



Peace brew-ha-ha all over again? India and the peace process

Rizwan Zeb

Abstract

This paper elucidates on the concept of a peace process and its spoilers in the context of India-Pakistan relations. The author argues that the peace process which started in 2003 has had its twists and turns, but there has been a renewed energy since 2011. The different approaches to the problems between the two countries, the trust deficit, and the spoilers can derail the process again. The author makes use of existing theoretical formulations on the problem of spoilers. The purpose is not to accuse either side of not doing enough, but to point to issues that will be decisive to the future of the process itself.

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This article is an updated and abridged version of "The Makers, Breakers and Spoilers in India-Pakistan Peace Process", in *Spotlight on Regional Affairs*, January-February 2011, Institute of Regional Studies, Islamabad.

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In a recent article, Indian journalist Sushant Sareen has opined that “if Pakistan forsakes the use of Islamist terror and other forms of sabotage and subversion as an instrument of state policy against India and accepts the reality and existence of India, then it will find India a more than willing partner, one that will go the extra mile like it has done in the case of Bangladesh.”¹ This statement of Sareen is in a number of ways indicative of the theme of this paper; till the time, New Delhi stays under the illusion that they are “bargaining from a position of strength”, the current phase of the peace process will sooner or later hit another stalemate. The sooner New Delhi comes out and participates *fully*, the better it is for the prospect of peace between India and Pakistan.

The developments on diplomatic relations between India and Pakistan in the recent months have been very positive. Both sides have agreed to take several measures to enhance trade and ease visa restrictions for various categories of people. India has formally allowed foreign investment from Pakistan in all sectors barring defense, space and nuclear energy. India halted the construction of the Kishanganga dam on the river Neelum as per the orders of the Permanent Court of Arbitration at The Hague. During the recently held three-day talks between Pakistani foreign minister, Ms. Hina Rabbani Khar, and her Indian counterpart, Mr. S.M. Krishna, in Islamabad, a number of bilateral issues such as terrorism, economic and commercial cooperation among others were deliberated upon.

Since July 2011, the peace process which started in April 2003 has entered another phase. Despite setbacks and stalemate on some issues, the process has sustained. The views in Pakistan, like those in India, are divided on the peace process. Cynics are of the view that the peace process has its basis in the Indian belief that in the post 9/11 world, Pakistan is under tremendous pressure, internally and externally. Thus, it is perhaps the best time for a final settlement of the Kashmir issue on India’s terms, as the power configuration at the national, regional and international levels favors India. Optimists are of the view that the peace process has a greater chance of success since it increasingly enjoys the support of citizens of both countries and it is not confined to the governmental level alone but also includes people-to-people contact.

However, the biggest hurdle that threatens to stall this peace process is the trust deficit between the two countries, which is perpetually reinforced. Moreover, the peace process is suffering from a classic spoiler problem.²

This paper aims at understanding the dynamics of a peace process and its spoilers. A vast literature is already available on the various aspects of India-Pakistan relations. Recently, a number of newspaper reports have pointed to what Islamabad needs to do to make the peace process successful. However, missing from this discourse is an articulation of the steps that India might consider taking to contribute to its success. This paper which is part of a larger project on India-Pakistan peace process, makes use of the literature on various aspects of peace processes and spoiler problem and then briefly

¹Sushant Sareen, “Indo-Pak ties: Lessons of history, perils in the present,” available at <http://www.rediff.com/news/slide-show/slide-show-1-indo-pak-ties-lessons-of-history-perils-in-the-present/20120914.htm>

²Spoilers are leaders or parties who believe that peace emerging from negotiations threatens their power, worldview and interests, and use violence to undermine attempts to achieve it. See Stephen J. Stedman, “Spoiler Problems in Peace Processes”, *International Security*, Vol. 22 (2): 5-53, 1997.

touches upon the Indo-Pak peace process. The idea is not to accuse either side of being guilty of not doing enough but to point to issues, which will impact the outcome of the ongoing process.

Peace process³

Harold Saunders, Founder of the Washington DC-based International Institute for Sustained Dialogue and former US Assistant Secretary of State for Near East Affairs, states that a peace process is more than conventional diplomacy and negotiation. It encompasses a full range of political, psychological, economic, diplomatic, and military actions woven together into a comprehensive effort to establish peace. Progress towards peace depends on breaking down the barriers to negotiation and reconciliation. If we ignore the politics of breaking down the barriers, the mediator and negotiator may never have a chance.⁴ According to Moonis Ahmar, Chairman, Department of International Relations, University of Karachi and conflict resolution specialist, "a peace process is a mechanism or a set of negotiations where the parties involved attempt to avoid war or a war-like situation and wish to settle conflicts peacefully by using techniques such as diplomacy, bargaining, secret negotiations, open negotiations, trade-offs, and mediation. It is an exercise where groups or countries with conflicting interests seek to avoid further confrontation through a series of negotiations. Stretched over a period of months and years, a peace process requires substantial patience among the parties concerned before the results of the process can be achieved."⁵ A peace process is a time-consuming exercise based on the mutual desire of the parties to find a peaceful solution to the conflict. Reciprocity is the most important element of any peace process. It should largely be indigenous in nature, with possible external assistance if desired by the parties concerned.

Some of the essential requirements of a peace process are⁶:

- willingness of the parties concerned to initiate the process of negotiations,
- clear intentions of the leaders involved in a peace process,
- application of patience and persistence,
- consideration of the time factor,
- political will to sustain the process of negotiations,
- reduction of mutual mistrust, suspicion and paranoia,
- creating a conducive environment for negotiations,
- identification of critical issues,
- moving from less contentious to critical issues,
- developing points of understanding,
- striving for a win-win situation,
- taking public opinion into confidence during the process of negotiations,
- utilizing the services of a mediator,
- learning lessons from relevant cases,
- highlighting the positive aspects of negotiations and learning from past failures in negotiations,
- engaging the media in building an environment of mutual confidence and trust,
- cessation of propaganda warfare against the adversary,

³ For details see, Rizwan Zeb, "Peace Process & The News Media: A Closer Look at the Agra Summit," *Regional Studies*, vol.XXI, No.2, Spring 2003, and Moonis Ahmar, "The Conceptual Framework," in Moonis Ahmar (ed.), *The Arab-Israeli Peace Process: Lessons for India and Pakistan* (Karachi: Oxford University Press, 2001).

⁴ Ibid, Zeb, 46.

⁵ Op.cit., Ahmar, 19.

⁶ Ibid, 24-25

- controlling border tension, and,
- maintaining better lines of communication between the policymakers of the parties concerned.

Factors affecting the peace process

There are a number of factors which play a very significant role in the success or failure of any peace process. The most important is a strong yearning for peace, both at the governmental and public level. Time also plays a very vital role. A number of experts have argued that a peace process cannot be initiated unless the time is ripe for it. Time factor is also important because at times one or both parties might think that time is running out and that they have not achieved anything from the process.

External involvement and encouragements also plays a significant role, because at times, the parties involved get stuck in a stalemate and need an external third party intervention to break the deadlock. Moreover, a rigid stand adopted by any party involved in the peace process may block efforts for a breakthrough.⁷

At times, one party may lose interest in continuing with the peace process owing to a number of reasons, especially when it achieves some positive results. On the other hand, a party might distance itself from the process if it fails to show results to its domestic constituency.

Patience is also a very crucial factor in the success of a peace process. In essence, a peace process is a very long and time-consuming exercise, if patience is missing, then incidents like an accident or a terror attack can derail the whole process.

Contrary to popular belief, the content of a peace process is also very important because the process is simply a mechanism for achieving the content. If the focus is allowed to shift away from the content, it could distort priorities and have a negative impact on the peace process as a whole.⁸ If a party thinks that it is bargaining from a position of strength and can still achieve its desired outcome, then the process is doomed to fail. A successful peace process should address the concerns of both or all parties involved. If one side – mostly the stronger side – monopolizes the agenda, then the concerns of the weaker party are ignored and this adversely affects the peace process.

Ironically, to ensure that the peace process does not collapse, the weaker party has to maintain the ability to impose a stalemate. Experts point out that “a party which has the ability to mar the interests of its adversary by stalling negotiations acquires greater control over the outcome.”⁹

Peacemaking between enemies¹⁰

How can peace be maintained between enemies? Or is there any way through which enemies can have peace? To do this they must be willing to cooperate. The element of reciprocity is of utmost

⁷ Ibid, 28.

⁸ Talat Wizarat, “Peace Processes: A Comparative Study,” in Moonis Ahmar, 42.

⁹ Ibid, 49.

¹⁰ For a comprehensive discussion on the subject see, Virginia P. Fortna, *Peace Time Cease-Fire Agreements and the Durability of Peace*, (New Jersey: PUP, 2004).

importance here. Also, the cost incurred by engaging in the conflict and the benefits of peace, or at least the benefits of absence of conflict, have a vital role to play.

There are certain points, which might stop two adversaries from establishing peace despite pressing reasons or a hurting stalemate. If the peacemaking effort lacks public support, then any attempt to change the situation will be taken as a sign of weakness. A very important element of peacemaking is that neither party should try to impose its preferred outcome unilaterally.

A huge challenge is that in the absence of the institutionalization of peace, the leadership of one or both parties will remain doubtful of the real intentions of the other party; whether or not they will remain consistent in their actions over a period of time.

Another important issue: what are both sides getting out of the conflict and how are the gains being used. If party A is getting more than party B, then the leadership of party B might like to change the situation, since this will make it doubt party A's intentions and fear that this gain might be used against it in any future conflict. Therefore, the chances of the party which gains less withdrawing cooperation will increase.

In short, making peace between adversaries is very tricky and can only be done if both sides seriously want it. Others can support them but if a party is in this for tactical reasons then this process is doomed to failure, however progressive and result-oriented it might look.

The Spoiler Problem

A person or a group opposed to the peace process and having the capability to derail it is called a spoiler. Stephen Stedman defines a spoiler as "...leaders and parties who believe (that) the emerging peace threatens their power, world view, and interests and who use violence to undermine attempts to achieve it."¹¹

According to Stedman, four issues are important to understand the phenomenon of spoilers in a peace process:

- Position
- Number
- Type
- Locus

Position implies the location of a spoiler; whether it is a part of the peace process or outside it. The first kind of spoiler is within the peace process. For instance, the Indian information minister during the Agra summit was part of the Indian team, but her statement that the Kashmir question was not even mentioned in the meeting between the leaders of India and Pakistan is one such example. The

¹¹ For details see Stephen J. Stedman, "Spoiler Problems in Peace Processes", *International Security*, Vol. 22 (2): 5-53, 1997; also see, "Dealing with Spoilers in Peace Processes", International Workshop, 26-27 September 2006, Bonn, Germany. Proceedings available at <[http://www.reliefweb.int/rw/lib.nsf/db900sid/OCHA-7HXC7U/\\$file/FinENT-Sep2006.pdf?openelement](http://www.reliefweb.int/rw/lib.nsf/db900sid/OCHA-7HXC7U/$file/FinENT-Sep2006.pdf?openelement)> and Stedman, "Spoiler Problems in Peace Processes," in Paul C. Stern and Daniel Druckman, eds. *International Conflict Resolution After the Cold War*, (Washington, DC: National Academies Press, 2000).

second type is a spoiler who is outside the process. This type of spoiler relies on the use of force and violence to derail the process. Jihadist elements and Hindu fundamentalists serve as apt examples. *Number* refers to the actual number of spoilers in a peace process.

The third issue is determining the exact type of the spoiler and its goals. The first type is a *limited spoiler* which has very limited objectives. The second type is a *total spoiler*, who would prefer to totally disrupt the peace process and would settle for nothing but what it wants. The third is the *greedy spoiler* who changes its position according to the situation and circumstances. The fourth issue—*locus*—refers to the power base and the following that the spoiler group enjoys.

Spoilers are twin to a peace process. For a peace process to succeed, it is essential that the parties in a peace process should be able to identify the spoilers and then address the issue collectively. Identifying and categorizing various spoilers requires a detailed understanding of a number of related issues such as the type of spoiler, its membership, resources, power base, and lifeline. Once this information is available, only then can the problem be effectively addressed.

Final observations

The renewed talks are part of the peace process, which started in April 2003. In 2003, India changed its position and decided to start peace talks due to a number of internal and external compulsions and also due to the mindset which made New Delhi view Islamabad, in the post-9/11 world, under tremendous pressure internally and externally and thus offering India perhaps the best time for a final settlement of all issues.

The biggest problem and a spoiling factor for the peace process from the very beginning has been the trust deficit between the two countries. It was evident from the start that both sides didn't trust each other. What else can explain the reason for Pranab Mukherjee at one point saying "What if we withdraw from Siachen and they (Pakistani forces) occupy it?" However, nothing illustrates this point more than the Mumbai terrorist attacks. Within hours of the tragic event, New Delhi began implicating Islamabad. It seems that the India and Pakistan peace process is suffering from a classic spoiler problem.

It will not take a rocket scientist to observe that through the Mumbai attack, terrorists aimed at derailing the already faltering India-Pakistan peace process. This could be termed their basic objective. They also wanted the situation to deteriorate to a level where both sides went to war or at least mobilized, as a result of which Islamabad would be compelled to focus on its eastern border. While the terrorists successfully achieved their basic aim, both India and Pakistan abstained from taking extreme measures. Cynics would consider this as an outcome of the back-channel and not-so back channel American diplomacy.

A peace process, as has been elaborated in this paper, requires patience from all parties involved, especially when the road gets rough. It has been pointed out that a peace process is a time-consuming exercise based on a *mutual* desire of finding a peaceful solution to the conflict. This objective can't be achieved if either party starts blaming the other or refuses to trust it. Another point is that a party might lose interest in the peace process when it achieves some positive results or might distance itself from the process if it fails to show results to its domestic constituency. This apparently is the case with India: while it can't achieve much from Pakistan, the Indian public is also angry over the issue of terrorism.

These are the two major dilemmas for any party in a peace process: Not to lose interest in the process and to engage its citizens so that they continue to support the process. To address these dilemmas, results are very important. And results cannot be achieved without showing patience and consistency. Hence, any peace process depends on a number of factors, most important of which is patience.

At times, in a peace process, a party, normally the stronger one, starts thinking that it can bargain from a position of strength and achieve its desired results. This makes the peace process a failure. This is a major issue with the India and Pakistan peace process. India is not willing to give any concessions to Pakistan. Ironically, in such a situation, the weaker party is left with no other option but to maintain the ability to impose a stalemate.

The success of a peace process ensues from efficiently identifying all the spoilers and collectively addressing them. The terrorists are a key spoiler in the India-Pakistan case. Both India and Pakistan need to address this problem jointly if they are serious about establishing peace in South Asia. Take for instance the example of the Mumbai attack. When the tragedy struck, the then Foreign Minister of Pakistan, Shah Mehmood Qureshi, was on a visit to India to discuss important issues related to the ongoing dialogue process, including Kashmir, the Chenab River water dispute, and trade ties. Instead of engaging him, India committed the cardinal sin as regard to a peace process and blamed Islamabad for planning the attack within the first few hours of the terror attacks. Next, it put dialogue with Pakistan on hold. While terrorists/Islamists/jihadists are total spoiler in the Pakistan-India peace process (because a successful peace process is a threat to their existence), India, although a party to the peace process, has also been a greedy spoiler.

A closer look at the prevailing strategic thinking in India and its strategic vision clearly indicates that in the post-9/11 world, the Indian foreign policy establishment views Pakistan as under tremendous pressure internally and externally. In New Delhi's view, the power configuration at the national, regional and international levels, favors India and it is time to do things according to its own terms. Former Indian Prime Minister I.K. Gujral, some time back voiced this view when he said: "His [President Musharraf's] country faces innumerable problems. He also finds India growing taller and taller. His friends, the Americans, have told him not to rock the boat."¹²

According to this strategic vision, New Delhi intends to articulate its own Indian 'Monroe Doctrine', by creating a cooperative security web, anchored at the two ends by its allies, with a well-armed South-East Asia and a particularly strong Vietnam. By doing this, New Delhi intends to create problems for China. That is the only understandable reason why Vietnam is considered important in this plan. New Delhi wants to establish a strong military/naval presence in the region. The ultimate objective is to be in a position to be able to provide security to the vital sea lines from Malacca to Hormuz. Eighty percent of the world's oil passes through these lines.

Where does Pakistan stand in New Delhi's strategic vision for its emergence as a major global player? A number of Indian strategic thinkers are of the view that Pakistan is a failed state. The country is under a strong military hold and there is no likelihood that it would loosen up any time in the near future. Satish Kumar in his paper, *Reassessing Pakistan as a Long Term Security Threat*, stated, "...Islamic extremism and militancy have become as important a reality in Pakistan as the army of Pakistan. Both of them are durable. There is a symbiotic relationship between them which cannot be washed away.

¹² Rizwan Zeb, "India and the Peace Process," *Daily Times*, June 20, 2011
http://www.dailytimes.com.pk/default.asp?page=2011%5C06%5C20%5Cstory_20-6-2011_pg3_3
Available from <http://www.wiscomp.org/peaceprints.htm>

Both of them are hostile to India and acting in unison their hostility will remain formidable".¹³ He further adds, "...Pakistan poses a long-term security threat to India which is inherent in the nature of the Pakistani state, its ideology, its power structure, and the imperatives which determine the behavior of the ruling establishment. These factors are not likely to change in the next 20 to 30 years. India has to cope with this kind of adversary, and its strategic capabilities and thinking, its national will and character must respond to the situation accordingly".¹⁴

Realizing that the military, including the nuclear, approach is not adequate, New Delhi, for quite some time now, has been working on a different line to address its problem with Pakistan. It is using the water weapon against Pakistan, a lower riparian state, by its various hydro projects, especially its projects on the headwaters of the Indus River on the Indian side and by manipulating the Indus Waters Treaty. Recent developments in this regard are a case in point.

What does New Delhi want to achieve when it engages Islamabad in a dialogue? India wants to focus on improving contacts between the two countries. It wants to see easy movement of people across the borders; not just across the established international boundaries but also across the Line of Control (LoC) that divides the two parts of Kashmir. It would also like to liberalize trade, MFN status and pipelines. It believes that by doing this, Islamabad would eventually move ahead on more contentious issues. What they are willing to offer in return is anybody's guess.

An important obstacle to the success of the peace process is the different approaches Islamabad and New Delhi are following: Islamabad wants to resolve the conflicts; New Delhi wants to manage the conflicts. New Delhi is not willing to accept any solution that involves major territorial alterations, especially on religious lines, because it believes that it would be detrimental to its secular identity. Islamabad is not willing to accept the current LoC as a solution. While it is engaged in a peace process with Pakistan, India is changing its positions and stances, and while it continues talking, it is not willing to concede anything to Pakistan.

Having said all this, this paper doesn't argue that the peace process is a meaningless exercise. While it argues that India needs to do more, it also suggests that peace talks are the only viable option for both countries; India cannot emerge as a true global player unless it has a friendly Pakistan, and South Asia and for Islamabad, no peace means the problems with India remain unresolved. Therefore, both India and Pakistan should continue talking. Perhaps the best way is to accept their difference in approach and desired outcomes and follow Coral Bell's *adverse partnership model*.¹⁵

¹³ Satish Kumar, "Reassessing Pakistan As Long Term Security Threat", Public Lecture No. 7, Center for Policy Research (CPR), New Delhi, March 2003, 17.

¹⁴ Ibid, 26.

¹⁵ Imtiaz H. Bokhari in his book *A Paradigm for Indo-Pakistan Détente* states, "A consciousness between the dominant powers that they have solid common interests as well as sharp differences. For example, during the Cold War years, one overriding factor dictated the need for superpowers to act as 'partners': the mutual fear of nuclear weapons."

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