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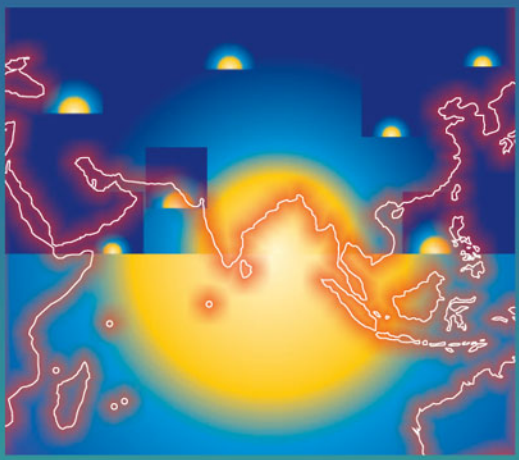
Internal Conflict and Regional Security in South Asia

Approaches, Perspectives and Policies

Shiva Hari Dahal, Haris Gazdar,
S.I. Keethaponcalan and Padmaja Murthy



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UNIDIR/2003/3

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NOTE

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UNIDIR/2003/3

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UNITED NATIONS PUBLICATION

Sales No. GV.E.03.0.10

ISBN 92-9045-148-3

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ACKNOWLEDGEMENTS

We wish to thank the United Nations Institute for Disarmament Research (UNIDIR) for inviting us to undertake this study and the Ford Foundation for supporting the Fellowship Programme. We are particularly indebted to Patricia Lewis, Director, and Christophe Carle, Deputy Director of UNIDIR, for their constant support and encouragement through the course of the Fellowship. Special thanks are due to Olivier Brenninkmeijer, Fellowship Coordinator, who played a crucial role in facilitating our joint work, and also acted as our friend, host and guide during our stay in Geneva. Vipin Chandra, Mark Hilborne, Pritham Khalsa, David McPike, Eva Rathihandayani, Michele Tan and Xiao Qu Wang provided support in their capacities as interns at UNIDIR. We are grateful to all our colleagues at UNIDIR who made our stay memorable. Shahram Chubin was kind enough to read our work at its various stages of development and to provide us with his comments. Many other individuals at the United Nations and elsewhere in Geneva helped us in our work, and we are grateful for their input. The authors take responsibility for any errors.

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ACRONYMS

AIADMK	All India Anna Dravida Munnetra Kazhagam (Tamil Nadu, India)
AL	Awami [People's] League (Bangladesh)
ATTF	All Tripura Tiger Force (Tripura, India)
BNP	Bangladesh Nationalist Party
BPP	Bhutan People's Party (Bhutan)
CHT	Chittagong Hill Tracts
CPC	Country Peace Commission
CPN	Communist Party of Nepal
CPIML	Communist Party of India (Marxist-Leninist) (Bihar, India)
GDP	gross domestic product
GNF	Garo National Front (Meghalya, India)
IDP	internally displaced person
IISS	International Institute for Strategic Studies
IJT	Islami Jamiat Talaba (Pakistan)
JI	Jamaat-e-Islami (Pakistan)
JKLF	Jammu and Kashmir Liberation Front
JLF	Jharkhand Liberation Front (Jharkhand, India)
KPP	Kamatapuri People's Party (West Bengal, India)
LCPC	Local Community Peace Committee
LTTE	Liberation Tigers of Tamil Eelam
MCC	Maoist Communist Centre
MQM	Mohajir Qaumi Movement (Pakistan)
NGO	non-governmental organization
NLFT	National Liberation Front of Tripura (Tripura, India)
NWFP	North-West Frontier Province (Pakistan)
PCN	Peace Commission Network
PIOOM	Interdisciplinary Research Programme on Root Causes of Human Rights Violations
PLOTE	People's Liberation Organization of Tamil Eelam
PWG	People's War Group (India)
PP	Project Ploughshares
RAND Corporation	Research and Development Corporation
RS	Ranvir Sena (Bihar, India)

SAARC	South Asian Association for Regional Cooperation
SAPC	South Asia Peace Commission
SIPRI	Stockholm International Peace Research Institute
SULFA	"Surrendered" ULFA
TIUQ	Tanzim Ittehade Ulema-I-Qabail (Pakistan)
ULFA	United Liberation Front of Assam
UNHCR	Office of the United Nations High Commissioner for Refugees
UNIDIR	United Nations Institute for Disarmament Research
UPF	United People's Front (Nepal)

Introduction

The social, political and economic development of South Asia has been seriously hindered by internal, or intra-state conflicts. The region is one of the most ethnically, culturally and linguistically diverse, as well as most populous, in the world. However, it is also host to deeply entrenched ethnic hostility, communal violence and numerous wars, both inter- and intra-state. Some of these conflicts, such as those in Kashmir and Sri Lanka, are well documented, while many others receive minimal attention.

The aim of this paper is to provide a more effective framework for the analysis and management of internal conflict and security. It does so with reference to the most populous region of the world, namely South Asia. The paper conducts a brief review of secondary material on internal conflicts in the region in order to ascertain broad patterns. It is argued that internal conflicts pose serious challenges for analysts and policy makers alike because they are complex and heterogeneous. A multidimensional framework is proposed for the analysis of internal conflict. This analytical framework is based upon a view of conflict as a situation where parties are unable to resolve their differences within existing institutional mechanisms. Conflict management, consequently, is seen as the process of bringing parties into agreed institutional settings. It is argued that this analytical framework can also serve as a tool for conflict management and can be formalized in the shape of a "Peace Commission". The paper discusses the broad issues in the design of a Peace Commission, and proposes some specific short-to-medium term actions that can be taken as interim steps by states, individuals and civil societies.

Outline

The paper is organized into four sections. Section 1 provides an introduction to the region of South Asia, to the salient problems of conflict and security, and to the approach and methodology adopted by this study. Section 2 reports on the current status of internal conflicts in the region, and attempts to identify broad patterns and themes that might provide insight into prospects for conflict management. The section also discusses the impact of internal conflict upon both the immediately affected communities and the wider society. Section 3 outlines a conceptual

framework for the analysis of conflict. The framework is premised upon an understanding of conflict as a failure of existing institutions and a clear identification of the main contending parties. Section 4 discusses how the conceptual framework outlined in section 3 might be used for the purpose of conflict management. The section proposes the mechanism of Peace Commissions as a conflict management instrument in South Asia, discusses issues in their design and suggests how such Commissions could be established.

Approach and Methodology

This paper represents an attempt by four individuals from South Asia to think collectively about problems of conflict and security in the region during a fellowship at the United Nations Institute for Disarmament Research (UNIDIR) to which they were invited. The authors had never met, come from different countries, hold diverse political opinions, experience and interests. One is a human rights writer and activist, another a scholar of ethnic conflict and civil war, yet another a researcher on state security issues, and a fourth a political economist.

The idea of writing a joint paper on such politically sensitive issues as internal conflict and security with virtual strangers from states that do not always enjoy the best of relations was an ambitious one from the outset. The fact that the four authors were also from diverse disciplinary backgrounds made the exercise all the more challenging. All four, however, were united in one important respect—a determination to find a way of working together in tackling a difficult subject from across national and disciplinary boundaries. This paper is the outcome of that attempt.

In some ways, the process of collaboration on a joint paper was not dissimilar to the process of negotiation that might be required in resolving substantive political disputes. The fact that the authors were strangers involved in a common project meant that they were forced to give considerable attention to identifying areas of agreement and discord. There are three important ways in which the resulting attempts to find a common ground have affected the approach and methodology adopted here.

First, the presence of multiple perspectives is viewed as a strength rather than a weakness. The important methodological problem was not to

choose a single operative perspective, but to find ways of relating diverse perspectives to one another.

Secondly, empirical statements about specific conflict situations are accorded a relatively low status. Empirical statements are generally treated as "opinions on fact" rather than as "facts" themselves. Reference to any particular case is used for illustrating more general points, and should not be read as a definitive judgement on the case in question.

Thirdly, attempts are made to interpret specific political viewpoints held by the authors and others as parts of a generic argument. For example, the claims made by a particular state in relation to insurgency within its borders are not disputed, but taken as being somehow representative of the views of states about insurgencies in general.

The hazards of a negotiated paper are the familiar ones of committee writing—outcomes can be short on substance and long on uncontroversial but banal statements of good intention. It is the hope of the authors that this paper is not unnecessarily short on either substance or controversy. Judgement on this matter rests, of course, with the reader.

Diversity and Disparity

The South Asian region found its first formal expression in the shape of the South Asian Association for Regional Cooperation (SAARC) in 1985. The membership of this organization, and hence the composition of the region, consists of seven states: Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka (see Annex 1). Taken together these states account for over one and a quarter billion people, or just under one quarter of the world's population. The sheer geographic and demographic size of South Asia points to intraregional diversity of continental proportions. The region is home to several ancient civilizations, to scores of highly evolved linguistic, literary and cultural traditions, and to ethical and spiritual movements that correspond to many of the major religions of the world.

In addition to ethnic, religious and linguistic diversity, there is great political diversity on the South Asian subcontinent, even though many of the South Asian states have emerged from shared experiences under colonial rule. Bangladesh, India, Maldives and Sri Lanka are democratic

republics, Bhutan and Nepal are monarchies, and Pakistan has been ruled by General Musharraf since the military coup of 1999.[1] Ethnic and ideological issues also receive widely differing treatment. In Bangladesh, India, Maldives and Sri Lanka, the state is formally secular and non-denominational, though some reference to religious community does exist in each case. Pakistan, however, is formally an Islamic republic, and Nepal is a Hindu kingdom. Perhaps the only common factor among these states is that there exists to a certain extent a degree of electoral representation, with the sole exception of Bhutan.

Within states, the ethnic and religious composition of the population is also very diverse. In addition to significant minorities in ethnic and religious terms, there are also important cross-border connections between ethnic and religious communities in the different states within the region. In other words, state boundaries do not contain closed, ethnically and religiously homogeneous regions. This lack of homogeneity is a frequent cause of intra-state communal conflict that can easily be transferred to the inter-state level through ethnic links shared with communities in neighbouring states. It can, in fact, be argued that the region is characterized by both cross-border cultural and ethnic contiguity, and intraborder diversity.

Diverse political experiences, ideologies, ethnic identities and economic conditions across and within the states pose significant challenges, a priori, for conflict management in the region. As is the case in many other regions, South Asia has been increasingly overwhelmed with what has been termed "non-traditional security threats", such as ethnic and ethno-nationalistic insurgencies that undermine the ability of state institutions to manage conflict.[2] These internal conflicts are particularly cumbersome to address because, unlike state-sponsored violence against another state, few established rules exist by which internal conflicts may be effectively managed. Additionally, there is a multiplicity of potential social, political and economic contests among representatives of different administrative units (states, provinces, communes, etc.), non-state groupings and individuals, further muddling efforts to effectively manage conflict at all its levels.

Conflict is an inevitable feature of societies, but may be more common within communities that encompass diverse cultural identities and economic disparities. The costs of violent conflict are often disproportionately high compared to the original stakes, and they are often

borne by people who have little control over decision-making or influence over those who can reduce violence. The dynamics of violent conflict are often such that they hopelessly entrap large numbers of people. Violent internal conflicts have directly contributed to thousands of deaths and injuries, not only among combatants, but also among unarmed civilians. Thus, while the root causes of conflict and the levels at which they occur are important to understand, the impact that conflict has on communities in South Asia is also of great interest to this paper.

Internal Conflict and Insecurity

The discourse on regional security in South Asia tends to be focused on the inter-state rivalry between the two largest states in the region—India and Pakistan. The overt introduction of a nuclear dimension into the India-Pakistan relationship has generated international interest in a South Asia preoccupied to no small extent with the threat of a nuclear confrontation and its potential effects on regional and global security. During his visit to the region in March 2000, the then President Bill Clinton declared Kashmir to be "the most dangerous place on earth". His assessment was based not on an evaluation of day-to-day security threats faced by civilians in Kashmir, but on the concern that the territory might become the cause of a nuclear exchange that would have far-reaching effects.[3]

The importance placed on the conflict between India and Pakistan, with its new nuclear dimension, is not unfounded—the impact of a nuclear war would be felt around the world. At the same time, however, the near exclusive focus on state-to-state relations between the region's two most militarily significant countries has overshadowed other conflicts that also have had devastating consequences. This imbalance has persevered despite evidence that traditional state-to-state conflict might contribute relatively less to everyday insecurity as experienced by civilian populations than do non-traditional intra-state conflicts. A recent study conducted by the RAND Corporation for the United States army, for example, concluded that the probability of a premeditated, full-scale war between India and Pakistan was virtually negligible in the next decade.[4] However, violent confrontation persists. The Stockholm International Peace Research Institute (SIPRI) reports that the three most prominent violent internal conflicts in the region in 1999 were each directly responsible for over a thousand deaths.[5]

Indeed, casualties associated with inter-state conflict are dwarfed by the sheer scale and spread of violence associated with internal conflicts in South Asia. In the past fifty years—roughly the period during which sovereignty has existed in much of the region—there have been three instances of open inter-state warfare within the region, all of which were fought between India and Pakistan.[6] The combined number of deaths in these three wars was around 20,000 combatants. These figures are easily exceeded by the number of casualties from internal conflicts during the same period, and matched by the number of deaths from internal conflicts during the last three years alone.[7] This suggests that while inter-state conflict and war capture much of the attention of the international community, internal conflict may have a much more drastic effect on the region.[8]

The problem is also extremely widespread. There were conflicts in all South Asian countries with the exception of Bhutan and Maldives during the period 1989 to 2000. For example, Bangladesh (Chittagong Hill Tracts) up to 1992; India (Kashmir) continuing, India (Manipur) continuing, India (Nagaland) up to 1997, India (Tripura) continuing, India (Jharkhand) only in 1993, India-Kashmir-Pakistan continuing; Nepal (Maoists) continuing; Pakistan 1995 and 1996; Sri Lanka (Tamils) continuing (at the time of writing).

Conflict: Internal versus Inter-State?

Internal conflicts can be closely related to state-to-state relations.[9] It might even be argued that many of the conflicts considered internal are actually manifestations of inter-state conflicts, and that the division between the two categories is not as clear-cut as suggested above. However, the case can also be made that the three inter-state wars between India and Pakistan were closely linked to unresolved internal conflicts within the region. The official Pakistani position on the wars of 1948 and 1965 is that these were sparked off by internal developments inside Indian-controlled Kashmir. Conversely, the Indian position is that these wars were the consequence of Pakistani interference in Indian internal affairs. The positions are reversed with reference to the 1971 war, where Pakistan claimed Indian interference in its domestic matters and India argued that the cause of the conflict was internal breakdown in East Pakistan. The point is that all three cases of inter-state warfare can be related to some form of unresolved internal conflict.

Within the South Asian context, inter-state or international conflict can be viewed as inter-group conflict in which the groups in question are states with well-defined objectives and relatively well-established procedures for conducting their relations with one another. These relations are guided by accepted protocols, norms, or rules that seek to regulate military engagement at the international level. In contrast, internal conflict is more complex because the parties involved do not usually conform to these or other established norms.

A further complication is that, in comparison with armed conflict between countries, the distinction between combatants and non-combatants is rendered more problematic to the degree that the civilian population becomes involved. The rules or standards of military engagement by non-governmental groups are unclear, especially where channels of communication or hierarchical structures of command and control are established only for short-term engagements and disbanded as soon as possible. The result is that the scope for mediation of inter-group relations at the national level is more restricted and problematic. External assistance to help resolve internal conflicts is therefore inherently more difficult. Neutral or non-partisan monitoring and reporting instruments such as the Red Cross or organizations within the United Nations system have far greater difficulty in proposing methods to manage these sorts of conflicts.[10]

Is it any wonder, then, that the scope of internal conflict in the region is wide, occasionally interlinked with inter-state conflict, and sometimes also extremely complex? Moreover, South Asia is a peculiar region in that nuclear and conventional arms build-ups go hand in hand with the flow of small arms, drugs and the movements of internally displaced communities and refugees. Communities in the region have also suffered from insurgencies, sectarian and communal violence, as well as from extra-parliamentary political violence and instability.[11] Because of the multi-faceted effects of internal conflicts in the region, a common understanding of terms and concepts must be fathomed here. Therefore, in the following section, an attempt is made to define conflict and situations of conflict in broad enough terms to encompass the situations experienced in South Asia.

Defining Internal Conflict

In order to encourage a common understanding of situations of conflict within the South Asian region, it is essential to establish a definition of

conflict that includes both inter-state and intra-state disputes, as well as traditional and non-traditional security issues. For the purpose of this discussion, then, internal conflict is defined as the existence of organized groups within states which enjoy some degree of intra-group legitimacy and coherence and whose demands and interests are not readily reconciled or resolved within existing domestic institutional (political, judicial or economic) mechanisms. This definition suggests that internal conflict within a state is linked to the inability of existing institutional mechanisms at the national or local level to adequately manage or address the concerns of disaffected groups, resulting in the resort to violence by members of these groups or by state authorities.

It needs to be acknowledged that the terms "internal" and "conflict" are relatively fluid in empirical terms, and as such, make the classification of political conflict even more difficult. Secessionist movements, for example, are characterized by disagreement between two or more political entities about whether a conflict is internal or not. Kashmiri separatist groups in Indian-held Kashmir, for example, insist that their demands cannot, by definition, be met within the confines of the Indian Constitution. The official position of the Indian state, on the other hand, holds that all other substantive political and economic questions can be negotiated only so long as India's sovereignty over Kashmir is respected. A similar logic prevailed until recently in the respective positions of the Sri Lankan Government and the Tamil separatist movement. There have been other conflicts as well where at least one non-state actor challenged state sovereignty and has thus implicitly or explicitly rejected the notion that the conflict was an "internal" one. This was the case with regard to Balochistan in Pakistan in the 1970s or Punjab in India in the 1980s.

The inability to come to agreement on matters as elementary as classification hinders the capacity of existing institutional conflict management structures to address conflicts of interest effectively. Indeed, the idea that the demands and interests of a group are not readily reconciled or resolved within existing national institutional mechanisms is a crucial element in the distinction between what we call internal conflict and other forms of disagreement. Rivalry, competition and disagreement between groups are the hallmarks of any political system. However, the type of conflict, which is the subject of this discussion, is the kind stemming from the inability of groups to manage their differences within existing national institutional structures.

Complexities of Internal Conflict

Often, because of the inherent diversity of group-based actions in internal conflicts, a certain level of complexity develops regarding both the composition of the parties involved and the positions they espouse. Conflict is frequently discussed in terms of the impact it has upon the civilian population. Whether by choice or by circumstance, civilians commonly suffer in terms of human rights violations, economic hardship and displacement. Precarious living conditions, poverty, displacement and human suffering create their own vicious cycles often associated with communal violence that may further entangle communities in the dynamics of the conflict.

In a region as diverse as South Asia, conflict between groups is found at a number of levels—political, economic and sociocultural. Class- and caste-based civil conflict has affected many South Asian states. In India, to name some examples, there are the cases of Bihar, Andhra Pradesh and Gujurat. In Nepal, the Maoist Communist Party of Nepal rebels fight to replace the constitutional monarchy with a communist state.[12] In some rural areas of Pakistan, radical Islamic groups vie for control of the civil administration or to impose their version of the Islamic Shariah by force. In Bangladesh, Human Rights Watch and Amnesty International report that "both the Bangladesh Nationalist Party (BNP) and the opposition parties, led by the Awami [People's] League, have used crude 'cocktail' bombs, knives, and guns against one another and the police, causing scores of casualties", particularly after the elections of 2001 when members of the Hindu community were targeted because of their alleged support for the opposition.[13] The scale, diversity and complexity of these internal conflicts hinder the ability of institutional mechanisms to effectively manage conflict.

Reporting on Conflict in South Asia

Annex 2 provides a summary view of internal conflicts in South Asia as related by four international sources that report on conflict: SIPRI, the International Institute for Strategic Studies (IISS), Project Ploughshares (PP) and the World Conflict and Human Rights report of the Interdisciplinary Research Programme on Root Causes of Human Rights Violations (PIOOM).[14] Empirical statements and judgements belong to the relevant reporting organizations.

Differences between the four reporting sources used in Annex 2 emanate not only from the possible differences in their sources of information, but also (to a large extent) from disparities in their prior definitional categories. The main focus of SIPRI's annual reports is on so-called "major armed conflicts". These are defined as armed confrontations that directly resulted in over one thousand deaths in the year of reporting. The IISS classification is based upon a gradation of conflict. The four categories employed are "active", "ceasefire", "peace accord" and "terrorism only". There were no cases of conflict under the category "ceasefire" in South Asia. The PIOOM classification follows SIPRI in the sense that the number of casualties is used in order to identify and grade conflicts. The "high intensity" conflicts are those to which over a thousand deaths may be attributed. Conflicts where the number of casualties is between one hundred and a thousand deaths are classified as "low intensity", and those where there have been under one hundred deaths are classified as "violent political conflict".

The differences between reporting sources in the treatment of various conflicts are instructive. For example, only two of the conflicts—Assam in India, and the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka—appear as internal conflicts in all four sources. Another four cases are classified as internal conflicts by three of the four sources: Andhra Pradesh in India, Maoists in Nepal, and Shia-Sunni and the Mohajir Qaumi Movement (MQM)/Karachi in Pakistan. The conflict in Kashmir is classified as being both an internal and an international one by SIPRI. Two of the sources, IISS and PIOOM, classify Kashmir purely as an international conflict and it is therefore not mentioned in the Annex. Finally, Project Ploughshares considers Kashmir as an internal issue in India. However, it is not our objective to endorse or refute the empirical findings of the sources here. There will certainly be many differences of opinion about the validity of information collected by any source, about the quality of analysis conducted, and about possibilities of political biases in reporting. Our main objective in including this Annex is to indicate the scale and diversity of internal conflict situations in the region.

Another point that is important in the interpretation of Annex 2 is that conflicts are quite often complex and have multiple dimensions. For example, PIOOM identifies smaller conflicts within larger ones. In Assam, the conflict between Santhals and Bodos is reported as a violent political conflict within a situation of high-intensity conflict involving the United

Liberation Front of Assam (ULFA) and the "surrendered" ULFA (SULFA). Even in other conflict situations reported in Annex 2, there are blurred boundaries between different types of sources of conflict. For example, the conflict in Bihar can be seen as having an ideological element (some of the key protagonists are communist organizations), as a class struggle (the issue of land ownership is an important one), as well as a conflict among castes (the organizations involved are closely associated with different caste groupings). Similar observations can be made about a range of other conflict situations reported in Annex 2.

It is also clear to us that conflict can be assessed according to different criteria not represented in Annex 2. Conflict can be conceptualized non-quantitatively, i.e. without counting casualty figures. It is possible, for example, to take a national security perspective on conflict, classifying conflicts by the threat they are thought to pose to the security of the state. The deployment of national security forces provides one possible indicator of conflict intensity. Still another approach considers the suspension of normal constitutional and legal systems, and looks at violations of human rights as another indicator of conflict. Such an approach emphasizes a rights-based or human costs view of conflict. Invariably, approaches to conflict identification and reporting are complex, and some of these complexities are addressed in the following section, which incorporates a qualitative approach.

Human Costs and Escalating Cycles of Conflict

The region of South Asia is profoundly marked by internal conflicts. Indeed, there is not a single country in the region today, except perhaps for Maldives that is unaffected by national strife and violence. Nor are there any signs of abatement in the number of casualties. Furthermore, recurring cycles of violence erode the political legitimacy of political leaders and national as well as local governments.[15] The region's economic viability, especially where conflict is burgeoning or entrenched, is seriously challenged, as are the social conditions that form the basis for stable community life.

While problems such as human rights violations, displacement and poverty may themselves arise due to conflict, they can also contribute to a further escalation of violence. The implications for the affected

communities are inevitably multifaceted. Such problems create an insupportable burden for the affected communities, and are often used to legitimize accusations and grievances. They are then responsible for inciting a cycle of further violence, displacement, etc. Below, we examine the human costs that arise from cycles originating from internal conflict.

Non-Combatants and Human Suffering

The exposure of civilian populations—or more correctly, of non-combatants—to violence and displacement is a common feature of internal conflict. Violence and forced displacement are in themselves violations of human rights as illustrated in article 3 of the Universal Declaration of Human Rights which states that "Everyone has the right to life, liberty and security of person", regardless of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other statues.[16]

In times of conflict, non-combatants may be subjected to a wide range of human rights abuses at the hands of the contending parties. These parties may be either state or non-state actors, and may include regular military or police forces, secret service forces, irregular armed forces, insurgent armed groups, guerillas and others. State actors, as representatives of a national government and as guarantors of security, often find themselves in questionable positions with regard to domestic and international laws. For example, the Indian Government used the world's post-September 2001 preoccupation with terrorism as an opportunity to treat internal conflicts as being perpetuated by terrorists.[17] Indian officials have been pushing "for a new Prevention of Terrorism Ordinance, that would give police sweeping powers of arrest and detention [and] would reinstate a modified version of the … Terrorist and Disruptive Activities (Prevention) Act or TADA which was repealed in 1995 after years of abuse against suspected rebels and anti-government activists".[18] In their annual report for 2001, Amnesty International reported that Nepal and Pakistan have discussed similar legislation to address their problems with Maoist insurgents and to give their respective Governments the power to "ban organizations involved with terrorism". Similarly, all states in South Asia routinely grant emergency and extraordinary powers to their armed forces in the pursuit of state security.

At times, states interpret internal conflicts as challenges to state security, and as such, withdraw normal legal and constitutional guarantees

from their citizens. The withdrawal of such protection and the suspension of ordinary procedures of law and justice are sometimes counter-productive. The loss of civil liberties and constitutional protection can lead to situations where state security forces act with impunity against civilians. Arbitrary acts of violence and human rights violations by state agents then have the effect of alienating sections of the civilian population from the state, thus providing greater legitimacy to dissident groups and parties. A good example of this is the continuing conflict in Sri Lanka, where human rights organizations report that the army has used civilians both as landmine detectors (for example, in Batticaloa) and as shields against LTTE attacks, and that they have received complaints of arbitrary arrests, disappearances and extrajudicial executions of Tamils.[19] Such instances make it crucial to consider how much precedence state security should be given over human rights.

Non-state actors are also frequently accused of human rights violations. While non-state parties are not formally bound by constitutional guarantees, their violation of human rights still delegitimizes their cause. Human Rights Watch reports that following the outbreak of the third phase of the Sri Lankan civil war on 19 April 1995, both the Sri Lankan armed forces and LTTE engaged in acts of violence that had by July claimed the lives of hundreds of civilians. Such acts included the recruitment of child soldiers and their forceful involvement in combat, the abduction of members of opposition parties and execution-style killings.[20] Similarly, Maoist insurgents in Nepal have been responsible for a number of killings, acts of torture and the disappearance of civilians and police. The abduction of both political activists and police has become a central component of their war against the ruling party. In India, members of the marginalized sections of society, such as the Dalits or "untouchables", continue to be targets of state and non-state violence alike, and conflict between Hindus and Muslims in the western state of Gujurat reached an all-time high in 2001. Additionally, hundreds of civilians have been indiscriminately killed in violence between state forces and factions of the Naxalites (armed left wing) in the states of West Bengal, Bihar, Andhra Pradesh, Madhya Pradesh and Orissa.[21]

Displacement

Conflict-related displacement has been a conspicuous feature of the history of post-independent South Asia. The period immediately following

the independence and partition of British India led to some of the largest movements of population ever witnessed in modern times. This scenario was repeated in the late 1960s and early 1970s with regard to the conflict in East Pakistan. The South Asian region is now home to some of the largest concentrations of refugees and internally displaced persons (IDPs) anywhere in the world.[22]

It is this latter category of people that is of increasing concern—people "who have been forced to flee their homes, but who have not reached a neighbouring country and therefore, unlike refugees, are not protected by international law or eligible to receive many types of aid".[23] There are an estimated 20 to 25 million IDPs in South Asia, a large proportion of whom are thought to have been displaced due to internal conflict.

In Sri Lanka, for example, the civil war between LTTE and the Government has forced 800,000 individuals to flee their homes. In India, armed conflict and ethnically based communal violence has led to widespread population movements not only in Kashmir, but also in the state of Gujarat, and in regions in the north-east such as Assam and West Bengal.[24] International bodies such as the Office of the United Nations High Commissioner for Refugees (UNHCR) are able to report directly about these population displacements, but can provide support to only a small fraction of IDPs.

The largest concentration of refugees in South Asia was recently recorded in Pakistan. It consists of approximately two million people from neighbouring Afghanistan, many of whom first arrived in Pakistan during the Soviet military occupation, but were forced to remain in Pakistan while civil war raged in their country following the Soviet withdrawal. More Afghanis have since sought refuge in Pakistan as a result of the American-led war against the Taliban regime. In Sri Lanka there is also a vast concentration of IDPs. UNHCR estimates that in January 2001, there were over 700,000 IDPs in the country, the third largest concentration of them in the world.

In Bangladesh, the conflict over the Chittagong Hill Tracts (CHT) has displaced more than 50% (approximately 500,000 persons) of the local population. The local indigenous population of CHT includes 13 ethnic groups that differ from the rest of the Bangladeshi population in their religion, culture and social customs. In the early 1970s, the Government initiated measures to gain greater control over the region by deploying army

troops and developing resettlement incentives for ethnic Bengalis from the delta region. This led to serious political tensions and the creation of an armed indigenous insurgent group called the Shanti Bahini. A civil conflict lasting 25 years ensued, leading to the displacement of both indigenous groups and ethnic Bengali settlers. In addition to thousands of IDPs, many also fled to neighbouring India. The civil war ended officially in 1997 with the signing of a peace accord between the Government and tribal leaders. This accord granted greater autonomy for the population in CHT and led to a gradual reduction of the Bangladeshi military presence there. However, a Government task force reported in 2000 that 128,364 families still remained internally displaced in the area.[25]

The cumulative effect of these and other less well-known instances of conflict-related displacement and resettlement has meant that South Asia is probably the region with the largest number of displaced people in the world.[26] According to one survey of displaced people into India, the total number of refugees from Afghanistan, Bangladesh, Myanmar, Pakistan, Sri Lanka and Tibet is about 28 million. This is more than the combined populations of Bhutan, Maldives and Sri Lanka.[27]

Displacement due to smaller internal conflicts is largely unrecorded in international systems of reporting. Hence, the total number of displaced people is likely to be larger than the estimates cited above. The identification of, and reporting on, internally displaced people poses complex problems. Many of the people who leave a zone of internal conflict often move to safer parts of the same country and find refuge with friends and relatives. Many of these people join the millions of others who migrate interregionally in search of employment opportunities, and become difficult to distinguish from economic migrants.

Displacement has the potential to create new conflicts and violence. Tensions between host populations and incoming migrants are sometimes an important contributory factor to conflict. This is the case with regard to Bhutan, where violence erupted and thousands of Nepali speakers fled into Nepalese refugee camps in Nepal.[28] In the Indian north-east region and in the Sindh province of Pakistan, the displacement of communities has also caused local instability and triggered outbreaks of violence. Furthermore, in Bangladesh, the 1997 Peace Accord paved the way for the return of the CHT refugees that had sought refuge in the Tripura state of India during the height of the conflict with the Bangladeshi armed forces. However, many

became internally displaced upon their return. The restitution of land from Bengali settlers to the displaced tribal population remains at the core of the conflict, and the Chairman of the CHT Regional Council has threatened to go back to war.[29]

The cases mentioned above demonstrate how internal conflict and the displacement of civilians tend to develop a dynamic of their own, whereby displaced people are either left to fight for their place in a new environment or forced to move on where uncertain military and economic conditions persist. In Sri Lanka, for example, half of all IDPs have been displaced at least three times.[30] Their sad plight is compounded by their lack of access to basic shelter, health, education and employment. The sense of vulnerability of the displaced is heightened to such an extent that panic erupts wherever the slightest perception of danger appears. Displacement aggravates pre-existing tensions, and high tensions in turn feed conflict. Thus the dynamic of conflict is continued, locking many victims into a cycle of violence and grievances. Any reduction of the cycles of violence and tensions will require that conflict management strategies that promote confidence and include all parties in constructive dialogue are brought to bear.

Economic Motivations and Costs

The range of internal conflicts in South Asia suggests diverse motives on the part of protagonists. Even so, many conflicts in the region may be said to originate or become entrenched because of disputes over the distribution of economic resources and opportunities, or about perceptions of identity. In some cases the conflict is fought openly along class lines, often over the distribution of property rights over land.[31] In other cases, identity issues such as ethnicity, nationalism and religion appear to be dominant. Sometimes, both economic interests and struggles to promote one source of identity over another go hand in hand. Many of these identity-based conflicts are fuelled by perceptions of economic inequality and by demands for economic rights for particular groups.[32]

Given that many of the tensions that escalate into violent conflict can be associated with perceptions of victimization and economic imbalance, it is important to observe the effect of conflict on the economic conditions of local communities. Violent conflict imposes serious economic costs, not only in the place where it occurs, but also over a much wider area. The most

conspicuous direct economic cost is the damage to property and economic infrastructure due to violence. "GDP growth rate and income per capita tend to be negatively affected by conflict" as society becomes more constricted by the devastating effects of violence on the conduct of normal economic activities and the loss of human and productive capital and infrastructure.[33] Those less directly affected may also suffer consequences that are equally damaging, if less obvious. These include, for example, longer-term effects on national and regional economies as foreign investment is diverted and future economic opportunities are compromised. Such less obvious damage to a region's economy may in turn contribute to the entrenchment of conflict. Add to that a decline in exports or the divergence of tourism to other destinations because of the violence, and internal conflict has noticeable long-term effects wherever it occurs. The Nepalese Central Bank recently stated that the country's economy had slowed dramatically in terms of industrial production, tourism and trade due to the recent escalation of Maoist insurgencies. Increases in national security spending in Nepal, a fall in key exports such as carpets and garments, and the setback to the vital tourism industry took a heavy toll on the country's largely subsistence economy.[34]

Aside from the economic and physical damage wrought by conflict, social and cultural disintegration within communities may have a dramatic impact on political stability, mutual trust and respect for property, the rule of law and the observance of human rights.

In other words, conflict-related disruption also imposes costs on non-combatants, in particular on those who are economically more vulnerable to begin with. In many cases, these costs are borne by those supposed to be the intended beneficiaries of the conflict. For example, identity-based groups whose initial sense of economic deprivation contributed to the escalation of conflict often end up shouldering a disproportionate amount of the economic burden. The primary burden of the conflict in Sri Lanka, for example, fell on the Tamil communities of the north and north-east of the island. Similarly, the main economic cost of violent conflict in Karachi was borne by the poor and middle class communities of the city—precisely the groups on whose behalf the main protagonists in the conflict were ostensibly engaged. Once a conflict escalates, it becomes difficult to rationalize it in terms of the *ex ante* cost to, and expected benefits for, the parties involved. In this sense, the escalation of conflict represents a

breakdown in which the parties to the conflict themselves lose control over its costs.

Similarly, it needs to be acknowledged that conflict situations often generate their own economic vested interests. Although the escalation of a conflict might be costly for the majority of civilians, there are likely to be some groups among the protagonists who stand to make important economic and political gains through conflict escalation. In the scenario of an ethnic-based secessionist insurgency, these might include militarized segments within the ethnic group as well as within the state apparatus. Furthermore, state security forces may gain privileged access to public finance resources and also improve their leverage vis-à-vis civilian structures of power. The military section of a "liberation movement" also stands to make analogous gains vis-à-vis the movement's political leadership.

The costs of conflict, therefore, are high in general, but tend to be unevenly or unfairly distributed. Adding to this imbalance are the substantial gains that certain factions stand to realize from conflict maintenance or escalation. In addition to those mentioned above, these rewards may come in the form of rewards from criminal activities such as protection rackets and trading in arms and drugs. Conflict situations almost always lead to the disruption of peaceful economic interaction and create economic stakes in activities related to the conduct of violence, thereby deepening already existing disparities and entrenching the vicious cycle of conflict.[35]

Armed Societies

One consequence of internal conflict that has a widespread negative impact for both civilians and conflict management alike, is the proliferation of small arms. Violent internal conflict leads to the arming of societies, which affects social and political systems adversely. "These weapons are increasingly being acquired by criminals, cartels, and irregular forces and in certain cases by influential citizens and politicians as a show of strength and political might. [The t]heft of [light weapons] from state armories has also become a major problem."[36] Additionally, "easy access to weapons is a disincentive for relying on other than violent means to those who feel underprivileged and want a change in the existing state structures".[37] One remarkable feature of South Asia's many internal conflicts is their longevity. Several of these conflicts have persisted over several decades without any

real sign of abatement. Internal conflicts become more easily protracted when the means of violence are readily available.

Additionally, the proliferation of small and lightweight weapons makes it possible for traditional non-combatants to become involved in conflict. For instance, it is it a leading cause of the increasing use of children as soldiers.[38] Experts point out that "[s]mall arms are easy to use and maintain, require little maintenance or logistical support and remain operational for many years. Such weapons require little training to use effectively, which greatly increases their use in conflicts involving untrained combatants and children".[39] The availability of small arms raises the level of violence, brings in otherwise unrelated segments of society directly into the conflict, and endangers the safety and well-being of all in the community. Furthermore, "the political fallout of small arms use in intra-state conflicts is generally larger than the actual military and operational value of these weapons", as the community must then deal with the reality of an armed society.[40]

It becomes, then, not difficult to see that conflicts contain their own dynamic and self-perpetuating forces which help to explain their persistence and steady escalation. In other words, internal conflicts become a vested interest for some and a social, political and economic disaster for others. Finally, and central to this discussion on internal conflict is the fact that, because these conflicts are seen to be within the jurisdiction of the state (even when the state might well be the perpetrator of violence), domestic, international or multilateral pressure or assistance to seek solutions is often limited.

The discussion has thus far concentrated on elaborating a picture of conflict that includes those characteristics that hinder state-sponsored conflict resolution mechanisms. Additionally, the paper has highlighted the specific effects that intra-state conflict and insecurity have on local populations; including violations of human rights, displacement of large portions of populations, economic costs, the arming of societies and the cyclical nature of communal violence. What follows, in an attempt to address the needs of a state-based response to internal conflict, is the development of a model of conflict analysis that takes into account the difficulties mentioned above. The limitations of existing conflict management institutional mechanisms are also highlighted and some recommendations are provided for strengthening the ability of these mechanisms to address situations of conflict.

Key Factors in Analyzing Conflict

Crucial to conflict analysis is a working definition of conflict that (a) identifies its various aspects (such as actors and processes); (b) provides criteria to establish when and how conflict arises; and (c) encompasses those mechanisms already in place which manage it effectively.

A key limitation of existing institutional arrangements in South Asia is that they attempt to deal with disputes and contests exclusively within their own narrow frameworks. While existing institutions might, in principle, be capable of resolving disputes and managing conflict, the absence of a general interest in conflict management often manifests itself in the form of poor sequencing or timing, thus limiting the effectiveness of existing institutional arrangements.

Hypothetical Model

Take the case of a dispute over an economic or sociocultural issue. A hypothetical example might concern the distribution of economic resources between different classes or ethnic groups, or it might originate from concern that the cultural patterns of one group are given less prominence than they deserve. At this first stage of the dispute, it is quite likely that a small number of people would air their concerns in a peaceful and constitutional manner. For example, the dissenters might want to illustrate that existing economic institutions, such as markets, or existing sociocultural institutions, such as the system of schooling, are unresponsive to their concerns, and that political intervention, such as land reform or reform of the school system, might resolve the issue. At this stage, the group identity of the dissenters might not yet be strongly formed.

If the existing political process fails to address the concerns adequately, and if the problem affects large enough numbers of people, this dissatisfaction can escalate into overt dissent and give rise to stronger group identity. If the political process remains blind to group demands, as can happen within an otherwise functioning democracy, the dissenters might take extralegal steps that are either aimed at bringing more attention to their cause or are expressions of helplessness. These actions may be interpreted as challenges to state security and might lead to disproportionate responses on the part of the state apparatus.

If the state response is perceived by the group as a directed attack on its members, group identity will solidify and the group will assume a more activist stance in advancing its position. At this stage of the conflict, it is possible that the state might relent, and invite the dissenting group to participate in the formal political process, an exclusion that originally led to the escalation of the conflict. It is also quite likely, however, that the dissenting party will regard any such offer as being an inadequate response to their demands because the original objectives of the conflict have become muddled by the conflict itself.

This model is not meant to represent a specific conflict, but neither is it atypical of the processes involved within a number of South Asian conflicts. The model highlights the fact that, while existing institutional arrangements may go some way in responding to grievances, their inability to address emerging concerns in a timely manner (disputes are often brought to a particular institutional forum only after the conflict has escalated beyond its original scope) often perpetuates or encourages conflict to escalate into violence.

The Parties

Understanding the relationship between actors within a dispute is an essential step in moving towards an understanding of how conflicts can be resolved. For this purpose, a schematic model (Tables 1-3) has been constructed that distinguishes three types of parties: states, groups and individuals. The relationship between the parties is of critical interest here. Much of the discussion of political, legal and economic institutions focuses on the relations between two generic parties: states and individuals. Generally, international conventions are generated by states for the regulation of relations between them, whereas state-individual and individual-individual relations are demarcated by constitutions and legal systems.

Table 1: Nature of relationship

Party → / Claims of ↓		Claims on		
		State	Individual	Group
Claims of	State	State-to-state diplomatic relations, international norms, treaties, conventions	Duties embedded in law	Obligations enshrined in constitution, convention, other institutions
	Individual	Rights enshrined in constitution, convention, other institution, universal norms	Rule of law, property rights, social convention, norms	Rights of members regulated by intra-group norms, state-level guarantees, universal norms
	Group	Rights enshrined in constitution, convention, other institutions	Obligations of members regulated by intra-group norms and rules, and state laws	Inter-group relations enshrined in constitution, convention, norms

Table 2: Institutional mechanism associated with relationship

Party → / Claims of ↓		Claims on		
		State	Individual	Group
Claims of	State	International forum	Judicial system (criminal)	Judicial system (criminal)
	Individual	Judicial system (constitutional), parliament (representation)	Judicial system (civil), market, social norm	Judicial system (civil and criminal)
	Group	Judicial system (constitutional), parliament (through voting bloc)	Judicial system (civil), social norm	Judicial system (civil), parliament (competing vote blocs), social norm

Table 3: Characterization of breakdown

Party → / Claims of ↓		Claims on		
		State	Individual	Group
Claims of	State	External conflict	Criminal violation	Internal conflict
	Individual	Rights abuse	Civil/social violation	Rights abuse, civil/ social violation
	Group	Internal conflict	Civil/social violation	Internal conflict

Tables 1 and 2 set out the nature of the generic relationship between all three categories of actor, and are characterized by a reference to mutual claims. States have claims on, as well as obligations to, other states by the virtue of state-to-state diplomatic relations, international conventions and treaties, and bilateral protocols. Relations between individuals, likewise, can be characterized as consisting of a set of claims and obligations that each individual has to one another and to the state. These relations are notionally based upon the acceptance of the rule of law, property rights and social conventions and norms. The claims of individuals on their state are identified by rights enshrined in the constitution, and in conventions or universal norms such as the Universal Declaration of Human Rights. Conversely, a state has claims on individuals (i.e. individuals have obligations to the state) which are embedded in national law.

The introduction of the third category, the group, extends the conventional identification of parties. A group is a collective that might specify its own set of relationships between individuals on the one hand, and with a state on the other. For the purposes of this paper, groups that coalesce around political interests and ideals are of most interest. One characteristic of our definition of internal conflict is the existence of coherent sub-state groups that enjoy some degree of political legitimacy, and whose interests are not readily addressed by existing institutional constructs.

Table 2 illustrates the institutional mechanisms that control the relationships between the three categories of actor. State-to-state relations are conducted in international or bilateral forums, and the criminal judicial system regulates the state's claims on an individual. Mutual relations between individuals are carried out through civil judicial systems, social norms, and institutions such as markets. Individuals' claims on the state are regulated through constitutional judicial systems and organs of representation such as parliament. Group-based activity between states and individuals, by contrast, has been less institutionalized. As such, existing institutional mechanisms have weaker jurisdiction and unclear mandates with regard to group-based action.

Tables 1 and 2 outline the relations between states, individuals and groups **under normal conditions**. These groups might be formal ones accepted by the state as legal and constitutional entities. The constitutions of all South Asian countries, for example, recognize religious groups. In the case of an Islamic republic like Pakistan, the Constitution recognizes Muslim citizens as a distinct group in order to affirm the Islamic credentials of the state. Even in formally secular states such as India, however, the Constitution formally recognizes religious groups in order to constitutionally sanction open access to Hindu places of worship. States also recognize groups of other types, such as those based on language, caste, and even economic status. Other groups are more informal, and although not recognized formally by state parties, do enjoy some measure of internal legitimacy. The Pakistani Constitution, for example, makes no reference to linguistic and ethnic groups, but political life in large parts of the country is organized around ethnic-linguistic group identities.

Table 3 takes the model of the preceding tables further, by adding "breakdown" as a characteristic in relations between actors in a conflict. The breakdown in normal relations between two state parties is seen here as a case of external conflict. The breakdown of mutual relations between individuals leads to civil and social violations. If a state fails to fulfil its obligations to individual citizens, it is thought to be abusing the inalienable human rights of the individual, and when an individual reneges on his obligations to the state, he is seen as committing a criminal violation. The breakdown of relations between groups and states is often associated with internal conflict as defined above, and civil/social violation with group-individual breakdown.

There are, of course, close linkages between state-individual relations and state-group relations. If there is use of force by a state that violates the rights of civilians, and if some of these civilians perceive the violation as being based on their collective identity or interest, these individuals may then more readily coalesce into a group to oppose what they consider unjust treatment. As the model illustrates, when the parties involved in a dispute shift from individual-state to group-state, the breakdown is characterized by internal conflict rather than rights abuse or criminal violation. This suggests that the continual abuse of an individual's rights by the state can lead to the formation of groups that often resort to conflict as a means of expressing their demands. Additionally, those claims by individuals on the state, which are viewed as extra-constitutional, may lead to an escalation of the conflict from individual criminal acts to internally legitimized group action (politically-motivated terrorism, for example). The key idea is that the breakdown in relations in one sphere can lead to escalation in other spheres.

As the model suggests, the escalation of conflict is often associated with the strengthening of group identification and bonds as the group, rather than the individual, becomes the focus of state-sponsored retaliation. Once physical violence becomes part of a conflict, tension between the parties is dramatically increased to a point where accommodation and reconciliation become more difficult, even within the most sophisticated and comprehensive institution. For this reason, when non-state parties to a conflict use violence, they are said to be functioning outside existing institutional arrangements for conflict resolution and are labelled as illegal. On the other hand, violence by state actors is considered a normal state function. This raises the issue of legitimate and illegitimate use of violence.

The Legitimacy of Violence and of State Institutions

In the influential Weberian taxonomy, the state is defined as a body which successfully maintains a monopoly over the legitimate use of violence within a territorial domain. Actions such as the dissolution of an elected chamber, interference with the electoral process, or the suspension of legal and constitutional guarantees to citizens are rarely interpreted as acts of violence because they are carried out by the state and are usually justified by the specific needs of the state.[41] Yet the effect of such actions is to expand the scope for acts of violence that are admissible to the state and to reduce the range of non-state activities that are normally considered as

legal. If the presence of violence is to be regarded as an intrinsic feature of internal conflict then the definition of violence needs to include a range of activities that are normally considered part of the mandate of a functioning state. If not, there is a danger of interpreting internal conflict solely in terms of violence by non-state actors and of reducing conflict management merely to a curtailment of non-state violence.

The involvement of the state raises the question of what approach we take when analyzing internal conflict. Here, we may assume two perspectives, a macro and a microperspective. The state security perspective focuses on the macro-entity, namely the state. It is concerned with conflict and its dynamics regarding the protection of core state interests, and it focuses therefore on those situations that might pose a threat to state security, its government or its territorial integrity. Conflict can become institutionalized through the creation of organizations such as the military, intelligence and police forces mandated to protect national security. When conflict is viewed from the macrolevel, it is seen as a potential threat to the greater good of the state represented by existing governmental (institutional) mechanisms. Thus, security forces are called upon to deal with perceived threats while courts can try individuals or groups considered to be instigating violence against the state. A characteristic of internal conflict, however, is that purported grievances often appear to clash with concerns for the security of the state and its institutions.[42]

This brings us to the microlevel perspective of internal conflict, which is concerned primarily with individuals. While the macrolevel explains the need for the state to protect its core interests using every means at its disposal, the microlevel approach insists on principles of universal and inviolable rights that must be respected by states and individuals alike.

In spite of the obvious differences between the two perspectives, a number of common features are relevant to the problems of conflict management. Both perspectives tend to give priority to those situations where violations have already occurred or are imminent. They are, therefore, concerned more with the **effects** of breakdown than with its **causes**.

Even where the two perspectives deal with contingencies, they focus on conditions that emerge after a breakdown has already occurred, rather

than on the evolution of disputes and disagreements into conflicts. At the microlevel, however, there are fewer organizations that can effectively address the instances of violence perpetrated against individuals or against groups, communities or local populations within a country. However, human rights organizations can represent a wide interest in actual and potential situations where tensions are a cause for concern or where serious violations of individual rights occur. A number of South Asian states have formed statutory human rights commissions while in other states there are authoritative civil society initiatives that monitor the extent to which human rights are respected by parties in a dispute or considered in situations where a propensity for violence exists.

As the following explanation shows, state responses inevitably raise the question of approach—micro and/or macro—and how actions are justified. The legitimacy of any state counter-insurgency or civil conflict reduction strategy depends not only on the extent to which state leaders justify their use of police or military means, but also on the skill with which they manage to demonstrate their consideration for the political interests of parties to a conflict. In the case of the Sikh rebellion in Punjab in the late 1980s and early 1990s, India chanced upon a predominantly military strategy for conflict management aimed at containing the problem. This strategy was based upon non-negotiation, a concentration of military power, harsh treatment of the leaders of the insurrection and leniency towards its followers, as well as the moral delegitimization of insurgents and (forced) elections that (nevertheless) engaged large sections of the political mainstream. If this strategy was arguably successful in Punjab, its success in Kashmir remains far from clear.[43]

In most cases, state strategies which exist to deal with internal conflict, are based on a combination of mostly military coercion, political engagement and, sometimes, judicial procedure. For conflict management to be perceived by the mainstream as providing hope for peace and stability, considerable gains might be obtained by tilting the balance of such strategies away from military action and towards greater political engagement.

The current phase of the Kashmir dispute, which started in the late 1980s, can also be viewed from different angles.[44] According to many Indian accounts, the kidnapping in 1989 of Rubiya Saeed, the daughter of a leading pro-Indian politician, by militants belonging to the Jammu and

Kashmir Liberation Front (JKLF), is considered to be a watershed event. A defendant of Rubiya Saeed's kidnappers would argue that her abduction was no more an act of violence than the detention without charge of JKLF members by the state security forces in response.[45] However, the coercive actions of the state are hidden from view because the state is normally considered to have a monopoly of legal and legitimate violence within its jurisdiction. When non-state actors go outside existing legal-institutional mechanisms, however, their actions are conspicuous and readily identified as violent and illegal. One might, therefore, conclude that the violation of existing judicial and political norms is closely associated with the escalation of a dispute into a potentially violent conflict.

South Asian states have some well-established institutional arrangements at their disposal for the mediation of disputes covering political, economic, sociocultural and even constitutional domains. The general prevalence of conflict, and the particularly high incidence of internal conflict as evidenced in Annex 2, indicates that there are also large gaps in the functioning of existing institutional arrangements. Some of these mechanisms, such as constitutions, elected chambers, judiciary and human rights commissions, on the one hand, are mostly well-established institutions whose functions are formally incorporated into laws and statutes. Informal mechanisms, on the other hand, include social norms of behaviour, traditions and customs, and widely accepted conventions. These may have their own elaborate structures and rules, but they are rarely formally incorporated. Finally, there are also semi-formal institutional mechanisms that draw upon both formal and informal arrangements. Markets, for example, are based on some prior notion of property rights and rules of exchange that are vested in both formal law as well as informal conventions.

Nevertheless, groups that are a party to tensions or conflict, including state parties, frequently find themselves holding mutually irreconcilable positions. When these are seen from the perspective of the values and interests according to which the parties explain or justify their action (pursuit of security, access to resources or the protection of human rights), the extent to which institutional mechanisms through which conflict management and resolution can be addressed are available, may become more clear. This may create the impression that internal conflicts are hopelessly complex and that their spread across different domains is unavoidable. To avoid unnecessary pessimism, it might be useful to look at

some cases of breakdown within specific domains, before considering how the management of internal conflicts can be addressed. The examples presented here, as well as the enumeration of three specific domains are illustrative only. They are not meant to be exhaustive of all domains we could think of and which affect conflict nor should they be seen as a judgement upon the cases at hand.

Examples of Breakdown

Political Domain

In Bangladesh, the rivalry between the two main political parties, the Bangladesh Nationalist Party (BNP) and the Bangladesh Awami League (AL) (the opposition), has become characterized by violent conflict. Although the electoral system constitutes an institutional arrangement for resolving such rivalry, outcomes have tended to be unstable as "fierce struggle for power between … [the] main political parties has fostered a situation of lawlessness and civil strife in which wanton acts of violence and intimidation by both the former ruling party, the Bangladesh Nationalist Party (BNP), backed by security forces, and the opposition parties, have become routine features of the political process".[46] This is despite the fact that Bangladesh has institutionalized non-partisan and technocratic administrations as interim arrangements for holding fair elections, and despite a lack of any serious differences between the two main parties in terms of ethnic representation or economic policy.[47]

Economic Domain

While the conflict in Nepal may have been triggered by violations of civil and political rights, as suffered by certain sectors of the general public, the violation of economic and social rights is said to provide the background for a situation that is today characterized by economic, political and social complexities coupled with regional and international dynamics. Nepali Maoists interpret their current struggle with the state forces of Nepal as a class conflict in which economic grievances and interests play an important role. While the mainstream political parties support the constitutional monarchy, the Maoists oppose it. For them, the conflict is a class-based struggle against the Nepalese constitutional monarchy. It is a struggle to establish a rule of the proletariat in which caste hierarchy and ethnic identity play a role. Maoists often manage to mobilize those communities

or caste groups considered to be at the bottom of the social or class hierarchy. The conflict can be interpreted quite simply as a struggle for power by the Maoist leadership against the status quo. Clearly, the internal conflict in Nepal is fought outside existing institutional arrangements such as democratic governance and electoral competition for popular support, economic markets, and land reform projects or reform processes designed to amend the constitution and change property rights.

Sociocultural Domain

The conflict in Sri Lanka can be viewed as arising from competition between the national perspectives of two cultural groups, the Sinhalas and the Tamils. Many of the important watersheds in this conflict are closely associated with contests over the cultural patterns and symbols of independent Sri Lanka. The question of language, for example, has always been regarded as important. It has also been argued that class-based mobilization was important in fuelling the conflict both directly, and through its impact on intra-Sinhala politics. The conflict escalated into a fully-fledged war, with periods of military intervention by a third party (India). At its height, therefore, the conflict which was generated by rival interpretations of the island's history, could be regarded as analogous to an inter-state war. Even though the formal sovereignty of the Sri Lankan state was still recognized by the international community, many aspects of the relationship between the Government and the rebels were similar to the relationship between two sovereign Powers. Although Sri Lanka remained formally committed to multiparty democracy through much of this period, significant dissident groups—representing not only Tamil nationalists, but also Sinhala nationalists and left-wing revolutionaries—found themselves outside this constitutional framework.

The above examples are not atypical of the pattern of breakdowns in South Asia's institutional arrangements. Some of the cases cited (for example, the Sri Lankan conflict) have moved towards conflict management. Parties have begun to engage in an institutionalized manner, even though they are required to operate outside the parameters of pre-existing institutions. In other cases, however, the conflict has recently escalated.[48]

Clearly, not all group-based action that is in opposition to the state qualifies as conflict. It is quite possible, and indeed a matter of routine

practice, for groups to pursue their corporate interests peacefully within existing institutional arrangements. Political parties, for example, represent group interests, and in nearly all the South Asian states electoral competition between rival parties is considered to be a normal form of contention. Other forms of group-based action that are considered to be integral parts of existing institutional arrangements include the activities of trade unions, civic bodies and voluntary organizations. It is acceptable in most South Asian countries, for instance, for trade unions to alter labour market outcomes. In other words, it is both legal and legitimate to influence the operation of an institutional mechanism such as the labour market through group-based action. There are also associations for the promotion of particular cultural, ethnic, or religious identities. States have, from time to time, allowed non-violent challenges to their sovereignty by groups calling for a redrawing of boundaries or a radical overhaul of existing constitutional arrangements. This latter form of group-based action, however, has not enjoyed a great deal of tolerance on the part of state parties and is often quickly interpreted as a challenge to core non-negotiable interests of the state.

Peace Commissions: A Proposal for Conflict Management

This last section proposes not a specific policy, but rather a generic methodology for conflict management in South Asia. Effective conflict management requires that parties be brought into mutually acceptable institutional arrangements for the mediation of their disputes and disagreements, and for the regulation of their mutual relations. Viewing conflict merely in terms of law and order usually means that the costs of remaining outside existing institutions must be borne by one of the parties. Such strategy pays insufficient attention to the real economic, political and social dimensions of disputes, and to the limitations of existing institutional arrangements. Quite often this narrow approach is ineffective, counter-productive, and can contribute to conflict escalation by prolonging the period before which constructive engagement might resume. Alternative political routes to conflict resolution might include the expansion or modification of existing institutional arrangements in order to accommodate groups that have opted or been forced to operate outside these arrangements.

The mechanism for conflict management put forward here can be called a Peace Commission. It is to be composed of individuals or nominees of groups interested in the management of conflict in general, or in the management of an actual or potential conflict.[49] The Commission could be established by Governments, non-governmental organizations (NGOs), or other combinations of interested parties, and could operate at the regional, national or subnational level, depending on the interests and needs of its constituents. The precise composition and activities of the Commission are of lesser concern here.

For such a Peace Commission to perform its conflict management functions adequately, it is desirable that it adopt the analytical approach to conflict outlined above, as summarized in Tables 1-3. The framework for action implied in this analysis has five steps:

1. The identification of parties and the specification of their relations;
2. The identification of institutional mechanisms associated with mutual relations between parties;
3. Identification of points of breakdown (or potential breakdown) in relations between parties, including the effect of breakdown in one sphere of relations on other spheres;
4. Suggestions of multiple strategies for the resumption or recreation of normal relations within agreed institutional arrangements;
5. Engagement with key parties to a conflict or potential conflict on an ongoing basis to allow for the resumption of institutionalized interaction.

The purpose of the Peace Commission is not to challenge, undermine or replace existing institutional arrangements for conflict management, but instead to strengthen and support these structures. The idea of a Peace Commission is feasible only in a context where other institutional arrangements are active but limited. The Peace Commission, therefore, must take a positive view, and make constructive use, of existing institutions—be they formal institutions such as constitutions, state sovereignty, parliaments, federal systems, or judicial systems; semi-formal institutions such as markets and customary laws; or informal institutions such as social norms, customs and conventions. The Commission must identify the limitations of existing institutional arrangements only as a means of strengthening the role of these arrangements in mediating diverse interests.

Although the principal policy recommendation of this report is broad, it is possible to suggest, using more specific models, how it might be made operational in various contexts. The models proposed below are offered to stimulate ideas for the formulation of action-oriented recommendations that actors might then adapt to the particular dynamics of the conflict situation with which they are concerned.

Proposal 1: South Asia Peace Commission

Objectives

- To report on existing and emerging conflict situations in the South Asian region as defined by SAARC;
- To raise the profile of internal conflicts as sources of insecurity and humanitarian crisis, and to promote institutional, socio-economic and political approaches as opposed to purely military or policing approaches to conflict management;
- To promote dialogue and cooperation between South Asian countries.

Organisational Status

The South Asia Peace Commission (SAPC) would ideally be part of a renewed regional cooperation organization, as well as an affiliate of international organizations. Under present political conditions, however, a more realistic aim is to regard SAPC as a regional or international NGO with representation from all the countries.

Main Activities

SAPC would initially compile a database on conflict in South Asia, perhaps starting with an exercise similar to Annex 2, that focuses on the collection of existing reporting organizations' work. The Commission will review pre-existing definitions of conflict, and develop its own definition(s) based on a specified analytical framework. The main activities, at least initially, will be research and dissemination, focused on conflict situations and the production of detailed reports of South Asian tensions and conflicts—both actual and emerging. The research will maintain impartiality, and advocate the use of multiple conflict perspectives. It will concentrate on the dynamics of conflict, potential routes to conflict management and the identification of potential parties to conflict management. SACP will maintain relations with international organizations

in the United Nations system, as well as international NGOs and academic bodies with similar interests.

Proposal 2: Country Peace Commission

Objectives

- To report on, and monitor, existing and emerging conflict situations within a sovereign state, and to propose political interventions for conflict management that encompass the functions of existing institutional arrangements;
- To provide a viable mechanism for institutionalizing diverse interests and disputes, and strengthening the work of existing institutions.

Organizational Status

A Country Peace Commission (CPC) could be established through a legally binding Charter with a statutory body, but enjoy a higher level of independence from the executive than is the case in democratic dispensations for judiciary or election commissions. It will need to be statutory, but not vested with symbols of the state. Furthermore, the Peace Commission ought to receive direct statutory funding from the central budget, but be independent in the elaboration of its activities, and thus enjoy the freedom to monitor and report on conflicts, to pursue negotiations with any party, and to act as an arbiter or intermediary at the request of the parties to any particular dispute or conflict. Unlike a judiciary or election commission, however, CPC will not enjoy any coercive powers. Realistically, CPC might be, on the one hand, more like a national NGO with some representation from the main political, economic and social groupings. On the other hand, it could also be attached to the national legal or constitutional framework, benefiting from a special ordinance from the national assembly or parliament. This could increase the likelihood of a Peace Commissioner being viewed as legitimately representing civil society and obtaining the respect required to function.

Main Activities

CPC would conduct research and reporting activities similar to those of SAPC, but at state level, and therefore, in greater detail than SAPC. In addition to the activities identified for SAPC, CPC will also actively engage with parties to actual and emerging conflicts, and will directly intervene as arbiter, intermediary or facilitator. It will take a broad view of institutional

arrangements such as the constitution. Most importantly, it will not exclude points of view that challenge existing notions of sovereignty or disregard the demands made by parties that are already engaged in illegal or violent activity. CPC will remain in active contact with diverse economic, political and social interest groups within the country.

Proposal 3: Local Community Peace Committees

Objectives

- To monitor existing and emerging conflict situations within particular local communities;
- To intervene actively with key individuals and organizations at the local levels to protect communities from violence and human rights violations.

Organizational Status

The Local Community Peace Committee (LCPC) could be a non-statutory, locally funded body with informal relations with the appropriate tier of local government. In terms of legal structure, it might resemble organizations such as local school boards or parent-teacher associations, which are recognized as legal entities that interact with local government, but otherwise operate autonomously.

Main Activities

LCPC would liaise with a variety of local actors, including state officials, law and order agencies, emergency services, political parties, social activists, professional bodies, ethnic and religious groups, and trade unions in order to protect local communities from violence. They will learn from the experience of ad hoc local peace committees that emerge for conflict prevention in many parts of South Asia. LCPCs will coordinate the activities of the various local players identified above, and maintain contact between these players on an ongoing basis. The work of LCPCs is, in some ways, already conducted vigorously at the local level by conscientious political workers, local administrators, or law and order professionals. The success of such local level conflict prevention depends considerably on the energy and dedication of particular individuals.

Proposal 4: Peace Commission Networks

Objectives

- To promote the formation and activities of Peace Commissions at different levels;
- To provide linkages between Peace Commissions at different levels (regional, national and subnational), as well as between different Peace Commissions at the same level.

Organizational Status

SAPC might act as the network for inter-country interaction between CPCs, and a CPC might act as the network for LCPCs. Alternatively, it is also possible to regard the Peace Commission Network (PCN) as a regional or international NGO whose aim will be to promote the establishment of Peace Commissions at different levels.

Main Activities

PCN would determine a course of action in response to the needs identified by participants. It can act as a focal point for initiating activities envisaged under proposals 1-3. A prototype PCN, therefore, will be mainly a research and dissemination organization that will develop links with existing organizations working for peace and conflict management in the region. Its research and dissemination activities will be identical initially to those detailed for SACP in proposal 1. In addition, it will facilitate the creation of CPCs and LCPCs through its research and lobbying work.

Conclusions

These proposals should be seen as possible frameworks for the resolution of intra-state conflict, rather than specific designs. As indicated in the foregoing discussion, particular conflicts will require specifically adapted processes to address them. Thus the proposals outlined above have a large measure of built-in flexibility.

The objective of this paper has been to provide suggestions for further thought on addressing the various types and levels of conflict in South Asia. The paper has reviewed the status of internal conflict within the region with reference to secondary literature. It has highlighted the complexities involved in the identification and analysis of internal conflict, let alone in

the management and resolution of these conflicts. The generic model of a Peace Commission proposed here is conceived as a suitable mechanism for internal conflict management that aims to overcome some of the important constraints faced by existing institutional arrangements in the management of conflict. The notion of the Peace Commission is not, therefore, a definitive solution but an attempt at promoting a relatively inclusive approach to problems of managing internal conflict in the region.

Annex 1: Facts and Figures of South Asia

Country	Area (km^2), borders with	Population (2001 est.)	Ethnic and religious composition[1]	Military forces personnel (2001 est.)[2]	Military expenditures (millions US$), % of GDP	Traditional security issues[3]	Non-traditional security issues
Bangladesh	144,000 India, Myanmar	131,269,860	Bengali 98%, tribal groups, non-Bengali Muslims Muslim 83%, Hindu 16%, other 1% (1998)	36,005,553	550 1.8%	Land and maritime borders with India; water-sharing dispute with India; perceived Indian domination	Extreme poverty; internally displaced populations; Rohingya refugees from Myanmar; law and order and widespread social violence; extra-parliamentary political instability; cross-border movement of insurgents

1 United Nations Development Programme, www.undp.org/dpa/coweblinks/index.html.

2 Bonn International Center for Conversion, *Conversion Survey 2002*, http://www.bicc.de/general/survey2002/content.html.

3 Abdur Rob Khan, "Interfacing Traditional and Non-Traditional Security in South Asia", *Bangladesh Institute of International and Strategic Studies Journal*, Vol. 22, No. 4, 2001, pp. 463-494.

Bhutan	47,000 China, India	2,049,412	Bhote 50%, ethnic Nepalese 35%, indigenous or migrant tribes 15% Lamaistic Buddhist 75%, Indian- and Nepalese-influenced Hinduism 25%	504,342	n/a	1949 Indo-Bhutanese Treaty guides its defence and foreign policies; border issues with China	Protective about external cultural influences; Assamese insurgents take refuge in Southern Bhutan; continuing conflict over Bhutanese refugees in Nepal
India	3,287,000 Bangladesh, Bhutan, China, Myanmar, Nepal, Pakistan	1,029,991,145	Indo-Aryan 72%, Dravidian 25%, Mongoloid and other 3% (2000) Hindu 81.3%, Muslim 12%, Christian 2.3%, Sikh 1.9%, other groups including Buddhist, Jain, Parsi 2.5% (2000)	280,204,502	12,500 2.5%	Border disputes and military threats with China; Kashmir conflict and military rivalry with Pakistan; border and water-sharing disputes with Bangladesh	Several insurgencies—Kashmir and the North-East being the main, illegal movement of population, terrorism and small arms flow

Annex 1: (*continued*)

Country	Area (km^2), borders with	Population (2001 est.)	Ethnic and religious composition[1]	Military forces personnel (2001 est.)[2]	Military expenditures (million US$), % of GDP	Traditional security issues[3]	Non-traditional security issues
Maldives	300 Island state	310,764	South Indians, Sinhalese, Arabs Sunni Muslim	71,856	n/a	Practically none	Environmental concerns, piracy and poaching
Nepal	141,000 China, India	25,284,463	Brahmin, Chetri, Newar, Gurung, Magar, Tamang, Rai, Limbu, Sherpa, Tharu and others (1995) Hinduism 86.2%, Buddhism 7.8%, Islam 3.8%, other 2.2%	6,295,990	50 0.9%	Caught between China and India; perceived Indian domination	Bhutanese refugees of Nepalese origin; Maoists insurgencies

Pakistan	804,000 Afghanistan, India	144,616,639	Punjabi, Sindhi, Pashtun (Pathan), Baloch, Muhajir Muslim 97% (Sunni 77%, Shia 20%), Christian, Hindu and other 3%	35,770,928	2,600 3.9%	Kashmir and Siachen conflict and military rivalry with India; border disputes with Afghanistan	Military domination in politics; endemic Sindhi-Muhajir conflict in Sindh; Baluch separatist aspirations; inter-Muslim conflict; fear of being labelled as harbouring terrorists
Sri Lanka	65,000 Island state Maritime borders with India	19,408,635	Sinhalese 74%, Tamil 18%, Moor 7%, Burgher, Malay, and Vedda 1% Buddhist 70%, Hindu 15%, Christian 8%, Muslim 7% (1999)	5,304,323	870 4.2%	Prolonged Tamil separatist insurgency; civil war	Tamil separatist, leftist Trotskyte insurgency now dominant

Annex 2: A Review of Internal Conflicts in South Asia

	SIPRI, 2001[1]	**IISS, 2001**[2]			**Plough-shares, 2001**[3]	**PIOOM, 2001/2002**[4]		
Conflict type	*Major armed conflict*	*Active*	*Peace accord*	*Terrorism only*	*Armed conflict*	*High intensity*	*Low intensity*	*Violent political conflict*
Bhutan								Ngalong, BPP
Bangladesh			Chakma				Political parties (BNP, AL)	Chakma, Shanti Bahini, Rohingyas

1 *SIPRI Yearbook 2002: Armaments, Disarmament and International Security*, New York: Oxford University Press, 2002. See also *SIPRI Yearbook 2000*, Oxford: Oxford University Press, 2000, p. 15.

2 The International Institute for Strategic Studies, "Chart of Armed Conflict", *The Military Balance 2002*, London: Oxford University Press, 2002. See also http://www.iiss.org/databases.php.

3 Project Ploughshares, *The Armed Conflicts Report*, Waterloo, Ontario, Canada. See http://www.ploughshares.ca/content/ACR/ACR00/ACR00.html.

4 Interdisciplinary Research Programme on Root Causes of Human Rights Violations (PIOOM), *World Conflict and Human Rights Map 2001/2002*, Leiden University, The Netherlands, 2002. See also http://www.goalsforamericans.org/publications/pioom/atf_world_conf_map.pdf.

India	Kashmir	Siachen, Kashmir		New Delhi Bihar Assam Karnataka Andhra Pradesh	Andhra Pradesh Kashmir North-East Assam	Assam (ULFA, SULFA) Bihar (RS, MCC, CPIML)	Maharashtra (Hindu-Muslim) Manipur (Meiti) Nagaland (Naga vs. Kuki) Punjab (Sikh) Tripura (NLFT, ATTF)	Andhra Pradesh (PWG) Assam (Santhals vs. Bodo) Karnataka (PWG) Jharkhand (JLF) Madhya Pradesh (PWG) Maharashtra (Dalits, PWG) Meghalya (GNF) Mizoram (Reang) Sikkim (Gurkhas) Tamil Nadu (inter-caste, AIADMK) Uttar Pradesh (Uttarakhand) Rajasthan (Hindu-Muslim, land disputes) West Bengal (KPP)
Maldives								
Nepal				Maoists	CPN—Maoist		Maoists, UPF	
Pakistan		Kashmir		Shia-Sunni Karachi	Shia-Sunni MQM Sipah-e-Sahaaba Jeay Sindh		Punjab (Shia-Sunni) Sindh (MQM) NWFP (JI, IJT, TIUQ) Baloch (tribes)	Punjab (Kalabagh Dam)
Sri Lanka	LTTE	LTTE			LTTE		LTTE, PLOTE	

1 Bhutan does not have a formal constitution and Nepal is a constitutional monarchy. The latter also has a democratic political system that was introduced in 1991 following popular protests. However, its Government remains factionalized and has been through frequent changes. Additionally, at the time of writing, Pakistan has held democratic elections. However, the composition of the Government, and the effective power that it might yield, remains to be seen.

2 Abdur Rob Khan, "Interfacing Traditional and Non-Traditional Security in South Asia", *BIISS Journal*, Bangladesh Institute of International and Strategic Studies, Vol. 22, No. 4, 2001, pp. 463-494.

3 Terence Hunt, "President-Wallah: India is the jewel in US leader's Asia trip", *The Guardian*, http://www.guardian.co.uk/Archive/Article/0,4273,3976010,00.html, 20 March 2000.

4 A. Tellis, *Stability in South Asia: Prospects of Indo-Pak Nuclear Conflict*, RAND, Santa Monica: RAND, 2000. This report also predicts the probable persistence of an "ugly equilibrium" for some time to come, in which internal insurgencies will figure prominently in inter-state relations between the two countries.

5 SIPRI reported conflicts in Assam, Kashmir and Sri Lanka under its category of "Major Armed Conflicts" in 1999. See *SIPRI Yearbook 2000: Armaments, Disarmament and International Security*, New York: Oxford University Press, 2000. The Kargil episode of 1999 was classified as a separate military confrontation between the armed forces of two states, which it treated as being distinct from the ongoing "insurgency/counter-insurgency" in Kashmir. According to SIPRI, the cumulative number of casualties over the last 10 years in the "internal" Kashmir conflict is several times higher than the number of casualties resulting from direct confrontation between the armed forces of the two states.

6 The first was in 1948 when the fighting was limited to the disputed region of Jammu and Kashmir. The second war was in 1965, and the third in 1971. Both of the latter two conflicts were all-out wars in which the armed forces of the two states were fully engaged along their land, water and airspace frontiers.

7 According to the *SIPRI Yearbook* the total battle-related deaths from internal conflicts in the three years 1999 to 2001 were approximately 20,000. Over the longer, 50-year period, casualties from internal conflicts within Sri Lanka were more than 60,000 and within India more than 23,000. The latter does not include civilian deaths. Even these casualty figures pale by comparison to those of the counter-

insurgency civil war in East Pakistan before Bangladesh's independence. See *SIPRI Yearbook 2002*, pp. 72-74. Similarly, one might also add that, according to the SIPRI cumulative number of casualties over the last 10 years, the number of casualties resulting from direct confrontation in Kashmir is several times higher than the casualty figures from the military conflict between India and Pakistan.

8 Out of the 105 inter-state conflicts in South Asia as reported in the Correlates of War project conducted by the Program in Empirical International Relations at Pennsylvania State University, only four are within the range of more than 1,000 battle deaths, while the rest are less than 25. See http://cow2.la.psu.edu.

9 "Confronting the 'enemy within' has complicated the business of confronting the 'enemy without'", R. Thomas, *South Asian Security in the 1990s*, Adelphi Paper No. 278, IISS, London: Brassey's, 1993, p. 3.

10 On the relationship between intra-state and inter-state conflict, Rajat Ganguly argues that states have "kinship" ties with groups in other states, and thus can play a critical role as third parties in intra-state (internal) conflicts. He examines the role, respectively, of Pakistan in Kashmir (India), India in Bangladesh (East Pakistan), Afghanistan and Iran in Blochistan (Pakistan), Afghanistan in Pakhtunistan (Pakistan), and India in Tamil secessionism in Sri Lanka, as cases of "kin-state intervention". See Rajat Ganguly, *Kin State Intervention in Ethnic Conflicts: Lessons from South Asia*, New Delhi: Sage, 1998.

11 Khan, op. cit., p. 472.

12 Daniel Lak, "Eyewitness: Meeting Nepal's Maoists", 19 June 2002, news.bbc.co.uk.

13 Human Rights Watch, "Bangladesh: Political Violence on All Sides", Vol. 8, No. 6, June 1996, www.hrw.org/reports/1996/BANGLA.htm; Amnesty International, "Bangladesh", *Amnesty International Report 2001*, www.amnesty.org.

14 These four sources were selected mainly because they produce annual reports on conflict around the world, and use internally consistent methods of data collection and reporting.

15 Dipankar Banerjee (ed.), *South Asia at Gun Point: Small Arms and Light Weapons Proliferation*, Colombo: Regional Centre for Strategic Strudies, 2000, pp. i-ii.

16 *Universal Declaration of Human Rights*, 1948, www.un.org/Overview/rights.html.

17 Continuing military fighting and the attacks against civilians in Kashmir as well as the suicide attack on the Indian parliament in New Dehli in December 2001 left several police officers and the five gunmen dead.

18 Human Rights Watch, "Asia Overview", *World Report 2002*, http://hrw.org/wr2k2/asia.html.

19 Human Rights Watch, *Sri Lanka: Stop Killings of Civilians*, July 1995, http://www.hrw.org/reports/1995/Srilanka.htm.

20 Ibid.

21 *Amnesty International Report 2001* for Bangladesh, Bhutan, India, Nepal, Pakistan and Sri Lanka, www.amnesty.org.

22 Refugees are defined by the Office of the United Nations High Commission for Refugees (UNHCR) as a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...", www.unhcr.ch.

23 See www.unhcr.ch.

24 *Global IDP Project*, www.idpproject.org, 25 July 2002.

25 Government of Bangladesh Task Force on the Hill Tracts Region, *Statistics of Refugees in the greater Chittagong Hill Tracts* (translation), May 2000, http://www.db.idpproject.org/Sites/idpSurvey.nsf/WebResources?ReadForm&Country=Bangladesh&p=SU_rvcod. See further the Bangladesh profile at http://www.db.idpproject.org/Sites/IdpProjectDb/idpSurvey.nsf/wViewSingleEnv/BangladeshProfile+Summary; and Amnesty International, *Bangladesh Human Rights Crucial to Peace in the Chittagong Hill Tracts*, ASA 13/03/00, February 2000.

26 Gopal K. Siwakoti, "Statistics of Refugee influx in South Asia: Developing a More Global Regime", www.inhured.org/refugee.htm.

27 Suryanarayan and Sudarsan, reported in Jagadheesan, "Sri Lankan Tamil Refugees Research and Resentment: News Today", *India Today Group Online*, July 18, 2000.

28 Their plight remains unresolved today and has led to criticism of Bhutan's Government by human rights groups.

29 See http://www.db.idpproject.org.

30 Ibid.

31 Examples of this are the Maoist insurgency in Nepal and other overtly class-based movements such as the conflict in Andhra Pradesh and Bihar in India.

[32] It has been argued that specific instances of Hindu-Muslim communal conflict in India, or the Shia-Sunni sectarian conflict in Pakistan have been influenced by the background presence of economic competition between rival corporate interests. More sophisticated analyses of ethnic-sectarian conflicts have pointed to the development of competitive group interests, especially in the allocation of public resources and employment.

[33] Gilles Carbonnier, *Conflict, Postwar Rebuilding and the Economy: A Critical Review of Literature*, February 1998, www.unrisd.org.

[34] "Fears for Tourism in Nepal", *BBC News*, 5 June 2001, news.bbc.co.uk/2/hi/south_asia/1371382.stm; "Nepal Ecomony hit by Insurgency," *BBC News*, 27 June 2002, news.bbc.co.uk/2/hi/world/south_asia/2069387.stm.

[35] The work of Marxian historian Hamza Alvi focuses on the class dimension of ethnic identity in South Asia. Alvi used the concept of the "salariat"—or a class dependent on public sector employment and career opporunities—to explain the salience of shifting ethnic, communal and sectarian identities at critical political moments in South Asia. (See, for example, "Nationhood and communal violence in Pakistan", *Journal of Contemporary Asia*, Vol. 21, No. 2, 1991. A more nuanced view of economic antecedents to the rise in internal conflict across the world can be found in the contributions in Beverly Crawford and Ronnie D. Lipschutz, eds., *The Myth of "Ethnic Conflict"*, Berkeley: University of California at Berkeley, 1998.

[36] Salma Malik, "Domestic Production, Illegal Manufacture and leakage of Small Arms, A Case Study of Pakistan", in Banerjee, op. cit., p. 106.

[37] Swadesh Rana, *Small Arms and Intra-State Conflict*, UNIDIR, Geneva and New York: United Nations,1995, p. 14.

[38] S. I. Keethaponcalan, "Child soldiers: International Intervention for Prevention, Demobilisation and Re-integration", unpublished doctoral dissertation, Nova Southeastern University, Florida, 2001.

[39] Jeffrey Boutwell and Michael Klare, "Small Arms and Light Weapons: Controlling the Real Instruments of War", *Arms Control Today*, August/September 1998, p. 16.

[40] Rana, *Small Arms and Intra-State Conflict*, op. cit., p. 15.

[41] There is recent experience of all these forms of dispute escalation in the region.

[42] Human rights are here interpreted in the broad sense as interpreted in the numerous international human rights treaties adopted by the United Nations. These rights include not only individual rights, but also

those guaranteed under domestic laws and related national human rights instruments.

43 Hamish Telford, "Counter Insurgency in India: Observations from Punjab and Kashmir", *Journal of Conflict Studies*, Vol. 22, No. 1, Spring 2001.

44 We use the example of Jammu and Kashmir simply for illustrative purposes. Similar examples could be given from any of the other South Asian states. For example, the current Maoist insurgency in Nepal, the conflict in urban areas in Sindh in Pakistan in the 1990s, the Chakma rebellion in Bangladesh, or the conflicts in Sri Lanka over the past three decades.

45 From the point of view of many critics of India's role in Kashmir, however, the recent phase of the turbulence began when state assembly elections held in 1988 were apparently rigged by the Administration. According to this view, there was a popular movement against state-sponsored electoral fraud and this movement was suppressed by the use of force.

46 Human Rights Watch, op. cit. (note 13).

47 There have been differences on issues such as the role of religion in politics and Bangladesh's relations with India.

48 For example, Nepal and the Indian state of Gujarat, both of which have seen recent and sustained periods of violence that have claimed hundreds of civilian lives.

49 We use the term "commission" here not necessarily to imply any particular legal or statutory structure, but simply as shorthand for a body that might adopt the approach to internal conflict management advocated here. We also do not place value on the term "commission", as used by the Truth and Reconciliation Commission in South Africa.

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