INDIA, PAKISTAN, AND THE KASHMIR CONFLICT: TOWARDS A LASTING SOLUTION

With Policy Recommendations and Conflict-Negotiation Models

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Ethics of Development in a Global Environment Term Paper

12/5/03

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Background and Introduction

"The most dangerous place in the world today, I think you could argue, is the Indian subcontinent and the line of control in Kashmir,"[i] remarked United States President Bill Clinton in March of 2000. His contentious statement rang loudly throughout the world, reflecting the 21st century reality that the Kashmir conflict between India and Pakistan had undergone a complete transformation from a seemingly contained, bilateral situation into an international issue that has vast ramifications for the entire world, due in large part to the introduction of nuclear weapons and mid-range missiles into the arsenals of both countries.

As discussed in Khanna and Sankaran's proposal, "An Alternate Vision of the Future," it is clear that this new reality must be duly confronted with an *international solution*, and the best possible framework for this challenge is that offered by the South Asian Association for Regional Cooperation (SAARC). The potential of SAARC in ushering in a new era of cooperation among its member states is clear, but in reality it has been and continues to be extremely difficult for either India or Pakistan to take the first step in ceding any power to an overarching SAARC framework due to nationalistic tendencies from both sides. Creative conflict resolution solutions must be introduced to provide realistic, practical guidelines for applying policies towards a future peace. ***This proposal will use models and case studies to illustrate how, under the SAARC framework, conflict-negotiation practitioners can work towards each party understanding each other's interests,***

clearer communication, and a long-term solution of the Kashmir conflict that could result in a complete revolution of South Asia.

Section I will introduce the reader to the historical background of the Kashmir conflict. Section II will present the international SAARC framework and the implications of its application in Kashmir. Section III will present conflict resolution models and case studies with specific applications in how to bring India and Pakistan to the bargaining table in today's world, which will ultimately lead to the establishment of the SAARC framework and the resolution of the Kashmir conflict.

Section I:

Background and History of the Kashmir Conflict

The greatest hindrance to growth and cooperation in South Asia has been the fifty-six year old Kashmir crisis between India and Pakistan. The roots of the crisis extend to the catastrophic Partition of the two countries in 1947, when the British government left the region after a 250-year period of rule characterized by exploitation and divide-and-conquer tactics. The British Empire's divisive policies, which were aimed at creating a rift between Hindus and Muslims in order to dilute any potential cohesive opposing force, began in a large scale in the early 1900s, when it started to fear the perceived growing strength of the Hindu nationalist movement. In order to counterbalance this perceived threat, the colonialist British government began to actively support the Muslim League, a political entity spearheaded by Muhammad Ali Jinnah that aimed to represent the subcontinent's Muslim interests.

The British pitted these two groups against one another, and eventually the Muslim League was forced to demand the creation of a separate state, to be called Pakistan, because it felt its interests would not be represented in a Hindu-majority India after the British granted the Subcontinent its independence. Mohandas Gandhi, the political leader of the independence movement, was in favor of the creation of Pakistan and eventually used his power to ensure its existence. Consequently, as its parting legacy, the British Empire, under the supervision of Lord Mountbatten, created artificial geographical boundaries separating the newly created Hindu-majority India and Muslim-majority Pakistan.

As mentioned earlier, the creation of these new states created a tremendous amount of violent upheaval, dubbed the bloody Partition. In this massive movement of people and capital (Hindus and Sikhs mainly to India, Muslims primarily to Pakistan), hundreds of thousands of people were killed and the land dispute of Kashmir was formed:

> At the time, the wishes of the rulers of all the princely states that made up
> India and Pakistan were taken into account. Kashmir was an oddity, a
> predominantly Muslim state with a Hindu ruler (Raja Hari Singh).
>
> Hari Singh acceded to India, and Pakistan claimed that was against the
> wishes of his people. The dispute then turned towards the military, with
> India sending in its army to repulse what they called "Pakistani invaders"
> in the Kashmir valley.[ii]

As indicated, both India and Pakistan immediately attempted to fill the power vacuum that resulted after the British left the border area of Kashmir and fought a war in 1947-48, which resulted in the partitioning of Kashmir into an Indian-controlled territory and a Pakistani-controlled territory after the United Nations negotiated a cease fire.[iii] As part of this cease-fire, the UN also called for a plebiscite to be held to allow Kashmiris the right of self-determination, that is, to determine which nation they would join. This plebiscite has not been conducted, as India has resisted such an action, unwilling to cede the land (as Mallika Paulraj has written in her paper entitled "Conflict to Cooperation: Moving the India-Pakistan Relationship Forward.") . Two further wars between India and Pakistan, in 1965 and 1971, resulted in the establishment of the present day "Line of Control" (see Figure 1), which separates Indian and Pakistani-held Kashmir, respectively.

Until 1989, the fighting between the two countries was restricted to each side's respective armed forces. Since that year, however, a bloody separatist movement has been waged counter to the Indian government, with support from elements both indigenous and foreign (primarily Pakistani) to Kashmir. This movement's aim is to wrest Kashmir from the Indian government and is driven by the strong desire for autonomy by native Kashmiris and the strong sentiment of the majority of the Pakistani population, which believes that Kashmir was given to India under unfair terms.[iv] Currently, Kashmir is composed of Indian-controlled Jammu-Kashmir (45%) and Pakistani-controlled Azad Kashmir (33%), with the remaining portion controlled by China.

As noted in "Conflict to Cooperation" by Mallika Paulraj, the continued turmoil in Kashmir, both between Indian and Pakistani troops and between troops and

Figure 1
Line of Control

Source: http://www.cnn.com/2002/WORLD/asiapcf/south/06/07/india.pakistan/
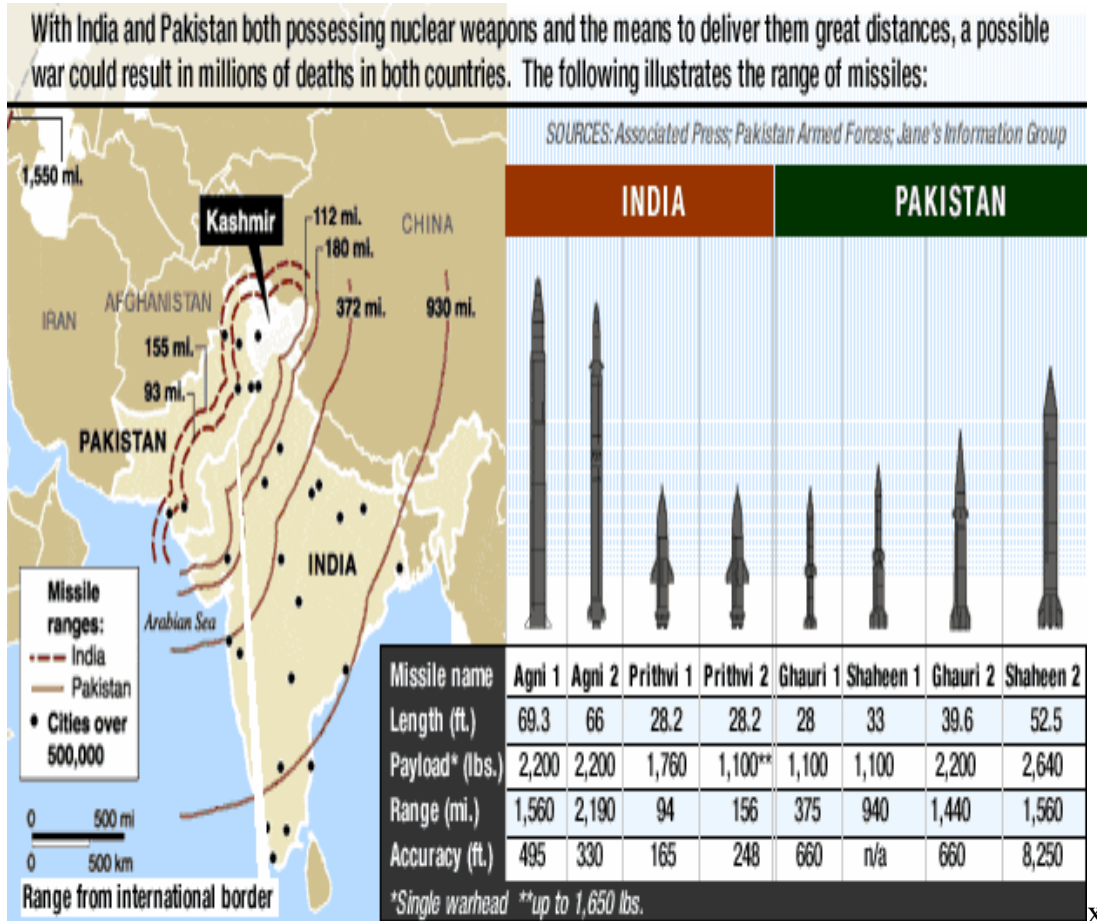
militants, has taken a huge toll on both countries involved. For example, the daily

cost of transporting arms and other materials to the Siachen Glacier, a remote

battlefield high in the Himalayas, is $1 million a day for the Indian side, and a comparable amount for the Pakistani side.[v] The costs of deploying hundreds of thousands of troops to the Line of Control, as both sides did in the summer of 2002 following a string of terror attacks within India, are absolutely outlandish as well. As explored in "An Alternate Vision" by Khanna, these wasted funds should instead be allocated to areas such as infrastructure, government and health care.[vi]

However, it is clear from the vitriol continuously spewed between both sides in their fifty-six years of existence that a purely bilateral solution to this conflict is fanciful. The huge military buildup between both countries in the summer of 2002, which featured threats to use nuclear weapons on each other from both sides (both claimed they would use it for self-defense, Pakistan in the case of being overwhelmed in conventional warfare, India in the case that Pakistan used their nuclear weapons first), is a testament to the extremely volatile nature of this relationship. An example of the current terrifying topics of the dialogue between the two countries can be seen in Figure 2, which details the nuclear-weapon bearing missiles that each side has tested and is ready to use in battle.

Instead of a bilateral solution, it is clear that both sides must pursue an *international* solution to this problem, which will provide a way for both countries to stop nationalizing the issue of Kashmir and ultimately allow the region to operate autonomously, creating a "buffer zone" which will provide the forum for levels of trade and cultural, social and religious cooperation unseen since the British government entered India. This will also take the financial burden of a complete

Figure 2
News Graphic on Missile Capabilities of India and Pakistan

With India and Pakistan both possessing nuclear weapons and the means to deliver them great distances, a possible war could result in millions of deaths in both countries. The following illustrates the range of missiles:

SOURCES: Associated Press; Pakistan Armed Forces; Jane's Information Group

Missile name	Agni 1	Agni 2	Prithvi 1	Prithvi 2	Ghauri 1	Shaheen 1	Ghauri 2	Shaheen 2
Length (ft.)	69.3	66	28.2	28.2	28	33	39.6	52.5
Payload* (lbs.)	2,200	2,200	1,760	1,100**	1,100	1,100	2,200	2,640
Range (mi.)	1,560	2,190	94	156	375	940	1,440	1,560
Accuracy (ft.)	495	330	165	248	660	n/a	660	8,250

*Single warhead **up to 1,650 lbs.

Source: http://www.cnn.com/2002/WORLD/asiapcf/south/06/07/india.pakistan/

rejuvenation of the region's economic fundamentals off of both countries and place it securely on the shoulders of the international community, providing further incentive for both sides, which are wasting vast amounts of money on huge military buildups and nuclear weapons programs, to engage in collaborative, not destructive efforts. The next section, Section II, will detail this international solution, highlighting the fact that the framework necessary to reach this solution *already exists* in the form of the South Asian Association of Regional Cooperation, or SAARC.

Section II: The SAARC Framework and its Implications on the Kashmir Conflict

It is clear that the South Asian Association of Regional Cooperation (SAARC) bloc will need to play a crucial role in providing the framework through which the Kashmir conflict can be solved. SAARC is a potentially powerful political and trading bloc that is capable of greatly reducing nationalistic passions and encouraging cooperation between its member states. SAARC, whose member states are India, Pakistan, Sri Lanka, Nepal, Bangladesh, Bhutan and Maldives, was formed in 1985 with the following purpose:

> To promote the well-being of the populations of [sub-continental] South Asia and improve their standard of living; to speed up economic growth, social progress and cultural development; to reinforce links between the countries of this area; and, lastly, to promote mutual collaboration and assistance in the economic, social, cultural, technical and scientific fields.[vii]

Unfortunately, the levels of cooperation spurred by SAARC so far among its member states have been less than satisfactory because of the obstinate natures of its two largest members, India and Pakistan. Intra-SAARC trade is abysmally low, as detailed later, and India and Pakistan routinely slap trade sanctions against one another. Scientific collaboration between member states has also been held back greatly. Further, the cultural links between these once-joined states have been strained by the nationalistic tendencies of neo-conservative groups on both sides.

The same could be said of France and Germany at one point in history, however. Now, both are collaborating extensively in many different realms of society

under the auspices of the European Union. In South Asia, if certain structural changes, detailed later, are implemented, SAARC stands to be one of the most vibrant blocs in the world - by encouraging intra-regional trade on the par of two other major blocs, North American Free Trade Agreement nations and the European Union (EU), it will force its member states, through their shared dependencies, to cooperate economically. This cooperation, which is sorely lacking presently, will lead to levels of cooperation in all realms of society among the SAARC members, namely between India and Pakistan, that have not been seen since the British entered the Subcontinent in the 18th century.

As detailed in "An Alternate Vision", the following three structural SAARC changes are necessary to truly create such a powerful framework:

(1) The immediate abandonment of most, but not all, of the regional defense forces; (2) Increased cross-border trade; And (3) the establishment of a new SAARC constitution which shall institute a federal political structure across SAARC nations in which each member-state will have its "central government" functions (e.g. foreign policy, defense, monetary policy etc.) determined though a centralized SAARC ruling body and bureaucracy based in a neutral area in one of the member states.[viii]

The above three structural changes require the complete commitment of the world community to provide both India and Pakistan proper incentive to give up their territorial ambitions and undertake this mutually beneficial plan. Regarding the first point, as explored in "An Alternate Vision", third party international peacekeeping troops, potentially UN forces, must be deployed at the Line of Control between India-

controlled Kashmir and Pakistani-controlled Kashmir. These troops are needed to assure both sides that they can pull back their troops and not be worried of a potential invasion, as occurred in 1999 when General Musharraf of Pakistan led an invasion into a portion of India-held Kashmir called Kargil.
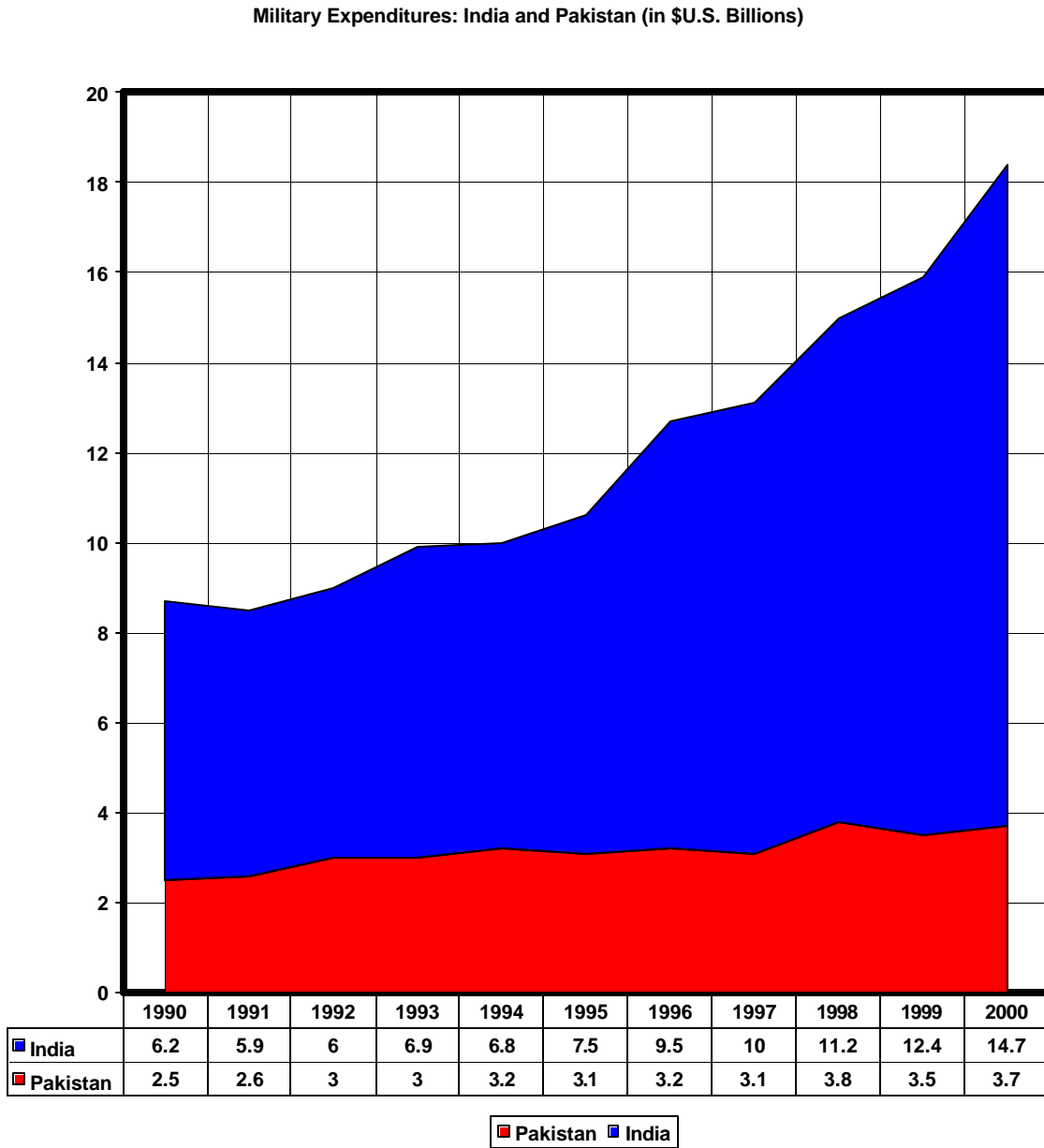

Concerning the second point, the world community must also commit to providing sufficient economic resources to spur intra-SAARC trade and boost the ravaged economy of Kashmir. As Mallika Paulraj noted in her proposal, Japan has played a major role in the past in providing vital funds toward infrastructure development in countries such as Egypt. This must continue, with the JBIC and other international financial institutions such as the World Bank financing the Kashmir effort, with the money allocated by the local Kashmiri governing body. As explored in "An Alternate Vision", the required funds from international sources are minimal:

Jammu-Kashmir had a state budget of approximately Rs. 50 billion in 2001-02, while Azad Kashmir had a state budget of Rs. 9.9 billion. By roughly combining these budgets, the *absolute minimum* amount of money to be provided by the world community is approximately Rs. 60 billion, or $1.2 billion.[ix]

The above figure is absolutely minimal when spread over various international financial agencies, and the potential benefit to the region and indeed the world is incalculable. South Asia's military and nuclear arms race (see Figures 3-4) would be completely disabled due to improved relations between India and Pakistan, and Kashmir's once thriving tourist industry would solidly bounce back. Also, the telecom industry must be revitalized as was analyzed in the proposal put forth by **Danish Ali Lakhani**. Further, in the long term, the international funds must be dedicated towards the following sectors in

Figure 3
Military Expenditures: India and Pakistan (in $U.S. Billions) from 1990-2000

Military Expenditures: India and Pakistan (in $U.S. Billions)

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
■ India	6.2	5.9	6	6.9	6.8	7.5	9.5	10	11.2	12.4	14.7
■ Pakistan	2.5	2.6	3	3	3.2	3.1	3.2	3.1	3.8	3.5	3.7

■ Pakistan ■ India

Source: Anthony Cordesman, <u>Center for Strategic and International Studies</u>, http://www.csis.org/burke/mb/india_pak_mb.pdf, May 2002, Table: India-Pakistani Military Expenditures 1988-2001.

Figure 4
Nuclear Stockpiles: India and Pakistan as of 2002

Source: http://edition.cnn.com/SPECIALS/2002/kashmir/
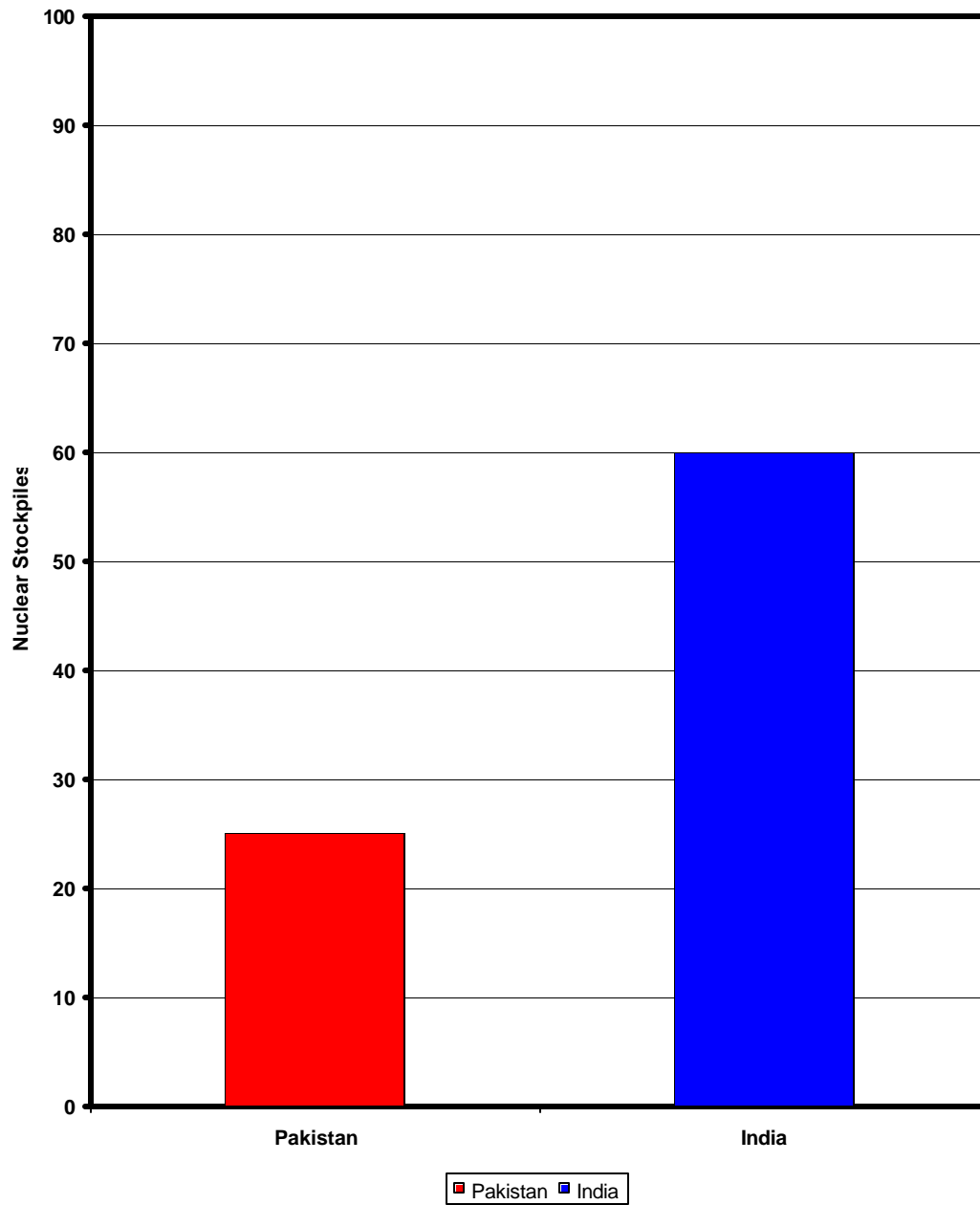
order to boost the Kashmiri economy from the most fundamental level, as detailed in "An Alternate Vision":[x]

- Education
- Agriculture based industry
- Electronics
- Telecommunications
- Textiles
- Tourism

By properly allocating the international funds to *local bodies* within Kashmir that have the power of allocating these funds as they choose, as Mr. Arakawa, a guest lecturer in the Ethics of Development in a Global Environment series, stated, Kashmir can truly rejuvenate its economy in the above-mentioned sectors.[xi] Also, by serving as the vital "buffer zone" between India and Pakistan, the level of trade in the SAARC region will grow exponentially, as discussed later.

The third point regarding the establishment of autonomous SAARC member states is extremely important as well. As is the case in other land/nation disputes, such as that between China and Taiwan, an effective method of dealing with the issue is by keeping its political status fairly vague. By establishing these SAARC states, a "buffer" zone will be created between India and Pakistan in the form of a new, autonomous Kashmir, which will internationalize the issue and rid the conflict of the harsh nationalism that characterizes it today. In this way, neither country will inflame the jingoistic passions of its people by claiming the entirety of Kashmir – instead, both sides will be enticed to cooperate economically in order to reap the benefits of

the newly created free trade zone and the huge international investments made by organizations such as the World Bank and the JBIC.

After these fundamental changes take place, the implications for the region are enormous, the greatest being the potential solution of the Kashmir crisis. As alluded to earlier, by allowing the Kashmiris complete autonomy, the growth of trade between India and Pakistan, and more generally, between all SAARC members, will be absolutely enormous. As seen in the below quote, the current figures for intra-SAARC trade are unacceptably low:

> SAARC, tragically, is the world's only region, which has failed to tap the potential for social-cultural exchange and economic cooperation, with the continuation of war and cold war in the region between India and Pakistan. Intra-SAARC trade is dismally as low as 4% and the collective share of the region in world trade was just 1%.[xii]

These percentages are not commensurate with the SAARC members' collective size, as seen in the below table:

Table 1

SAARC Region (7 Countries)			
	1996	**1999**	**2000**
Population	1.3 bn	1.3bn	1.4bn
Population Growth Annual %	1.9%	1.9%	
Life Expectancy		62.6	
GNI Per Capita ($)	410	440	460
GDP (Current $)	513.7 bn	581 bn	620.3 bn
GDP Growth	6.4	5.8	
Export of Goods and Services % of GDP	12.4	13.4	13.1
Import of Goods and Services	17.2	16.9	17.0

Source: World Development Indicators, July 2001

Thus, with the transformation of Kashmir into an autonomous "buffer zone" between India and Pakistan, total free exchange can finally be a reality in South Asia. As explored in "An Alternate Vision", the exponential growth of intra-SAARC trade will have enormous implications for both India and Pakistan. The greatly improved sense of camaraderie between the two will lead to a dilution of nationalistic sentiment, which will lead to a vast improvement in their relationship in the realms of culture, religion and society. The newly autonomous Kashmir will provide the launching point for potential cooperation in numerous sectors, leading to the eventual erasure of the artificial geographic boundaries created by the British Raj.

Section III: Initial Steps to Lasting Peace in Kashmir: Conflict Resolution Models

While it is clear that the establishment of SAARC as the overarching framework for the resolution of the Kashmir crisis is necessary, the initial steps

needed to approach such a solution are elusive, as seen by the repeated failures by both India and Pakistan to work towards a collaborative solution in the fifty-six years of their existence. This section of the proposal will provide a background of conflict resolution and will analyze several relevant conflict resolution models that are applicable towards this conflict.

The Importance of Conflict Resolution

No policy proposal can be complete without examining how a policy can be realistically implemented, going from theory to practice. Here, after our thorough discussion of suggested policy and history of the Kashmir conflict, we examine the practical implementations of working towards a resolution. This discussion is framed under a conflict-resolution framework for a number of reasons: First, the psychological principles operating in this conflict are measurable and, arguably, changeable. Second, they are having an immense influence in perceptions of the conflict itself; in other words, if both sides were somehow given precisely what they want, there would likely *still* be conflict. Finally, we have several robust models and case studies that can inform this conflict, all of which will be examined in detail.

The goal of this section is to provide policymakers a comprehensive document that examines both policy discussions and conflict-resolution models—the result of which will allow an informed decision with respect to a fuller range of issues surrounding the Kashmir conflict.

What is Conflict Resolution?

Conflict resolution seeks to help "resolve" conflict—the results of which can take many forms. We know from decades of conflict-resolution research that there are certain processes that underlie most interpersonal and group conflicts. Accordingly, researchers and practitioners have developed techniques to manage conflict. Some of these can measurably change attitudes and behaviors, but because of the inherent complexity of some conflicts—international disputes, for instance—causal links are sometimes difficult to prove.

In any case, different forms of conflict resolution take place every day; for example, negotiation in law firms, communication in a personal relationship, or mediation in a neighborhood dispute. By examining the underlying techniques used in relevant conflict-resolution models and practices, we can begin to gain a fuller understanding of the Kashmir conflict.

The Role of Power

Power, the "ability to influence or control events," is often misunderstood because of its vernacular use (Folger et al.). A critically important aspect is that power is largely useful if and when others "endorse it". (Jewell and Reitz, 1981; qtd. in Folger et al.) Because of the relative ease of studying power in individuals, researchers have discovered countless examples of resources that they can use to impart and control power. Some examples include the following:

- Special skills or abilities
- Time

- Expertise about the task at hand

- Personal attractiveness or likeability

- Control over rewards and/or punishments

- Formal position in a group or organization

- Loyal Allies

- Persuasive Skills

- Control over critical group possessions

A review of the literature reveals how profound the role of power can be in conflicts. The relational view of power holds that those who have it do because the less-powerful group endorses the resources. These usually implicit endorsements take place both in interactions and over a long period of time. Research by Moore (1968) reveals how individuals change their opinion (i.e., allow themselves to be more readily influenced) when dealing with a perceived high-power individuals; other researchers have extrapolated these findings to search for corroborations in larger-scale conflicts.

We also know that deindividuation plays a role in power relations. Deindividuation essentially describes our tendency to dehumanize others by highlighting selective, usually negative, aspects of an out group; Zimbardo has been the primary pioneer in interpersonal deindividuation research (Sethi). As Folger et al. write,

In every war in which the United States has been involved during the

past century, examples of deindividuated names and labels for enemies,

including the civilian populations, have surfaced. Such labels as

"Krauts" and "Gooks" allow us to act aggressively without regulation

or remorse.

A Step Back

The Perils of Strength

How, then, can we situation the conflict between India and Pakistan in light of

the research on power? First, we must recognize that India holds power in many key

areas, such as military strength and population. Is having a demonstrably greater

strength always an advantage?

Not always: Power can greatly diminish once it is used (Folger et al.). The

power aspect also "may prove in retrospect far less severe than it actually appeared in

prospect…" (Bachrach and Baratz, pg. 29; qtd. in Folger et al.). In other words, the

threat of strength may be stronger than the actual use of it.

There are more problems with a one-sided conflict. Lee Ross' Fundamental

Attribution Error is valuable here: Often, an upward spiral of conflict results from

dispositional attributions. For example, Raven and Kruglanski (1970; qtd. in Folger et

al.) illustrate this by describing a strong entity that believes the weaker group resents

its power; accordingly, they reason, the weaker group will be unfriendly. This serves

as justification for the stronger group to make ever-stricter demands and enforcement,

making a dispositional (not situational) attribution. The likely result—and unfriendly response from the weaker party—"confirms" the stronger party's hunch and causes and increasing spiral of conflict and distrust.

Finally, the stronger group often determines the framework and methods for reaching a solution, resulting in a limit on the weaker group's ability to formulate constructive solutions. *This relationship is displayed* in the relationship between India and Pakistan today. Because India is superior in size and conventional military power, its governments often attempt to dictate the terms of any potential talks with Pakistan. The Bharatiya Janata Party (BJP) ruling national party in India has repeatedly rejected any international mediation in the Kashmir conflict, stating that it was a "bilateral conflict" and that "Kashmir is an integral part of India."[xiii] Pakistan, meanwhile, reacting to being backed into a corner when threatened by invasion by Indian armed forces as in the summer of 2002, has lashed out aggressively, threatening to use nuclear weapons in a first-use policy. This action, the Pakistani government has explained, is necessary to ensure its existence in the face of an Indian onslaught.[xiv] In analyzing this imbalanced relationship, in which the more powerful Indian government dictates terms and the weaker Pakistani government responds with wild threats, it is clear how this conflict has raged for so long.

The reasons above have contextualized the nature of conflict when one party is stronger than the other; we have shown there are often counterintuitive benefits and

disadvantages to being the strong or weak party. We now move to discussing the core morels of conflict.

Models of Conflict

Three relevant models of conflict give us a rich understanding of the underlying factors transpiring in Kashmir: The Aggressor-Defender Model, the Conflict Spiral, and the Structural Change Model (Pruitt and Rubin).

- *The Aggressor-Defender Model: In this model,* one party ("the aggressor") escalates its use of tactics to obtain some goals while the other party behaves reactively. "Escalation persists until the aggressor either wins or gives up trying," Pruitt and Rubin write. They give the example of the Soviets attempting to block West German unification, but conclude that this model is "useful but incomplete." A final point to consider: In historical, complicated conflicts such as the Israeli-Palestinian dispute, it is unclear which side is which; both sides have reacted, instigated, and otherwise blurred the lines of distinction.

Figure 5
Indian Border Security Force officers in Srinagar Getty Images, 03-27-2002.

Source: Getty Images, 03-27-02

- *The Conflict-Spiral Model*: This is a highly descriptive model of conflict that is both intuitive and illuminating. An aggressive spiral, also called a retaliatory spiral, involves each side punishing the other for some negative behavior. A defensive spiral describes each party "react[ing] so as to protect itself from a threat it finds in the other's self-protective actions" (Pruitt and Rubin). This model's key insight is that conflict is almost always a bi-directional process— a point often missed by participants in the conflict itself. These participants often misattribute attitudes, intentions, and behaviors to the "enemy" group without realizing that their behavior is based, in part, on the behavior of their own group.

- *The Structural Change model*: This model describes how conflict typically leaves "residues" in affected communities, creating three types of structural changes that contribute to the persistence of even more conflict: "psychological changes, changes in groups and other collectives, and changes in the community surrounding the parties" (Pruitt and Rubin). This article may be consulted for a comprehensive explanation of the model (with examples), but we provide an overview here. Psychological changes essentially describe the changes in attitudes that affected people will come to have, including distrust and a higher likelihood of attributing negative

outcomes to the outgroup. A group's members may also develop zero-sum thinking ("either we win or they win")—an almost certain catalyst for increase conflict. Structural changes typically include increased cohesiveness, more militant leadership, and greater polarization in attitudes. Even on an individual level, "crosscutting relationships" are likely to end, such that unit cohesiveness can be achieved.

Psychological Changes: Further Examination

The Mirror-Image Hypothesis

The remainder of the article contains countless fascinating insights on the mechanics of conflict, including the need to punish others, the role of anger and forgiveness,

Figure 6
Indian Army soldiers at the base camp in the foothills of the Himalayas
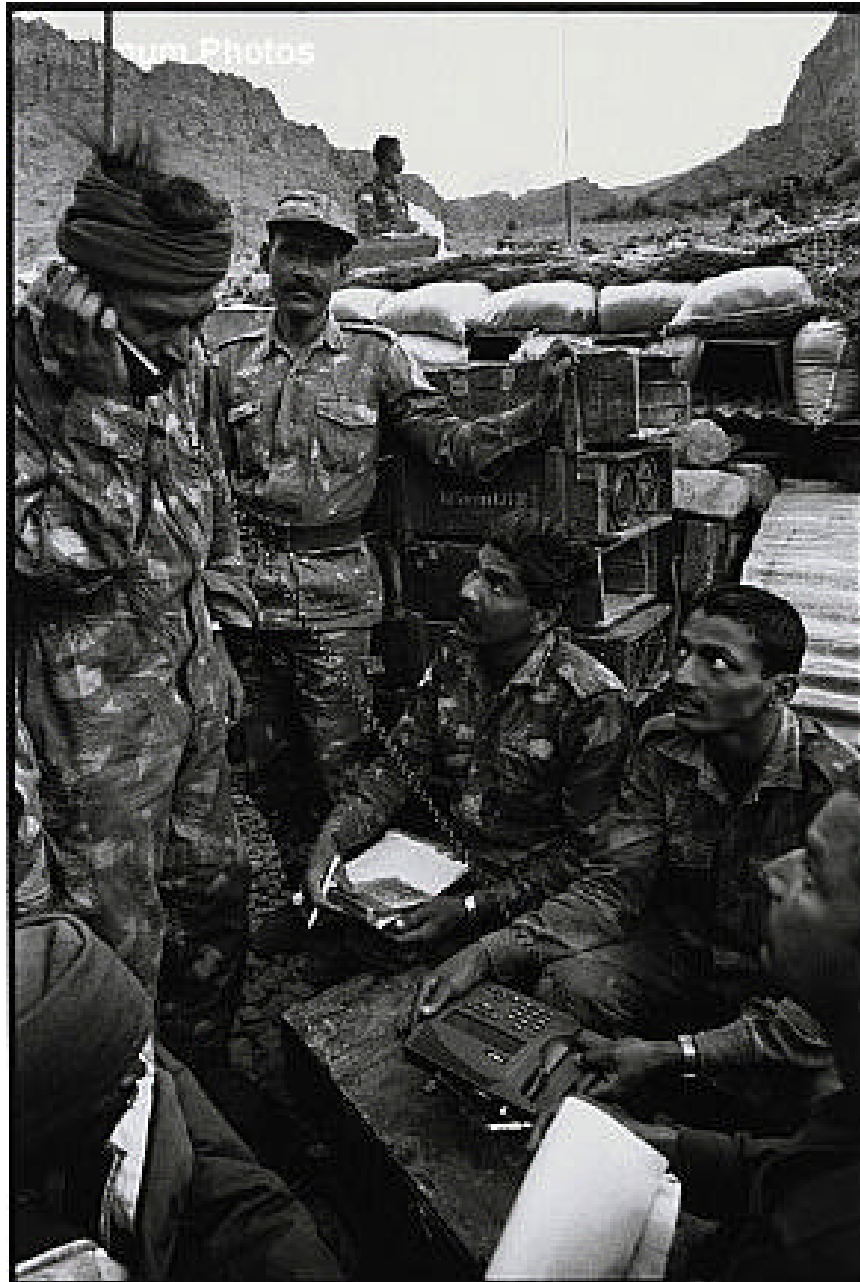
Source: Magnum Photos, 01-01-1999.

and displacement. One item of interest worth further examination is the mirror-image

hypothesis, which essentially posits that the negative feelings, attributions, and

attitudes we hold towards and outgroup are generally identical on the other side during a conflict. Therefore, for clues on how to negotiate conflict, an excellent first step is simply to measure our own attitudes and perceptions. This is *the case in the Kashmir conflict today*, as General Musharraf of Pakistan attributed the problem to the "rigidity and obstinacy of India"[xv], while Prime Minister Vajpayee attributed the conflict to "cross-border terrorism" sponsored by Pakistan.[xvi]

Group Polarization

Finally, one more point is critical for understanding this area of conflict: group polarization. Try to remember the last time you were in a group with a single-minded focus (especially a competitive group). The social influence of such groups is extremely powerful—to say nothing of a multi-generational conflict that surrounds some communities. In that case, responses to surrounding stimuli are predictably polarized; the literature even indicates how relatively objective outsiders may join the group and report measurably polarized attitudes in a short period of time. This is a vital point for understanding why people act the way they do.

Barriers to Conflict Resolution

With a very basic sense of conflict having been described, we move now to how those factors contribute to make a very difficult problem to solve. In other words, if we know so much about the nature of conflict and the factors contributing to it, why can't we solve it quickly and easily?

The answer is at once sobering and promising: There are many fundamental psychological and structural barriers to conflict resolution that typically occur in large-scale conflicts. The bad news is that some of these barriers are deep-sated and difficult to change. However, there is promising research that continues in conflict resolution and social psychology; furthermore, once we identify the barriers, we can target our approaches to managing and negotiating them.

Here, then, is a small sample of some barriers to conflict resolution.

- Secrecy or deception

- Hardball tactics

- Equity or justice seeking

- Biases in assimilation or construal

- Reactive devaluation of concessions or compromises

- Loss aversion

- Judgmental overconfidence

- Dissonance reduction and avoidance

- Restricted channels of information and communication

- Multiple interest groups

- Principal/agent problem

Figure 7
An Indian tank sits under camouflage netting near the India-Pakistan border

Source: KRT Photos, 01-10-2002.

Since some of these factors are slightly complex, we will clarify selected barriers here.

- *Hardball tactics*: Mnookin and Ross do an excellent job of describing this concept:

    Even when both parties in a negotiation know all the relevant information and are fully aware of the potential gains available from a negotiated deal, strategic bargaining over how to divide the pie can still lead to deadlock (with no deal at all), or to protracted and expensive bargaining that essentially shrinks the pie. Suppose, for example, that Selma has a house for sale for which she has a reservation price of $245,000, and suppose further that Barbara is willing to pay up to $295,000 for the house. Any deal within a bargaining range of $245,000 to $295,000 would make both parties better off than they would be if no sale occurred at all…[The authors give several examples of strategies that could negate the sale and conclude with this one.] Selma might claim that she won't take a nickel less than $285,000, or even $294,999 for that matter. Indeed, she might go so far as to give a power of attorney to an agent to sell only at that price (or at least tell Barbara that she has done so) and then leave town in order to make her claim credible. Of course, Barbara could play the same type of strategy,

with the result that no deal is made, and both parties suffer for their strategic display of intransigence.

- *Equity or justice seeking*: Based in part on the principle of reciprocity (as best described by persuasion pioneer Robert Cialdini), equity research has shown that the average person is aware of and abides by the equity principle; that is, if two people have contributed equally to a project or have invested equal resources, they should be rewarded equally. "..the most common offer is a fifty-fifty split, and extremely unequal offers are relatively uncommon…" (Mnookin and Ross). However, in the real world, such distinctions become troublesome. Who knows who first started the conflict? When two parties bring completely different contributions to the table, it is extremely difficult to weigh each claim's value. Furthermore, when the parties have adopted an adversarial stance, the proceedings become exceedingly difficult to conduct constructively. *This is reflected in the Kashmir conflict today*, as both sides claim the other instigated the fight over the land. India claims that Pakistan is unfairly trying to claim its land, rightfully ceded to it by Hari Singh in 1947, because it Kashmir is a Muslim-dominated state, while Pakistan claims that the land actually belongs to them, which they are confident a U.N. plebiscite for the Kashmiris would support.

- The authors come to a rather surprising conclusion: "Our observation here is simply that the explicit pursuit of fairness or proportionality may itself pose a

barrier to dispute resolution." This is an entirely counterintuitive suggestion, but when taken together with equity research, their conclusion of setting aside "fair" arguments—and instead seeking a solution that offers some advantage to each party—is interesting and worth considering.

Figure 8
Foreigners are no longer allowed past a Military checkpoint on the Kashmir Highway

Source: KRT Photos, 01-10-2002.

- *Biases in assimilation and construal*: One of social psychology's cardinal teachings is that our perceptions are fundamentally biased. Whether it is eyewitness accounts or justifications for our own attitudes or behaviors, we regularly create and shape our own realities in a biased fashion. There have

been literally thousands of studies examining different aspects of biased construal, but here we focus on conflict:

> Cognitive and motivational biases alike thus lead disputants to feel that they have acted more honorably in the past, have been more sinned against than sinning, and are seeking no more than that to which they are entitled. Each side in the dispute, moreover, is apt to feel that *its* interests are the original ones that most require protection in any future agreement…And, when its adversaries make parallel claims, or when third parties offer relatively evenhanded summaries of the past or commentaries about the legitimacy of respective claims, each side is apt to perceive bias in such effort and to infer unreasonableness, hostility, or devious strategic intent on the part of that third party. (Mnookin and Ross)

- *Reactive devaluation of compromises and concessions*: Put simply, this refers to our tendency to devalue an offer once it is offered. This is a profoundly interesting and peculiar aspect of our cognitive reasoning: It seems that, for a concession we might be seeking, once it is made available we will regard it as less valuable.

- *Loss aversion*: As we know from extensive literature in persuasion, people are motivated more by avoiding loss than by the potential for gain. This explains why many factions around the world have decade-long conflict: Losing something can hurt more than almost anything.

- *Dissonance reduction and avoidance*: A simple explanation of cognitive dissonance is that it is the process by which we resolve two opposing opinions. Negotiators and group members who are confronted with a potential offer in the India-Pakistan debate undoubtedly undergo this process. This can take place when they reject offers, which they then rationalize by polarizing it ("It was very one-sided; we had to reject it"). Alternatively, they might use dissonance to support the idea of staying in the conflict; after all, if they accept this offer, they could have accepted it two years ago without all the additional suffering they endured.

- *Multiple interest groups*: In India and Pakistan, there are not only primary bodies of negotiation. Instead, there are dozens—maybe hundreds—of political, social, and religious interests at play. Negotiating such a dispute is a challenge at best; it is nearly impossible to convince so many groups that they must sacrifice something in order to gain. This is particularly true in light of the biased-processing principle explained above.

Solutions from Conflict Resolution

Although the barriers to conflict resolution are numerous, theorists and practitioners have worked on conflicts toward a lasting peace. Here, we examine what kinds of solutions are likely to be considered constructive.

Most disputes are settled by a compromise, an agreement "reached when both parties concede to some middle ground along an obvious dimension" (for example,

50/50) (Pruitt and Rubin). However, compromises are not the only type of solution,

and may in fact be overly simplistic for disputes of Kashmir's magnitude. For

Figure 9
**Members of the Rapid Action Force arrive at the site of the India-Pakistan summit.
Agence France Presse**

Source: Agence France Presse 07-16-2001.

conflicts of such complexity, integrative solutions present an option whereby both parties' interests are reconciled, or integrated. This type of solution indicates that resolution is not a zero-sum game; one side does not necessarily have to lose in order for the other to gain. Both can gain if some concessions are made.

Expanding the pie is a classic integrative solution that expands the available resources for debate. It deals primarily with resources that are initially in scarcity (vacation days, for example) and then seeks to expand those resources. In certain cases, this can prove to be a successful strategy, assuming the conflict deals with a resource shortage and strategies for expanding those resources can be found.

Nonspecific compensation is another interesting strategy. "In nonspecific compensation, Party gets what he or she wants, and Other is repaid in some unrelated coin" (Pruitt and Rubin). There can be several problems with this approach—for instance, the appropriateness of the nonspecific compensation and its value—but it can be a successful strategy in some cases. Practitioners should ask the correct questions ("What does the other party value that I can supply? How valuable is this to the other party? How much is the other party hurting in conceding to me?") to judge this technique's value (Pruitt and Rubin).

Logrolling describes each party's prioritization of what demands are relatively important and non-important. The literature indicates a number of problems that are rather obvious with this approach. Parties are not always willing to disclose the priorities of their demands, nor are they completely rational in assuming what others'

are. However, there are solutions for these: Parties can continue through a trial-and-error process by offering various combinations of proposals, judging what appears to be important and non-important to the other party.

Cost-cutting is an ill-named principle that essentially describes a process in which the first party get what he or she wants, while the other has his or her costs eliminated. "Cost" in this case refers to anything that party does not want. In an applied sense, this technique can be particularly valuable when combined with others. Parties should ask themselves what costs the other party has and consider whether there might be any way to cut that party's costs.

Pruitt and Rubin also highlight bridging, where "neither party achieves its initial demands, but a new option is devised that satisfied most important interests underlying those demands." This is a key point of conflict resolution: to focus not on positions ("I want X") but interests ("This is why I want X"), which allows both parties to understand each other much better. The authors use an excellent example of a reframing strategy—not "should we do this?" but "how do we do this?" Whatever technique is used to make the negotiation constructive is the best technique for the conflict.

Section IV: Conclusion

The purpose of our proposal has been two-fold: First, to detail the historical background of the Kashmir conflict and present the SAARC framework as the most effective policy recommendation for its solution; second, to extend that proposal to include the conflict-negotiation skills and background that will undoubtedly be

necessary to ensure any chance of success. **Our analysis of contributing historical, cultural, and religious factors clearly demonstrates that a solution can be reached by taking into account the multiple interests present**. However, it will not be easy: The conflict has not persevered for lack of trying or intelligent people. Indeed, even today, with both unprecedented tension and cooperation, there still remains much to be accomplished. *A large part of any future chance of success involves a full, relatively objective knowledge of past events and a holistic view of future prospects.* Our historical and policy discussions have made clear exactly what elements are a beginning platform for deeper understanding. As we have discussed, another absolutely crucial aspect is the conflict-negotiation skills that must be exercised in the conflict. With the techniques outlined in this paper under the auspices of the international framework provided by SAARC, negotiations will be greatly improved and refocused to improve communication and give each side a clear voice in expressing its desires for a peaceful future.

Figure 10
Indian Prime Minister Atal B. Vajpayee Shaking Hands with Pakistani Prime Minister General Pervez Musharraf at SAARC meeting in January 2002

Source: http://news.bbc.co.uk/hi/spanish/news/ newsid_1742000/1742153.stm

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