Conclusion
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When an innocent citizen in the country is anxious to be left to himself to work quietly and achieve his ambitions, it is the state to a large extent that has to provide him the atmosphere to do so. He does not want to eternally live in a world of uncertainties, in a world of commotion, chaos and riots. Conflicts are inevitable because resources and time are limited or alternative courses of action are usually numerous. In a world where technologies of destruction can destroy human life twenty times over, and where the technologies of production, services and communication are sophisticated and vulnerable, conflict is not a good; it leads towards genocide, annihilation, and mass destruction. It is a way, which is against the development of human civilizations. In the 21st century, modern states seek security through arms and ammunitions in order to avoid threat perception. In the present era people need security, upliftment and dignified life, for dignified life they need to enjoy all fundamental rights but some how their rights are not safe that is the reason they are dissatisfied. This marginalization caused different uprisings against the state. It is important to note to mention here that sate came into existence for the well-being of the people if state will fail in functioning of its primary duties then definitely revolution, and anti state movements will start. History is replete that human beings engage in conflict, aggression, warfare, violence seemingly equate with the human condition.

However, on the other side, people are peace loving and cooperative beings, they try to minimize and mitigate conflicts and want to live in peace, and for this purpose, they adopt different strategies to sort-out and resolve the conflicts through peaceful means and by adopting conflict resolution mechanism. Conflict resolution as a field has emerged during cold war period when there was a competition between the two super powers USA –USSR over the point who will be the actual leader in the world. This was actually a war over leadership or ideological war. This caused also a competition in terms of nuclear arsenals. Before cold war era people had seen the bad repercussions and ramifications of first and second world war now they don’t want to see a third world war which would be more dangerous in terms of destruction and human beings have not so much resources to pay its debt. Therefore, there was a much debate over the issues of conflict resolution mechanism and peacebuilding
process. Conflict resolution mechanism was really a good idea, which was highlighted by Western and European scholars in order to make countries aware to avoid conflicts and go for peace. It is only a conflict resolution where conflicted parties come together and sort-out or minimizes their incompatibilities and conflicts through peaceful means. Conflict resolution is really a best method or instrument to create peace in war zones, to make people aware about the issues of war and peace. Conflict resolution refers to range of process aimed at alleviating or eliminating sources of conflict. It is an umbrella term for whole range of methods and approaches for dealing with conflict: from negotiation to diplomacy, from mediation to arbitration, from facilitation to adjudication, from conciliation to conflict prevention, from conflict management to conflict transformation, from restorative justice to peacekeeping.

The secessionist movement in Kashmir may be seen in the context of social, political, economic, educational and cultural situation, which prevailed in the late 19th and early 20th centuries. The appalling conditions of the local people, who were mostly Muslims, compelled them to rise in revolt against the feudal rule of Maharaja. They did it through several uprisings in the early 20th century. This also reflected in raising their voice for political, economic, cultural and religious rights and against the feudal monarchy. However, the first and organized movement of the Kashmiris started in 1931 under the leadership of Sheikh Mohammad Abdullah and his colleagues under the banner of Jammu Kashmir Muslim Conference (JKMS). This was the first movement against discrimination over Kashmiris. Later JKMS was changed into JK National Conference (JKNC) in 1938. The Kashmir conflict was created by the partition of Indian sub-continent in 1947 when India and Pakistan were created as two separate and independent states. At that time Jammu and Kashmir was ruled by the Maharaja Hari Singh could not accede to India or Pakistan voluntarily. However, in the complex political situation at that time, the Maharaja had to accede to India temporarily on the promise of giving the right of self-determination to the people of Kashmir to decide their political future. When Kashmir problem was referred to UN platform, it was declared by the UN let Kashmiris decide their own destiny but it was never taken into account in practice. India never accepted third party involvement in Kashmir matter. The fraud election in 1987 caused further dissatisfaction to the people of Kashmir. Thus, the present movement in Kashmir is primarily indigenous in nature. The external support to this movement is secondary. Those educated youth who were supposed to win the election, they were denied their
political rights, and then they have no choice but to become militants and led a movement against Government. This is also one of the causes of militancy in 1989 in Jammu and Kashmir. The Kashmir conflict has affected the Kashmiris on both sides of the line of actual control. In fact, they have suffered in the absolute sense of the term in the previous seven years. After the ongoing movement started in 1989, the Kashmiris have been killed, massacred, raped, tortured, dishonored and humiliated. More than one lakh people were killed, thousands have been injured, and thousands are missing and thousands are behind the bars. So many fraud encounters are also examples of misuse of power in Kashmir.

In addition, hundreds became psychologically sick. Thousands of the houses, shops, educational institutions, bridges were burnt either by armed forces or by militants. Hundreds of women have been raped by the Indian armed forces and by other criminal minded militants. Elderly women have been molested repeatedly; elder men have been dishonored; the entire population has been humiliated through the practices of parades, crackdowns and slaps by the security forces. A simple survey reveals that every family in Kashmir has suffered in terms of youth killed, injured or tortured, a women raped or molested, elder men and women dishonored and humiliated. In 2010, nearly 110 innocent people of Kashmir were killed by the armed forces, among them mostly were children’s and hundreds have been injured and many are missing and some were put in prisons.

In 21st century secessionism, separatism and liberation is not a good option especially when we are living in a federal country. It can be a right option for those people who are living in dictatorial regimes but in case of democratic and secular India, it is not a good option to be adopted. Kashmir comes under the asymmetrical federalism; it is a matter to be solved with balancing the powers between the state and central government through the process of greater autonomy and especial powers, which constitution had already mentioned but the special power and position of Jammu and Kashmir was curtailed and restricted by one way or other ways. It can be said the autonomy of Jammu and Kashmir was badly affected through the process of centralization or over centralization. Gradually and slowly, constitution of Jammu and Kashmir was amended and abrogated. It was done through the interference of central government in the powers of Jammu and Kashmir government. The resolution and solution of Jammu and Kashmir conflict is mentioned within the constitution of India itself. Kashmir had been given special powers or some kind of autonomy but that was
minimized by India. Whereas greater autonomy can be a best solution to Kashmir imbroglio. Kashmir was the first state, which possess the residual powers. It was the Nehruwian and Abdullah’s vision that Kashmiris should be given special rights and their dignity should be respected. But, it is the irony with people of Kashmir that they were always marginalized and exploited by Indian leaders as well as by Kashmiri leaders. After the 1989 government of India and government of Kashmir started curtailing rights of innocent people of valley. Kashmiris were suppressed, crushed, killed, humiliated and dishonored through the deployment of huge armed forces, draconian laws, AFSPA, Public Safety Act, POTA and other stringent laws etc. These are the responsible factors, which minimized the special rights of Kashmir, which was given to them under Art.370. When fundamental rights of Kashmiris started curtailing it caused a cycle of violence in Kashmir. It is noteworthy to mention here that no democracy can survive and succeed under the draconian and stringent laws its example can be seen in the context of Kashmir. India can win hearts of Kashmiris people only respect the dignity of Kashmiris, to safeguard and secure people of Kashmir, ban or prevent human rights violations, revoke Armed Forces Special Powers Act, minimize armed forces in Kashmir, take away forces from civilian areas, free prisoners, economic development, remove all draconian laws, etc. If these above conditions are not fulfilled then peace can never be maintained and established in Kashmir. In any realistic solution of the Kashmir conflict, the larger interest of the Kashmiris must receive priority. For a long time, rather than being the focal point, they were simply regarded as a side issue. Yet, it is the Kashmiris who, for generations, have continued to suffer from decisions made about them without consultation.

Some of the obstacles and pitfalls, which could be identified in conflict resolution process in Kashmir, are as follows: State policies, marginal role of civil society, hard line and extremist groups, zero sum game approach, role of external elements, failure of international community to side with the Kashmiri struggle of self-determination, missed opportunities. The architecture for peace and conflict resolution in Jammu and Kashmir, which has existed till now, ignored two fundamental realities: first, the participation of the people of Jammu and Kashmir in the process of peace and conflict resolution and second, adopting a flexible position on issues which have created a stalemate and impeded reaching a solution for a long time. It primarily focused on either maintaining or changing the territorial status quo
without considering the basic fact that political will, commitment and seriousness exercised on their part could have made things better, not only for the people of Jammu and Kashmir, but also of people of South Asia.

Some of the major processes, which may be relevant to an alternate architecture for peace and conflict resolution process in Jammu and Kashmir are as follows: Process of dialogue and meaningful negotiation, process of constructive cooperation, process of constructive settlement, process of protecting minority rights in Indian and Pakistan controlled Jammu and Kashmir, process of greater autonomy in Indian and Pakistan controlled Jammu and Kashmir, process of healing wounds through compensation, process of socio-economic uplift of people through better education, health, employment and other basic facilities, process of mutual tolerance, process neutralizing hard line elements, process of creating a constituency of peace, process of creating awareness about conflict resolution, problems and challenging in creating an alternate architecture for conflict resolution process, methodology to unleash the process. Any viable process of conflict resolution in Kashmir needs to take into account the inclusion of processes mentioned above. The foremost requirement is the process of dialogue with a clear-cut agenda on Kashmir, which must be unleashed by India, Pakistan and the Kashmiri leaders. If such a process is lunched with seriousness and commitment, it may lead to constructive cooperation among the parties concerned in the Kashmir conflict, resulting into a viable settlement in which all the three parties may benefit and secure win-win positions. The vision of a constructive settlement would include not only meeting the grievances of the people of Jammu and Kashmir, but also taking care of the rights of minorities in Indian and Pakistani controlled Jammu and Kashmir. Unless the minorities, whether Hindu, Muslim, Sikh or Buddhist, in different regions of Jammu and Kashmir feel safe and secure in any future settlement on Jammu and Kashmir, it will become impossible to guarantee the success of conflict resolution. However, the question arises, what incentives should be given to India to pursue a flexible approach on Jammu and Kashmir? Pakistan has made it clear that it can pursue a flexible approach on Jammu and Kashmir provided India reciprocates. From a realistic standpoint, the biggest incentive for India, and for that matter also Pakistan, for the peaceful resolution of the Kashmir conflict is an end to around six decades of hostility, the diversion of huge resources from human development to defence expenditures and the hope of bettering
the lives of millions of people, not only India and Pakistan, but also the whole of South Asia.

As far as the regional autonomy is concerned, the process must include maximum decentralization of the affairs of Jammu and Kashmir, whether under the Indian or Pakistani control. New Delhi must move towards restoring Kashmir's compromised autonomy. Most of the grievances of Kashmiri people have emanated because the state authorities, primarily those belonging to New Delhi, have not treated them properly. With minimum central control in the affairs of Jammu and Kashmir, a positive change could be brought in the region, creating plausible condition for resolving the Kashmir conflict. This would also require healing of past wounds either by paying compensation to those who were victims of state repression or by restoring their self-respect, which was badly violated during the era of violence. If the economy of Jammu and Kashmir is made vibrant by giving small loans to poor people so that they can be self-employed and use the amount for education and housing, such steps will have a positive impact on the political environment of that region. At some stage, one can also think of establishing a “Truth and Reconciliation Commission” for Jammu and Kashmir, which can hope to provide justice to those who suffered as a result of years of discrimination and state suppression. That type of an initiative must come from the side of those who have contributed to the sufferings of people and those who have suffered. In that case, New Delhi and the Kashmir resistance groups can think in terms of such a commission, which will create goodwill, harmony and tolerance in Jammu and Kashmir. The recent step of Government of India, which has made ‘Interlocutors Committee’ for the conflict resolution process, is really a good sign for restoring peace and normalcy in Kashmir. Two important benefits that India can secure by following a flexible approach on Jammu and Kashmir conflict are: first, for an emerging power like India, the solution of the Kashmir conflict will positively elevate its image at the international level. If India aspires for a permanent seat at the UN Security Council then it needs to improve its relations with its neighbors and seek a peaceful resolution of the Kashmir dispute. Second, its relations with Pakistan may substantially improve, thus having a positive impact on the process of regional cooperation in South Asia. As far as Pakistan is concerned, the ruling establishment will have to reconcile itself to the fact that it cannot take Kashmir by force and any solution to of the Kashmir conflict must be within the domain of larger autonomy. The benefits for Pakistan if the Kashmir conflict is resolved will primarily relate to
reducing its defence expenditures, improving relations with India and getting more recognition and support as well as assistance from the international community.

Problems and challenges in creating an alternate architecture for conflict resolution in Kashmir are numerous. First, the forces that have benefited from the decades of violence in Jammu and Kashmir will create maximum obstacles to the process of reconciliation, peace and conflict resolution. So far, the vested interest groups have succeeded in subverting efforts for purposeful dialogue and settlement. It is yet to be seen how the present positive trends in Indo-Pak relations, which has raised hopes for the resolution of the Kashmir conflict will help to neutralize such forces. Second, false egos and stubbornness of the parties involved in the Kashmir conflict will also make things different for either establishing or strengthening an alternate architecture for conflict resolution process in Kashmir. Until the time, there is an element of maturity, prudence and sincerity among those who matter in the Kashmir conflict, it will be difficult to change the paradigms of conflict and remodel these on pragmatic and realistic lines. It is very interesting to mention here that any realistic solution of Kashmir conflict, the largest interest of the Kashmiris must receive priority. Now the question is how the alternate architecture for conflict resolution can help to resolve the Kashmir conflict? Following points could be examined in this regard: Mutual stakes of the conflicting parties to resolve the conflict, proper unleashing of processes and the simultaneous monitoring of progress, building of trust and confidence, benefits of peace and cooperation, learning from past failures, stabilization in political, economic, and security relations, involvement of people in the process of conflict resolution. Building of trust is the key in order to secure benefits of peace and cooperation. If the parties in conflict are unable to learn lessons from the dynamics of conflicts, failures and successes, it becomes difficult to stabilize political, economic, economic and security relations among parties who are in the process of resolving the conflict and cementing peace in the post conflict environment.

Most important, the involvement of different segments of society in India and Pakistan is essential for the success of conflict resolution process in Kashmir. If the Indian Prime Minister Dr. Manmohan Singh and President Pervez Musharraf are able to strike a deal on Kashmir but if it is not supported by people, particularly those who represent various political forces and groups, it will be difficult to guarantee the smooth sailing of such a deal. BJP has raised its objection on Congress led
government's undermining of cross border terrorism while dealing with Pakistan. The BJP's argument is that during January 6, 2004 meeting between President Musharraf and Prime Minister Vajpayee, the centrality of stopping cross border terrorism from the side of Pakistan was acknowledged, a fact not emphasized by the government of Manmohan Singh. It is true that India and Pakistan have a secular and Islamic identities but it should not mean that the people of Jammu and Kashmir should be denied their own identity. Therefore, taking people into confidence before reaching a settlement on the Kashmir conflict is necessary. One is aware of the fact that various extremist groups in India and Pakistan will not miss any opportunity to oppose the peace process. It is that segment of society, which must be neutralized for a successful launching and implementation of conflict resolution process on Kashmir. For the just and fair resolution of the Kashmir conflict, an alternate architecture for peace is essential. The question is: has the time for such initiative arrived and if not then what can be done to create conditions in this regard? Only through a process of purposeful dialogue can the Kashmiris, Indians and Pakistanis ensure a better world for themselves and for the people of South Asia. There is no other way to defeat the forces of darkness who have kept South Asia poor and underdeveloped by not abandoning the path of confrontation and following the path of reconciliation and cooperation. At last, not at least it can be mentioned here that India can prevent alienation of Kashmiris only when India will respect the dignity of Kashmiris, and consider their genuine demands. India needs to have responsive, accountable and good governance in Kashmir in order to check misuse of power and gross violations of human rights. Indian democratization process will not be successful under the draconian, inhuman laws and stringent laws; it needs a soft and flexible approach to win the hearts of Kashmiri masses.

In addition, Armed Force Special Powers Act should have to be revoked in order to control misuse of powers committed by armed forces in Kashmir. Until and unless the people of Kashmir will feel secure themselves only then Kashmir dispute could be solved. Greater autonomy is the best option for the resolution of Kashmir imbroglio. Moreover, it can be said that India as a major democracy can become successful in the context of Kashmir when the fundamental rights of the people will be secured. The people of Kashmir should be treated as good human beings and should be entitled to have every democratic right to enjoy a dignified life. On the other side there is need that all separatist groups should be ready to have a meaningful
dialogue and they should also change their extremist agendas and become flexible in their attitude and thinking, because conflict resolution as a mechanism is based on trust, mutual bargaining, mutual consensus and accommodation process. It is very important for conflicted parties to know how to accommodate their disagreements and incompatibilities and reach on agreement. International community could play a dominant role in putting a pressure on both India and Pakistan to prevent and mitigate conflict situations and pave a way for a peaceful South Asia. Resolution of the Kashmir conflict can become also possible when both India and Pakistan will remove their conflicts and think about themselves to become the real powers in globalized world. Tripartite India, Pakistan and Kashmiris should have to sit together and do some meaningful work that is resolution of Kashmir dispute. Pakistan should not give any support to insurgency in Kashmir there should be an international concern to pressurize Pakistan not to support insurgency. Confidence Building Measures (CBM) and conflict resolution mechanism are good instruments for both the countries through peacebuilding, peacemaking and peacekeeping process will become easy task, where as war is not a suitable option for two nuclear powers (India – Pakistan). It will lead both the countries towards destruction and genocide. It is better option that democratic methods should be adopted in order to reach consensus and agreement. No conflict is unavoidable if conflicted parties show their positive response, tolerance and soft approach. Really, a paradigm shift began when both the countries adopted confidence-building measures to sort out their differences including the major difference that is Kashmir issue. However, world has seen a major change in the attitude of both the rival countries, this change also took place due to globalization and modernization process. Almost to major extent militancy and separatist movements were controlled and minimized. Now it is upto India to give the positive response to all the demands of Kashmiris, which I have already mentioned. India should have to consider the grievances of every Kashmiri only then Kashmir conflict could be minimized and peace can be established within the premises of valley.