



Kashmir: the Prisoner's Dilemma for India and Pakistan

Saeed Ahmed Rid

Abstract

In this paper, game theory is applied to the Kashmir conflict to establish that Pakistan and India are locked in a "prisoner's dilemma" over Kashmir. Individual rationality has pushed both countries to adopt a dominating strategy over Kashmir, leading to several full-fledged and limited wars. However, collective rationality brings about peace as a Pareto-optimal solution under game theory. An attempt has also been made to show how India and Pakistan can mitigate their dilemma by using the strategies meant for mitigating the prisoner's dilemma in game theory.

Author Profile

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Kashmir has been a bone of contention for India and Pakistan since the partition of the sub-continent in 1947. Despite the stalemate having proven costly, the two countries have failed to cooperate. Managing Kashmir militarily has been a huge burden on the economy of both countries and is also one of the biggest hurdles in their economic and social development.

India and Pakistan are caught in a classic "prisoner's dilemma" situation over Kashmir. Because of their nuclear capability and competitive military strength, they cannot achieve total victory against each other; therefore, they would be better off resolving the Kashmir dispute by mutual cooperation. Yet, they have regularly fought each other. Since independence in 1947, the policy of "relative gains" has pushed the two into a "security dilemma" based on which they have amassed weapons in the name of self-defense. They see each other in a zero-sum relationship where the loss to one side is considered a gain by the other.

This paper is divided into two sections. The first part focuses on how India and Pakistan are caught in a "prisoner's dilemma" (henceforth PD) over Kashmir. The second part deals with how they can mitigate this. An attempt has been made to show how India and Pakistan have learnt to compromise from their previous defections and used a tit-for-tat strategy successfully to play the PD game. The possible role of a constructivist model in mitigating this dilemma over Kashmir has also been studied. Finally, this paper proposes strategies through which the two South Asian neighbors can overcome the prisoner's dilemma and build sustainable peace in the region.

Kashmir conflict as a "prisoner's dilemma" game

The PD is a game which involves two players with two choices. It addresses that class of situations in which there is a fundamental conflict between what constitutes a rational choice for an individual member of a group and for the group as a whole. The individual is relatively better off adopting the dominating strategy regardless of what the opponent chooses to do. This often leads to a joint defection in the game which results in the Nash equilibrium (war)¹. There also exists in the matrix a Pareto-optimal solution (peace), if both sides cooperate². Both players get relatively better pay-off than the Nash equilibrium when they jointly defect. Therefore, the Nash equilibrium is not Pareto-efficient in the PD game; it is in fact Pareto sub-optimal³. Hence, individual self-interest proves to be simply a trap rather than a sufficient mechanism for group efficiency.

The Kashmir conflict is not a simple inter-state territorial dispute, which involves two clearly defined parties with two choices. Along with India and Pakistan, it involves intra-state and

¹ Lisa R. Anderson and Jennifer M. Mellor, "The Economic Approach to Cooperation and Trust: Lessons for the Study of Social Capital and Health," in *Social Capital and Health*, ed. Ichiro Kawachi, S.V. Subramanian and Daniel Kim (New York: Springer, 2008), 121.

² Malvern Lumsden, "The Cyprus Conflict as a Prisoner's Dilemma Game," *Journal of Conflict Resolution* 17(1973): 8.

³ John McMillan, *Game Theory in International Economics: Harwood Fundamentals of Applied Economics* (Chur, Switzerland: Harwood Academic Publishers, 1986), 10.

international actors whose role is also very important in the final outcome. The United States, China, freedom fighters, Kashmiri governments in the two parts of Kashmir, and the people of the state are the other stakeholders. Only for the purpose of making a parsimonious argument, this paper does not take the intra-state and international actors into consideration.

Under the rubric of the PD game, India and Pakistan get two choices over the Kashmir question—either to compromise/cooperate or to confront/defect. No matter what the other side does, defecting yields a higher pay-off than compromising individually. When both parties defect (Nash equilibrium), both do worse rather than when both compromise (Pareto-optimal solution). Herein lies the dilemma.

Their order of preferences is first, to win the whole of Kashmir, second, to fight over it (war), third, agree to a give-and-take or a compromise option (peace) and fourth, to lose the state. For example, if Pakistan decides to compromise unilaterally, India will get two choices: either to compromise as well and agree on a give-and-take option or to defect and push for the whole territory. Obviously, India will be better off defecting and pushing for the whole territory because it considers the whole of Kashmir to be an integral part of the Indian union.

Both India and Pakistan consider they have legitimate claims over Jammu and Kashmir. India's claim is based on the accession by Dogra ruler Hari Singh and Pakistan's claim is based on the fact that majority of the population in Kashmir is Muslim. Therefore, winning the whole of Kashmir would be their first preference. The history of wars, military stand-offs, and failed mediation and negotiation attempts corroborate that the government of India and of Pakistan has so far preferred having all of Kashmir to itself over sharing it peacefully.

In another context, if Pakistan decides to defect and push for Kashmir, India again will have two choices: either to compromise unilaterally and give up the whole territory to Pakistan or to defect and fight over Kashmir. Since losing Kashmir is the last preference for India, the country will defect again. In other words, the two states would prefer to fight over Kashmir rather than give it up entirely. In his PhD thesis, Ron E. Hassner has argued that over the years, the Kashmir dispute has become so entrenched in the polity of India and Pakistan that it is no more plausible to think that either of the two would be willing to give up their claim over Kashmir entirely.⁴ He wrote, that by 1962, "It was inconceivable that Indian public opinion would tolerate the voluntary surrender of territory in Kashmir."⁵

The statements of Pakistani leaders also show that surrendering Kashmir is not an option for them. The former Governor General of Pakistan, Ghulam Mohammad once told Nehru, "I may die, but I will never surrender, and the great idea for which I have lived will live forever. We shall never give up Kashmir."⁶ After the failure of the Agra Summit in July 2001, General Pervez Musharraf remarked in his interactions with the Indian media, "If India expects that I should ignore Kashmir, I better buy back the Neharwali Haveli." The *Haveli* is his ancestral home in New Delhi.⁷

⁴ Ron Eduard Hassner, "The Path to Indivisibility: The Role of Ideas in the Resolution of Intractable Territorial Disputes" (PhD diss., Stanford University, 2003).

⁵ *Ibid*, 214.

⁶ Usha Sharma, *Political Development in Jammu, Kashmir and Ladakh* (New Delhi: Radha Publications, 2001), 135.

⁷ *Dawn*, July 17, 2001.

Figure 1

		Pakistan	
		Modify Position	Maintain Position
India	Modify Position	Compromise/Cooperate Reward for Mutual Cooperation If both sides compromise and agree on give-and-take over Kashmir, both can share the state and invest their resources on their respective national development. Different options on Kashmir can be worked out. (P=3, I=3) PEACE (Pareto-optimal solution)	Defect/Confront If only India compromises its stance and Pakistan defects, Pakistan gets the whole of Kashmir including Indian-held territories. India loses its claim over Kashmir. (P=5, I=0) KASHMIR GOES TO PAKISTAN
	Maintain Position	Defect/ Confront If only Pakistan compromises its stance and India defects, the latter gets the whole of Kashmir including Pakistani-held territories. Pakistan loses its claim over Kashmir. (P=0, I=5) KASHMIR GOES TO INDIA	Defect/Confront If both parties defect, insurgency continues which could lead to a limited war like Kargil. The threat of a full-fledge nuclear war exists. Status quo over Kashmir prevails. Both countries continue exhausting their resources in an arms race. Punishment for mutual defection. (P=1, I=1) (WAR) (Nash equilibrium)

Under the given order of preferences, it pays to defect if you think the other side will defect; it is also better to defect if you think the other side will cooperate. So as a rational actor, in this PD relationship, no matter what Pakistan does, it pays for India to defect. The same logic holds for Pakistan as well. Therefore, whatever India does, it pays for Pakistan to defect.

India and Pakistan would prefer to get the whole of Kashmir than to make peace by sharing it, and would like to fight a war rather than giving up the state entirely to their adversary. Therefore, it pays to make the choice of defection in all possible scenarios, individually, for both of them. The outcome is a permanent war when both parties agree to be negative (Nash equilibrium), even though the matrix contains the possibility of peace which both agree as a positive solution (Pareto-optimal solution). This resulting dilemma is in accordance with the prediction of game theory. (See Figure 1)

Can India and Pakistan mitigate their “prisoner’s dilemma” over Kashmir?

When we study the India-Pakistan conflict over Kashmir over the last 60-plus years, we observe

that on several occasions the two countries had adopted the dominating strategy and involved themselves in direct armed conflict. At times, the strategy of cooperation was adopted, but it could never last long. The euphoria of the Tashkent Declaration (1966), the Shimla Agreement (1972), and the Lahore Declaration (1999) were short-lived and hopes of peace were shattered soon afterwards. Pakistan, holding on to the lesser portion of Kashmir's territory, has been guilty of adopting the dominating strategy more often than India. India, on its part, with its intransigent stance of 'borders cannot be redrawn' and that 'Kashmir is an integral part of India' has pushed Pakistan to adopt the dominating strategy to bring some change in the status quo.

Since independence, India and Pakistan have been playing the iterated PD game like chess where "a chess master can safely use the assumption that the other player will make the most feared move" and, therefore, it is better to always adopt a dominating strategy.⁸ This explains why they have involved themselves so many times in an armed conflict. But unlike chess, in a PD situation, it is "not safe to assume that the other player is out to get you" since, in the latter, peace provides better pay-off than war.⁹

So, is cooperation possible?

Kashmir, an unending conflict

What makes it possible for cooperation to emerge is the fact that the players might meet again. This policy means that the choices made today not only determine the outcome of this move, but can also influence the later choices of the players. The future can therefore cast a shadow back upon the present and thereby affect the current strategic situation.¹⁰

In an unending conflict, players cannot be sure when the last interaction between them will take place. In such a situation, cooperation is quite probable. Kashmir also appears to be an unending conflict. For over 60 years, both India and Pakistan have mostly adopted the defection strategy, playing the PD game as a chess game. However, the realization has recently dawned upon the leadership of India and Pakistan that if they continue fighting over Kashmir in the same manner, it will lead them nowhere. It appears from the developments in the last decade or so that the leadership in both countries has realized that total victory is not possible, even in a distant future and they cannot run away from the dispute either.

During his visit to New Delhi in 2005, the then Pakistani President, General Pervez Musharraf, had claimed that there was a change of attitude in Pakistan. He said, "Domestically (in Pakistan) there is a realization that the military option is not the option any more. The strategy of a coercive diplomacy is no more an option".¹¹ A similar tone resonated in India. Prime Minister Manmohan Singh was reported as saying, "I have often said we can choose our friends, but we have no choice with neighbors. We have to stay engaged despite the difficulties we may face".¹²

⁸ Robert Axelrod, *The Evolution of Cooperation: Revised Edition* (New York: Basic Books, 2006), 14.

⁹ Ibid, 15.

¹⁰ Ibid, 12.

¹¹ *The Guardian*, April 18, 2005.

¹² *Dawn*, February 2, 2006.

Kashmir, a non-negotiable game

An essential aspect of the PD paradigm is that the two prisoners are isolated and therefore unable to negotiate, which makes their cooperation very difficult.¹³ This is exactly what has made cooperation on Kashmir very difficult for the people of India and Pakistan.

Since independence, people in Pakistan and India have been consistently told that they are each other's enemies. The enemy image is carefully constructed through biased history teaching, hawkish political statements, and negative media hype. Moreover, the two people have been kept so far apart with the help of an extremely rigid visa regime that despite sharing the same cultural roots, they know very little about each other. Stereotypes and prejudices go so deep that people are not even open to the other side of the story.

Sentiments and rhetoric have always been sharp on both sides of the border. Thus, the stakes for the negotiators at the negotiation table also remain high. In such a situation, it is not easy to work out solutions since population on both sides in its zero-sum relationship considers any concession as a sell-out. Gen. Ayub Khan, the first military ruler of Pakistan, experienced this when he negotiated peace at Tashkent to end the 1965 war with India. He soon lost all control of power in his home country and was compelled by the opposition to resign. Tashkent was one of the major reasons behind his downfall. Similarly, the late Pakistani Prime Minister, Zulfikar Ali Bhutto, is still blamed for affirming the bilateral approach to the Kashmir dispute in the Shimla Agreement, 1972.

Tit-for-tat strategy on Kashmir

Since the mid-1990s, it has been observed that the neighbors have been following a policy of getting even—a tit-for-tat strategy. When this strategy is at work, the player following it wants to cooperate but defects after each defection of the other player. According to Robert Axelrod, tit-for-tat is the most successful strategy for the "prisoner's dilemma" game, and many players use this strategy because it pays the highest dividends.¹⁴ Axelrod made this observation after conducting several experiments with the PD game for his book *The Evolution of Cooperation*. It pays off because in such a situation, players do not know how the other side will behave. Adopting the dominating strategy does not always pay as there also exists in the matrix a Pareto-optimal solution (peace) which pays relatively better than the Pareto-sub-optimal or Nash equilibrium (war) solution. The tit-for-tat policy teaches the other side a lesson that every defection on a present move would be met by a defection in the next move.

In 1997, an unprecedented personal relationship was established between then Prime Ministers I. K. Gujral of India and Nawaz Sharif of Pakistan. For the first time, a hotline between the Prime Ministers of the two countries was established after the Male summit in 1997 and the proposal for the bus service between Lahore and New Delhi was approved. But the minority government of Gujral could not survive long and BJP leader Atal Behari Vajpayee replaced him. In May 1998, the Vajpayee government conducted nuclear tests, which had an adverse effect on bilateral relations. In a tit-for-tat reaction, Nawaz Sharif gave the orders for nuclear tests to be conducted a few days later. This was the first defection which was reciprocated with a tit-for-tat action.

¹³ Lumsden, op.cit., 15.

¹⁴ Axelrod, op.cit., 27-53.

A year later in 1999, Vajpayee travelled to Lahore to inaugurate the Delhi-Lahore bus service, the peace effort being termed “bus diplomacy”. In Lahore, he signed the historic Lahore Declaration that contained the composite dialogue framework to resolve all outstanding issues between India and Pakistan. He was the first Indian Prime Minister who made a clear statement on the soil of Pakistan that a secure, stable, and prosperous Pakistan was in India’s interest. His visit to the Minar-e-Pakistan served to demonstrate India's commitment to Pakistan’s legitimacy.

Soon after came another defection—this time from the Pakistani side. Allegedly, Pakistan’s military helped Kashmiri *mujahideen* (freedom fighters) to occupy the strategic Kargil mountain range on the Indian side of the Line of Control (LoC). India responded and the war over Kargil started in May 1999, which alarmed the whole world, especially in the backdrop of the two countries possessing nuclear weapons. In a tit-for-tat reaction, India cut all ties with Pakistan. After the military coup in Pakistan on 12 October 1999, India refused to conduct any business with the Musharraf government, blaming him personally for the Kargil episode.

The Musharraf-Vajpayee Agra summit in July 2001 failed to break the ice and the situation worsened after the terrorist attack on the Indian Parliament on 13 December 2001. In April-May 2003, there was a thaw in relations followed by a new peace initiative in October 2003 from Vajpayee in the shape of an offer of 12 CBMs. Since then, the peace process has continued, despite being derailed twice for some duration because of the terrorist attacks in 2006 and 2008.

After the rounds of tit-for-tat responses adopted by the leadership of India and Pakistan, there is now a growing realization on both sides that “the other” will respond in kind and that they cannot get away with even a minor defection. This has made both sides extra cautious in their approach. Despite the differences and disagreements in their negotiations, both sides have tried to continue the peace process and keep the doors of communication open—when not possible through track one, then through trade and multi-track diplomacy.

Modifying the structure of the matrix

The level of cooperation can also be increased by enhancing the relative value of the joint-cooperative outcome or by decreasing the value of the joint competitive outcome to the extent that it becomes the lowest pay-off.¹⁵

Converting peace into a superordinate goal has sometimes been proposed in the context of international conflicts, usually in the form of a big offer. In the context of the India-Pakistan conflict over Kashmir, such a modification in the matrix can take place as well. The greater economic integration of SAARC on the European Union model can also increase the value of the joint-cooperative outcome for India and Pakistan. An increase in trade will not only benefit the two countries immensely, it will also create a stake in a cooperative relationship, which can serve as the basis for long-term friendship between the two countries. Some of the developments in 2012 have even raised such hopes as Pakistan has finally granted India the Most Favored Nation (MFN) status and a series of trade agreements between India and Pakistan have been signed.

¹⁵ Lumsden, op.cit., 16-17.

Furthermore, Pakistan can connect India to the oil rich Caspian basin through Afghanistan, if the two countries can settle their political differences. The Iran-Pakistan-India (IPI) gas pipeline, also known as the peace pipeline, could be the first major peace dividend, if it materializes. The economic integration and popular support behind the peace process could create a stake that would push the leadership of India and Pakistan to resolve the Kashmir dispute on the basis of a compromise.

Furthermore, the value of the joint competitive outcome is nothing in real monetary terms if India and Pakistan continue using the dominating strategy. They will get no benefit on Kashmir; rather, they would keep paying the heavy price for defense. In 2004, a report prepared by the Mumbai-based Strategic Foresight Group of the International Center for Peace Initiatives showed that Pakistan had incurred an equal amount of expenditure on military and development (3.8 per cent of GDP), while India was spending 2.7 per cent of GDP on the military and 6.2 per cent on development. The same report also claimed that the Siachen conflict alone would cost India Rs. 72 billion and Pakistan Rs. 18 billion in the next five years.¹⁶

However, if India and Pakistan could agree on a give-and-take formula – with India retaining the Jammu and Ladakh regions; Pakistan the Northern Areas of Gilgit and Baltistan; and the two jointly managing the Kashmir Valley (the contentious part) – both would benefit. Moreover, the revenue that would be generated from tourism in Kashmir would help in the overall development of the erstwhile princely state.

Constructivism and multi-track diplomacy can make Kashmir negotiable

The problem lies at the very root of the idea that Kashmir is a territorial dispute which can be exclusively settled with a binding treaty, either through bilateral talks or through third party intervention. We have a long history of failures of this top-down approach which ignores the intended and unintended entrenchment of a social conflict in the two contending communities. This approach ignores the fact that the very structure of the two parties is embedded in a pattern of conflictual relationships. Until we deconstruct the big hostile picture which paints the “enemy image” for the “other side”, there is little chance of durable peace.

This is why John Paul Lederach, the chief proponent of conflict transformation, does not advocate directly going in for a “quick solution”¹⁷. He says that once social conflict occurs, over time it changes (that is, transforms) the events, people, and relationships that created the initial conflict. To achieve sustainable peace, an approach which “seeks to create a framework to address the content, the context and the structure of the relationship” is needed.¹⁸ This is where constructivism and conflict transformation approaches can work and may help in making the Kashmir conflict negotiable. On the one hand, constructivists challenge the socially constructed stereotypes and prejudices, and on the other, conflict transformation engages with and

¹⁶ Strategic Foresight Group, ‘The Climbing Cost of Continuing Indo-Pakistan Conflict, Calculated’, reported in a Special Report, *South Asia Tribune*, Issue No 81, February 29-Mar 6, 2004.

¹⁷ John Paul Lederach, *The Little Book of Conflict Transformation* (Intercourse, PA: Good Books, 2003), 12.

¹⁸ *Ibid.*

transforms “the relationships, interests, discourses and, if necessary, the very constitution of the society that supports the continuation of violent conflict.”¹⁹

The removal of bias and stereotypes would be the key to improving relations between India and Pakistan. The noted Indian journalist and peace activist, Kuldeep Nayar, wrote in *Dawn* on 18 December 2004, “I see the same fires of prejudice burning in the two countries. Misinformation, misunderstanding or misinterpretation of religion is grist to the hatred mill which is working all the time.....Kashmir is a symptom. The disease is bias.” The constructivist approach can be used to deconstruct the enemy images, belligerent identities, and cure the disease of bias. Emanuel Adler explained this concept in these words, “the human capacity for reflection or learning has its greatest impact on the manner in which individuals and social actors attach meaning to the material world and cognitively frame the world they know, experience, and understand.”²⁰

To make Kashmir negotiable, these community memories, stereotypes, and religious biases have to be challenged through increased interaction and communication between the two communities, and that implied ideology which is responsible for making Kashmir non-negotiable has to be changed for good. The separation of the Kashmir dispute from the nationalist ideologies of India and Pakistan would be key to resolving this “prisoner’s dilemma” situation because compromise on territory can be worked out, but compromise on national identity – Islamic or Secular, is considered sacrosanct.

The constructivist approach in International Relations argues that international reality is socially constructed by cognitive structures that give meaning to the material world. If ideas, images, and identity, are socially constructed and are not a given feature, then they could be changed and re-constructed as well. Track two engagement, multi-track diplomacy, and confidence building measures (CBMs) have a major role to play in this reconstruction process. The term “track two” was coined by Joseph Montville in 1982 to describe non-official contacts between conflicting parties. Former US ambassador John McDonald along with peace scholar Louise Diamond expanded this formulation to include nine tracks—government, conflict-resolution professionals, business, private citizens, learning (research, training, and education), advocacy, religion, funding, and the media.²¹ Together, they founded the Institute for Multi-Track Diplomacy (IMTD) in 1992 to support multi-track peacebuilding efforts.

Such unofficial contacts between opposing sides are valuable in de-escalating conflict before any meaningful official negotiations are politically feasible. These contacts can build bridges between people, increase trust, and foster mutual understanding. They can serve to correct misperceptions and unfounded fears, and can reverse the trend towards dehumanization and the entrenchment of enemy images that often occurs in escalated conflicts.

Multi-track diplomacy processes between India and Pakistan, which gained momentum at the turn of the Century need to be made more comprehensive, systematic, and stable. All sections

¹⁹ Hugh Miall, “Conflict Transformation: a multi-dimensional task” (Berlin: Berghof Research Centre for Constructive Conflict Management, 2004), 5. Available at http://www.berghof-handbook.net/uploads/download/miall_handbook.pdf (accessed October 25, 2012).

²⁰ Emanuel Adler, *Communitarian International Relations: The Epistemic Foundations of International Relations* (Oxen: Routledge, 2005), 90.

²¹ Louise Diamond and John W. McDonald, *Multi-Track Diplomacy: A Systems Approach to Peace* (Connecticut: Kumarian Press, 1996), 4-5.

of society in the two countries need to participate more actively. There is also a need to institutionalize this process and make it independent of the whims of the two governments. Civil society and the intelligentsia on both sides of the border have to come forward and create stronger bonds so that a friendly atmosphere can be sustained even at times of tension when the governments are at loggerheads with each other. Trade, research, academia, music, film, art, literature, and media links can play a constructive role in removing stereotypes and prejudices within the two societies. A longer period of normalization with soft visa policies accompanied by strong cultural, social, and political exchanges will go a long way.

However, it would be naïve to expect that increased people-to-people contact will make people give up on the Kashmir issue. Rather, it will prepare them to start listening to the other side of the story and start thinking beyond the “integral part” and “jugular vein” rhetoric. It can be hoped that sustained people-to-people contact will prepare public opinion to give concessions to the “other side”, which are necessary to arrive at an amicable solution for the Kashmir conflict.

Conclusion

A theory which involves only two players and two choices cannot provide a comprehensive picture of international conflicts in today's globalized world where every conflict has its local, national, regional, and international dimensions. The Kashmiri people and their leadership are undoubtedly very important players and cannot be excluded from the matrix of the game. However, this simplification and exclusion strategy provides a helpful mechanism to understand an important angle of the Kashmir conflict, that is, Kashmir as an India-Pakistan territorial dispute. An analysis of the “prisoner's dilemma” facilitates an understanding of the logic behind the adoption of a dominating strategy by India and Pakistan since independence on the basis of individual rationality. More importantly, it offers ground for peace as a Pareto-optimal solution. For this to work, though, both parties will have to abandon their conservative dominating strategy for good and adopt the more risky cooperative strategy.

Multi-track processes of peacebuilding need to continue for a longer period of time, and without any break, in order to generate an atmosphere of trust and reduce misperceptions between the peoples of India and Pakistan. A greater degree of communication and increased people-to-people contact would be required to help in mitigating the “prisoner's dilemma” complex. The path of peace may be very risky and cumbersome, but in a situation where total war is no more an option, the Pareto-optimal solution of peace is the only logical option left for India and Pakistan.

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