



“KASHMIR CONFLICT: TRACING THE ROOT CAUSE AND SUGGESTING THE SOLUTION”

History

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ABSTRACT

Kashmir, once known for its mesmerizing beauty, peace and tolerance in the world, has now been seen as a bloody conflict zone, since 1989. Over the years, numbers of Confidence Building Measures (CBMs) were taken by India and Pakistan, but all the initiatives fail to bring long-term peace in the region. The study will try to analyze the interests of the different stakeholders in order to find a peaceful, acceptable, and achievable solution to the conflict region. On the basis of Stakeholder Analysis the paper argues that India and Pakistan need to go beyond existing nonengagement and occasional bilateral policy of negotiation to trilateral negotiation by engaging Kashmiri political leadership to get the win-win, peaceful resolution of the conflict.

KEYWORDS

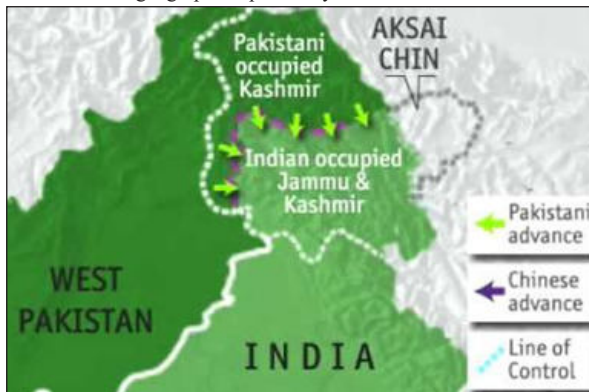
Kashmir, Indo-Pak rivalry, security, Human Right violations

INTRODUCTION

Conflicts whether for a smaller or a bigger cause, whether it aims to serve economic or political interest, before they could achieve their goal, they disrupt the normal way of life. Every conflict is unique in nature. The Jammu and Kashmir (hereafter Kashmir) which was once known for its mesmerizing beauty, peace and tolerance in the world, has now been discussed as a bloody conflict zone, since 1989; when the peaceful movement of resistance against India took ugly turn.

Geographical identity of Kashmir

The state of Jammu and Kashmir is located approximately between 32° 15" and 37° 17", North latitudes and 72° 35" and 80° 20", East longitudes with a total area of 222,236.2 sq. kms. constituting about 7% percent of the total land area of India. The state has a strong genetic relationship with the Himalayas, which exercises an important influence on its geographical proximity.



Source: Wikipedia.org

Historical Background Of Kashmir

The earliest kingdoms in Kashmir, according to tradition, existed before B. C. 2,000, known throughout its recorded history as Kashmira, in its original Sanskrit form, the name still lives as Kashmir, in Persian spelling Kashmir, which is its modern version. The name itself, undoubtedly, is far more ancient. It is important to understand the background of the conflict that the Hindu-Muslim communal conflict is the outcome of British imperialist policy “Divide and Rule.” In British India, there were sharp conflicts between these two groups of people. As a result, the British India was divided into two parts along religious lines and India and Pakistan came into being as two separate states based on the „Two-nation” theory in 1947. These two countries experienced a communal holocaust with some 800,000 casualties. Therefore it is argued that the Kashmir problem is actually dates back to the partition of British India.

Factors That Contributed To Make Kashmir Conflict Protracted

Both internal and external factors have contributed to make the Kashmir problem intractable. The deep-rooted mutual hostility between India and Pakistan is thought to be the major factor for the

Kashmir conflict. The conflict theory argues that conflict is occurred between parties mostly on the basis of the non-negotiable goals. The parties perceive with each other as enemy in terms of seeking their vital interests. When their behaviors become violent and aggressive because of the existing contradictions, conflict escalates and takes the form of violence. In case of Kashmir conflict we can see that the conflict has originated on the incompatible goal, that is “possession of Kashmir”. The parties seek to achieve this goal. Therefore, there is no any space for compromise on the issue of Kashmir because the issue is absolutely the matter of nonnegotiable goal. To the citizens whose basic identity is with Pakistan, the only legitimate unit of governance is Pakistan. On the other hand, the only legitimate unit of governance is India to the citizens which basic identity is with India.

Nature Of Politics Of Both India And Pakistan

The nature of politics of both India and Pakistan has been such that resolution of Kashmir problem is not so easy and possible. Pakistan was created on the basis of religion „Islam”. Another factor is that Pakistan was dominated by military personnel for most of the time since its emergence. Therefore, Pakistan could not come in a compromise. India politics is not also conducive for compromise with Pakistan on Kashmir issue. Although, India was established on the basis of secular ideology, Hindu identity has played and is still playing key role in India especially, it becomes clear when Hindu-Chauvinistic BJP emphasized the point that Muslims in India have been unduly pampered it has made the question of Kashmir's special status in the Indian Union as enshrined in Article 370's of India's constitution as its whipping boy.



Source: (Kashmir Global, 2012)

The Consequences Of Kashmir Conflict

1)forced Displacement And Refugees A report states that the 1998 armed conflict between India and Pakistan produces a large number of displaced peoples. Over 2,200 families, comprising 11,884 persons had migrated from Doda, Udhampur, Poonch and Rajouri regions, and more than 400 of these families took shelter in the Talwara camp in Reasi in Udhampur district. According to the report of Ministry of Home Affairs in 2005-06, around 55,476 Kashmiri Pandit families had been displaced owing to the armed conflict in Jammu and Kashmir since early 1990. Of them, 34,088 families had been living in Jammu, 19,338 families in Delhi and 2,050 families in other States and Union Territories.

2) Death Kashmir conflict is one of the causes of violation of human rights in South Asia. It has resulted death of thousands of people.

3) Gross human rights violation Conflict and violence involves gross human rights violation. In a conflicting zone, women are raped; children are killed; people are forced to flee. Therefore, the issue of Kashmir conflict is the issue of gross human rights violation. According to a report published in the Tribune in March 26, 2003, hundreds of people had gone missing in the State since the internal armed conflict began in 1990.

4) Widespread violence Widespread violence is the companion of conflict and violence. Since 1947 there have been many massacres in the Kashmir. Violence was the life of Kashmir. There had and has no peace; no security; no happiness; and no fair environment. Violence is still following here.

5) Psychological Impacts The psychological impact of conflict and violence is ever lasting. During the war, many lost their beloved persons that injure them psychologically. To clear it, we can take the example of Japanese who lost many things in the world War Second. There are many such kind of stories in the region of Kashmir.

6) The Vulnerability of Women Conflict and violence cause a serious vulnerability of women. Particularly, women and children are the sufferers of any conflict and violence. Women and children remained extremely vulnerable. The Government only paid a meager amount of stipend or cash relief to those women and children whose husbands and parents were killed by the AOGs but did not provide any help to those whose family members were killed by the security forces. According to the report of Public Commission on Human Rights, there were about 25,000-30,000 widows whose husbands were brutally killed by the security forces. According to Yateem Trust, an NGO working with orphans and widows in Kashmir, there were about 15,308 orphans whose fathers were killed by the security forces.

The Kashmir Conflict and the UN The Kashmir issue drew the consideration of the UN in 1948 when India firstly raised the issue in the UN. The UN has adopted many initiatives with an eye to resolve this prolonged conflict in various times. The Security Council calls upon both countries to take immediately all measures within their power calculated to improve the situation. The United Nations Commission for India and Pakistan, in 1948, gave some proposals to both countries. a. Cease-fire order b. Truce agreement c. The government of India and Pakistan reaffirm their wish that the future status of the state of Jammu and Kashmir shall be determined in accordance with the will of the people of the state. The Commission made another resolution on 5 January, 1949. The Commission urged both countries to accept the principle of "the question of the accession of the state of Jammu and Kashmir to India or Pakistan would be decided through democratic method of a free and impartial plebiscite." UN is absolutely failure to put the Kashmir problem to an end. It is also equally true that the role of the UN can not be ignored to prevent the parties from the nuclear war. It is also creating pressure as well as encouraging the parties to reach an effective and fruitful negotiation.

How can the Kashmir conflict be solved?

The late Indian PM Lal Bahadur Shastri put the matter in a nutshell in his speech at the opening session of the Tashkent Meeting in January, 1966. "Respect for each other's sovereignty is essential for peace and good relations. Once this has been clearly accepted, the whole character of Indo-Pakistan relationship could be transformed to the benefit of the people of both countries." Scholars have provided some recommendations to address the protracted Kashmir conflict which are as follows;

- i. In terms of addressing the violent insurgency movement, also termed as terrorism in the region, although both governments have recognized to fight it jointly, measures such as arresting leaders and banning schools associated with religious indoctrination may get rid of the preachers and perpetrators of terrorism, but not the ideology nor the underlying causes of it.
- ii. The peace process has to also address the oppressive policies and the propaganda fuelling the movement.
- iii. Increase accountability, expanding people to people contact and the deliberation on effective devolution of powers among different regions to meet their aspirations.
- iv. The following major possible solutions have been put forward from time to time to resolve the dispute of Kashmir.

- a. Line of Control (LOC) as International Border
- b. Independent Kashmir.
- c. United Nations Trusteeship
- d. Good Friday Agreement.
- e. Exercise of cultural diplomacy

CONCLUSION

The history of international relations in the region has been marked more by conflict than co-operation. The region is experiencing the Kashmir conflict, one of the protracted conflicts in the world which is known as time-bomb for the South Asia. It is high time for realization of the importance of resolution of this conflict. It is widely recognized that the peace and prosperity of South Asia is mostly depending on the future of this conflict.

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