, which comprises of the colonizers and imperial powers has dominated the Orient, which comprises of those colonized, in nearly every field posing as superior to the Orientals, who are looked upon as inferiors (Said, 2001). Although Said did not use the term Postcolonial, in his work rather used the term Oriental, but he surely laid the ground for a theory, known to be Postcolonial Theory in his work on Orientalism. Said is considered one of the pioneers of Postcolonial Theory. The theory imminently commits itself to a complicated and hard task of historical and psychological recovery (Gandhi, 1998). Edward Said, argues that the concept of Orient was orchestrated by the Western theorists, political scientists and even by colonial masters. He further says that these Western writers and thinkers have portrayed the Orient as the primitive and uncivilized “other” (Hamadi, 2014). Bhabha’s idea of hybridity is specially, important in postcolonial theory. It suggests that cultures are a product of hybridizing process. He proves that, in colonial relationships, the colonizers and the colonized interact with each other and the hybridizing process is just as true of the colonizer as of the colonized (Bhabha, 2007).

Postcolonial theory enhances our understanding of imperialism, representation, identity, diaspora, and resistance. However, it focuses less on the issues of nationalism, sovereignty, self-determination, and domination by the states who got their independence from their colonial masters (Chowdhry & Nair, 2002). As, in the case of Kashmir, we see dominance of India and the suppression of Kashmiris by the postcolonial state, India.

Many Postcolonial theorists have argued that colonial projects aimed, at humanization through education (Chimni & Mallavarapu, 2012). Many colonizers also gave the pretext of civilizing the people of the East while colonizing their lands. However, history shows the colonial masters were interested more in gaining the economic benefits out of their colonies rather than civilizing them. This is especially true when we see the case of Kashmir, which suffered at the hands of its colonial masters, the British imperialists, who sold the land and its people to the Dogra rulers. Kashmir has, since then, suffered and the sufferings of the people of Kashmir have not ended yet. It was the negligence on the part of British rulers who were in a haste to quit the Subcontinent after the World War II that the matter of Kashmir accession was not decided at that time. The problem still persists and so does the dangers of the unresolved dispute between two nuclear armed countries. The postcolonial theory needs, to add the political struggles of such masses as are controlled and suppressed by the postcolonial states (Chowdhry & Nair, 2002). The impact of Kashmir dispute has been disastrous on every aspect of the lives of the masses of Kashmir. The conflict is a disputed legacy of the postcolonial period which has its roots in the colonial period.
of the British Raj. Whereas the postcolonial theory suggests various ways of helping the colonized people to live with the fissures and gaps of their condition as it is hard to forget the agonizing experience of living under foreign rule and suppression, the matter is further complicated and difficult to deal with in context of the Kashmiri people whose sufferings are not coming to an end.

**Democratic Peace Theory**

As per democratic peace theory, democracies do not engage in wars with each other. In other words, it is a theory of peace that propagates harmony and promotes democracy (Danneile, 2008).

Numerous motivating factors are responsible for keeping peace between democracies in the world:

- Leaders in a democratic society have to accept the blame for war damages to their electorate;
- The regimes that are accountable to their populace are always in the forefront to resolve international issues via diplomatic means;
- Democracies reject war as a policy or a doctrine;
- Due to an established mechanism of wealth and resources, democracies avoid war to save infrastructure and resources of the country.

Thus democracy and war does not go together (Ray, 2003).

In the case of Kashmir dispute, the theory would consult both of states to be peaceful and involve an international organization to solve the conflict. India and Pakistan, both of them have got democratic regimes where population are involved in their crucial decision-makings. It is something conspicuous that majority of the world population are keen to have peace rather going to war. The two neighbouring states ought to be very circumspect when it comes about Kashmir dispute, as the wars of the contemporary epoch would not be confined within the territories of two states but instead that would push the whole region into severe complications. As the theory posits that within the democratic regimes, the stakeholders of the states would be accountable to their people and that would be the main reason they would not choose war as they are, well, aware of the costs.

India and Pakistan have not strived to solve the dispute peacefully, but most of the time, they have become bully against each other which have enhanced the troubles. As mentioned above, the dispute according to several scholars of International Relations is based on the natural resources and both states are not ready to step back, their such instance could only be substituted where the people of both states work to involve an international organization as the third party so that it may take a decision peacefully.
United Nations and Kashmir Dispute

United Nations is an international organization, which was established in 1945 to establish peace and cooperation amongst the world states. The main aim of the organization was to cease further wars in the international system as well to end the emerging disputes between the member states. It has been seen that the Kashmir issue has been brought several times on the desk of the Security Council where the permanent members have gone through the case and have tried to solve it, but nothing fruitful has been achieved. According to political experts, the issue has been not solved because India and Pakistan have never wanted to solve the dispute peacefully and it is believed that even they have not respected the decision of United Nations. All the liberal theories of International Relations such as idealism, institutionalism and functionalism posit that the best route to resilience the conflicts between states would be to involve the international organization as the peacekeeper and then decision taken by it ought to be respected (Schofield, 2003).

UN Security Council Plebiscite Resolution

The UN Security Council passed a resolution 47 on the complaint of Government of India concerning the Kashmir dispute (1948). However, these resolutions have not been acted upon either of the lethargic attitude of the UN or intransigent attitude of India. The Indian forces have not been withdrawn. No plebiscite has been held. And over and above, the human rights violations have been taking place in the Indian held Kashmir since its inception. The UN has been contacted numerous times by Pakistan for taking cognisance of the issue but in vain. In the circumstances, frustration led to wars between the two countries without any advancement of the issue. The only solution to the problem is hold of plebiscite in Kashmir. It is an unfulfilled part of the partition scheme which must be taken into account for peace and security in South Asia. The UN Security Council is the body that must take a lead in resolving the problem especially in the light of postcolonial theory as explained earlier. For maintenance of pace in the region, the UN Security Council had already established UN Commission for India and Pakistan with a total of five members. However, later on, it was converted into United Nations Military Observer Group in India and Pakistan (UNMOGIP). Its primary purpose is to report border and ceasefire violations. After the 1971 war between India and Pakistan, the two countries entered into an agreement, called Simla Agreement, to redefine Line of Control along Kashmir. India always objects on UNMOGIP and states that after the Simla agreement, it has lost the reason of its existence. However, UNMOGIP was maintained as there no resolution passed to terminate the Mission. This is the reason that since 1972, Pakistan has always
been cooperative with the staff of the UNMOGIP while India has restricted its activities on their side of the Line of Control (UN, 2016).

Conclusions

While brainstorming the essence of conflicts in the contemporary epoch, one could clearly apprehend that even the intrastate conflict would not be confined within a state. They would cross the borders and would spread their roots, thus creating major troubles. Where we have discussed the strategies via which the conflicts could be resolved between states, there it is crucial to mention that an accurate platform for exercising such strategies could be furnished by the United Nations. In the case of India and Pakistan on the Kashmir dispute, United Nations has been found very weak to solve the conflict. There could be many reasons behind the scene, but one of the major reasons is that these two states have never respected the decisions of the United Nations. When it comes to Kashmir issue, it is clear that, the conflict has defied resolution since long, as it involves many factors. Not only the region has got geo-strategic importance and economic benefits attached to it, it has also become a symbol of national identity for both the states and affects the ideological basis of both the countries. However, it must be kept in mind that Kashmir dispute involves the Kashmiri people, who, from several decades, are dreaming for peace and freedom within their territories.

Kashmir Conflict in the post nuclearization of the region has raised apprehensions in the international circles, as Kashmir has been regarded a nuclear flash point. The issue has grown in importance as it involves the peace of the whole region of South Asia. Moreover, it has become a conflict that needs early resolution because the results can be disastrous if the conflict escalates into war between nuclear-armed neighbors. Both states are having democratic regimes; they should act within soft channels of negotiations and should apply the strategies of conflict resolution via United Nations. Moreover, the time has come that the issue be resolved according, to the aspirations of the Kashmiri people. Kashmir is the land that belongs to the people of Kashmir. Thus, only Kashmiris have the right to decide the fate of their land. Kashmir, the land of scenic beauty and beautiful lakes, has long been held in violence. The land which is rightly called a “Paradise on Earth” for its beauty, has to be freed from the undue occupation and the power to govern the land must be handed over to the people of Kashmir. The long cherished dream of the Kashmiri people, the dream of Freedom and Independence, for their beloved land, must come true.

References


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