

INDIA FOUNDATION JOURNAL



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With a team of dedicated professionals based at its office in New Delhi, the Foundation works with partners and associates both in India and overseas to further its stated objectives.

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The India Foundation Journal is led by an Editorial Board of eminent scholars and leaders from various spheres of Indian public life. The bi-monthly journal covers a wide range of issues pertinent to the national interest, mainly focusing on international relations, national security, legal and constitutional issues and other issues of social, religious and political significance. The journal seeks articles from scholars with the intent of creating a significant body of knowledge with a nationalist perspective and establish a recognised forum for debates involving academicians and policymakers.

A World in Flux

Dhruv C. Katoch*

The last few years have been a period of great stress for most nations across the globe. The pandemic of 2019 which originated from China, caused immense economic hardship and physical suffering for most of the world's populace. It took about three years to contain the pandemic, but even today, it has not been fully controlled. The war in Ukraine, which began in March 2022 is still ongoing and while the conflict remains confined to Ukraine, the economic costs are being felt in many regions outside the war zone. With NATO aligned behind Ukraine, providing it with weapons, finances and political support, the war can only prolong. As China and Iran have extended support to Russia, we are witnessing the emergence of a new Cold War, with the world once again being split into two camps.

In the Indo-Pacific region, tension has been brewing now for some years between China and Taiwan, which has the potential of blowing up into a full-fledged cross-Straits crisis. China's aggressive policies in the South and East seas is also a source of concern, especially as China has created a number of artificial islands and has laid extravagant claims to some existing islands.

Closer home, in West Asia, there has been a resumption of diplomatic ties between Iran and Saudi Arabia which had been severed in 2016. This is a positive development and holds out a promise for a peaceful resolution of the conflict in

Yemen, but the larger ideological sectarian divide between the two countries, based on schisms between the Sunnis and Shias is unlikely to be bridged any time soon. Hostilities between these two Muslim countries has the potential to spill over into a wider conflict which could have an adverse impact on the supply and availability of energy resources from the Gulf.

In India's immediate neighbourhood, the Taliban, which reneged on all its promises after coming to power in August 2021, remains a centre of instability. Pakistan is also going through a particularly difficult patch with severe economic challenges and with multiple internal security concerns across most parts of the country. This, in conjunction with the volatile political developments in Pakistan has made the entire Af-Pak region a veritable tinder box. The prevailing instability could spill over into neighbouring countries, including India.

In Nepal, the polity remains fractured. While the seven-party ruling coalition has elected Pushpa Kamal Dahal or 'Prachanda' as the Prime Minister, his own party, the Communist Party of Nepal (Maoist Centre) has only 32 seats. Nepal has had eight different governments in the last ten years and it remains to be seen if the present government can complete its full term. In the recent Presidential elections, Ram Chandra Poudel, a senior leader of the opposition Nepali Congress party, was declared the winner in March 2023. He won with the support

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of Prachanda, which triggered a feud among the coalition partners. This portends renewed political churning in Nepal along with political instability.

Elections are due in Bangladesh in January 2024. While the Sheikh Hasina led Awami League government has kept the Bangladesh economy reasonably buoyant, the challenges posed by radical Islamist groups such as the Jamaat remain a source of concern. How the politics develop in Bangladesh post the elections remains to be seen, but with the opposition BNP led by Khaleda Zia being soft on Islamist groups, the security environment may change for the worse. Further East, Myanmar is once again under military rule and the internal security situation remains both a challenge and an enigma. Myanmar remains critical to India both on account of the security matrix in some of the Northeastern states of India as well as the fact that Myanmar is central to India's Act East policy.

India has handled the changing dynamics caused by the pandemic as well as by the war in Ukraine and other conflict zones with great dexterity. Today, India is the fastest growing large economy in the world, and is set to become a USD

5 trillion economy earlier than the IMFs forecast of 2026-27. India's interests in the Indo-Pacific pertain to keeping the sea lanes free and open and hence it is part of the Quad, the four-member grouping of India, Australia, Japan and the US. India is also a member of BRICS and the SCO which serve Indian interests in the economic sphere and in the Eurasian land mass. While to some, India's membership in these organisations may seem contradictory, India has handled the competing interests with great finesse. Today, India has excellent relations with both Saudi Arabia and Iran—the two Gulf powers that are antagonistic to each other. Similarly, India has de-hyphenated its relations with both Israel and Palestine, as also with Russia and the US. The present year is also the year when India is holding the Presidency of both the G-20 as well as the SCO. But multiple challenges still remain, both internal and external.

With India determined to become a developed nation by 2047, a century after achieving Independence, the coming decade will be a time of great expectations and hope. We are indeed living in very exciting and challenging times.



China's Narrative War: Impact and Challenges for South Asia

Vijay Kranti*

It is quite interesting and equally annoying too, to note that with the ever increasing economic and military might of China, the leadership of Chinese Communist Party (CCP) is becoming assertive, rather bullying, in forcing its own narratives on the world community. Be it the CCP's claims over territories of neighbouring countries; or its claims about absolute ownership of South China Sea and East China Sea; or demands from the world to accept its own version of history of China and Asia; or dictating to the international organisations to reframe their rules and to redefine even universally accepted norms on concepts like human rights, colonialism, democracy, freedom of navigation in international seas etc. as per its diktats; or forcing its indebted business partner countries to sign on dotted lines of completely opaque contracts and 'treaties'... China is becoming more assertive and demanding by each passing day. This trend has gained new acceleration since President Xi Jinping has taken over the reins of China as its 'Paramount Leader'. So much so, that even mighty and influential power centres like the USA and European Union, who had got used to 'accommodating', even encouraging China to run around in the way it likes, are now feeling threatened and insecure after the rise of President Xi. They are now finding it

difficult to push back Xi who is bent upon enforcing his own version of world order that claims supremacy and command of China on every issue and wants to leave no meaningful space for the Western or any other power group in world affairs. Things are far more worrying and alarming for China's immediate neighbours like India, Nepal, Bhutan, Pakistan and Afghanistan who suddenly found themselves facing China as their immediate neighbour following occupation of Tibet and East Turkestan. This paper is mainly focused on the challenges faced by these South Asian countries at the hands of China and the strategy they can adopt to meet these challenges effectively.

It is worth noting that the Chinese rulers have reached the current heights of arrogance by gradually promoting and enforcing a specific set of narratives and myths which they have systematically evolved over years to suit their needs and future goals. Unfortunately, this approach has gained roots over past decades because many governments and major international corporates saw virtue, convenience and fat profits in kowtowing to the diktats of Beijing. But now, in the changed international scenario, these very governments and business corporates are finding themselves trapped in the Chinese 'Chakravyuh' (a term borrowed from Indian epic 'Mahabharata')

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which refers to a military formation that leaves the enticed and encircled enemy in an inescapable situation) and find themselves at a total loss over deciding how to pull out of China's bearhug.

All this calls for a new international consensus and resolve to evolve a united front to take the Chinese challenge head on. It may not be very simple to build up a common military alliance to handle China's military threats but it should be an easier task to break those Chinese narratives and myths on whose strength this mighty communist empire stands today. On close examination one will find that these Chinese narratives and myths are nothing more than the proverbial feet of clay and can be countered effectively. To demolish these narratives decisively one will have to understand basic facts around these Chinese claims and narratives.

Chinese Narrative and South Asia

The scope of present analysis has been kept limited to China's aggressive and threatening postures towards India and the rest of South Asia. Since most of the prevailing Chinese narratives and myths, which are handled in this paper, are common to most other countries in the context of their relations and problems with China, it should be easy for other experts to extend this study to their own countries by bringing in those additional Chinese narratives which are specific to those countries.

Before we take up these narratives and myths of China, it would be useful to understand that the world's troubles with China are neither a sudden

phenomenon nor exclusively because of the emergence of President Xi Jinping as the 'Paramount Leader' of present-day China. The evolution of present-day aggressive China started since the historic establishment of a free and independent Republic of China in 1912.¹ Since then, the common aim of all later rulers and leaders of PRC has been to fulfil the dream of their Han ancestors who wanted to establish China as the 'Middle Kingdom' of the world. On the contrary, the leaders of world governments, business leaders and China experts have been dealing with China mainly to achieve their own immediate profits and political goals. Very rarely have they understood or focused on the common aspirations and dreams of China as a nation. No wonder most of the world governments and corporate leaders of the world are finally realising that in their pursuit of making profits from China, they have been simply helping China to become the Frankenstein that it has become today.

On critical analysis one will discover that the gradual metamorphism of present-day massive 'Peoples Republic of China' (PRC) from a petty 'Republic of China' (ROC) of 1912 is not the result of an unplanned game or random and accidental historic happenings. Even during the Chinese 'Xinhai Revolution' of 1911 against the foreign Manchurian 'Qing' rule, the flags and slogans of the revolutionaries called for 'Five Races Under One Union'¹ which was aimed at including the Manchurians, Mongols, Hui (Muslims including the Uyghurs) and Tibetans in the new Han (Chinese) nation. In much later years, when Chairman Mao

Zedong of the Chinese Communist Party announced his plans to grab Tibet and declared “Tibet is China’s palm and Ladakh, Nepal, Sikkim, Bhutan and NEFA (now ‘Arunachal Pradesh’) are its fingers”, he had made China’s future plans clear not only about Tibet but also about India and the rest of South Asia. But unfortunately, the leaders of these South Asian countries and their friends failed to understand the seriousness of Mao’s plans.

It is also interesting to note that despite ongoing civil war and power struggle within the newly found Republic of China, the erstwhile rulers occupied Southern Mongolia in 1919 while claiming that it was ‘Inner Mongolia’ and a part of China. In later years occupation of Manchuria into China in 1945; East Turkistan (renamed as ‘Xinjiang’) in 1949; and Tibet in 1951, simply shows that the Han mind has always been clear about its national agenda despite ongoing serious and bloody internal civil wars throughout this period. Following occupation of Tibet and asserting it as an ‘integral part of China’, Beijing started laying claims over lands of India, Nepal and Bhutan by claiming that those areas belonged to Tibet and hence are part of China. With India, Beijing is laying claims over a major part of Arunachal Pradesh by branding it as ‘South Tibet’. After announcing Chinese names for 21 places of Arunachal Pradesh in 2017 and 2021, Beijing has given a Chinese name ‘Zangnan’ to this Indian state besides renaming 11 more of its places. It will not be surprising if China comes up with similar claims over Ladakh by digging out some disputes between old regimes of Ladakh and Tibet in history.

After the establishment of PRC one can clearly see the focus of different leaders and their well-orchestrated and integrated approach towards making China an economic, military and political superpower. Following the blood-bathed birth of PRC, Chairman Mao worked consistently to consolidate the roots of the Chinese Communist Party in the Chinese system. Through an eventful decade of ‘Cultural-Revolution’ he drastically cleansed the CCP and the national system of every such element that could be later dangerous or troublemaker against his leadership or the supremacy of CCP. In his last days he successfully opened the closed doors between the PRC and the rest of world by establishing links with USA and winning acknowledgement and acceptance of the western world for PRC and thus successfully replacing Chiang Kai-shek’s ROC from the United Nations to occupy its top seat in the Security Council. After Mao, it was Deng Xiaoping, yet another ‘Paramount’ leader, who cleverly used the western world’s vast financial resources, its modern technology, production facilities and even its markets to enhance China’s economic, military and political power. In the post-Deng era all following helmsmen of China multiplied and further consolidated the gains attained by Deng.

By the time President Xi Jinping arrived as the latest ‘Paramount’ leader, all grounds were set for him to place China in the top position in every field that mattered to assert China’s supremacy over the world. Interestingly, it is the same money which China made at the cost of western and other leading economies which Xi is now using to

execute his ‘Belt and Road Initiative’ (BRI) as China’s Trojan horse across the world and to buy out votes of smaller nations to occupy the UN and almost every other international institution from within. Under Xi’s leadership, PRC has reached a position from where it can now dictate the UN to implement the Chinese agenda. So much so, that today’s China has got the guts and arrogance to dictate UN bodies to rewrite and redefine their definitions of as sensitive issues as human rights and democracy. Over recent decades, Xi’s China has liberally given massive loans to already failing countries and established China’s naval and other military bases by bribing their corrupt leaders. That is how Xi’s China has today reached a point from where it can now threaten any country in the South China Sea, East China Sea, the Pacific or Indian Ocean and the Gulf. Thanks to its military power and modern technology, China has been able to create artificial islands at places of its choice to lay claim over the entire South China Sea.

How to Fight Chinese Narratives and Myths

With this background it is worth understanding and examining the narratives and myths which the Chinese system has evolved over the years and is now trying to push and implant into the international mindscape, to further consolidate its dominance. Some major narratives and myths which China’s propaganda machinery has evolved and has thrust upon South Asian countries with appreciable success are:

- PRC is the ‘real’ China and the world must follow ‘one-China’ policy.

- Today’s China is the result of a ‘seamless succession’ from history.
- Tibet was an ‘integral part’ of China’ in history.
- Tibet, Xinjiang, South Mongolia are ‘internal matters’ of China and are of ‘core interest’ to PRC.
- No one should meddle with China’s ‘core interests’.
- No Human Rights violations are committed in China and no one should dare to raise this issue.
- China is a happy family of 56 ‘nationalities’ I.e. ‘56 sisters’.
- Selection of next reincarnation of Dalai Lama is China’s exclusive right.
- India-China border is a ‘secondary’ issue and should be kept aside for dealing in future at an appropriate time.
- The South China Sea is China’s Sea whereas the Indian Ocean is not India’s Ocean.

Present analysis will deal with some of these Chinese narratives specifically and singularly, whereas the reality behind other narratives and myths, as propagated by China, can be automatically understood through explanations on one or more of these issues.

The very first issue which appears to be the mother of most of Chinese narratives and myths is China’s loud claims about PRC being the ‘real’ and ‘original’ China. Interestingly, the present communist China’s narrative does not stop here. Its new and rewritten history now claims that the

present-day China is a result of ‘seamless succession of Chinese dynasties’. Any student of communication will admire the skills of CCP and the Chinese leaders in rewriting history and using propaganda as a fine art to make the world believe this Chinese narrative in order to achieve China’s immediate as well as long term goals. This fine art was at its best in 2004, when the Chinese government released an ambitious 40-episode long epic TV serial “Genghis Khan” on its national network of television – the CCTV. The main focus of this entire exercise was to appropriate Genghis Khan as a ‘Great son of China,’ and this theme was propagated aggressively through the promos of this TV serial on entire Chinese media. Interestingly, it was the same Genghis Khan who had founded the vast Mongol Empire in the 13th century (1206) and his dynasty (also known as ‘Yuan’) had ruled over China and many other countries of larger Asia and parts of Europe for more than 300 years. It was the Qing dynasty of Manchuria who later replaced the Mongols to subjugate the Ming Empire of the Han China. That makes it over seven centuries long history of subjugation and foreign occupation of China. The immediate goal of this Chinese narrative is to make the world forget that it was not the Mongols and the Manchurians who occupied China and were the rulers of these empires, but it was China who ruled over vast areas of Asia and adjoining regions through these ‘great sons of China’. Beijing tried to persuade other governments to run this epic on their national TV networks but could not succeed beyond its two willing friends namely North Korea

KBS network and the Turkish state TRT.

China’s communist historian rewriters are now in their overdrive to establish that in addition to the Song and Ming Empires of Han China, the Mongol Empire and the Manchu Empire too were ‘Chinese’ Empires and hence the present day PRC is a product of ‘seamless succession’ of these ‘Chinese’ dynasties. Once established, this narrative is surely going to give a logical ground to Beijing rulers to not only legitimise their colonial occupation of Tibet, East Turkistan and a part of Mongolia but it will also open doors for fortifying China’s claims over many parts of Russia, Europe and those countries of Central and South-East Asia which were conquered by the Mongols or the Manchus at some stage of history. In case China of future years succeeds in making the world accept this new definition of colonialism and subjugation, then it is surely bound to open doors for many hilarious claims from countries across the world. For example, based on this very Chinese logic, Australia will have reasons to claim that India is a part of Australia or for New Zealand to stake its claim of ownership over Australia simply because all of these three countries were once colonised by Great Britain.

The Lethargic ‘Sinologists’

Until recently the world had got used to study and understanding of Sinology through such Sinologists who relied heavily, rather exclusively on Chinese language and Chinese resources while deliberately and completely ignoring other resources, especially the contemporary Mongol,

Tibetan and Manchu worldviews. This has given rise to a large community of ‘Sinologists’ who suffer from the handicap of partial, wrong and biased understanding of China and the victim of its colonialism like the Tibetans, Mongols and the Uyghurs. In turn, this palpable handicap of this section of Sinologists has severely confused the understanding of China and related subjects by many entities like governments, research institutions, think tanks, corporate houses and the world media. It is not therefore surprising that all such groups became willing or inadvertent buyers of the myths and narratives which have been deliberately and systematically built up by China. That explains why a sizeable section of governments and think tanks sincerely believe that today’s PRC is the result of a “seamless succession” from past dynasties; and that present PRC is the ‘Real China’; and that Tibet, Xinjiang (East Turkistan), Southern Mongolia and Manchuria have been always ‘integral parts of China’ in history.

These Chinese myths of ‘Seamless Succession’ or PRC’s ownership of these Chinese colonies has been logically and effectively demolished by famous international lawyer and veteran expert on Tibet and China, Michael Van Walt Van Praag and Miek Boltjes in their long and systematic study of today’s China’s history. This study was published in 2020 as a book titled, “TIBET BRIEF 20/20” (the authors have borrowed the ‘20/20’ terminology from ophthalmology which represents ‘perfect vision’ of the human eyes). Based on a ten-year long

research, analysis and active engagement with scholars of Chinese, Mongolian, Tibetan and Manchu backgrounds and their respective historical sources, Michael and Miek have minutely examined these claims and the narratives of present Chinese government. In their research they came to the conclusion:

“The PRC’s narrative used to prove historical Chinese ‘ownership’ of or sovereignty over Tibet has a number of fundamental flaws. Firstly, it conflates ‘China’ with the dominant empires of Asia and invokes and interprets the relationships that those empires developed with Tibet as evidence of Chinese or china’s historical sovereignty over Tibet. The PRC does this by deploying the traditional Chinese narrative of the seamless succession of dynasties, all labeled as “Chinese,” thereby obscuring the nature of the Mongol and Manchu empires, both of which were not Chinese. By concealing that China was absorbed by conquest, into these Inner Asian empires and suggesting instead that those empires’ foreign rulers were absorbed into China, the PRC appropriates those same empires to claim for itself rights to territories outside China. The PRC furthermore claims modern territorial sovereignty over those territories on the basis of historical forms of rule and types of relationships that do not at all conform to, nor translate into, modern concepts of sovereignty and territoriality...”²

Interestingly, PRC has been using its manufactured logic of ‘seamless succession of dynasties’ to fortify its claims over Tibet, East Turkistan (Ch: Xinjiang) and Southern Mongolia

(Ch: Inner Mongolia). Using this very logic, China not only justifies occupying Tibet and extending its borders right up to the doors of India, Nepal and Bhutan, but it is now laying claims over many bordering areas of these countries by claiming them to be ‘Chinese’ territories. Whereas the truth is that none of them have ever had an inch of common border with China for past thousands of years. That explains why the South Asian countries need to challenge China’s invasion of Tibet to effectively counter this Chinese geographic offensive against their sovereignty and national security. Recent steps by the US government to make new laws like the “Tibet Policy and Support Act of 2020”³ and then yet another bipartisan Tibet Bill, which has been introduced in the US Congress in July last year (2022) talks of ‘illegal occupation of Tibet by China’ as it says, “numerous United States declarations since the Chinese invasion have recognised Tibet’s right to self-determination and the illegality of China’s occupation of Tibet.”⁴ This change of heart on the part of USA can surely help in uplifting the morale of these South Asian countries to stand up to Chinese pressures and threats.

This awakening in the Western block is also an emerging push back to China on its obsession with ‘One-China-Policy’. This policy of Beijing has its origin in the communist revolution of Chairman Mao which dethroned the Nationalist government of Kuomintang of President Chiang Kai-shek in 1949. When Chiang fled to nearby island of Formosa (now Taiwan) and claimed his ‘Republic of China’ as the ‘real’ China, his friendly Western

block, led by the USA, recognised the ROC as the ‘Real’ China. Chairman Mao and his communist government contested this claim of Chiang vehemently but of no avail until 1970s when USA and its allies saw Mao’s China more profitable than ROC and a useful tool to check the influence of the communist superpower USSR. As a result of this change of heart on the part of USA and its allies across the world, the PRC got the recognition as the ‘real China’. Consequently, the membership of the UN, the permanent seat at the Security Council and its associated powers of veto and other rights, which were being enjoyed by Chiang’s ROC since 1945, got transferred to Mao’s PRC overnight in 1971. This was surely a major victory of Beijing’s ‘One-China-Policy’. However, for its own reasons, USA continued supporting Taiwan as an independent entity and protecting it from China’s military aggression. This US policy has continued till this day despite Beijing consistently aiming at complete control over Taiwan as just another province of China.

It is interesting to note that after getting the formal recognition as the ‘Real China’ the Chinese leadership quietly expanded their definition of ‘One-China Policy’ from Taiwan to Tibet, Xinjiang, Southern Mongolia and Hong Kong. Today Beijing is aggressively demanding that all governments, institutions and organisations must follow its new definition of ‘One-China Policy’. It demands them not to treat or mention these ‘regions’ as separate entities from China. On so many occasions Beijing has warned governments and human rights bodies that any international discussion on the human rights

situation inside these regions or objections about the exploitation of vast natural resources of these territories will be treated as an interference in the ‘internal matters’ of China. To further press its stand, China has declared all of these issues as ‘Core Interests’ of China. Chinese leaders throwing tantrums even at the mention of these names in any international forum or media has become a common norm. Beijing leaders have now come to believe religiously that China has every right to treat these peoples as it feels fit and that Beijing needs no permission, consent, advice or approval from these countries or human rights institutions about how it should conduct itself in these ‘integral’ parts of China.

In a commentary published by “South China Morning Post”, a prominent newspaper from Hong Kong in 2021, Chinese commentator Shi Jiangtao underlined this cleverness of Beijing in his article “Decoding the Deliberate Ambiguities of China’s Expanding Core Interests”. He writes:

“Beijing’s decade-old definition of what constitutes its core interests and how they should be ranked hierarchically are studiously vague and seldom updated... When it comes to sovereignty, Beijing has steadily expanded the scope of its ‘core interests’ from Taiwan, which Singapore’s Prime Minister Lee Hsien Loong described recently as ‘the mother of all core interests,’ to include the restive western regions of Tibet and Xinjiang, followed by Hong Kong.”⁵

China has now reached a position from where, on the strength of votes of its client state members in the UN, it can road-roll even international

institutions like the UN Human Rights Council (UNHRC). It can even grab lands and finished projects like ports, naval bases and airports from its own ‘friends’ (like Sri Lanka, Pakistan, Djibouti, Uganda etc) simply because they were too poor to pay back China’s loans. This tendency of China has created new dangers of as serious dimensions as the historic ‘Cuban Crisis’ for dozens of countries, and even for super powers like the USA. China’s presence in Hambantota of Sri Lanka, Coco Islands of Myanmar, Gwadar of Pakistan and Djibouti are examples of new dangers for the entire South Asia especially India.

All this makes it pertinent that the democratic world will have to develop a logical answer to this Chinese arrogance. One of many possible approaches towards this goal is to minutely examine the grounds on which Beijing has been resting its claims of ownership over its colonies like Tibet, East Turkistan (Xinjiang), S. Mongolia and Hong Kong which happen to the soft belly of China.

China’s claims over and occupation of Tibet (1950-51) and East Turkistan (Xinjiang) (1949) are two specific cases which have severely impacted the sovereignty and national security of South Asia and Central Asia. These countries, which suddenly found China on their borders after the latter walked over East Turkistan and Tibet are India, Bhutan, Nepal, Pakistan, Afghanistan, Kazakhstan, Kyrgyzstan, Tajikistan, Russia and Mongolia. It is not a coincidence that China has raised border disputes with all of these countries who had otherwise never shared an inch of their borders with China over thousands of years in their past

history. Interestingly, all of these claims are based on China's perceptions about the geography of Tibet and East Turkistan. China's claims over large parts of India's Arunachal Pradesh by calling it as 'South Tibet' or because one of the Dalai Lamas of Tibet was born there, is a typical example of China's perceived claims and belligerence.

This surely calls for examining the truth behind China's claims over Tibet and Xinjiang and challenging the very ground from where it draws its authority and arrogance against its new neighbours. One of these Chinese claims is that "Today's China is a result of a 'seamless succession' from history". China's other claim is that "it has historic 'entitlement' to Tibet and Xinjiang because they have been 'integral parts' of China throughout history". These two Chinese claims, if found wrong and proven logically fictitious, should be enough for the world community to challenge China's 'illegal occupation' of these two countries. Strategically too, this is quite important for the South Asian countries because once these Chinese claims are demolished, it will not only give enough relief and courage to the new Asian 'neighbours' of China to confront Beijing and its communist masters, but will also give the world community a logical reason to restore human rights of the occupied peoples of Tibet and Xinjiang in addition to challenging China's rights to exploit enormous natural resources of these two countries.

To demolish China's claims over Tibet, Xinjiang and 'Inner Mongolia' Beijing leaders need to be reminded that the boundaries of original and historic

China were defined by none other than their own Song and Ming dynasties who took 2300 years (7th Century BCE – to – 1644 CE) to build the 'Great Wall of China' to protect it from foreign invaders who were none other than the Mongols, Tibetans, Manchus, Uyghurs, Kazakhs etc whom the Chinese people still refer to as 'barbarians'. This 21,196 km long mammoth wall marked the limits of China in history.

In the case of Tibet, PRC's only basis of its claim over Tibet as "integral part of China since antiquity" is its own view of history. It is only China's narrative on the history of China which offers it the legitimacy to its rule over Tibet. Research done by Michael and Meik says, "Our research firmly establishes that contrary to the PRC's claim, Tibet was historically never a part of China. Though not always 'independent' in the modern legal sense of that term and subject to various degrees of Mongol, Manchu and even British authority or influence, it was most certainly never a part of China. The PRC therefore, also could not have 'inherited it' from the Republic of China or earlier empires, as it claims. As a matter of fact, Tibet was an independent state de facto and de jure from 1912 to 1950-51 when the PRC invaded it."⁶

Yet another claim of China which raises its ownership of many occupied regions stands in sharp contrast with the facts from its own records. Chinese Communist Party frequently boasts of China as a happy family of "56 Sisters" which are also referred to as 'nationalities'. But China's own official census data shows that a large number of

these ‘nationalities’ are progressing towards extinction. Thanks to aggressive policies of forced marriages with majority Hans and selective and forced abortions, the populations of many have reached museum levels. Last Chinese census report shows that total non-Han communities account for less than 8 percent as compared to the Hans. For example, the Manchus have already lost the status of an ‘autonomous’ region.

This author has been a first-hand witness to emergence of massive new Han cities and towns in Tibet which have been developed for migrant Han settlers across Tibet where Tibetan cities and towns like Lhasa, Shigatse and Lithang have been dwarfed by Han settlements. New chain of over 600 Chinese ‘prosperous’ villages, established along Indian border on President Xi’s personal initiative have become a cause of concern for the Indian defence establishment. This once again signifies Xi Jinping’s intent of using Tibet as a launch pad against India

In September 2011, China issued a White Paper titled “China’s Peaceful Development”.⁷ While announcing China’s ‘Core Interests’ in the above-mentioned White-Paper CCP takes a high moral ground by announcing that, “China fully respects other countries’ legitimate rights to protect their interests. While developing itself, it fully accommodates other countries’ legitimate concerns and interests and never makes gains at others’ expense or shifts its own troubles onto others.”⁸ But by invoking the ‘Core Interests’ like state sovereignty, national security and territorial integrity from the same White-Paper, China has picked up

serious ‘territorial’ disputes with many Southeast Asian countries like the Philippines and Vietnam also. In order to fortify its claims and threaten these countries China is using its most modern technologies and money power to occupy, expand and develop minor rock tips in the South China Sea into expanded islands with facilities like runways to station its airbases.

A dominant narrative being promoted by Beijing pertains to President Xi’s obsession about occupying the institution of Dalai Lama, the traditional supreme spiritual leader and executive head of Tibet. Since 1959 when Dalai Lama escaped to India, China attempted to wipe out his personal influence and religious faith from the hearts of Tibetan masses, in the hope that a Tibetan, minus his faith in Buddhism and Dalai Lama will make a perfect ‘patriotic’ Chinese citizen. For three decades, the CCP masters lived under the illusion that their policy was successful and that the Tibetan masses were happy to be under communist rule and were thankful to Chairman Mao for ‘liberating’ them from the ‘feudal’ clutches of the Dalai Lama. But massive Tibetan uprisings of 1987 and 1989 calling for Tibet’s independence and return of Dalai Lama, forced Beijing to rethink and re-craft its strategy on Tibet. A new policy, aimed to secure control of the Tibetan religion and its institutions from within, thus came into being, which started with officially organising search committees for the incarnations of Panchen Lama and Karma Pa. In 2007, the CCP also came up with a new law, which makes it mandatory for any reincarnate Lama of Tibet,

including the Dalai Lama to be searched, certified and installed formally, only after written approval of the CCP.

Following emergence of Xi at the helm in China, the campaign of controlling every Tibetan Buddhist incarnation and propagating supremacy of CCP over the incarnation system has acquired feverish dimensions. With each passing birthday of the Dalai Lama, such activities are gaining momentum. In response, the US government has come out with a counter law in 2020, “Tibetan Policy and Support Act of 2019”. This Act obligates the US to take decisive steps against any interference in the reincarnation system of Tibet. The European Union too, is moving on similar lines. South Asia needs to also stand up against attempts by China to gain control over the institutions of the Dalai Lama, as Chinese control over Tibetan Buddhism through nomination of their own Dalai Lama would have huge security implications for

the region. The 4000 km long Himalayan belt of India, Bhutan and Nepal has a very large Buddhist population, and a future Dalai Lama, controlled by Beijing, can cause social, religious and political turmoil in the region. It is up to New Delhi to address this emerging challenge, as the other countries in the region will be unable to do so. Challenging China’s ‘illegal’ occupation of Tibet and taking a clear stand on Dalai Lama’s reincarnation, would perhaps be an inevitable option.

With the ever-expanding military, political and economic power of China the challenges before the world community, especially China’s new South Asian countries are increasing and making the more vulnerable. That calls for new strategies and new realignments to meet the Chinese challenge effectively. Fighting the Chinese narratives and myths is one ground which offers a larger and effective meeting ground to the world community.

References:

- 1 https://en.wikipedia.org/wiki/1911_Revolution#cite_note-xbl-2
- 2 “Tibet Brief 20/20”, Outskirts Press Inc (ISBN: 978-1-9772-3281-6) p-11-12
- 3 *Text of Tibetan Policy and Support Act of 2019 (H.R. 4331)* <https://www.congress.gov/bill/116th-congress/house-bill/4331> This bill was passed on January 28, 2020 by the US House of Representatives by a vote of 392–22. It got approval of the US Congress on December 21, 2020. On December 27, 2020 President Donald Trump signed into a law.
- 4 <https://www.congress.gov/bill/118th-congress/house-bill/533/text?s=1&r=70> U.S. Congress bill Promoting a Resolution to the Tibet-China Conflict Act (H.R. 533)
- 5 <https://www.scmp.com/news/china/diplomacy/article/3145326/decoding-deliberate-ambiguity-chinas-expanding-core-interests> Decoding the deliberate ambiguity of China’s expanding core interests . Published: SOUTH CHINA MORNING POST 4:11pm, 17 Aug, 2021

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- 6 *Text of Tibetan Policy and Support Act of 2019 (H.R.4331)* <https://www.congress.gov/bill/116th-congress/house-bill/4331> This bill was passed on January 28, 2020 by the US House of Representatives by a vote of 392–22. It got approval of the US Congress on December 21, 2020. On December 27, 2020 President Donald Trump signed into a law
 - 7 <https://www.congress.gov/bill/117th-congress/house-bill/1155/text> The US Congress Bill (H.R. 1155) titled “Uyghur forced Labor Prevention Act” passed by Senate on 22 Dec. 2021
 - 8 <https://www.congress.gov/bill/118th-congress/house-bill/533/text?s=1&r=70> U.S. Congress bill Promoting a Resolution to the Tibet-China Conflict Act (H.R. 533)
 - 9 “Tibet Brief 20/20”, Outskirts Press Inc. (ISBN: 978-1-9772-3281-6) p-V
 10. http://www.china.org.cn/government/whitepaper/node_7126562.htm Text of China’s White-Paper as released by the Information Office of the State council of the PRC on Sep 6, 2011



Challenges & Threats from a Collusive Pakistan-China Relationship

Jyoti M. Pathania*

Introduction

South Asia is fast emerging as a sub-region of the larger Indo-Pacific theatre where the US-China rivalry is now in full play. Home to about quarter of the world's population, the region's geography and resource endowment is unique and critical to global trade and economic integration. South Asian diaspora is creative and diligent, yet these eight nations are amongst the poorest and economically the least integrated region of the world.

The changing structure of geo-politics, 'geo-economics deep policy paralysis' and the 'non-conforming neighbourhood states', has made India's difficult neighbourhood even more dangerous with far reaching repercussions for India's geo-strategic future. Furthermore, the stalemate in India-Pakistan relationship and the hand in glove Pakistan-China collusive relationship, cause an enduring concern for regional instability.

Difficult Neighbourhood

Even after more than ten years, the opening remarks made by the then-Union Home Minister Shri P. Chidambaram during the India-US Homeland Security Dialogue on May 27, 2011, perfectly capture the current situation in India's neighbourhood.

"it is a truism to say that India lives in perhaps the most difficult neighbourhood in

the world. The global epicentre of terrorism is in our immediate western neighbourhood."

The vast infrastructure of terrorism in Pakistan has for long flourished as an instrument of state policy. Today, different terrorist groups, operating from the safe havens in Pakistan, are becoming increasingly fused; the society in Pakistan has become increasingly radicalised; its economy has weakened; and, the state structure in Pakistan has become fragile. Pakistan itself faces a major threat from the same forces. Its people as well as its state institutions are under attack. Terrorist infiltration or fake currency inflow does not only take place through India's western border, but is often routed through countries that India shares open borders with. India also has to deal with the challenge of large-scale migrations from across our borders. Insurgent groups have sometimes found refuge in India's neighbouring countries. Internal instability in these countries has a direct bearing on the population in India's border states".¹ A stable, peaceful and prosperous neighbourhood is vital for the security of the people of India with a range of other challenges, which include counterfeit currency, narcotics trafficking, threats and risks in the cyber space.

China and Pakistan Collusiveness

Webster dictionary defines the word collusive as a secret agreement or cooperation especially

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for an illegal or deceitful purpose. A collusive behaviour involves secret or illegal co-operation between countries or organisations; hence it is co-operation characterised by secrecy and deceit for e.g., Sino–Pakistan linkage or the China and North Korea relationship. Beijing’s secretive ties with Islamabad have run closer than most formal alliances since decades. This collusive alliance is based on a few shared commonalities—both countries have a shared enmity with India; both opposed the action by India of revoking the special status of Jammu and Kashmir in August 2019, and China has made it clear that it doesn’t see India’s rise as being in its interests.²

Pakistan’s strategic location is seen by China as critical to its transition from a regional power to a global one and is central to China’s plans for network of ports, pipelines, roads, railways connecting oil & gas fields of West Asia to the mega cities of East Asia. Its coast line serves as a crucial staging post for China’s take off as a naval power, extending its reach from the Indian Ocean to the Persian Gulf and the Mediterranean Sea. Penetration of Pakistan’s spy agency, the Inter-Service Intelligence (ISI) into global jihadi networks are vital assets as China’s gateway in the Islamic world. Andrew Small argues that China’s strategic generosity towards Pakistan is an investment in its own geopolitical well-being. In his book, ‘The China Pakistan Axis’, he argues that Pakistan considers its relationship with China to be the cornerstone of its foreign policy; the best possible ticket out of instability and economic weakness.³ Pakistan wishes to leverage its unique advantage of being a bridgehead between China, South Asia, Central Asia and West Asia, through enhanced

trade and investment that will benefit all the regions.

One can also argue that both countries have deep state systems. The concept of deep state points to a ‘special power configuration within a state’ that has a significant influence on the running of the statecraft, determining national security, conduct of diplomacy and foreign relations. China has been dominated for nearly a century by a single political party, whose leaders ruled with the help of the strong political party system and the military. Under President Xi Jinping’s leadership, China’s ‘centralisation of political and economic life,’ which includes government-run catholic churches, has progressed to the point where top-down social control tactics are being used to bury a society of many millions of people in a mass grave of cultural amnesia.⁴ This type of arbitrary power exercised by deep state actors, President Xi, CCP and Central Military Commission (CMC) is disturbing and reeks of totalitarianism.

In the case of Pakistan, the military, the ISI, Inter-Service Public Relations (ISPR), and the corps commanders, form the core of a deep and powerful nexus known as the deep state. When necessary, this collegiate leadership group has been responsible for forging and breaking political coalitions, as well as fostering animosity between civilians and military forces.⁵

The collusive relationship between Pakistan and China can be understood in an euphoric estimation seen in the catchy phrases like their friendship being “*higher than the mountains*” and “*sweeter than honey*”. These phrases intend to convey the ‘*substance*’ of the relationship, not mere rhetoric, as no relationship can possibly thrive between two unequal’s, and that too for long, if it

is only driven by rhetoric. Still, for most Pakistan and China watchers, this nexus remains an enigma, and, therefore, some references from past are necessary to contextualise.⁶

Brief Historical Background

Pakistan and China established diplomatic relations in 1951, but their formative years witnessed little interaction. Perceiving its eastern neighbour as a perennial security threat, Pakistan joined the United State (US)-led Western alliance against communism. This move was received with suspicion in Beijing but both countries were careful not to take any step considered inimical to each other's interests. Pakistan was the first Muslim country to recognise 'New China' and the Chinese leadership appreciated this.⁷

Chairman Mao Zedong instructed his foreign ministry as early as in 1951 to develop relations with Pakistan. Again, in 1956, while designating his second Ambassador, Mao instructed him to pay special attention to Pakistan, which was 'China's southwestern gate.' Prime Minister Huseyn Shaheed Suharwardy was the first leader from Pakistan to visit Beijing in October 1956, followed barely two months later by Premier Zhou En Lai's visit to Pakistan.⁸ After Pakistan, Zhou visited India but declined the invitation from Prime Minister Jawaharlal Nehru to visit Srinagar, even at a time when India and China enjoyed close relations. This was a clear signal of China showing deference to Pakistan's position on Kashmir and its desire of forging a substantive relationship with Pakistan, independent of its ties with India. These overtures in the very early days of the relationship helped lay the foundation of "mutual trust", which

forms the core of their partnership today.⁹

The border treaty of 1963 was a defining moment in Pakistan-China relations, further enhancing mutual trust. In 1964, Pakistan became the first non-communist country to begin its flights to China. In March 1965, Pakistan denounced the "Two China policy" of the US. China now began to regard Pakistan as a trustworthy partner in South Asia. Pakistan had also taken a clear shift in its foreign policy by showing willingness to come closer to China. By mid-1960s, their relations were poised for a major leap.¹⁰ The 1965 India-Pakistan war proved to be a real catalyst in cementing these ties, as China fully supported Pakistan. China's image improved exponentially after the war and made a positive impact on Pakistani psyche.

Two infrastructural projects of Belt and Road Initiative (BRI) and the China Pakistan Economic Corridor (CPEC), have further elevated the relationship to an all-weather status. Pakistan was amongst the first countries to join the BRI. The 1300 km long Karakoram Highway, connecting China's Xinjiang Province to Pakistan Punjab, and built with Chinese assistance, was opened to the public in 1978. This highway now serves as the main route for CPEC, and extends up to Gwadar in Baluchistan. The Central Asian Republics, which are landlocked, are keen to take advantage of the CPEC to reach the Pakistani ports of Gwadar and Karachi. The CPEC route will also help China to overcome its Malacca Straits dilemma and cut costs and time in transportation of its exports to Africa and the Middle East, besides establishing a connectivity network with Central Asia and Afghanistan.¹¹ This special alliance is supported by the principles of shared trust, shared historical

baggage, shared interests, and a common worldview i.e., India.

Threats & Challenges facing India

Terrorism, proxy wars and insurgencies have been a part of Pakistan's strategy and with onset of information warfare, support from China has expanded. It has been the epicentre of terrorism and the repercussions have been felt not only in India, but Afghanistan, Bangladesh, Nepal, Maldives and even Pakistan itself.

Since 1947, Pakistan has been following Fabian strategy with grave consequences for India. It has been able to constrain India by presenting the impression that the proxy war is out of its control and that it is a victim of such terror attacks. It avoids large-scale conflict by varying the intensity from low to high and then lowering it to avoid spiralling out of control. This has resulted in a lengthy struggle and dovetailed into no less than an act of war.

Pakistan-based terror infrastructure is a threat not just to India and South Asia, but also to the US, its allies and quite possibly, in future, even to China. This reality is far bigger than any strategic utility Pakistan might offer to these countries. In the name of promoting geo-strategic interests, it has been providing '*safe haven spaces for the radical terror outfits*' as also stated in the US State Department's Country Report on Terrorism, September 21, 2021. The report states that Pakistan is a base of operations and/ or target for numerous armed, non-state militant groups, some existing since the 1980s. Out of 67 active terrorist groups in the world, Pakistan is home to at least 12 groups, including five of them being India-

centric, like Lashkar-e-Taiba (LeT) and Jaish-e-Mohammad (JeM).¹²

For the deep state, a policy mix of 'terror and talks' has been the strategy against India. A resurgence of regional terrorism and militancy after the Taliban's August 2021 success is clearly visible. Lashkar Chief Hafiz Sayeed, stated "*full-scale armed jihad will begin soon in Kashmir after American forces withdraw from Afghanistan.*"¹³ The focus is not on J&K alone, but on the whole of India. Linkages exist amongst Lashkar-e-Taiba (LeT), Students Islamic Movement of India (SIMI) and Indian Mujahideen (IM), with Pakistan continuing to sponsor terrorist groups, and fund, train and arm them in their war of attrition against India. "*There are at least 42 terrorist training camps in Pakistani Occupied Kashmir (POK) alone*"¹⁴. There exists a pool of modules that can be instructed to commit acts of terror just about anywhere in India.

Pakistan Government's Submissions

In a 2012 interview with the BBC, Pakistani President Asif Ali Zardari confessed that previous governments "deliberately developed and nurtured militants as a policy to achieve some short-term gains". In an interview to a private TV channel in 2018, Gen Musharraf too, acknowledged that terrorists were trained in Pakistan. "We trained Taliban and sent them to fight against Russia. Taliban, Haqqani, Osama bin Laden and Zawahiri were our heroes then", he said. During his official visit to the United States in July 2019, Prime Minister Imran Khan admitted the presence of 30,000-40,000 armed terrorists in his country. Pakistani Interior Minister Sheikh Rashid, stated

in 2021 that “All key Taliban leaders were born and raised in Pakistan, we trained them as part of our ‘service,’ and many more may be studying”. Pakistan, as *hotspot of terrorism & Islamic Radicalism* is spreading its tentacles to other South Asian countries, like India, Afghanistan, Bangladesh, Nepal and Myanmar as the ‘*military extensions of the Pakistan Army*’. ISIS terrorist group pays Rs 50,000 to 60,000 per month to every warrior/ unemployed youth.¹⁵

Pakistan intelligence agency, a core component of the deep state, has strong nexus with the terrorists and radical rightist organisations. The JeM is headquartered in Bahawalpur, which is also the headquarter of Pakistan Army’s 31 Corps. ISI’s significant covert support to the Taliban, employing it as a proxy force during and after the Afghan war is very well known. Haqqani network, the most powerful of the Taliban’s constituent forces, was in fact the strategic arm of Pakistan’s ISI.

Both Pakistan and China have lent support to the insurgency movement in parts of India. Support to the insurgent groups, like the United Liberation Front of Assam (ULFA), Northeast insurgents’ groups, Maoists, Naxal movement and other separatist organisations continues in some form or other. Their aim is to *make insurgency self-sustaining*. This remains the biggest challenge with Left Wing Extremism (LWE).

After the abrogation of Article 370, the local flavour of terrorists activities is by protecting and raising the *Resistance Force (TRF)*- an *offshoot of Pak- based terror outfit LeT* – Resorting to selective killings of non-Kashmiris and the minorities in the Kashmir valley in sheer frustration. Hence a ‘unique patronage’ and ‘support for their

political ascension’ and development’ is given by deep state.

An Insecure Environment & Nuclear bogey

Pakistan and China have managed to create an environment of insecurity in India, especially evident during commemoration of national occasions like Republic Day and Independence Day, and on various religious festivals, all of whom remain under the shadow of terror threat. An additional layer of security is added each year which inadvertently means an encroachment on public freedom and their shrinking spaces. Pakistan also raises the nuclear bogey to deter India as a recuse to bridge the conventional asymmetry. China’s crucial support in Islamabad’s nuclear and ballistic-missile programmes continues unabated. The possibility looms of handing over individual weapons to terrorist groups for detonation anywhere in the world, making a new 9/11 incomparably even more deadlier.

Drones from Pakistan flying into India across the Line of Control and International Border have emerged as a huge challenge for India’s Border Security Force. They bring in everything from arms to narcotics to fake currency that give rise to terror and lawlessness in India. The ‘*economics of terrorism*’ which come up with a terrorist attack may cause short-term and long-term disturbance to the economic system, for instance after the 26/ 11 Mumbai attack, the financial business of the economic capital of India took a long time to get back on track. The cost of sustained tension with Pakistan is an external check on India’s rise. This will remain for the immediate future, as for its own

survival, the Pakistan military will continue to regard India as an existential threat and will continue to stoke tension, in its bid to remain relevant amongst its own people. This would impede to some extent, India's rise to a super power status.¹⁶

Threat of a Two-front War

The discussions on a two-front military threat for India started around 2006 and were formally articulated in the defence minister's operational directive in 2009. At the annual press conference in 2020, then Indian Army Chief General M. M. Naravane said that "There is increased cooperation between Pakistan and China, both in military and non-military fields. A two-front situation is something we must be ready to deal with." The two-front threat has been acknowledged by other top Indian military commanders, although the country's political leadership has publicly stayed silent on the matter. In September 2020, Chief of Defence Staff General Bipin Rawat acknowledged, "Chinese economic cooperation with Pakistan, in Pakistan-occupied Jammu and Kashmir, along with continued military, economic and diplomatic support mandate high levels of preparation by us. This also poses the threat of coordinated action along the northern and western

fronts, which we have to consider in our defence planning."

Sushant Singh argues that China remains a long-term strategic competitor and permanent peace with Pakistan is unlikely. A two-front military threat is a possibility, and would be a formidable challenge with no easy answers.¹⁷ This ongoing friction and border tensions on two fronts contributes to the spike in military purchases. India is the world's third-largest military spender in 2020, behind only the US and China. According to the SIPRI report, it must maintain a force of roughly 15 lakh soldiers due to the two active and unresolved borders with China and Pakistan. While India spent 2.9 per cent of its GDP on the military, Pakistan spent 4 per cent of its GDP on defence forces.¹⁸

Conclusion

In the era of new geo-political competition and alignments, Pakistan deep state and China collusive relationship will continue to pose the primary foreign policy and security challenge to India in the coming years. India must be prepared to take on a two-front challenge by suitably strengthening its economic heft and military capability, combined with suitable political and diplomatic measures.

References:

- 1 <https://www.indianembassyusa.gov.in/ArchivesDetails?id=1583>
- 2 <https://timesofindia.indiatimes.com/home/sunday-times/all-that-matters/chinas-rising-support-for-pakistan-and-their-collusion-may-affect-our-interests-says-former-nsa-shiv-shankar-menon/articleshow/82234601.cms>
- 3 Andrew Small, *The Chian Pakistan Axis Asia's New Geopolitics*, Penguin Random House India Books, 2015
- 4 Babones, Salvatore. "Yes, You can Use the Word T-Word to Describe China". *Foreign Policy*, April 10, 2021.

-
- <https://foreignpolicy.com/2021/04/10/china-xi-jinping- totalitarian-authoritarian-debate/>. Accessed on October 7, 2020
- 5 Jyoti M.Pathania, *Deep State Continuum in Pakistan and its Implications for India.*, KW Pvt Ltd, 2022
 - 6 <http://hdl.handle.net/1959.4/55225> in <https:// unsworks.unsw.edu.au>
 - 7 <https://www.isas.nus.edu.sg/papers/pakistan-china-relations-in-a-changing-geopolitical-environment/>
 - 8 <https://www.dawn.com/news/1341523>
 - 9 <https://www.isas.nus.edu.sg/papers/pakistan-china-relations-in-a-changing-geopolitical-environment/>
 - 10 <https://rclss.com/index.php/pij>
 - 11 <https://www.isas.nus.edu.sg/papers/pakistan-china-relations-in-a-changing-geopolitical-environment/>
 - 12 <https://www.everycrsreport.com/reports/IF11934.html>
 - 13 <https://www.hindustantimes.com/delhi/pakistan-s-new-game-plan-capture-kabul-cripple-kashmir/story-wHJIwWeTQXl3hXAnOzcjAP.html>
 - 14 <https://www.hindustantimes.com/delhi/42-terror-camps-active-in-pok-new-ones-added-army-chief/story-Yp8ycluAnV66ZKFKDeMxnM.html>
 - 15 Yunis Khushi “ISIS in Pakistan: A Critical Analysis of Factors and Implications of ISIS Recruitments and Concept of Jihad-Bil-Nikah”, Arts and Social Sciences Journal, <https://www.hilarispublisher.com/open-access/isis-in-pakistan-a-critical- analysis-of-factors-and-implications-of-isisrecruitments-and-concept-of-jihadbilnikah-2151-6200-1000276.pdf>.
 - 16 Analysis drawn from the authors questionnaire submitted to the Strategic community and students
 - 17 <https://www.stimson.org/2021/the-challenge-of-a-two-front-war-indias-china-pakistan-dilemma/>
 - 18 <https://www.financialexpress.com/business/defence-india-emerges-as-top-importer-of-arms-sipri-3007649/>



India and Central Asia: Navigating the Geo-Political Flux

Ashok Sajjanhar*

Introduction

Changes in the geo-political and geo-economic architecture over the last few years have been cataclysmic. Changes have been taking place globally in the past decades also, for instance, the 9/11 attacks; the 2007-08 international financial and economic crises; the shift of the centre of gravity of the global economy from the Trans-Atlantic to the Indo-Pacific, and many more. But the scale and pace of changes in the last three years starting with the Covid-19 pandemic in early 2020 followed by the Russian aggression of Ukraine, have been truly unprecedented. Hardly has any country remained unaffected by the economic, health and social impact of the pandemic. But before the world had even learnt to live with the debilitating effects of the pandemic, it was saddled with the deleterious impact of the Russia-Ukraine conflict. Although the physical conflict is confined to a limited part of Central Europe, its geo-economic and geo-strategic tremors have been felt around the world. Beginning with the severe shortages of food, fuel and fertilisers worldwide, the conflict has resulted in back-breaking inflation particularly for the developing countries, huge unsustainable debt levels, again more pronounced for developing

countries, regression on the Sustainable Development Goals, a further exacerbation of the climate change challenge, disruption of supply chains, and several more.

Central Asia

The Central Asian region comprising of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan has been largely peaceful and stable since the countries attained independence on the disintegration of the Soviet Union in 1991. There have been a few aberrations like the civil war in Tajikistan in the early 1990s, the Andijan uprising in Uzbekistan in 2005, the Tulip Revolution in 2005 and violent protests in 2010 and 2020 in Kyrgyzstan, but overall, the Central Asian space has remained relatively peaceful and tranquil. Even the Arab Spring was not able to have much of an impact on Central Asia, notwithstanding its geographical and cultural proximity to the region.

This relative calm was broken in January, 2022 with carnage and arson in Kazakhstan when 233 people were killed and several hundreds injured. In Uzbekistan, violent protests broke out in early July, 2022 in the autonomous region of Karakalpakstan against the proposed constitutional changes in which 18 people were killed and

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hundreds wounded. Violent clashes erupted between Kyrgyzstan and Tajikistan in September, 2022 over a dispute on territory and a water body claimed by both the sides in which more than 100 people were killed.

Increased uncertainty also engulfed the region since the time the Taliban captured power in Afghanistan in August, 2021. Barring Tajikistan, all Central Asian countries, as well as Iran and several others are engaging with the Taliban regime in Kabul in economic, commercial and security areas, although none have accorded full diplomatic recognition to it. These countries have their diplomatic personnel functioning from Kabul. There have been reports of firing rockets and bullets by the Afghan based Islamic State of Khorasan Province into Tajikistan and Uzbekistan in recent months. But thus far the situation has not spiralled out of control.

No part of the world has remained unaffected by the challenges thrown up by the pandemic and the Ukraine conflict. The Central Asian region is no exception. In addition to the challenges enumerated above, the Central Asian countries find themselves in an even more vulnerable situation because of their very close partnership and security relations with the Soviet Union, of which they were an integral part till 1991, and later, after the disintegration of the Soviet Union, with Russia, and, on account of their robust and expanding economic and commercial partnership with China.

Russia in Central Asia

Since the disintegration of the Soviet Union in 1991, Russia has been viewed as the security

provider of the Central Asia region. The Collective Security Treaty Organization (CSTO), a NATO like security bloc established in 1992 under the leadership of the Russian Federation with three Central Asian States viz Kazakhstan, Kyrgyzstan and Tajikistan as members, was expected to ensure security and stability of countries in the region. The CSTO did promptly swing into action to dispatch a few thousand troops to provide security to Kazakhstan when it was rocked by violent protests and demonstrations at the beginning of 2022. Their presence on the Kazakh soil was designed to lend support and provide assurance to the Kazakh forces. They did not have to fire a single bullet and left within ten days of their deployment. But the fact that the Kazakh President Kassym-Jomart Tokayev turned to the Russia-led CSTO to save his government is demonstrative of Russia's authority and dominance, and the dependence of Central Asian states on Russia, for safeguarding their security.

In this backdrop, the Russia-Ukraine conflict which has been continuing for the last more than thirteen months has resulted in a significant decline in the prestige of Russia in the world and the region. It was initially thought that Russia would be able to effect a quick regime change in Kiev resulting in an early end to the war. This, to the surprise of many, did not happen.

Right from the beginning, Ukrainian President Zelensky maintained that he was fighting to win. No one believed him. They attributed his statements to misplaced bravado. But Zelensky and his forces as well as the Ukrainian people surprised all observers by staunchly withstanding

the onslaught of the mighty Russian army. Russian President Putin declared that the Russian forces would be welcomed as liberators in Ukraine but the tenacity with which the Ukrainian soldiers and people continue to defend their country would have come as a harsh reality check for the over-confident Russian forces.

Ukraine's unanticipated successes around the end of last year of taking over large swathes of land in the north and south of the country earlier annexed by Russia, as well as strategically situated towns like Lyman took Russia as well as the world by surprise. The wisdom at the start of the war was that Ukraine cannot win because Russia cannot lose. The significant reverses suffered by Russia around the end of last year forced the global strategic community to re-examine their assumptions.

The Russia-Ukraine conflict has completely transformed the relative equation between Russia and China in Central Asia. This had started becoming evident even in 2014 with the annexation of Crimea by Russia. The ensuing sanctions by the West resulted in pushing Russia increasingly into the embrace of China with Russia emerging as a subordinate partner to China. The last few months have thrown up many instances which would emphatically suggest that the Central Asian nations are getting increasingly uneasy and uncomfortable with Russia's actions in Ukraine. The influence of Russia in Central Asia which it characterises as its "near abroad" appears to be declining. Several instances to substantiate the above can be cited. Some of these are:

- Both Kazakhstan and Uzbekistan which are

the largest countries of Central Asia in land area and population respectively, pursue "multi-vector foreign policies." Leaders of both the countries have stated unequivocally that they will not recognise the independent status of Luhansk and Donetsk People's Republics.

- At the St Petersburg International Economic Forum in June, 2022, President Kassym-Jomart Tokayev of Kazakhstan responding to a question in the presence of Russian President Vladimir Putin stated that Kazakhstan does not acknowledge the independence of the Luhansk and Donetsk People's Republics. He said that if the right of nations to self-determination was recognised, there would be more than 500-600 countries instead of the current 193 members of the UN. For this reason, he said that Kazakhstan inter alia does not recognise the independence of Kosovo, or [the breakaway Georgian regions of] South Ossetia and Abkhazia. And, also quasi-state territories like Luhansk and Donetsk. Kazakh Foreign Ministry stated on 26th September, 2022 that it will not recognise the referenda conducted by Russia in the four provinces of Ukraine through which Russia annexed these territories of Ukraine. It voiced its support for the territorial integrity of States.
- During the same visit to St Petersburg, Tokayev, in response to a question from the state-run Rossia-24 television station, about the gratitude that Kazakhstan ought to feel

for the support rendered by Russia/CSTO to it in its hour of need in January, 2022, stated: “In Russia some people distort this whole situation asserting that Russia supposedly saved Kazakhstan and Kazakhstan should now eternally serve and bow down at the feet of Russia. I believe that these are totally unjustified arguments that are far from reality”.

- The then Foreign Minister of Uzbekistan Abdulaziz Kamilov stated in the Uzbek Senate on 17th March, 2022: “Uzbekistan historically has traditional all-round ties with both Ukraine and Russia...Uzbekistan recognizes the independence, sovereignty and territorial integrity of Ukraine. We do not recognize the Luhansk and Donetsk People’s Republics”.
- Senior Kazakh leaders have stated on several occasions that Kazakhstan will not violate the Western sanctions imposed on Russia as it did not wish to be subjected to secondary sanctions of the western nations.
- Timur Suleimenov, the first deputy chief of staff to president Tokayaev said during his visit to Brussels in March, 2022: “We have not recognised and do not recognise either the situation with Crimea or the situation with Donbass, because the UN does not recognise them. We will only respect decisions made at the level of the United Nations”.
- Kazakhstan’s Deputy Minister of Foreign Affairs Roman Vassilenko, in a meeting with the EU in March, 2022, emphasised the

importance of minimising or preventing the negative effects of EU’s sanctions against Russia on trade and economic relations between Kazakhstan and EU. He added: “European companies are leaving Russia either due to sanctions or due to pressure from the public, from shareholders and ethical reasons. They want to be somewhere in the neighbourhood, and we would like to be that neighbour.” He said in an interview that Kazakhstan did not want to become a collateral victim of politically motivated economic warfare and if ‘there is a new iron curtain, we do not want to be behind it.”

- Both Uzbekistan and Kazakhstan have expressed keen interest to welcome multinational companies which want to leave Russia as a result of the sanctions imposed by Western nations on Russia. According to reports, several companies have relocated to these countries although not in numbers that were originally anticipated.
- Uzbekistan, Kazakhstan, Kyrgyzstan and Tajikistan have expressly barred their nationals residing in Russia to join the war effort against Ukraine. It appears that at the beginning of the conflict, but particularly after the announcement of mobilisation of 300,000 troops by Russia in September, 2022, Russia offered attractive salaries and also expedited processes to obtain citizenship of the country by migrant workers from Central Asia after having served at the front for one year.

Central Asian countries are feeling nervous both at the arguments advanced by Russia to launch its offensive against Ukraine as also the impunity with which President Putin was able to carry out the attack. Some of them, particularly Kazakhstan, are worried that they could be next. Kazakhstan has the world's longest land border of more than 7,000 kms with Russia and also has a 18% population of Russian origin and ethnicity. Kazakhstan in particular, but the other Central Asian nations to a lesser extent, are fearful of Russia's thinking.

Recently there was a tweet by former Russian President and PM Dmitry Medvedev that Kazakhstan is an "Artificial State". This tweet was however quickly taken down and it was clarified that Medvedev's account had been hacked. Putin had himself made a similar assertion some years ago. Several right-wing politicians in Russia have made threatening noises after Tokayev's statement in St Petersburg in June, 2022 warning Kazakhstan that it should watch its steps as it could be the next after Ukraine. Tokayev had quite clearly made his displeasure and objection evident during that visit. The unimpressive performance by the Russian army in Ukraine over the last thirteen months has forced the Central Asian countries to re-think that if Russia has been found wanting so woefully in Ukraine, how would it be able to provide security to them.

China in Central Asia

China has been rapidly expanding its footprint in Central Asia over the last many years, not only in the trade and economic fields but also in political, military and security affairs. This has been evident

in the myriad oil and gas pipelines from Kazakhstan, Uzbekistan and Turkmenistan in Central Asia to China over the last two decades as well as the establishment of a military/police post in recent years in Tajikistan. The Belt and Road Initiative launched initially as the One Belt One Road Project in 2013 in Kazakhstan has provided a further impetus to the rapidly expanding China-Central Asia partnership.

The diminishing stature of Russia in the Region has animated China to quickly enhance its influence in the region. This was visible in the recent announcement of the China-Kyrgyzstan-Uzbekistan railway link which had been lying dormant for the last many years because of Russia's objections. Also, several far-reaching agreements to further expand economic and commercial partnerships were signed by Chinese President Xi Jinping during his visits to Kazakhstan and Uzbekistan in September, 2022.

While welcoming the flow of investment from China to their countries, the Central Asian nations, particularly the people, if not the ruling classes and elite, are apprehensive about the unduly growing influence of China in their countries. In the middle of the growing anxieties as well as vacuum created by distraction of Russia from the region, China has been rapidly expanding its foot print in Central Asia. It launched the first China + Central Asia (C+C5) foreign ministers' meeting in July, 2020 and is taking it forward very pro-actively. Snatching a leaf out of India's book, China hosted its first Summit with leaders of Central Asia on 25th January, 2022, just days before the India-Central Asia Summit.

President Xi Jinping has invited the leaders of Central Asia to visit China in May, 2023 for an in-person Summit. From all accounts, China wishes to make the Summit partnership as the most significant vehicle to take the relationship to newer heights.

Other Countries Also Interested

Several countries in the region and beyond are also sensing this opportunity and are keen to strengthen their partnership with these countries. Turkiye has been working on Central Asian countries for the last many years. It shares historical, cultural, linguistic, religious and civilisational ties with all of them, except with Tajikistan. The last few years have witnessed frequent meetings between the leadership of Central Asia with the President of Turkey. President Erdogan was present in person for the first time at any SCO Summit in Samarkand. Erdogan also travelled to Astana, Kazakhstan for the Conference on Interaction and Confidence Building Measures in Asia (CICA) in October, 2022.

Iran has also been advancing its partnership with Central Asia. It became the newest member of SCO at the Samarkand Summit in 2022. Iranian President Raisi also attended the CICA Summit in Astana in October, 2022. The US organised a C5+1 meeting with the foreign ministers of all Central Asian states in the margins of the UNGA in New York in 2022. US Secretary of State Anthony Blinken visited Kazakhstan and Uzbekistan in late February, 2023. This was one of the rare visits by a US Secretary of State to Central Asia. Prior to this, the then Secretary of State Mike Pompeo had

visited Kazakhstan and Uzbekistan in February, 2020. On both these occasions, meetings of C5+1 between foreign ministers of Central Asian states and USA were held in Kazakhstan.

President Charles Michel of the European Union visited Kazakhstan and Uzbekistan in October, 2022. He met the leaders of all the five Central Asian states in Kazakhstan during his visit. Josep Borrell, High Representative of the European Union for Foreign Affairs and Security Policy visited Uzbekistan in November, 2022 and participated in two important meetings in Samarkand: the EU-Central Asia Ministerial meeting and the EU-Central Asia Connectivity conference.

India in Central Asia

The rapidly changing dynamics of Central Asia's regional and global political, strategic and economic architecture provides a bright opportunity for India to diversify and deepen its partnership with these countries. The Central Asian countries constitute a part of India's extended neighbourhood. India has millennia old historical and civilisational relations with these countries. India has not been able to leverage its age-old connections with this region because of the absence of geographic contiguity and lack of connectivity with these countries. India has significantly accelerated its engagement with the region over the last nine years starting with the historic visit by Prime Minister Narendra Modi to all the five countries in July, 2015. Recent months and years have witnessed a significant uptick in the intensity of bilateral ties.

Prime Minister Modi organised a Central Asia+India Summit in a virtual format on 27th January, 2022. It was agreed that such Summits would be organised every two years. PM Modi visited Samarkand, Uzbekistan in September, 2022 and Bishkek, Kyrgyzstan in June, 2019 for the SCO Summits. India and Central Asia launched the India-Central Asia Dialogue at the level of foreign ministers in Samarkand, Uzbekistan in 2019. The last such Dialogue chaired by Dr S Jaishankar, External Affairs Minister took place in New Delhi in December, 2021. National Security Advisor (NSA) Shri Ajit Doval organised a meeting of regional National Security Advisors to discuss the situation in Afghanistan in November last year. This was attended amongst others by NSAs of all the Central Asian countries. Indian ministers and senior officials from different departments and agencies of the government have inter alia met their counterparts from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan (who are members of the SCO) frequently in SCO meetings in capitals of countries who have chaired the SCO Summits.

India could not organise the last India + Central Asia Foreign Ministers Meeting in 2022 because of a packed schedule last year. To maintain the momentum, it would be imperative to organise this interaction in either Kazakhstan or Kyrgyzstan during the current year. Similarly, in other areas like business, culture, Think Tanks etc., engagement with Central Asia needs to be stepped up.

There is considerable identity of views and position on most regional and global issues between India and Central Asia. Some of these include peace and stability in Afghanistan; Connectivity

(INSTC and Chabahar-all Central Asian countries are land-locked countries, with Uzbekistan being doubly land-locked); counter-terrorism; climate change; trade and investment etc. India can share its expertise in the areas of IT, Startups, pharmaceuticals and much more with the Central Asian countries. There is empathy, warmth and trust between the people of India and Central Asia. There is no fear or threat perceived from India as is the case with some other neighbours in the Region.

It would be useful for India to collaborate with other like-minded countries like USA, Japan, Europe and others to strengthen and deepen engagement with Central Asia. This would be to mutual benefit and advantage.

India has been working pro-actively to significantly augment its ties with Central Asia in recent years. It needs to identify further avenues and opportunities in areas spanning political, security, strategic and business to academic, culture, tourism, sports and people-to-people connect. India-Central Asia ties are poised on the threshold of enhanced political, security, economic and cultural partnerships.

Conclusion

In the midst of growing geo-political uncertainties and turbulence, Central Asia is looking for partners other than Russia and China to engage with. India eminently fits the bill as there is no threat perception that Central Asia feels from enhanced partnership with it. India will however need to significantly augment its collaboration with the region in all areas viz. political, official, security,

business, scientific, technological, health, education, cultural, Think Tanks and others, both at the bilateral as well as at the regional level. Although all countries should be given due attention, but Uzbekistan and Kazakhstan merit special focus, Uzbekistan because it has emerged as the most proactive among the Central Asian states in its desire to increase partnership with India, and Kazakhstan because it is the largest country in geographical area, endowed with significant mineral resources, and is the largest economy of the region.

India is the current Chair of the Shanghai Cooperation Organization. India has been actively

organizing several events under the aegis of the SCO which have *inter alia* been participated by appropriate representatives of the four Central Asian countries who are members of the SCO. Some of these interactions include meetings of National Security Advisors, of Chief Justices of Supreme Courts, of Culture Ministers and others. Meetings of Defence Ministers and Foreign Ministers will take place in India in end-April and May, 2023 respectively. The SCO Summit will be held in Goa in July, 2023.

India needs to take full advantage of all interactions to steadily push its partnership with all the Central Asian countries.



Watching Bangladesh through the Prism of a Banned Indian Film on Netflix

Deep Halder*

“You know snow isn’t a problem in most Islamic countries. But, ISIS”

Faraaz Hossain cracks this joke in the film Faraaz which you can watch on Netflix if you are in India, but cannot if you are in Bangladesh. The Bangladesh High Court banned Faraaz on February 20 this year. The order directs the Bangladesh Telecommunication Regulatory Authority to prohibit the streaming of Faraaz on domestic online platforms.

This is because the film Faraaz is much more than a silly joke. It is based on real people and real events. Events that point to truths so terrifying that perhaps Bangladesh doesn’t want to revisit them. But turning its face away from those truths may have terrible consequences for Bangladesh as well as India, a country it shares its 4,096-kilometre-long international border with, the fifth-longest land border in the world.

So what is it that the film Faraaz shows? On the night of 1 July 2016, at around 9:20 Bangladesh time, five militants took hostages and opened fire on the Holey Artisan Bakery in Dhaka’s posh Gulshan area. The militants entered the bakery with crude bombs, machetes, pistols, and took several dozen hostages, foreigners and locals. In the immediate response, while Dhaka Metropolitan Police tried to regain control of the bakery, two police officers were shot dead by the assailants.

29 people were killed, including 20 hostages (17 foreigners and 3 locals), two police officers, five gunmen, and two bakery staff members. Islamic State of Iraq and the Levant claimed responsibility for the incident and released photographs of the gunmen, but Bangladesh’s Home Minister Asaduzzaman Khan said the perpetrators belonged to the Jamaat-ul-Mujahideen.

What shook the world was not just the daring nature of the attack on this upscale, residential neighbourhood of Bangladesh’s capital city that houses embassies and the who’s who of the country, but the identity of the attackers.

All five were in their late teens or early 20s, had been to the best private schools and universities in Bangladesh and abroad. They were Nibras Islam, Rohan Imtiaz, Meer Saameh Mubasheer, Khairul Islam and Shafiqul Islam. Nibras Islam was known as “fun-loving, in and out of love, and had attended Monash University in Malaysia and returned because he didn’t like it in Monash”. Nibras’ father was a businessman with two houses in Dhaka, and one of his uncles was a Deputy Secretary to the Bangladesh Government.

Shahidul Hasan Khokon, who covered the Gulshan attack for India Today, told me: *“Bangladesh has had a history of violence. As*

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a journalist I have been on the internal security beat for a long time and covering incidents of terror attacks had hardened me as a person. But the Gulshan attack crushed me and most of those like me who have kept the flame of a secular Bangladesh burning in our hearts. If the minds of Anglicized boys from affluent families, who have been sent to posh, private schools, and who lead privileged lives, could be hacked by terror groups operating from outside the country, what hope does Bangladesh have.”

The film *Faraaz* is about 1 July 2016. The title character in the film is based on a real person who went into Holey Artisan Bakery that evening and didn't come out. While the five terrorists were put down by Bangladesh's elite commandos, the response of the Bangladesh government in general to the mushrooming of terror has often been called into question. And it is not limited to banning a film.

“The lack of a clear state policy when it comes to secularism has helped accelerate the rise of fundamentalism, extremism, and anti-West sentiments in Bangladesh,” Shafi Md Mostofa, assistant professor of World Religions and Culture at Dhaka University's Faculty of Arts, wrote in 2020. Mostofa believes to what extent Bangladeshis were “secular” to begin with is a matter of considerable debate, although by secularism in Bangladesh one means pluralism of religious faiths as opposed to the more expansive definitions of the term.

“Bangladesh declared itself a secular state with its birth in 1971. Secularism was chosen as one of the four pillars that were to guide

official policy...Bangladesh's polity could not come to a well-defined position as to what kind of state it would be...Under Bangabandhu Sheikh Mujibur Rahman — Bangladesh's first prime minister and considered father of the nation — secularism faced an initial setback when the Education Commission of 1973 found that the majority of the country's citizens were in favour of religious education. From 1975 onward, after Bangabandhu's term in office, Bangladesh has yet to fully settle on the principles that would govern it. This has led subsequent regimes to play around with political Islam as well as secularism.” Mostofa further writes...

“The original constitution was changed in 1978 with instalment of the phrase ‘absolute trust and faith in the Almighty Allah’ by the Ziaur Rahman government in order to replace secularism as a state principle. Rahman's government also built fraternal relationships with countries in the Middle East. The military dictator who followed Rahman, Hussain Muhammad Ershad, went one step further to declare Islam as the state religion in 1988. These military regimes resorted to religion to legitimise their power, which they had usurped unconstitutionally. The subsequent democratic regimes since 1991 also followed the path of expedient politics and opportunism. These regimes also failed to ensure basic human rights, political stability, economic sustainability, and to establish transparent institutions. Rather, corruption in Bangladesh grew and the country fell behind on the Human Development Index. Cronyism became rampant.”

“The Bangladesh Awami League, once

again came to the power in January 2009 with the promise to restore the 1972 constitution. They partially did so through the 15th Amendment to the Constitution in 2013 but they kept Islam as the state religion. There are questions around why this was the case, and what stopped the government, still in power, from restoring the provisions of the 1972 Constitution. Moreover, the current government has acknowledged the 'Qawmi Dawrah' degree (an Islamic religious qualification) to be equivalent to the Master's degree, has enacted the Digital Security Act in 2018 to prosecute those deemed to be hurting religious sentiments, started building 560 'model mosques,' and corrected textbooks to fulfil demands of the 'Hefazat,' a coalition of several Islamist parties," he says.

Alongside, there has been a constant pressure to regularise Urdu, the same language that was rejected for Bangla when East Pakistan became Bangladesh. The process began with the constitutional amendment in 1975 that replaced the phrase 'Bengali Nationalism' with 'Bangladeshi Nationalism'. The number of madrasas kept going up as the decades passed by. Research shows between 1950 and 2008 the number of madrasas increased from 4,430 to 54,130. Between 1991 and 2000, 15,000 new madrasas sprang up across the country. This includes both Qawmi and Aliya madrasas. The Qawmi madrasas increased 13 times and Aliya 11 times in the 60 year span.

The government controls Aliya madrasas with funding, prescribing syllabi and management. Hence, the process of modernisation is in the hands of the government. The Qawmi madrasas are not

regulated by the government and adopt their own syllabus which follows a predominantly religious content that greatly emphasises Arabic, Persian and Urdu language studies. These madrasas are financed by various sources such as religious and individual donations, expatriate Bangladeshis' contributions especially from Middle Eastern countries and frequent donations from charity-based Islamic organisations.

Existing research supports the view that Aliya madrasas in Bangladesh tend to have political associations with the Bangladesh Jamaat-i-Islami. However, there is another interesting finding that reveals that students and teachers at Quami madrasas are also affiliated with political parties, both Islamist and otherwise.

On 18th August, 2005, a report of bomb explosion was published in 'The Daily Star'. The report reads: *"In an unprecedented scale of terror attacks, a banned Islamist militant group yesterday simultaneously blasted at least 459 time-bombs in 63 of 64 districts across the country."*

Bangladeshi madrasas in particular drew global attention with the blasts. This series of suicide attacks even killed local judges and lawyers.

In Dhaka, I met Nitai Roy Chowdhury, currently vice chairman of the central committee of the Bangladesh Nationalist Party (BNP), and a former State Minister of Ministry of Education, Ministry of Youth and Sports and Ministry of Law, Justice and Parliamentary Affairs, and also a Hindu! The irony doesn't miss me but I ask him about Hasina first.

Deep Halder: Awami League says Sheikh Hasina is the only hope for Hindus in Bangladesh.

As a top leader of the Bangladesh Nationalist Party, what do you have to say?

Nitai Roy Chowdhury: “I can give you many examples to show that most of the anti-Hindu policies have been taken during the Awami League rule. The Enemy Property Act was renamed Vested Property Act in 2013 but the intention remained the same. It is inherently anti-Hindu in nature. Across Bangladesh, Awami League leaders have misused this act and seized Hindu property. This is one example. There are many.”

Roy Chowdhury goes on to say... *“a political discourse has been created in Bangladesh to show Hasina as a secular leader. She is not. Do you have any idea that the list of Liberation War heroes in Bangladesh is filled with people who never participated in the Liberation War of 1971? Hasina must be aware of the fact that there are leaders and family members in the Awami League who played an active role in the Shanti Bahini (which fought the war in favour of West Pakistan during 1970-71). Doesn't she know her party shelters former Razakars as well? She surely does.”*

Deep Halder: But what about your own party, the Bangladesh Nationalist Party? Would you admit it is a communal party?

Nitai Roy Chowdhury: *“I will tell you this. Bangladesh Nationalist Party is not a communal party and Awami League is not a secular party!”*

Deep Halder: Well, that is word play. Bangladesh Nationalist Party has joined hands with the Jamaat. How can Hindus possibly trust them?

Nitai Roy Chowdhury: “As a senior party member, I would say this was a party decision.

My own view is it was not a good decision. Going with Jamaat did not go down well with Hindus and many open-minded people.”

Deep Halder: Suppose it comes to power in the next elections, will the Bangladesh Nationalist Party uphold secular values?

Nitai Roy Chowdhury: “We will. We have released a 27-point memorandum. One of the most important points is ‘Dharma jar jar, rastro sobar’ (Religion belongs to individuals, state belongs to everyone)”.

What Nitai does not tell us is the Awami League government’s flirtations with the Hefazat-e-Islam. Hefazat-e-Islam was set up by cleric Shah Ahmad Shafi, in 2010. In 2009, when the Sheikh Hasina government came up with reforms including inheritance rights for women, Shafi protested against these reforms. The law was watered down.

“In 2013, when bloggers and atheists gathered in Shahbagh Square pressing for equal rights for all genders, a secular Constitution and system of governance, they clashed with members of the Hefazat who marched their own protesters into Dhaka. This led to clashes between Sheikh Hasina’s Awami League and Hefazat and over 50 people were killed,” the Indian online newspaper, The Print, wrote.

As per the Print article, *“At the time, the Hefazat’s 13-point charter included demands like reinstating faith in the Almighty in the Constitution. While Bangladesh was committed to secular principles in its Constitution after its independence, in 1972 the words “Bismillah-Ar-Rahman-Ar-Rahim” were inserted in the*

Preamble by then President Zia ur Rahman. This was subsequently removed along with another small subsection that had been added to the Constitution by General Ershad when he was president in the 1980s, in the form of the Eighth Amendment, which said Islam will be the religion of the state.”

The Hefazat did not stop at that. It also demanded that “restrictions should be lifted on mosques and cultural programmes, capital punishment for blasphemy, etc. It wanted statues and busts removed from Bangladesh as statues promoted idolatry — except inside Hindu temples.”

“Sheikh Hasina pandered to the Hefazat and supported their cause to remove a Greek goddess statue in Dhaka,” The Print reported.

“Hasina’s government also supported the Hefazat when they opposed the removal of the Eighth Amendment from the Constitution. This case was in the court and the Hefazat-e-Islam led a movement against it and it does look like Sheikh Hasina government bent over backwards to accommodate it and the court then dismissed the case on a technicality,” the article said.

“In 2017, Hefazat also wanted Bangladesh to launch a jihad on Myanmar to liberate Rohingyas from Rakhine. While Shah Ahmad Shafi was not anti-Indian, he was a conservative Islamist. His son Anas Shafi is believed to be friendly with the Sheikh Hasina government. The Sheikh Hasina government also indulges him, which might be something that she is paying for now because in the process what has happened is that a new Jamaat-e-Islami has come up.”

The article went on to say it is this new

conservative force, which the Sheikh Hasina government had flirted with in the past, which has become her government’s own Frankenstein.

“The Hefazat-e-Islam, the force behind the current protest, are the new Islamist conservative force in Bangladesh with which Sheikh Hasina’s government has flirted with at some point... But it’s a mistake that all democratic governments make in trying to control one set of extremists. They often play with the other set that looks less worse than the other (but) in the course of time, they all become Frankensteins,” The Print said.

The question is, who will rein in these Frankensteins in India’s neighbourhood?

Sahidul Hassan Kokhon points to another contentious security issue in Bangladesh that might spill over and create headache for India. In December last year, Bangladesh, which is hosting over a million Rohingya refugees, sought India’s cooperation to peacefully repatriate the people who were forced to take refuge in the country to evade persecution in Myanmar. Kokhon says now a section of Rohingyas are allegedly involved in the smuggling of drugs and trafficking of humans as well as illegal arms trade that could pose serious security challenges not just for Bangladesh, but India as well. “There is regular dumping of large consignments of illegal arms from outside the country in the Rohingya camps. For now, this is an internal security issue for Bangladesh with frequent gun fights and killings in and around the camps. But who is to say in the coming days India doesn’t have to bear the brunt of this?” Kokhon says.

On November 18, 2022, Indian Home Minister and his Bangladesh counterpart Asaduzzaman

Khan met in Delhi for the third “No Money for Terror Ministerial Conference on Counter-Terrorism Financing” conference.

I met Asaduzzaman Khan for a quick interview on the same evening and asked him how does the Sheikh Hasina government want to address fear that Bangladesh Jamaat-e-Islami, Jamaat in short, the largest Islamist political party in the country, is going from strength to strength. This is bad news not just for Hindus in Bangladesh, who are often the target of Jamaat, but also for the ruling Awami League which publicly stands for secular and democratic values. As home minister, how is he looking at the issue?

“Jamaat Shibir (Jamaat camp) is opposed to the very independence of Bangladesh. They gave birth to the Razakars and the Albadr Bahini (a paramilitary force composed mainly of Bihari Muslims which operated in East

Pakistan during the Bangladesh Liberation War, under the patronage of the Pakistani government). It is they who targeted and killed the intellectuals of Bangladesh. At present they are banned from participating in the politics of Bangladesh and trust me their number is getting smaller by the day,” Asaduzzaman Khan told me.

Rising terror in Bangladesh is a threat for India. As Home Minister how is he looking at the issue: *“We have curbed extremism in Bangladesh considerably. Awami League is committed to a democratic and secular Bangladesh.”*

I do not have time to pose more questions to Asaduzzaman Khan. But as the next national elections come close in Bangladesh (the country is scheduled to for the next government in January 2024), security challenges continue. Banning films and turning away from terrible truths may not be the best way forward.



Myanmar : Why Engagement is Necessary

Shristi Pukhrem*

India's current "Neighbourhood First" foreign policy within the ambit of its Act East Policy puts Myanmar, among other neighbours, at the forefront. Besides, shared geopolitical, economic and security concerns and interests have factored in sustaining historical ethnic, cultural and trade links between India and Myanmar. Manipur, Mizoram Nagaland and Arunachal Pradesh in India's North Eastern Region share a 1,643 km long international border with Myanmar, thereby making Myanmar the land bridge to South East Asia and enhancing the prospect of maritime connection in the Bay of Bengal as well as the Arabian Sea. Being the only country that intersects India's "Act East Policy" and "Neighbourhood First Policy", Myanmar is a critical to India's diplomatic initiative for promoting economic, strategic and cultural relations in Asia-Pacific region¹.

The proximity and strategic positions of the two neighbour countries, reinforced by India's Act East Policy, make the Indian Government quite enthusiastic in its endeavour to strengthen mutually beneficial relations with its eastern neighbour.² While acknowledging the strategic importance of

Myanmar in the regional security architecture, Mr K.M. Panikar, as far back as in 1943, stated that "The defence of Burma is in fact the defence of India, and it is India's primary concern no less than Burma's to see its frontiers remain inviolate. In fact, no responsibility, can be considered too heavy for India when it comes to the question of defending Burma".³ The situation today is different to what existed in World War II, but India's security concerns are heightened by any form of instability in Myanmar. As of now, India and Myanmar share a close defence relationship. India provides military training and conducts joint military exercises with Myanmar army like India-Myanmar Bilateral Military Exercise (MBAX - 2017 and IMBX 2018-19).⁴

The Myanmar military coup (February 01, 2021) overthrowing Aung San Suu Kyi's National League for Democracy (NLD) government, annulling the 2020 democratic election won by NLD and installing the military sponsored State Administrative Council (SAC) government, has thrown Myanmar into turmoil. A National Unity Government in-exile has been set up, and the civil disobedience movement against the military

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continues to face brutal suppression. The People's Defence Force (PDF) has joined hands with Myanmar's Ethnic Armed Organisations (EAOs) to fight for the restoration of democratic rule leading to armed conflict.

The multi-dimensional armed conflict in Myanmar has attracted international attention and has also triggered serious economic and security fallout not only in Myanmar but also for the neighbouring countries including India. The United States, the United Kingdom and the European Union have imposed targeted sanctions against the Myanmar military; the response of the Association of South East Nations (ASEAN) towards the coup in Myanmar was, however, ambivalent due to lack of consensus among the members. The coup, coupled with recession in the aftermath of COVID-19, has also hit India-Myanmar border trade.

The Myanmar Junta, in their bid to quell resistance from the PDF and EAOs, sought support from India militant groups operating in the border region, despite the fact that eliciting such support would undermine India's interests. New Delhi continues to maintain ties with the Junta, primarily to avoid alienating the Tatmadaw.⁵ India is, indeed, facing the dilemma of deepening ties with Myanmar's military for security reasons on the one hand and engaging the National Unity Government (NUG) in-exile towards restoring democracy in the country on the other—a daunting policy challenge to New Delhi.⁶ External Affairs Minister, Dr. S. Jaishankar said in the Quad Foreign Minister's meeting (Melbourne, 22 February) "Our

dilemma is this. We (India and Myanmar) have a complicated border with insurgents operating. One way to secure that border is by working with the government, which means the military. So, despite unfortunate developments, we can't not work with them."⁷

The huge influx of refugees across the India-Myanmar border has also posed security, social and healthcare challenges for both New Delhi and State Governments in India's Northeast, particularly Mizoram and Manipur. There have been instances of conflict of interest between the Centre and the State Governments over the management of refugees. On the other hand, the governments of Mizoram and Manipur are also facing pressure from certain sections of the local population who have strong ethnic linkages with the communities across the border. However, for New Delhi, it is important to maintain good relations with the present ruling dispensation, as their support is required for the successful implementation of the counter-insurgency operations being undertaken by India on the India-Myanmar border.

Bringing in the context of India's partnership with ASEAN which is a vibrant regional organisation of ten member countries of which Myanmar is a member, emphasises the relationship between the two. On November 12, 2022, ASEAN and India, issued a joint statement on ASEAN-India Comprehensive Strategic Partnership (CSP). They acknowledged that ASEAN-India relations have grown more robust over the last three decades and reaffirmed their commitment to establish and nurture a meaningful and substantive

Partnership. Both sides agreed on maintaining ASEAN centrality in the evolving regional architecture in the Indo-Pacific region.⁸ The summit also resolved to strengthen ASEAN-India relations through strategic cooperation for peace, stability, and prosperity in Southeast Asia.

The CSP will remain critical in steering the ASEAN-India relations ahead. However, strategic relations need to be reinforced by stronger economic engagement. India's support for ASEAN centrality in India's Indo-Pacific Ocean Initiative, ASEAN's appreciation of India's ASEAN-centric Act East Policy and ASEAN also upgrading the relationship with the United States to the comprehensive strategic partnership level, all point to the Indo-Pacific region gaining the centre-stage. India's strategic position in the Indian Ocean and as a member of the Indo-Pacific Economic Framework makes it a significant player in the region. ASEAN appreciates India's contribution to regional peace and security, ASEAN integration, and ASEAN community-building. However, despite India's focused, ASEAN-centric overtures, member states remain divided when it comes to engaging India and China in the economic and strategic domain. Myanmar is the bridge to Southeast Asia from India and hence cannot be ignored to any extent in the larger context of India-ASEAN relations too.

The India-Myanmar relationship is rooted in shared history, culture, and religious values. India and Myanmar share a 1,643-kilometer (1,000-mile) land border as well as a maritime boundary in the Bay of Bengal, adding more significance to the

bilateral relations. Furthermore, towns by the Myanmar-India border and cities such as Yangon and Naypyidaw house a large Indian diaspora of roughly 2.5 million. With India's active outreach to neighbouring countries with its "Neighbourhood First" and "Act East" policies, India's north-eastern states are connected to Southeast Asia through Myanmar. As the only ASEAN country sharing a land border with India, Myanmar is a bridge between India and ASEAN. This reinforces the strategic importance of Myanmar to India in maintaining security and stability in the wider Indo-Pacific region.

With over 1200 miles of coastline along the Bay of Bengal and the Andaman Sea, proximity to the western entrance of the Malacca Strait, and a direct linkage to the Indian Ocean, Myanmar is also important for geo-strategic reasons. In the colonial era, the Japanese imperial forces and the army of the British empire incessantly clashed over the control of Burma for the same strategic reasons. Fast forward to 2023 and the "Malacca Dilemma" persists. The People's Republic of China considers Myanmar a strategically important country in South-East Asia for hegemonic ambitions in the region.

In January 2023, Maxar Technologies released satellite imagery revealing renewed levels of infrastructure and construction activities in Great Coco Island.⁹ The location of Coco Island gains much significance as being the largest isolated archipelago which is lying just 55 km north of Andaman and Nicobar Islands. Andaman and Nicobar Islands is also home to India's first tri-

service command. While there have been speculations of Chinese activity in the region since the late 1990's, Maxar's satellite imagery lends credence to this suspicion, and an article published by Chatham House in March 2023 showed satellite images of two new hangars, a new causeway, and an accommodation bloc.¹⁰ This causes much concern, as it showed a newly expanded 7,500-foot runway and a radar station on the island.

Beijing, in its effort to establish an alternative route to the Indian Ocean is leveraging the global isolation/ostracisation of the Burmese junta in Myanmar by Western nations. Since the February 2021 coup, Myanmar has indeed returned to an era of isolation. ASEAN has drafted a Five Point Consensus to navigate the return of normalcy in Myanmar, though to not much benefit. The US and EU have imposed sanctions on Myanmar which has proven more beneficial for Beijing to increase Myanmar's dependence on it, paving way for increased influence in the country. However, Beijing's influence in the nation is not a new phenomenon. Even under democratic rule, Myanmar was one of the early recipients of Chinese aid under the Belt and Road Initiative. Notably, China-Myanmar cooperation was not limited to civilian infrastructure development. Military and strategic installations such as the construction of the SIGINT station had begun in the 1990s with the placing of an antenna tower, radar sites and other electronic facilities forming a comprehensive SIGINT collection facility.¹¹ Beijing has slowly and steadily established more facilities not just in the Great Coco Island but also

SIGINT listening stations in the Andaman Sea at Manaung, Hainggyi, and Zadetkyi in Myanmar.¹² Through the China-Myanmar Economic Corridor (CMEC), part of the (BRI), Beijing has invested in infrastructure projects such as roads, bridges and railway lines providing it an access to the Indian Ocean without having to go through the Malacca Strait.

Cognisant of the strategic significance of these developments, the Indian government has raised the issue bilaterally, with Myanmar. The Indian Ministry of External Affairs (MEA) official spokesperson, Arindam Bagchi, referring to this development, commented "India will take all necessary steps to safeguard its interests. The Government keeps a constant watch on all developments having a bearing on India's security."¹³

New construction activities on the island, not limited to naval ports and the possibility of a new airbase pose challenges to India. Military leaders have long warned of the possibility of Chinese infrastructure development on the island. As way back as 2005, the Junta leaders invited Indian defence officials to tour the island to allay their concerns of Chinese involvement. Post the visit, the then Chief of Indian Naval Staff, Admiral Arun Prakash set aside concerns of Chinese involvement in Coco Island and stated that there was no military installation of any kind on the island.

Concerns however persist as Chinese presence in the Coco Island chain could potentially provide the Chinese, direct access to the Indian Ocean giving them an enormous advantage over

its major competitors, particularly India. If this comes to fruition, Beijing will be able to control both the eastern part of Malacca Strait via the artificial islands in the South China Sea and the western part through China Machinery Engineering Corporation (CMEC) and Coco Islands in Myanmar. For nations that seek to maintain a safe and secure Indo-Pacific region, such as India, Australia, Japan and the US, China's infrastructure development on Coco islands adds a new dimension to the challenge.

Despite the US and Europe unleashing sanctions on Myanmar, New Delhi, besides Moscow and Beijing, have maintained diplomatic relations with the military government. Chinese infrastructure development on the Coco islands brings into question the benefits of that engagement to New Delhi. While that engagement certainly gives New Delhi the opportunity to take up this issue with the Naypyidaw, New Delhi may not be in a position to dangle carrots in the form of infrastructure investments and billions in lines of credit as Beijing has in the past. The military

leadership in Naypyidaw has primarily counted on neighbouring states- India and China and Russia to run the economy. It should rethink its support for Chinese infrastructure development on the islands given that it cannot afford to lose more partners.

For New Delhi, Myanmar has proven to be a concern since its independence from colonial rule. Separatist groups of India's North-eastern states have found refuge in western Myanmar and the unstable governance in Naypyidaw has created an ecosystem for various rebel groups of both Burmese and Indian origin to pursue decade-long violent separatist activities across the border. Over the last decade, New Delhi has successfully rehabilitated several separatist groups into civilian life in its north-eastern states. However, the same cannot be said for its eastern neighbour. While India has stymied separatist activity in its north-eastern states, through the militarisation of the Great Coco Islands, a new front may have opened in a much more geo-strategic and vulnerable region – the Indian Ocean.

References:

- 1 Mahaseth, Harsh (2020) Understanding the India-Myanmar relations. *Modern Diplomacy*. pp. 1-5.
- 2 Rajya Sabha, Question No.3692 Neighbourhood First Policy, 25 July.
- 3 KM Panikkar, The Future of India and South-East Asia: An Indian View, *The Macmillan Company*, 1943, p. 40.
- 4 Mahaseth, Harsh (2020) Understanding the India-Myanmar relations. *Modern Diplomacy*. pp. 1-5.
- 5 Saket Ambarkhane; Sanjay Valentine Gathia, "Over a Year Later, Myanmar's Military Coup Threatens India's National Security", May 10, 2022. <https://www.usip.org/publications/2022/05/over-year-later-myanmars-military-coup-threatens-indias-national-security>
- 6 Udai Bhanu Singh, "Post Coup Myanmar and India's Response", May 21, 2021. <https://www.idsa.in/idsacomment/post-coup-myanmar-indias-response-ubsingh-210521>

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- 7 Basu, Nayanima. “Quad ‘concerned’ over Myanmar, but India opposes sanctions, more focussed on border issues”, 11 February, 2022. <https://theprint.in/diplomacy/quad-concerned-over-myanmar-but-india-opposes-sanctions-more-focussed-on-border-issues/828159/>
 - 8 Joint Statement on ASEAN-India Comprehensive Strategic Partnership”, November 12, 2022. <https://www.mea.gov.in/bilateral-documents.htm?dtl/35876/Joint+Statement+on+ASEANIndia+Comprehensive+Strategic+Partnership>
 - 9 Damien Symon and John Pollock, “Is Myanmar building a spy base on Great Coco Island”, 31 March, 2023. <https://www.chathamhouse.org/publications/the-world-today/2023-04/myanmar-building-spy-base-great-coco-island>
 - 10 *ibid*
 - 11 <https://www.indiablooms.com/news-details/M/82475/china-s-sigint-facilities-in-cocos-islands-a-threat-to-india.html>
 - 12 Goswami, Namrata, “China’s Second Coast: Implications for Northeast India”, June 19, 2014. https://idsa.in/idsacomments/ChinasSecondCoast_ngoswami_190614
 - 13 https://www.youtube.com/watch?v=Zluwel-p_Q8&t=149s



India's Neighbourhood: Challenges in a Changing World Order: An Interview with Amb. Kanwal Sibal*

Rami Desai*

Rami Desai

The world has gone through troubled times in the last 3 years. We have seen the pandemic, we have seen the Russia-Ukraine war, we have seen tensions in the South China Sea, and we have also seen the Taliban takeover of Afghanistan. In your opinion, how has India negotiated this development on a macro level because the world really seems to be in a flux?

Kanwal Sibal:

The world has always been in flux. This is not the first time that we are facing these kinds of problems. Look at our own relations with the United States. Until we signed the nuclear deal, it is the country that punished us most strategically in terms of sanctions, making sure that we didn't develop our strategic capabilities. The Soviet Union collapsed as a result of which we had huge issues with regard to maintaining our military preparedness. Russia was our biggest economic partner and that trade collapsed. The Taliban has been in power in Afghanistan before, so it's not as if this has not happened before. In fact, it is after

the Soviet invasion of Afghanistan that the United States, Saudi Arabia and others built up these jihadi forces to fight the communists in Afghanistan, which has left a very bitter legacy in terms of terrorism and extremism and everything else in our neighbourhood. So, it's not as if India is facing entirely new challenges, which we haven't faced before. In fact, in some ways the challenges we faced earlier were more difficult as we were weaker economically. Today we are much stronger. We are the 5th largest economy now, with the leadership that is respected all over the world because there is a feeling that India is achieving its goals and is rapidly going to become a power to reckon with in the international distribution of influence and power. That's why there is an effort to court us. We have the 3rd largest military force in the world, so it's not as if we are unable to defend ourselves. In fact, if you look at what is happening on the Ladakh front today and earlier in Doklam, we have stood up to China. We have the self-confidence that 1962 is over. In fact, that was another difficult period that we have gone through. So, I am very confident that we can manage and

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navigate these difficulties. It will always be a challenge because we have to balance things. There is no way that we can join this side or that side because that will mean we will become prisoners of either side and lose our capacity to manoeuvre. Is it easy? It is not as easy as it sounds because there are pressures, we are linked to the global economy, and we have serious challenges on our border- territorial challenges from China as well as Pakistan. So, we have to make sure that we have enough partners who will value India's territorial integrity and its future growth in their own interest. Our population now is more than China's, we are now the largest market in the world, and look at the unfulfilled consumption in this country- young population with a low per capita income. So, in a sense the huge, huge potential for the rest of the world makes it look at India with very different eyes and make sure that the biggest country in the world by way of population, otherwise one of the largest countries, a democratic country, is able to play its role in terms of the shaping the future of the world to the advantage of everyone.

Rami Desai

India has different interests in the Eurasian heartland and different interests and policies in the Indo Pacific region. So, how does the foreign policy work on the global stage?

Kanwal Sibal:

This is true of every country. It's not that we are alone in this. Look at the United States of America. It is the strongest power in the world

and doesn't have to make choices. It is there everywhere. It thinks that its security begins in every corner of the world. That's why it has the largest military force in the world to protect its interests. It follows contradictory policies. It has been extremely supportive of Israel, but also very supportive of the Arab world. Turkey is a NATO member and it is flirting with the other blocs, and the United States is tolerating this. In the South China Sea and elsewhere, it has all these alliances. Japan is at loggerheads with South Korea, but the United States has alliance with both countries. It has revived its ties with Philippines. Under Duterte Philippines was ceding a lot of ground to China. But United States has been managing this. Even if you take Russia- it is a different matter that today Russia and United States are at loggerheads and the relationship has collapsed- but Russia while supporting and promoting multipolarity, and that was the origin of the Russia, India, China dialogue, was reaching out to the United States. It is a different matter that the United States had a different vision on how to deal with Russia in the future- take advantage of the Soviet collapse to permanently weaken Russia. These are just illustrations of how countries have to protect their interests, have to pursue policies which cannot be mathematically so well balanced that they don't make compromises here and there. They deal with contradictions in the pursuit of their national interests, and India has to do that. The Russians launched the Russia, India, China dialogue at a time when US unilateralism was at its height and it was changing the map of the world wherever it could, especially in the Middle East with regime

changes, and then destabilizing the periphery of Russia with these colour revolutions. That's how the problem in Ukraine initially began; also, Georgia. Now Russia and China have become very close together because United States has openly, formally declared both as their adversaries, one the short-term adversary and the other the long-term adversary. They have cut off all relations with Russia virtually. They want to isolate Russia, weaken it. They don't want to buy Russian energy. So, what does Russia do? China is hungry for resources right next door. They can buy whatever Russia was offering to the rest of the world, to Europe and the United States, especially Europe, be it oil, energy, raw materials. China would want more and more of all this in order to have as much autonomy as possible in these areas, not be dependent or be vulnerable to interruption or disruption of their lines of communication especially with regard to oil through the Indian Ocean and Straits of Malacca. China can supply consumer goods to Russia. It can supply certain technologies that Russia would now need, including semiconductors. The balance in the RIC has now changed. Earlier on, Russia was top dog, China was in the middle, India was the weakest link. Now Russia and China have become very strong partners. So, in this triangle, India has become even weaker than before. It is very important, therefore, that we maintain our ties with Russia to make sure that Russia continues to see value in its relations with India, besides presenting some kind of a disincentive to China to not rock the SCO, BRICS etc. Russia has this goal of multipolarity, which will not advance if the India- China relationship is

not better controlled. And finally, although the Russians won't admit this publicly, they now need India to balance China. They know that they are becoming far too dependent on China and need to reduce it. Just as we are doing in our own way. We are in the QUAD, support the Indo-Pacific concept and have very strong relations with the United States. But we don't want to become prisoners of this choice, and therefore want to maintain our ties with Russia. And also keep our dialogue with China open. This gives us flexibility and manoeuvrability in our diplomacy. So, Russia would also want to do the same in the RIC triangle. So yes, balancing is a problem, but it's a manageable one.

Rami Desai

So, you said that it would be in our benefit for relations to improve with China, but we have seen that China took an aggressive position on our borders and we have seen India also not really backing down or bowing down to this pressure. Do you think that this trust deficit that we have with China can be overcome? What do you think is the future for India-China relationship and what is the road map for this bilateral relation?

Kanwal Sibal:

I don't think there was ever any trust between India and China. That trust evaporated completely in 1962. Even in the lead up to that, there was really no trust. India was trying to manage the new situation we were faced with China occupying Tibet and for the first time in history becoming our immediate neighbour. Remember Sardar Patel's

note to Nehru at that time. Even then it was very clear that we foresaw that China will be a big problem for us. The question for us has been that of managing a big power. And that problem continues. The trust is not there. On the issue of trust, international relations are never really built on trust beyond a certain point. Trust only comes in to the extent that if you have an agreement you expect it will be honoured. The challenge is to create disincentives for the other side to not break the agreement. With China, this has not worked as we would have wanted. We entered into all these peace and tranquillity agreements in order to manage the border and avoid the potential of an actual military clash. This was working. It was not based on trust; it was based on our thinking that the Chinese would also see it in their own interest to keep the borders stable, essentially because their major problem is in the Western Pacific where they are facing United States power. They are not facing US power in our region. So, they should have no interest in having a two-front situation. But with President Xi Jinping and his vision of China's global role and its sovereignty, he has injected a very destabilizing element in our ties with China. There was no need for him to station 50,000 forces on our border. China thinks that it must be the Lord of Asia, and potentially the Lord of the world, that Heavenly Kingdom complex. India is the only country in Asia that can challenge China. So, they want to retard India's growth as much as possible, keep India under pressure, use the period of India's relative weakness to increase their presence around us, penetrate our neighbourhood, make it more difficult for us to

exercise our influence there, and keep building Pakistan as a strategic counterweight to us. It's a challenge, but we will face it.

Rami Desai

I want to shift our attention to another troubled area, which is the North-Western Frontier. We have seen the Taliban takeover; we have also seen organizations like PTM or TTP and their role in Pakistan. Do you think Pakistan was premature in its celebrations of the Taliban takeover? And how do you think it's going to impact Pakistan in the long run?

Kanwal Sibal:

It's not that they have made this mistake for the first time. They have committed a series of mistakes and the biggest mistake they have made is to not get over their paranoia about India. Other countries in the course of time have tried to overcome the misunderstandings and conflicts of the past wherever they could. Even US and Russia tried that. It's a different matter that because of NATO expansion and cornering Russia the effort to have a stable security architecture in Europe collapsed. But Pakistan has never given up on its basics- Kashmir, Hindu India, Jihad, and terrorism which has continued till today against India. There is no change in the thinking of their policy makers. They have always felt that since geographically they are a narrow country, within the reach of our Air Force, even our artillery and Brahmos etc., they are very vulnerable. They don't have depth at all. They wanted two things - one to get strategic depth by controlling Afghanistan. Second,

especially General Zia who was radicalizing Pakistan, they felt that an Islamic force in Afghanistan would be far more congenial to their strategic and national security interests than a secular government which would have more leanings towards India. With the Islamic government there, it would give them added strength towards India. Third, the base of terrorism in Afghanistan gives them deniability, and there is history of Afghans from this region generally, even in 1947, coming as raiders into Kashmir. So, these were their calculations. One more important thing was that they felt that if there was an Islamic government in Afghanistan, there won't be a national government. And if that were the case the Durand Line issue would recede into the background. They miscalculated even in the earlier phase when the Taliban was in power, when the Taliban didn't accept the Durand line, and even now they don't. Now the Taliban is trying to gain independence from Pakistani overlordship. Pakistan's efforts to put the Haqqani group there in order to control them from within hasn't entirely succeeded. So, Pakistan is in a very difficult position. Added to all this Pakistan's economy has collapsed. Pakistan now has to manage its own affairs first.

Rami Desai

Do you think there might be a balkanization of Pakistan? If so, what sort of impact does it have on India?

Kanwal Sibal:

I don't think there will be a balkanisation of

Pakistan. The possibility of this would only arise if the Pakistan military collapsed. Punjab absolutely dominates Pakistan in terms of everything, including the armed forces. And if the adage is true, that Pakistan is a military with a state, then the military will keep the state intact. The other reason is that China will not allow this to happen as much as they can as they have huge strategic stakes in Pakistan: the CPEC, Gwadar, a potential naval base in Pakistan. Indeed China entire strategy of keeping India under check. We also have in India elements which might give the impression that there is a tussle between the centre and the states in some parts of India. In our case it is more a reflection of our democratic life. In Pakistan's case, it has a different dimension. It is the absolute over-domination of Punjab, which breeds resentment in Sindh, Pakhtunkhwa and Baluchistan. So, I think that even if there are these internal fissures in Pakistan, both the logic of creation of Pakistan and the power of the armed forces, plus the external support that they have, will sustain them.

Rami Desai

Pakistan seems to concentrate on India and that has been their internal policy for decades. General Bajwa, even recently as per news has said that the Pakistani army doesn't stand a chance against the Indian Army. Yet they seem to use terror as a state policy towards India. Recently we saw the attack in Poonch sector as well. How do you think India should be reacting to this? And do you think that India has now completely moved on from Pakistan and is positioning itself as more of a global

player than recognizing itself only in terms of the India-Pakistan issue?

Kanwal Sibal:

The ceasefire is continuing and there is no effort on their part to break it. These little pinpricks here and there will continue. This is to keep this situation in Jammu and Kashmir, if not on the boil but relatively unstable because these sporadic terrorist attacks here and there can create an atmosphere that things are not under control. It is not an easy situation for us. At the end of the day we have to step up our own efforts on the ground to control and eliminate these terrorists and pursue the path of development in Jammu and Kashmir. With Pakistan collapsing and India rising globally, neither we nor the world equates India and Pakistan any more, including in terms of regional politics. We see ourselves as a global player and so does the world.

Rami Desai

Let me come back to China because the rest of the neighbourhood seems to be rather impacted by China's infiltration or stake-holding in their countries. We have seen a regime change in Myanmar, there has been a military takeover. We have also seen China's footprints in Myanmar. How does India negotiate its relationship with Myanmar, and does it make a difference to India because India, being a democratic country upholds democratic values?

Kanwal Sibal:

When was Pakistan a democratic country, and

when was Nepal until recently one? We deal with our neighbourhood based on political realities. We have now excellent relations with the Gulf monarchies, but they are not democratic countries. So, I am very clearly of the view that we should not use this language of democratic values in international relations. This is just an American formulation in order to justify their hegemony. Promotion of democracy and human rights gives them the opportunity to interfere in the internal affairs of countries, and given the dark chapters of their own history, they try to seek higher moral ground. We keep saying that we are the largest democracy in the world, the oldest democracy in the world, that we share democratic and other values with the United States. But then, we were punished by the United States until the nuclear agreement. During that period and beyond, China has been built up by the Americans. The Americans have been dealing with a Maoist regime in China, ignoring India's democracy. With regard to Myanmar, we can't control the internal affairs in our neighbouring countries. Of course, Aung San Suu Kyi had old relations with India. She won the elections fairly and squarely. And purely from that viewpoint, what has happened there is absolutely wrong. But supposing we take that position then what follows. We won't be able to protect our interests in Myanmar. We have to therefore reach out to the military government, for two or three reasons. One, we have direct border with Myanmar. We have insurgencies in that area positioned on the other side. We need the Myanmar military help to control this insurgency. India's Act East policy can never really succeed on the ground

without Myanmar. So, we have to nurture that aspect of the relationship. We may have to make sure that Myanmar doesn't fall into the lap of China more and more. China has created this Myanmar-China corridor. There are reports about they doing some mischief on the Coco islands. So, we have to make sure that we don't alienate the Myanmar regime to the extent that the Chinese in fact gets an opportunity to further increase their stranglehold over Myanmar. We have, therefore, to deal with that regime.

Rami Desai

You mentioned about Coco Islands. Similarly, like the militarization of Coco islands by China, there has been a certain amount of impact on other geographically smaller but strategically important neighbourhood countries like Sri Lanka or Nepal. How do you think India can develop its relationship to counter China in these countries and maybe how can they respond to their relationship to India as well?

Kanwal Sibal:

We always had great difficulties with our neighbours. Nepal is, in fact, in some ways even more difficult for us than our other neighbours because it has direct contiguity with Tibet. It has played the China card against us since the time of King Mahendra. I have seen that on the ground myself and have dealt with the issues they have been raising for us in a very provocative manner. Now, the Maoists are in power. Whether India did the right thing or wrong thing in helping the Maoists to come to power under the garb of democracy, I don't know. It is an open question. But the king

was always problematic for us. I suppose policymakers at that time weighed the options, and they felt that let Nepal be democratic anyway. China has penetrated Sri Lanka in a very big way. Sri Lanka, since the rice rubber deal with China in the 60's, has always played the China card against us. It's always been a problematic country for us. We have seen the case of Hambantota and Colombo port projects awarded to China. In Maldives, we have succeeded in recovering our ground, but some anti-Indian mischief by local elements there, with China's encouragement and involvement, continues. China has been trying to undermine our strategic interests in the Indian Ocean as part of their larger maritime strategy. In Bangladesh, they are the biggest supplier of arms to Bangladesh. China has a lot of money. It comes with bags full of money. They buy up the local elites. It's very different way of functioning.

Rami Desai

There is also the debt trap.

Kanwal Sibal:

Yes. But if you talk to the Sri Lankans, they still don't admit it's a debt trap. They will give you all kinds of statistics. It's a narrative that they will continue to build. So, we can't compete with China in terms of their money power and their absolutely fantastic ability to develop infrastructure, which they have done inside China and, as part of the BRI, are extending it all over the world. There is now some backlash against it. That's a different matter, but if we get into this game of competing with China rupee for rupee, we will never win.

So, we need to accept the fact that our neighbours will play the China card. We should concentrate on which areas in which we can build closer ties with them, whether we have done enough of that, whether we should integrate Nepal into our economy as much as possible before it is too late, because once China builds all those connections, railways and roads and everything else, linking Tibet with Nepal, then you have a huge issue for Chinese goods coming into our country. These are very significant challenges. But to answer your question very specifically, we should work to our strength. And I think what the Modi government is also doing rightly and which can yield long-term positive consequences is the building on the cultural and religious foundations of our ties with our key neighbours, which China cannot, with the appeal it has at the people's level.

Rami Desai

On Bangladesh, like you said there is a Chinese footprint in Bangladesh in terms of mega projects that they are investing in. Recently in a speech, Bangladesh Prime Minister Sheikh Hasina said that the US is aiming for a regime change. If a regime change happens, considering that we enjoy stronger relationships than ever with Bangladesh right now, but if the regime change happens, how does that impact India in terms of one of our greatest threats seems to be the Rohingyas or the illegal migration and be with China's mega projects. Do you think we need to speed up our investments there for instance, the water sharing agreements?

Kanwal Sibal:

I think we have been over generous already

with regard to water sharing. 80% of the waters of the Indus basin have gone to Pakistan. We signed the Ganga Accord with Bangladesh. All this as if we are a country overflowing with water, We are already water stressed ourselves. But we made these concessions. We were willing to deal positively on the Teesta Barrage issue but Mamta Banerjee, because of local politics, has been a big hurdle. So, I don't think water sharing is an issue which we can resolve to Bangladesh's satisfaction because the West Bengal government is involved. China is building huge projects on the Brahmaputra. How this may affect the water flow South of the Himalayas and how it may affect India and Bangladesh, and whether we should join hands together and deal with this issue is a question. So far, I don't think we have succeeded in this. The irony is that China didn't recognize Bangladesh for many years. They were against the creation of Bangladesh. There are forces in Bangladesh which have been historically anti-Indian. And they will play those games in any case. And if Sheikh Hasina is ousted from power, because it's not as if she doesn't have challenges on the ground herself, we will have a political challenge. I must say she is an extremely brave woman. She has taken the Islamists head-on, hanged many of them. What she has done durably is that she has created connectivity with us in so many areas that it can't be easily reversed. Therefore, even if there is a change in government, things may slow down, but what has been achieved cannot be reversed. It will be in our interest to see Hasina succeed once again electorally, but this is not in our hands.

Rami Desai

We have a neighbourhood first policy. How important is it, considering a lot of other countries around the world don't practice the same?

Kanwal Sibal:

You know each government, when it comes to power, talks about neighbourhood first. On paper, it makes sense that if you have less problems in your neighbourhood you have more time to concentrate beyond the region. But our problems in our neighbourhood will not go away. Pakistan will not go away. Nepal is going to be a problem, Bangladesh for the time being is our biggest success in our neighbourhood.. Sri Lanka, despite all that we have done, allowed the Chinese spy ship to come. One doesn't know what the future may be, because they are not easy to deal with. In Maldives, there are still forces which want to disrupt the India-Maldives ties, but at the moment they are under control. But the leaders there are volatile, much depends on personalities there, how

they manage their internal politics, and the impact of all this on our bilateral relations with Maldives. These are not things under our control. But I say very often that all big countries have problems with neighbours. The United States has problems with neighbours. Russia has huge problems with neighbours, China too has huge problems with them. So, in a sense, you have to accept the fact that a big country will have problems with neighbours. The problems in our neighbourhood haven't stalled India's economic rise. We continue to rise; we will continue to rise. So why should we think that unless we manage our neighbourhood we won't be able to become a big power.

We are becoming a big power despite our neighbourhood. Yes, as a broad policy, "neighbourhood first policy" is the right policy and attention should be devoted to it, finances too, and political capital should be invested in it. I fully agree. But I don't buy the logic that unless you manage your neighbourhood better, you won't be able to be a big power.



Cultural Nationalism and the Constitution

Vikramjit Banerjee*

In India today there is an increasing conflict between two streams of thought which have increasingly come to dominate the intellectual space: the streams of liberalism and that of cultural nationalism. This is, in some ways, a reflection of global tides, yet, it is also uniquely Indian. All over the world, this conflict may be new, largely a product of globalisation, however in India it is as old as the foundation of the Indian national movement and the movements that lead up to it. On the one hand was that of cultural nationalists and on the other hand were the liberals tied to western globalised mores¹. It would be neither possible nor correct to posit specific political and national leaders in this spectrum during the national movement, just like it is a fallacy to posit the Indian National Congress as being of one or the other. As was both the need and the sign of the times, broadly, the voices strode the two undercurrents which bore the national movement, the old culture and the ancient civilisation of India, and, the pulls of the newly globalising, modernising world (and yes, even then at the turn of the century, the world was globalising very rapidly), deeply influenced by western European and American values. The struggle of the leaders of the national movement which was in essence both a modernising movement as well as a movement against the British who typified modernisation of the time, to create a modern state out of an ancient civilisation is palpable and obvious, and filled with contradictions and compromises.

The divisions have become pronounced over time, as they were bound to become. The reconciliation of the two streams which was remarkably reached at the time of the two path breaking moments of India's journey to become a modern state (a) the act of the creation of the state of the political entity of India, which consisted of getting independence from foreign rule and putting together politically the subcontinent of India under one government, and, (b) of the creation of a constitution of India, which balanced the need of the ancient civilisation and that of the modern state, is increasingly becoming frayed.

The reasons are many and this is not the place (in an article on law) to go through the entire discussion, but let it be said that the differences between the two streams in India has grown exponentially in the last few decades, both due to the fact that the political compromises which were reached at the time of independence became relics of the past, as well as because of the forces of globalisation which exacerbated the conflict of the local and the global.

In the Indian intellectual sphere, which is reflected in the legal academia, the conflict has become pronounced. While the elite educational academic institutions have remained tied to the forces of liberalised globalisation, both liberal and libertarian, there has been an undercurrent, largely marginalised, but increasingly vocal which has spoken out on the issues which encompass the concerns of "cultural nationalism". This article is

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an attempt to flesh out some of the broad conceptions and ideas which permeate the conceptualisation of the constitution as an aspect of “cultural nationalism”.

What is Cultural Nationalism in the legal world?

“Cultural nationalism” has various names globally, though it is doubtful that they all mean the same thing. In some countries it is called conservatism². In others it is referred to as “exceptionalism”³, that is the circumstances which make the country unique. In other countries it is simply referred to as “Nationalism”⁴. In some others as “illiberal democracy”⁵. In other countries they are identified with religious precepts which are uniquely national as in Iran, or cultural practices which are uniquely perceived to be national like Asian values in Malaysia. Shorthand terms which are perceived to be the dominant ideologies of their countries have also at times been used to indicate differences with the prevalent liberal / libertarian consensus like Communism in China.

However, the term most frequently used in approximation to the concept of cultural nationalism in India is conservatism in the Anglophone world. A term, which as a coherent philosophy, has been in existence from the time of Edmund Burke⁶. It has been articulated by numerous scholars in United Kingdom and the United States of America, too numerous to enumerate in this article.

In the United States of America, the idea of conservatism in the context of a written constitution, has taken the shape of the legal idea of “constitutional originalism”. The ideas of “constitutional originalism” promoted by the

organisations like the Federalist Society and the Heritage Foundation⁷ are now accepted as part of the legal mainstream in the United States of America. Supreme Court Judges like Antonin Scalia and Clarence Thomas have been at the forefront of incorporating and pushing the conceptions of “constitutional originalism” or “reading the constitution as it is” as against the idea of “a living constitution” or “constitutional progressivism”⁸.

In the United Kingdom on the other hand, the judiciary has pushed back against the idea of politicisation of the judiciary along American lines,⁹ however there seems to be an increasing accumulation of judicial power at the cost of Parliamentary Sovereignty¹⁰, which is the cornerstone of British Parliamentary democracy. In fact, the Conservative Party has actually proposed that they would bring a law to circumscribe the power of judicial review¹¹.

In Australia though the High Court has largely worked on the British model¹² yet there have been increasing cries to ensure more Conservative judges are appointed to the High Court.¹³ The High Court has also at times have had explicitly liberal activist judges like Justice Michael Kirby and there has always been an undercurrent of politics which have pervaded the judiciary¹⁴.

In Israel there has been a very long protracted battle between liberal judges and the executive on the issue of judicial review¹⁵ which has been predicated on the fight between liberals and conservative nationalists, which has heightened over time¹⁶. In South Africa, after the initial years of interventionism, the Supreme Court has increasingly shied away from confronting politics

directly¹⁷. It is also to be noted that appointments to the Court has increasingly become politicised and controversial¹⁸ ironically because of the process of “transformative constitutionalism” which. Transformative Constitutionalism aims to “transform” South Africa from the apartheid state to that of a modern democratic one, thereby over time ensure that the majority of the judges reflect the society which they come from, that is from the Black community.

All over the world there has been an increasing conflict between what is perceived as globalised “liberal” values and the values of cultural nationalism, whichever way one may want to use the term. The most important site of contestation as has been narrated above has been constitutional law which is the basic framework document of the country. While liberal judges or in some cases judgments want to incorporate global liberal values specially while interpreting cultural mores and norms, there has been a push back from cultural nationalists stressing on local and indigenous values which are perceived to be fundamental to the countries in which the constitutional law operates.

The Indian Judiciary and Cultural Nationalism

The Indian judiciary, for obvious reasons of history, has much more in common with the judiciary of the United Kingdom than it has with that of the United States¹⁹. The role of the Indian judiciary and how it perceives itself is therefore more akin to that of the United Kingdom, than that of the United States. It scrupulously keeps itself aloof from party political debates, however it is often accused of judicial activism very similar to

that of the United Kingdom and like judiciary of the United Kingdom there is definitely no conservative or liberal, original or progressive ideology which pervades the Court. In fact, as has been observed by TT Arvind in his article “ Legal ideology, legal doctrine and the UK’s top judges”²⁰, that there are liberal judges whose views seem to prefer an interpretation of the law, which allows unhindered state action which may favour the actions of a conservative government, while there are judges who are perceived to be conservative who adopt a view that restricts interpretation of state power, which on many occasions promote rights of individuals against the state. And these have nowhere been definitive or cast in stone.

There are therefore, not judges but judgments, which can be culled out as pointers to interpretations of the Indian Constitution which favour a cultural nationalist perspective. Ironically, the same judges who have handed down judgments which have been milestones in cultural nationalist interpretations of the Constitution, in other judgments have favoured a liberal interpretation of the Constitution²¹.

There are many judgments which can be interpreted as a liberal or a cultural nationalist. Some known, others not so known, outside the immediate community of scholars who engage with the issues. The importance of the judgments is therefore sometimes not even apparent from the judgment itself, but the issues which the judgment does not address. The two prime examples of this is the *Ram Sethu*²² case, where the court asked the then Government of the day to consider possible alternate alignment of the Sethusamudram project after extensive hearing,

and the *Abhiram Singh v. C.D. Commachen* (3)²³, where the Supreme Court chose actually not to address the issue of the definition of Hindutva as being not materially relevant to the case, and decided the matter on other issues.

There have been numerous other judgments which have been celebrated as judgments which have interpreted the constitution in a way which could be construed to be in line with India's unique culture. Some of the most prominent are marked as indicators. However, as has been discussed above, the decisions of the Supreme Court has not been a one-way street and there have been numerous judgments which have been perceived to be pushing liberal and therefore western values on Constitutional law. Some of the major ones which have been areas of concern for cultural nationalists in the recent past are also set out and also the controversy and issues that they have raised.

The *Hindutva Judgments*²⁴, wherein the Court put forward the formulation that Hinduism, Hindutva could be equated with Indianisation, is as close to the argument by cultural nationalists as could be made²⁵. This proposition was then dissented from by another bench in *Abhiram Singh v. C.D. Commachen* (1)²⁶, wherein the Court expressly referred the matter to a larger bench. This eventually came to be decided in *Abhiram Singh* (3)²⁷, without addressing the issue of Hindutva at all, but on the question as to what is the scope of Section 123 of the Representation of Peoples Act, 1951.

The question of religious minorities and the exceptional rights given to religious minorities under the Constitution and the expansive way the Courts

have interpreted these rights is also a matter which raises significant concern amongst the cultural nationalist circles. The Court has addressed the question of religious minorities and who constitutes a religious minority in *TMA Pai Foundation v. State of Karnataka*²⁸, where the Court came to the conclusion that the definition of who constitutes a religious minority would vary from state to state and extended the right under Article 29 and 30 to everyone by construing the provisions to be "protection" rather an exclusive right. This principle was reiterated and upheld in *PA Inamdar v. State of Maharashtra*²⁹. The judgment of *Bal Patil*³⁰, where the Court had to deal with the definition of who is a "religious minority" and which the Court addressed by a very nuanced understanding of the culture and practices of the people and by analysing the issues behind framing of the constitutional provisions regarding religious minorities, while addressing the question as to whether the Jains are a religious minority. However, the judgment in *Right to Education Case* (1)³¹ has again reverted back to the logic of the rights under Article 29 and 30 being exclusive minority rights entitled to be treated at a higher pedestal from other fundamental rights. Needless to say, that it has given rise to consternation amongst the cultural nationalist legal community.

The various judgments in relation to Ram Janmabhoomi, to many also signified the pulls and pressures of politics and the controversies before the Court. Starting from the first of the major judgments of *Ismael Faruqui v. Union of India*³² and ending in *Mohammad Sidiq v. Mahant Suresh Das*³³, the twists and turns of the case have been many. Even though some of the cultural nationalists

may not have been happy with the reasoning of the Court in Mohammad Sidiq³⁴, they are conscious that the judgment facilitated the resolution of a dispute which has been fundamental to the broader movement of cultural nationalists in the country as a whole.

Some of the prominent judgments which have animated the discussions on the side of the cultural nationalists are the series of judgments on cow slaughter, the conflict apparent between the major judgment of the Court in *State of Gujrat v. Mirzapur Moti Kureshi Kasab Jamat*,³⁵ which concluded that the total prohibition of cow slaughter was permissible, and, the dilution of the principle in *Akhil Bharat Goseva Sangh (3)*³⁶, which held that the judgment in *Mirzapur Moti Kureshi Jamat case*³⁷ did not declare that cow slaughter was unconstitutional. That, coupled with the series of judgments on the interpretation of Prevention of Animal Cruelty Acts, where the issues of faith, the importance of cows in culture and the provisions of the Act, have been addressed on numerous occasions by the Supreme Court, has been at the forefront of the issues of concern.

Judgments on personal law have also been an area of concern for the cultural nationalist legal community, the disparity in personal laws and the demand for a Uniform Civil Code has been a long-standing demand of the broader political movement as well as secular modernists. The argument has its origin both in Article 44 of the Constitution as well as the need to have uniform laws for all citizens similar to criminal laws in the country. In that the judgment of the Court regarding the validity of Triple Talaq which was much anticipated. Though the Court in *Shayara Bano v. Union of*

*India*³⁸, eventually struck down the legal validity of “Triple Talaq”, however the fact that the Court avoided the testing of personal laws including the practice of “Triple Talaq” on fundamental rights did not go unnoticed. The question of conversion for the purpose of marriage has also received resonance. The practice, though deprecated in *Sarla Mudgal v. Union of India*³⁹, the proposition has been much diluted in *Lily Thomas v. Union of India*⁴⁰. In spite of the pious observations of the Court in *John Vallamattom v. Union of India*⁴¹, sadly Article 44 still remains a dead letter.

The right to religious conversion has been subject of much controversy amongst the cultural nationalist legal community as well. While the judgment of *Rev. Stanislaus v. State of M.P.*⁴², upheld the restriction of using force or allurement for the purposes of conversion, that stand has been tempered by the subsequent judgments of the Court in *Shafin Jahan v. Ashokan K.M.*⁴³, where the Court upheld the right to marriage under Article 21 being the right to life and thereafter religious conversion, even though there were clear allegations of unfair methods being used for conversion. This concern also spills into the concern of the attempt to extend the rights given to Scheduled Castes under the constitution to religions of non-Indic origin ostensibly on the grounds of discrimination, and, the very contested question as to whether members of Scheduled Tribes who have converted into non tribal religions are entitled to maintain the “dual benefits” as Scheduled Tribes as well as religious minorities.

The other major question which has been greatly debated is the concept of “secularism”, as indeed the question of what it means in the Indian

context. The Court in *SR Bommai*⁴⁴, actually went on to endorse the conception of secularism American style as the Chinese wall between the Church and the state, against a line of existing precedents however over a period of time, the Courts have reverted back to the old definition of “Secularism” in the Indian context being “Sarva Dharma Samabhava” or “equal distance from all religions”⁴⁵. The question as to whether the Court has managed to treat all religions equally in actuality and in practise is a question which has agitated the minds of cultural nationalists from the time the word “Secular” was put in the Preamble of the Constitution and which remains a live question till today.

The matters have been brought to a head by the “*Transformative Constitution*” Judgments⁴⁶, where the Court used the twin logic of the constitution being a “transformative document” and the need to inculcate “constitutional morality” to:

“108. The concept of transformative constitutionalism has at its kernel a pledge, promise and thirst to transform the Indian society so as to embrace therein, in letter and spirit, the ideals of justice, liberty, equality and fraternity as set out in the Preamble to our Constitution. The expression “transformative constitutionalism” can be best understood by embracing a pragmatic lens which will help in recognising the realities of the current day. Transformation as a singular term is diametrically opposed to something which is static and stagnant, rather it signifies change, alteration and the ability to metamorphose. Thus, the concept of transformative constitutionalism, which is an actuality with regard to all Constitutions and particularly so with regard to the Indian

Constitution, is, as a matter of fact, the ability of the Constitution to adapt and transform with the changing needs of the times.

109. It is this ability of a Constitution to transform which gives it the character of a living and organic document. A Constitution continuously shapes the lives of citizens in particular and societies in general. Its exposition and energetic appreciation by constitutional courts constitute the lifeblood of progressive societies. The Constitution would become a stale and dead testament without dynamic, vibrant and pragmatic interpretation. Constitutional provisions have to be construed and developed in such a manner that their real intent and existence percolates to all segments of the society. That is the *raison d'être* for the Constitution.”⁴⁷

The most controversial was the *Sabarimala judgment (I)*⁴⁸, where interestingly, the arguments for the constitution being a transformative document for a universal liberal society, and, the argument that the constitution needs a cultural interpretation were both put forward with brilliance and erudition, as part of the majority and the dissent. In fact, it is the exceptional dissent which has in many ways come to exemplify the broader challenge to “transformative constitutionalism” from the viewpoint of “cultural constitutionalism”:

“481. The concept of constitutional morality refers to the moral values underpinning the text of the Constitution, which are instructive in ascertaining the true meaning of the Constitution, and achieve the objects contemplated therein. Constitutional morality in a pluralistic society and secular polity would reflect that the followers of various sects have the freedom to practise their

faith in accordance with the tenets of their religion. It is irrelevant whether the practice is rational or logical. Notions of rationality cannot be invoked in matters of religion by courts.

482. The followers of this denomination, or sect, as the case may be, submit that the worshippers of this deity in Sabarimala Temple even individually have the right to practise and profess their religion under Article 25(1) in accordance with the tenets of their faith, which is protected as a fundamental right.

483. Equality and non-discrimination are certainly one facet of constitutional morality. However, the concept of equality and non-discrimination in matters of religion cannot be viewed in isolation. Under our constitutional scheme, a balance is required to be struck between the principles of equality and non-discrimination on the one hand, and the protection of the cherished liberties of faith, belief and worship guaranteed by Articles 25 and 26 to persons belonging to all religions in a secular polity, on the other hand. Constitutional morality requires the harmonisation or balancing of all such rights, to ensure that the religious beliefs of none are obliterated or undermined.”

Interpreting the Constitution through the prism of Cultural Nationalism

It is apparent that a cultural nationalist interpretation of the constitution, requires the acknowledgment of two very important things (a) the culture of the country and the civilisational basis on which the culture exists, and (b) the uniqueness of India as a country. In other words, the constitution needs to be interpreted in context of

history, politics, society and culture and not based on universal values including a liberal / libertarian interpretation of Human Rights.

A cultural nationalist interpretation of the Constitution is therefore of two parts, the first part acknowledges that the formation of the Constitution is a product of history and of political developments during the time of what is known as the independence movement. Momentous decisions have been taken and political compromises have been arrived at the time of the movement, and, during the framing of the Constitution in the Constituent Assembly, which were a product of the movement and the debates arising as a result of the movement. A consistent cultural nationalist interpretation upholds these compromises. To take three examples, the first the debate in relation to Hindi as the official language, the place of other regional languages, and the position of the English language under the constitution is encapsulated in Article 343 to Article 349. The wordings of the articles clearly also enunciate what is the nature of the compromise and why it was struck. The policy as to languages under the Constitution is clearly enunciated in the said provisions. The Court should respect the compromise. The second is the question of who are Scheduled Castes for the purposes of the Constitution. Needless to say, that a cultural nationalist interpretation expects it to be consistent with the spirit and wordings of the Rajah Moonje and the Poona pact, which formed the source of the reservation for Scheduled Castes as provided in the Constitution. The third is the idea of the Rights of religious minorities as enumerated in the Constitution in the provisions of Article 29 and 30.

A cultural nationalist interpretation would prefer an interpretation which would be more in line with the political understandings which underlay the framing of the provisions in the Constitution subsequent to the partition of the country and the creation of the Republic. There are numerous others including the issue of the very nature of the original Preamble and the basis and understanding of the role of the judiciary under the Constitution, which are also issues of continuous debate in the cultural nationalist legal fraternity.

In some ways this part of the approach is very close to the originalist interpretation which is so favoured by US Conservative lawyers in understanding the Indian Constitution, however this is in many ways coupled uniquely in India, with the approach of understanding the Constitution in the context of the unique civilisational character of India. The origins of this strand of argument originates in the continuous conflict between traditionalists and moderns which underlay the Indian freedom of movement and the numerous attempts by traditionalists and indigenous intellectuals to come up with an alternate framework to the modern legal framework of Governance in the country⁴⁹. The failure to get such “civilisational” values incorporated as binding obligations under the Constitution, has resulted in a critique which demands an interpretation which is more consistent with Indic / Bhartiya values. Again, there are numerous sites of contestation but some of the more important points are highlighted here as examples. The attempt to read Indic / Bhartiya values, including in the famous provisions of Articles 39 (a) and (b), 40, 43, 47 and 48, which are better known as Gandhian provisions

but which are actually provisions which have deep resonance with the concerns of cultural nationalists is one such. Another is the demand for an interpretation to include duties as fundamental to the exercise of rights in the Constitution. This can be in the form of Article 51A as well as other civic duties which are understood to be essential to the exercise of one’s rights as a citizen of this country. A third is to have a limited reading of the freedom of speech so that it doesn’t hurt the religious and cultural sensitivities of others, in a way which is consistent with acceptable speech in Indian society and the contours of the actual spirit of Article 19 including the restrictions therein. A fourth is about the continuous effort as part of Article 26 of the Constitution to allow the widest freedom to religious groups to run and operate places of worship and methods of worship, only circumscribed by the specific injunction of opening places of worship to all classes and sections of Hindus under Article 25. Lastly there is a continuous push to understand cultural and religious norms in the context which they are practiced and not be tested on foreign or western or liberal or universal norms of behaviour. In other words, to have a Dharmic interpretation of the Constitution, which would interpret the Constitution in a holistic manner and not be held hostage only to Rights rhetoric, which is the hallmark of western / European / liberal / libertarian methodologies of interpreting the constitution.

Though this is seemingly easy in first blush, this is not very easy to achieve in the age of increasing globalisation and the globalised rhetoric of universal values and norms, not the least in the area of human rights. It can also be argued that in an increasing globalised world with globalised

concerns to interpret the constitution through the prism of “exceptionalism” Indian or otherwise seems archaic if not regressive.

This further becomes an increasingly sensitive issue on matters concerning gender and social equality. The argument being, that if the existing culture is that of hierarchy and dominance of specific groups, then interpreting the constitution culturally will only strengthen inherent inequalities and inequities in the constitution. This argument came to a head in *Indra Sawhney*⁵⁰, however the Supreme Court acted with great nuance and effectively diffused the situation by relying on Indic conceptions of society based on the broader ideas of equity. No doubt the solution was not a happy one for everyone, but it struck a chord which was very different from the *Sabrimala judgment*⁵¹, wherein answering broadly the same issue of equality, the Court attempted to measure the existing Indic cultural norms on universal liberal parameters through the conception of “transformative constitutionalism”.

The other major concern is obviously of religious minorities whose rights have been the subject of much contestation from the time of the framing of the constitution. This is because the Constitution, even in the face of partition which was acknowledged to be on “communal lines”⁵², chose to protect religious minority rights. These rights have over a period of time given rise to various angularities in their actual implementation, which have raised concerns of “reverse discrimination”. The contrasting approaches of the Supreme Court in *TMA Pai Foundation v. State of Karnataka*,⁵³ and *Right to Education Case (1)*⁵⁴ which have interpreted the same rights is an

indicator of what the cultural nationalist lawyer finds problematic. In the first, the Supreme Court was of the view that the rights which were extended to religious minorities under Article 30 could be extended to everyone, while in the second the Supreme Court said that the rights of religious minorities in Article 30 were actually on a higher pedestal than other fundamental rights of the Constitution.

The Future of Cultural Nationalism in Indian Constitutionalism

As we discussed in the earlier part of the article, the conflict of conservative / exceptionalist / cultural nationalist legal interpretations of Constitutions through the world are coming into increasing conflict with the ideas of universalist liberal / libertarian ideas which had been hitherto uncontested specially after the end of the Cold War.

In Indian legal academia, the opposition to legal liberalism was always largely confined to legal libertarians, both of which were extensively taught in western law schools and written about in the legal treatises on law. Conservative / Exceptionalist / Cultural nationalist readings of the constitution or indeed of any law, was not taught in Law Schools in the country or outside, largely because these interpretations were not considered modern enough. This led to a peculiar situation wherein Indian Courts would apply indigenous Indic solutions to Indian legal questions, while framing the rhetoric in western liberal thinking⁵⁵.

This led to severe complications, as we know, including the need to define words which were completely foreign to Indian society in Indian terms,

with meanings which were very different from that it was originally different. The oft quoted example of defining “Secularism” as “Sarva Dharma Samabhava”, and Socialism as something akin to Gandhian Socialism are issues which are known to all. There were numerous others. The most famous of them being off course the transformative constitutionalism judgments, wherein the Supreme Court, attempted to conceive a jurisprudence to create a new society on universal lines using the Constitution as a tool.

However, there is an increasing amount of literature throughout the world which promote an interpretation of law which takes into account the culture of the place and its unique history⁵⁶ which the law originates and not based on values which are construed to be universal. The theory being that the work of a legal interpretation is to facilitate legal solutions for indigenous problems and issues and not to solve universal problems. In other words, the jurisprudence of societies like the United States of America and the United Kingdom as indeed of South Africa and Canada are contextual to them and must not be universalised and applied to societies which are far removed from them like India. No doubt that good practices anywhere in the world can be suggestive of possible solutions just like the Indian Constitution borrowed tools of constitutionalism from different parts of the world, however, just like the Indian Constitution, those tools and solutions have to be thoroughly indigenised before their application. The problem is that such has not been the case of liberal / libertarian oriented western / universalist jurisprudence which is far removed from the culture and day to day life of the people of the country.

Cultural Nationalism (in its myriad forms or monikers) as an interpretive method of the Constitution definitely suggests itself as vastly more accurate and relevant in today’s times than any Universalist methodology. The reason is because of its connection to people’s lives and the possibility of it being adapted to actual problems in a language and context understood by the common people. The “grand rhetoric” of universal law and rights have little resonance in the day-to-day life of the people. For a reading of the Constitution to be made truly democratic it has to reflect the way of the people which it governs and has to be translatable in an idiom understandable to them. Any accurate reading of the Constitution has to arise from the genius of the people who use it, or at the very least be made suitable for their use. Any interpretation of the Constitution further must necessarily also reflect the political compromises and understandings of norms which are a result of historical development in the lives of the people and society which it aims to regulate. The history and political and civic understandings of societies cannot be universalised and made applicable to other societies with completely different culture, history and politics and neither can the norms that govern them be made applicable to societies which are fundamentally different. The age for interpreting the Constitution as received wisdom has passed and rightly so.

This dislocation from the past has obviously led to a rising conflict between those who interpret the Constitution, and even a demand that the political beliefs of judges be disclosed American style⁵⁷ before they are appointed to the judiciary. Irrespective of the obvious frivolity of such a

demand, what it indicates is that there is a growing discomfort in the existing elites of Indian legal academia and activists who have been connected to westernised legal thinking (first British and then American) with the “subaltern” push of cultural nationalists to interpret and indigenise constitutional interpretations.

The greatest criticism of the cultural nationalist legal school so far by the universalists, including the liberals and the libertarians, has been that legal cultural nationalism is not a coherent legal philosophy. The present article argues that it is, and attempts to put a framework and a fact sheet based on which further engagement on the issue can take place. It would hopefully also encourage other cultural nationalist legal thinkers to build on or come up with their own interpretations of the

subject. No doubt that thinks tanks like the India Foundation, the India Policy Foundation and the Indic Collective have put up papers to attempt to articulate the point of view, and organisations like the Akhil Bhartiya Adhivakta Parishad have on numerous occasions worked to work out contemporaneous solutions based on cultural nationalist jurisprudence, however the same has not reached a critical mass within the wider legal academic and juridical community. This paper hopes to start that discussion which is the most crucial legal conversation of our times, when increasingly the local and the global in India like all over the world are increasingly on a collision course, and, law and the constitution have become the biggest and the most sensitive area for such jousting.

References:

- 1 Muldoon, A; *Empire, Politics and the Creation of the 1935 India Act: Last Act of the Raj*; Ashgate Publishing Ltd; Surrey; p.39 -86 @ p.41
- 2 Scruton, R; *Conservatism: An Invitation to the Great Tradition*; Hornell's Morsel Ltd; New York; 2017
- 3 “The Myth of American Exceptionalism”; Walt, S.M; *Foreign Policy* (2011) < <https://foreignpolicy.com/2011/10/11/the-myth-of-american-exceptionalism/> > (28.12.20): Also see: “On American exceptionalism”; Koh, H; 55 (5) *Stan L. Rev* 1479 (2003).
- 4 “The Heisei Paradox: Emperor Akihito and Japan’s Nationalist Regression” ; Danks ,E; *Diplomat* (2019) < <https://thediplomat.com/2019/05/the-heisei-paradox-emperor-akihito-and-japans-nationalist-regression/> > (28.12.20) : Also See : “ National Referendum and Popular Sovereignty in Japan”; Tsuji , Y ; *Cal.W.Int’s L.J.* 417 (2020)
- 5 “Illiberal Democracy in Hungary : The Social Background and Practical Steps of Building an Illiberal State” ; Biro-Nagy, A ; *Barcelona Center for International Affairs* (2017) ; < https://www.cidob.org/en/articulos/monografias/illiberals/illiberal_democracy_in_hungary_the_social_backg_round_and_practical_steps_of_building_an_illiberal_state >
- 6 Levin, Y; *The Great Debate: Edmund Burke, Thomas Paine and the Birth of Right and Left*; Basic Books; New York; 2014; p.69 -91.
- 7 Southworth, A; *Lawyers of the Right*; University of Chicago Press; 2008; p.124-149
- 8 Hollis-Brusky, A; *Ideas with Consequences: The Federalist Society and the Conservative Counterrevolution*; Oxford University Press; New York; 2015; p.144 -164: Also, Teles, S.M; *The Rise of the Conservative Legal Movement*; Princeton University Press; Princeton; 2008.

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- 9 “Legal ideology, legal doctrine and the UK’s top judges”; Arvind, T T and Stirton, L; *Public Law*, 2016 (July). pp. 418-436.
 - 10 “Judiciary rising: Constitutional change in the United Kingdom” Delaney, E. F.; 108(2) *Nw. U. L. Rev.* 543 (2014)
 - 11 “Lord Chief Justice sounds warning over unprecedented political interference in Courts”; Dearden, L; *Independent*; (2.12.20) < <https://www.msn.com/en-gb/news/uknews/lord-chief-justice-sounds-warning-over-unprecedented-political-interference-in-courts/ar-BB1bxO7r?c=8960570160867492253&mkt=en-gb> > (28.12.20)
 - 12 “The Rise of Judicial Power in Australia: Is there now a culture of justification”; Hooper, G; 41(1) *Monash U. L. Rev.* 102 (2015)
 - 13 “Australia just got one step closer to a High Court selected on ideological grounds”; *Marque Lawyers; Lexology*; (21.12.20) < <https://www.lexology.com/library/detail.aspx?g=ad2ed334-011b-493a-bc71-821a68017885> > (28.12.20)
 - 14 “Judicial Activism: Power without Responsibility - No, Appropriate Activism Conforming to Duty”; Kirby; 30 *MELB. U. L. REV.* 576 (2006).
 - 15 “Human Rights in Israel”; Barak, A; 39(2) *Isr. L. Rev.* 12 (2006)
 - 16 “Will Conservatives finally gain control of the Supreme Court”; Bob, Y.J; *Jerusalem Post*; (09.12.20) < <https://www.jpost.com/israel-news/will-conservatives-finally-gain-control-of-supreme-court-651519> > (28.12.20)
 - 17 “Constitutional courts and political uncertainty: Constitutional ruptures and the rule of judges”; Brown, NJ and Waller JG; *I•CON* (2016), Vol. 14 No. 4, 817–850
 - 18 “Transforming the Judiciary: The Politics of the judiciary in a Democratic South Africa”; Budlender, G; 122(4) *African L.J.* 715 (2005); Also See: “The Independence of South African Judges: A constitutional and legislative perspective”; Siyo, L and Mubangizi, JC; *PER/PELJ* 2015 (18) 4; < <http://dx.doi.org/10.4314/pelj.v18i4.03> > (28.12.20)
 - 19 Keith, A.B; *A Constitutional History of India 1600-1935*; Pacific Publication; 2010
 - 20 “Legal ideology, legal doctrine and the UK’s top judges”; Arvind, T T and Stirton, L; *Public Law*, 2016 (July). pp. 418-436.
 - 21 Witness the judgment of Justice K. Ramaswamy in *SR Bommai v. Union of India* (1994) 3 SCC 1 who endorsed the idea of “positive secularism” i.e., secularism as a basis of state action and strict separation of religion and politics, and, the judgment of the same Justice K Ramaswamy in *AS Narayana Dikshitulu v. State of AP* (1996) 9 SCC 548. While in the first he enunciates one of the strongest judgments on separation of religion and state in paragraph 182, 183, 196 and 197, in the second he directs the state to formulate a scheme to help “archakas” of temples in paragraph 133 to 135.
 - 22 The Court put on hold the Sethusamudram project which was to cut through the Rama Sethu, which had enormous religious significance to religious Hindus and to cultural nationalists, being an integral part of the Ramayana < <http://archive.indianexpress.com/news/sethu-order-not-for-a-year-sc-to-wait-for-panel-report/609533/> > (26.12.20) : *OP Fernandes v. TNPCB and ors. SLP 20758/2005*, order dated 21.04.2010.
 - 23 (2017) 2 SCC 629
 - 24 *Ramesh Yeshwant Prabhoo (Dr) v. Prabhakar K. Kunte* (1996) 1 SCC 130; *Manohar Joshi v. Nitin Bhau Rao Patil* (1996) 1 SCC 169; *Ramachandra K Kapse v. Haribansh R Singh* (1996) 1 SCC 206.
 - 25 *Ramesh Yeshwant Prabhoo (Dr) v. Prabhakar K Kunte* (1996) 1 SCC 130 para 39 and 42
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- 26 (1996) 3 SCC 665
- 27 (2017) 2 SCC 629
- 28 (2002) 8 SCC 481
- 29 (2005) 6 SCC 537
- 30 *Bal Patil v. Union of India* (2005) 6 SCC 690
- 31 *Society for Unaided Private Schools of Rajasthan v. Union of India* (2012) 6 SCC 1
- 32 (1994) 6 SCC 360
- 33 (2020) 1 SCC 1
- 34 *Ibid.*
- 35 (2005) 8 SCC 534
- 36 *Akhil Bharat Goseva Sangh (3) v. State of A.P.* (2006) 4 SCC 162
- 37 (2005) 8 SCC 534
- 38 (2017) 9 SCC 1
- 39 (1995) 3 SCC 635
- 40 (2000) 6 SCC 224
- 41 (2003) 6 SCC 611
- 42 (1977) 1 SCC 677
- 43 (2018) 16 SCC 368
- 44 *SR Bommai v. Union of India* (1994) 3 SCC 1
- 45 “Changing Perceptions of Secularism”; Banerjee, V and Malik, S; (1998) 7 SCC J-3; “Ten Years On: A Review of Secularism as defined by the Supreme Court from 1998 to the Present Date”; Banerjee, V; (2009) 6 SCC J-55.
- 46 *Navtej Singh Johar v. Union of India* (2018) 10 SCC 1, where the Court struck down Section 377 of IPC as unconstitutional based on the twin doctrines: *Joseph Shine v. Union of India* (2019) 3 SCC 39 striking down the provisions regarding adultery in Section 497 of the IPC and *Indian Young Lawyers Association (Sabrimala Temple) v. State of Kerala* (2019) 11 SCC 1
- 47 *Navtej Singh Johar v. Union of India* (2018) 10 SCC 1 para 108, 109.
- 48 *and Indian Young Lawyers Association (Sabrimala Temple) v. State of Kerala* (2019) 11 SCC 1; para 481, 483 and 484.
- 49 This was the famous Constitution of the Aundh princely state based on Gandhian principles: Rothermund, Indira; *The Aundh Experiment*; South Asia Books; 1984.
- 50 *Indra Sawhney v. Union of India* 1992 Supp (3) SCC 217
- 51 *Indian Young Lawyers Association (Sabrimala Temple) v. State of Kerala* (2019) 11 SCC 1
- 52 In moving the Report of the Advisory Committee on Minorities, Sardar Patel said:
- ... Now our object is, or the object of this House should be, as soon as possible and as rapidly as possible to drop these classifications and differences and bring all to a level of equality. Therefore, although temporarily we may recognise this it is up to the majority community to create by its generosity a sense of confidence in the minorities; and so also it will be the duty of the minority communities to forget the past and to reflect on

what the country has suffered due to the sense of fairness which the foreigner thought was necessary to keep the balance between community and community. This has created class and communal divisions and sub-divisions, which in their sense of fairness, they thought fit to create, apart from attributing any motives. We on our part, taking this responsibility of laying the foundations of a free India which shall be and should be our endeavour both of the majority—largely of the majority—and also of the minority community, have to rise to the situation that is demanded from all of us, and create an atmosphere in which the sooner these classifications disappear the better. (Constituent Assembly Debates, Wednesday, 25-5-1949 at pp. 271-72.)

In moving the resolution proposing the Draft Constitution, Babasaheb Ambedkar submitted to the Assembly that:

The Draft Constitution is also criticised because of the safeguards it provides for minorities. In this, the Drafting Committee has no responsibility. It follows the decisions of the Constituent Assembly. Speaking for myself, I have no doubt that the Constituent Assembly has done wisely in providing such safeguards for minorities as it has done. In this country both the minorities and the majorities have followed a wrong path. It is wrong for the majority to deny the existence of minorities. It is equally wrong for the minorities to perpetuate themselves. A solution must be found which will serve a double purpose. It must recognise the existence of the minorities to start with. It must also be such that it will enable majorities and minorities to merge someday into one. The solution proposed by the Constituent Assembly is to be welcomed because it is a solution which serves this twofold purpose. To diehards who have developed a kind of fanaticism against minority protection I would like to say two things. One is that minorities are an explosive force which, if it erupts, can blow up the whole fabric of the State. The history of Europe bears ample and appalling testimony to this fact. The other is that the minorities in India have agreed to place their existence in the hands of the majority. In the history of negotiations for preventing the partition of Ireland, Redmond said to Carson “ask for any safeguard you like for the Protestant minority but let us have a United Ireland”. Carson’s reply was “Damn your safeguards, we don’t want to be ruled by you.” No minority in India has taken this stand. They have loyally accepted the rule of the majority which is basically a communal majority and not a political majority. It is for the majority to realise its duty not to discriminate against minorities. Whether the minorities will continue or will vanish must depend upon this habit of the majority. The moment the majority loses the habit of discriminating against the minority, the minorities can have no ground to exist. They will vanish. (Constituent Assembly Debates, Thursday, 4-11-1948, at p. 39.) As cited in “Ten Years On: A Review of Secularism as defined by the Supreme Court from 1998 to the Present Date”; Banerjee, V; (2009) 6 SCC J-55.

53 (2002) 8 SCC 481

54 *Society for Unaided Private Schools of Rajasthan v. Union of India* (2012) 6 SCC 1

55 *Menski, W.F; Indian Legal Systems Past and Present, School of Oriental and African Studies, London, 1997, pp. 52-54*

56 “Arguing about the Constitution: The Topics in Constitutional Interpretation”; Balkin, JM; 33(2) *Const. Comment.* 145 (2018).

57 *We Must Be Conscious Of The Ideology Of The Persons Appointed To The Bench*”: Indira Jaising’s interview with Mehal Jain in *Live law*: < <https://www.livelaw.in/news-updates/indira-jaisingh-ideology-of-judges-supreme-court-babri-masjid-caa-article-370-167551> > (27.12.20)



The 2013 Kedarnath Tragedy and the Post-calamity Eco-conscious Development

Vandana Sharma 'Diya'*

Introduction

Kedarnath prides itself as being the heart of India's spiritual culture. Located in the state of Uttarakhand at an altitude of 11,755 feet in the Garhwal Himalaya mountain ranges, the Kedarnath temple lies at the confluence of the Mandakini and Saraswati Rivers.¹ This temple is the highest of the twelve Jyotirlingams in India. The first reference related to the Kedarnath temple finds mention in the Skandapurana² and thereafter in various other ancient texts.³ There exist several theories regarding the origin of the temple. According to local folklores, the temple was built by the Pandavas. Yet another version mentions that Raja Bhoja of Malwa built the same in the 2nd century. It is however popularly accepted that the present Kedarnath temple was built by the great Advaitic seer Adi Shankaracharya. The divine architectural wonder of the temple has stood the test of time and still remains as the cultural nerve centre of Bharatavarsha. Geologists claim that the Kedarnath temple was under snow for nearly 400 years during the little ice age, sometime between 1300-1900 CE.⁴ However, nothing has affected its glory and charm.

The largest natural disaster to hit India since the 2004 tsunami occurred in June 2013, when a midday cloudburst with a focus on the northern state of Uttarakhand triggered devastating floods

and landslides. The amount of rain recorded in June 2013 was 385mm, which is far greater than what the state typically experiences. Major overflows were caused by debris blocking the rivers.⁵ Although all thirteen of the State's districts were devastated, Bageshwar, Chamoli, Pithoragarh, Rudrapur, and Uttarkashi were the worst afflicted. The catastrophe occurred during the busiest travel and pilgrimage period,⁶ greatly increasing the number of fatalities and increasing the magnitude of destruction. In the Mandakini valley, the effects of the disaster were most noticeable. Flooding occurred at the Kedarnath Shrine and the adjoining areas of Rambhar, Agastya, Tilwara, and Guptkashi due to torrential rainfall and the collapse of the Chorabari lake. Significant damage was also done to nearby pilgrimage sites like Gangotri, Yamunotri, and Badrinath. The catastrophe resulted in a significant loss of human and animal life. It severely damaged both private and public assets. The flash floods affected over nine million people and countless animals.⁷ Over 4000 people died in the tragedy, which was attributed to nature and was written off as an "Act of God," although it is clear that human meddling was also a prime reason for the catastrophe. The present article aims to identify the environmental factors and human trigger points that led to the calamity. It also aims to review Modi

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government's Nature centric re-installation efforts for the restoration of the glory of Kedarnath Dham. Finally, the article aims to highlight that the seed of eco-conscious development lie in the rich philosophy of Bharatavarsha.

Research Methodology

The study was conducted as a qualitative library method. The same is primarily based on secondary data taken from a variety of literary sources, most notably reports from the National Institute of Disaster Management (NIDM) and the Government of Uttarakhand, as well as numerous books, research papers, and articles. For this study, reports submitted by news agencies like Asian News International (ANI) have been meticulously followed. Official websites of Ministry of Tourism, Ministry of Environment, Planning Commission of India, Archeological Survey of India and Uttarakhand Tourism Development Board, have also been consulted. Additionally, locals were questioned to learn about their perspectives. Documentaries on Kedarnath and Uttarakhand have also been consulted to arrive at a conclusion.

The Natural Causes of 2013 Kedarnath Tragedy

Kedarnath's natural setting and environmental sensitivity most definitely had a role to play in the 2013 tragedy. Let's briefly understand the natural causes that led to the disaster.

1. Geographical setting: The positioning of Kedarnath makes it extremely vulnerable to natural calamities. The Delhi-Haridwar ridge further adds fuel to fire and makes Uttarakhand in general and Kedarnath in particular a geographically sensitive

region. The Delhi-Haridwar ridge beyond the boundaries of Delhi submerges below alluvium and penetrates below the Himalayan rock. This ridge also lies on the Indo-Australian plate⁸ which is slowly shifting towards the North and is putting extreme pressure on Uttarakhand in the Himalayan range.

2. Rain prone area: The entire Kedarnath region is prone to excessive rainfall. According to the Indian Meteorological Department, the phenomenal rainfall between June 14 and 18 resulted in devastating landslides. The rainfall between 15 June and 18 June 2013 was measured at 385.1 mm, against the normal rainfall of 71.3 mm,⁹ which was in excess by 440 per cent. The rain was caused by convergence of the southwest monsoon and westerly disturbances that lead to the formation of dense clouds over Uttarakhand. The Rudraprayag district and surrounding areas experienced severe flooding as a result of the Mandakini River erupting due to heavy rain which resulted in elevated river discharges. The torrent of water that rushed down from the Kedarnath and Rambara regions delivered a massive silt load that was made up of enormous rock boulders which washed away everything that came its way. Additionally, the massive amount of water caused excessive erosion throughout the region, which led to colossal landslides.

Human Interference that Triggered the 2013 Kedarnath Tragedy

Besides natural and environmental factors, the 2013 Kedarnath tragedy was also instigated by human interference. These were:

- **State government's casual approach:** Warnings issues by the Indian Meteorological

Department (IMD), Delhi, were not heeded by the state government. The first such warning was given on June 13, 2013 when rainfall was recorded at 35.6-64.44mm. Daily warnings were given thereafter, with a warning being given on June 16 and 17 of expected rainfall of more than 244.5mm¹⁰. All of these were ignored by the state government.

- **Ignorance of the locals and the government:** The local people of the area had constructed houses on the west stream of the Mandakini River that had been dry for decades. When the river returned to its original course as the calamity arrived, these constructions were washed away. The government and locals both are to be blamed for poor housing designs, cheap materials used (un-burnt bricks and mud) and wrong housing development techniques. The locals also indulge in disposing of waste, plastic bottles, polythene bags etc in the rivers that added to the chances of the disaster taking shape.
- **Population Explosion:** An increase in population had put pressure of immense magnitude upon the entire Kedarnath and Uttarakhand region which became one of the reasons for the disaster. The average population density per sq. km in the state of Uttarakhand in the year 2001 was recorded at 84.89. By 2011, this had increased to 100.86.¹¹
- **Deforestation:** The cutting down of trees and bushes for construction of roads and other infrastructure, led to soil erosion which made the entire region of Uttarakhand, and Kedarnath in particular, vulnerable to

devastating landslides and floods.

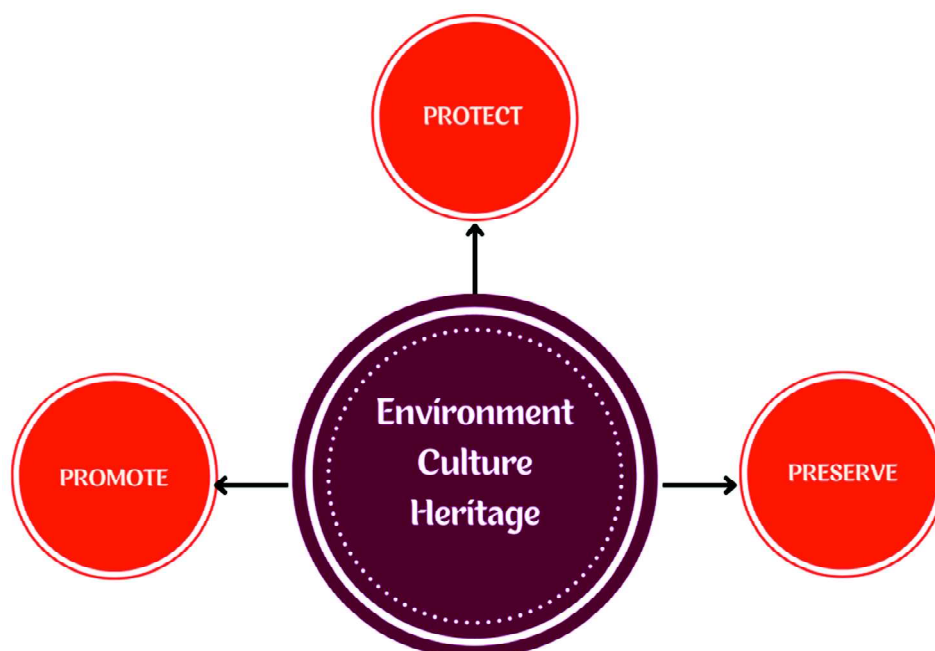
- **Discarding the bodies of mules and ponies in the rivers:** In the Mandakini River, which emerges from Chorabari glacier and mixes with Ganga, hundreds of dead mules are dumped. Besides contaminating the river, this also obstructs the water flow in the river. The bodies of dead animals, are many a times left on the path to the temple which not just leads to foul smell due to decomposition but also pollutes the divine environment of the shrine.¹²
- **Unregulated promotion of tourism:** Pulling international and national tourists to Uttarakhand did increase revenue of the state but it also added greatly to the 2013 tragedy. For people staying in the regions of Delhi, NCR and adjoining areas, Uttarakhand became a second home. The upsurge in the number of tourists and pilgrims also opened doors for hotels, motels, lodges, restaurants, small time vendors and more. This added to the 2013 Kedarnath tragedy. It is to be noted that from 2000-2010 the number of tourists increased by 300% (from 1.11 crore to 3.11 crore).¹³
- **Unmindful and erroneous construction:** Lack of environmentally sustainable development and ignorance towards existing flaws became a major reason for the Kedarnath 2013 tragedy. This included construction of roads, bridges and other structures in landslide prone areas, steep slope foundations and unsuitable places. Riverbeds were recklessly mined for sand, and due to the accumulation of construction debris, land contours and rivers changed their flow. Construction of hydroelectric dams in this

sensitive region also paid scant heed to environmental concerns. It is to be noted that there are seventy large dams in Uttarakhand region and 680 incomplete dams that were present before the Kedarnath 2013 tragedy. The drainage systems were also faulty. New structures were constructed on old and feeble drains which acted as a barrier towards rainwater. Finally, there was a lack of education and awareness of multiple issues with respect to preserving the environment and of dealing with disasters.

Eco-consciously Reconstructing Kedarnath's Cultural Heritage (2014-2022)

Post the 2013 disaster, the Modi government

came up with a well-thought-off plan to rebuild Kedarnath in an ecologically conscious and conceptually sound manner. The eco-conscious hill-town developmental plan of Kedarnath was quick in receiving the Platinum Indian Green Building Council Grading (IGBC).¹⁴ A risk mitigation strategy is added to it, and it includes recruiting and educating community marshals as well as managing hazardous conditions. A vernacular architectural style has been adopted for all buildings using local construction materials, technology and craftsmen. In order to make Kedarnath a world class pilgrimage mountain town, the development will revolve around the 3PECH Formula (*preservation, protection and promotion of Environment, Culture and Heritage*).¹⁵



Source: Self

3PECH Formula for the Protection, Preservation and Promotion of Environment, Culture and Heritage at Kedarnath

Significant developments that have taken place post 2013 Kedarnath tragedy under Prime Minister Modi are:

1. Adi Shankaracharya Samadhi and virtual museum: On 5th November 2021, PM Modi inaugurated Jagadguru Adi Shankaracharya's Samadhi and the virtual museum.¹⁶ The museum embodies Bharatavarsha's rich heritage, culture and furthers Adi Shankaracharya's legacy. The 12 feet high statue of Adi Shankaracharya weighing 35 tons is placed atop a Shriyantara. Sculpted by the Mysore based sculptor Arjun Yogiraj, the samadhi and statue symbolise the country's rich heritage, culture, literature, art and environmental consciousness.

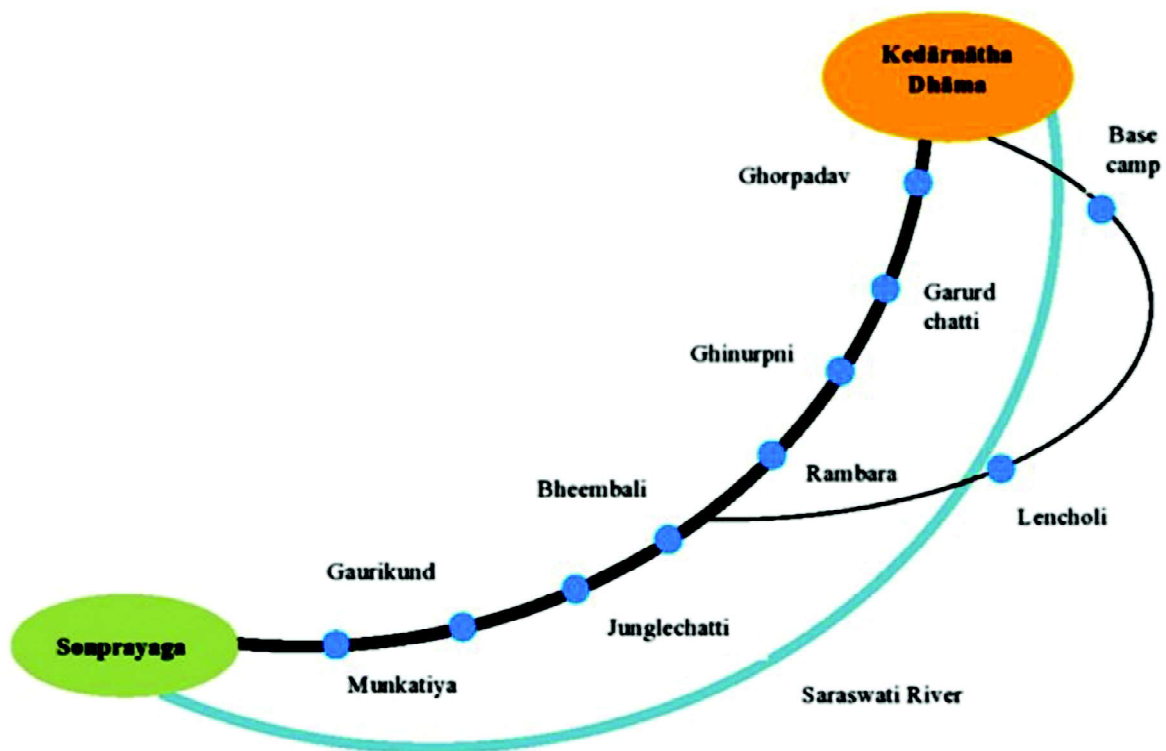
2. Smriti Vana Memorial: The Smriti Vana Memorial came into existence on June 17, 2019 in the memory of the people who lost their lives during the 2013 Kedarnatha tragedy.¹⁷ The Smriti van memorial park is creatively utilising all large boulders that came down from landslides during the mishap. No other material has been used in developing the Smriti Vana Memorial other than the natural boulders and native vegetation. This Memorial Vana also promotes eco-awareness, preserves indigenous plants and fosters a culture that contributes to the preservation of the entire area. Additionally, it will be developed as an ecotourism destination where visitors can commune with nature and find inspiration to conserve and protect the environment.

3. Three Meditation Caves along the Kedarnatha route: To preserve and promote the culture of silence, dharana, dhyana, Samadhi and yoga, three mauna meditational caves have been developed along the route to Kedarnath. The caves

are administered by the Garhwal Mandal Vikas Nigam (GMVL).¹⁸ These caves will not only promote the 'Bhartiya Parampara' that is rooted spirituality but will also add aesthetic value to the scenic beauty of the Kedarnatha route. Each cave is well equipped with electricity, water and toilets. Shri Narendra Modi, in 2019, meditated for 17 hours at the Rudra Gufa.¹⁹ This cave is an underground cave constructed by the Nehru Mountaineering Institute. Also known as "Dhyana Gufa", it is barely half a kilometre from the main Kedarnath shrine.²⁰

4. Construction of the 12.5 km Sonprayaga-Gaurikunda-Kedarnath Ropeway and Animal Welfare: The 12.5 km²¹ ropeway to Kedarnath, bridges the gap between Sonprayag and Kedarnath. However, this stretch remains an extremely eco-sensitive region. Since the Kedarnath development pledges to be eco-conscious while also ensuring the preservation of cultural and historical value of the site, it went through an entire process of acquiring approvals from the National Board for Wildlife (NBWL). With the construction of this ropeway, at a cost of Rs 1200 crore, the distance between Sonprayag to Kedarnath Dham will be greatly reduced. When completed, this ropeway will be the longest ropeway in Uttarakhand and at 11,500 feet, the highest ropeway in the world.

5. Saraswati-Mandakini Ghats & Retaining wall: After the 2013 floods, a huge amount of water began gushing down the Mandakini and Saraswati rivers along with volumes of debris. Damage of immense magnitude was done to the river edges. To avoid any such devastation in future, a 350-meter-long river edge, pitra-ghats and protection walls are being



Source: Self
Sonprayaga-Gaurikunda-Kedarnatha Ropeway at a glance

developed to maintain our heritage and also provide protection against any unforeseen circumstances. These developments will take place along the eastern and western banks of Saraswati-Mandakini rivers, respectively. The developments of ghats will not only provide devotees a platform to perform puja but will also ensure an aesthetic view of the region. The retaining wall will also define the flow of the rivers and will ensure protection against soil erosion. It is also important to note that these developments have taken place along the existing terrain elevation in order to avoid any major transformation to the same. This part will also have a cafeteria, washrooms, seventy purohit quarters, changing rooms, visitors facility pavilion and more. To give a visual treat to the pilgrims,

and for the further development of heritage and culture, wall murals and art works will be created. Both the edges follow a slope that will not let the water stay near the temple and surrounding area. The point where Saraswati and Mandakini will meet will be known as the “Sangamghat”. Eight guest houses have also been constructed on this ghat.

6. Construction of Bio-digestible Toilets on the Kedarnatha Trek Route: Culturally Bharatavarsha has celebrated cleanliness since time immemorial. The same has been revered through ages. Be it Patanjali’s Yogasutra where “*Sauca*” becomes the first pillar of Niyama or Adi Shankaracharya who stresses upon the purity of Antahkarna, cleanliness becomes the first step

towards knowledge, wisdom and spirituality. The earlier trek route to Kedarnath shrine had no facility of toilets which made the journey extremely difficult. Now, 323 toilets have been built along the route to Kedarnath. The Kedarnath Dham now prides itself with DRDO (Defense Research and Development Organisation) designed bio-digestible toilets.²² These toilets are unique and degenerate waste in an environmentally friendly way with the help of bacteria that anaerobically digest the waste. These toilets are also portable and can be stationed anywhere.²³

7. Waste Management at Kedarnatha

Area: In May 2022, a picture of garbage pile at Kedarnath went viral on the internet. After a thorough investigation, it came to light that many pilgrims who visited the site had littered carelessly

and this became a national concern. Whilst the public is being educated on this issue, the government is also devising strategies to meet the challenges of food waste, temple waste, bio-medical waste, rural solid waste, construction and demolition waste, hazardous waste, electronic waste, plastic waste, water waste and sewage treatment, ground water contamination, recharge and extraction, air and noise pollution, illegal mining and more. Further, systems like the Recykal Deposit Refund System (deposit a plastic bottle and get a refund of Rs10), Material Recovery Facility (for picking up dry waste), Micro Auto Gasification System (MAGS) and Smart Xpress Composter System (SXCS) have also come into being to strengthen the waste management system. Although, there is a 3R method to deal with waste (Reduce-Reuse-



Suggested 5R approach for waste management

Recycle), this paper suggests the following 5R²⁴ method in order to deal with the same.

8. Intelligent Traffic Management System and Pedestrian Friendly Pathways:

The pathway for pilgrims has been defined and is predominantly connected through public spaces such as the temple path, Saraswati Ghat and temple plaza. These paths are guided by way finding signage. “Specially able people,” emergency and supporting services will move along the peripheral path through battery operated/electronic vehicles (ATV – All Terrain Vehicles). These electric vehicles will be managed by the control decks situated along the Mandakini River. Being a prominent pilgrim site, it was important to create circulation of the crowd during peak hours. Thus, a pathway towards the main shrine has been developed in a manner that allows a person to reach the temple in a span of 8-10 minutes. The site is also universally accessible and barrier free. The pathways comprise of street guidelines that incorporate public facilities i.e., benches, luminaries, dustbins, planters and sculptures.

9. IT Connectivity and Digitisation: The site is enabled with radio frequency based local internet network, presently used to provide essential services such as Wi-Fi by point to point and point to multipoint wireless communication system. The area is also well equipped with “Smart Public Addressal System” through which wireless outdoor speakers can be operated, these speakers are durable and can stand harsh weather conditions.

10. Eco-friendly Street Lighting System: The street lights will be high-end in technology however they will be operated by solar energy and

thus they will be environmentally friendly.

11. Disaster Management System: A sensitive place like Kedarnath that is prone to earthquakes and floods requires a strong Disaster Management System. Therefore, risk mitigation through preparation of disaster risk reduction plan has been put in place. Further, identification, training and retraining programs related to dealing with such disasters have been developed. Building of proper civil infrastructure i.e., retaining walls, embankments and more have been developed to reduce devastation of immense magnitude during natural calamities. The area is also being well equipped with the provision of evacuation plan, disaster shelters and refuge centres that can shelter 28,000 people during catastrophes.

12. Laser/Light and Sound show: A laser light and sound show at the Kedarnath temple has been conceived as a means of cultural development. The show is called “Adi Ananta Shiva.” This 25-minute show will depict the association of Lord Ēiva with Kedarnath area. It will also story-tell the great epic Mahabharata and will further showcase the 2013 tragedy. The aim of this show is “cultural and historical learning through entertainment and storytelling.” The laser-light show effectively turns the temple’s left wall into a giant “screen” for a spectacular display. This show is operational 7 days a week. The same will further become a source of employment and livelihood for many locals.

Conclusion

The 2013 Kedarnath tragedy was not merely an “Act of God/ Nature,” but also involved considerable human involvement and governmental

incompetence. However, after the catastrophe, changes were undertaken based on recognising the errors of the previous administration and emphasising environmental conscious development. It is crucial to realise that any growth carried out at the expense of Mother Nature cannot be either sustainable or advantageous. The Hon'ble Prime Minister of India, Shri Narendra Modi has frequently discussed environmentally conscious and holistic development. In fact, he is the first Indian prime minister to actively promote the advancement of nature, stray animals, and wildlife in addition to human development and upliftment.

Without a doubt, **Advaitavada**, as propounded by Jagadguru Adi Shankaracharya is the spirit of Bharatavarsha. Advaitavada also becomes the conclusive thought of the Vedic and Upanishadic literature. According to Advaitamata, everything manifests from the Supreme Brahman, lives in "It" and finally merges back into its source. Since, Advaitavada is the fundamental guiding principle of Bharatvarsha's ethical, social, political, religious, environmental and overall thought and practice, every development should keep Advaitavada at its core for the well-being of all creatures. Advaitavada is not limited to human beings nor is it human centric as in case of Abrahamic faith systems. In fact, it sees the entire creation as a single unit and fosters no preference towards any creature, specie or being. Thus, keeping Advaitavada as the guiding philosophy at Kedarnath Dham, it is suggested that the developments taking place must be for the overall wellness of all beings (humans, animals, trees, rivers and more).

Mahatma Gandhi, gave us the practical

philosophy of Antodaya, Sarvodaya, and Gramswaraja which have their roots in Advaitavada. According to Antodaya, the last being of the society must be provided with the necessities to live a life of harmony and peace. When all beings are rooted in harmony, it will automatically lead to Sarvodaya, which professes that there must be upliftment of all lives without discrimination towards any. When every life is taken care of and there is holistic development, it will become the foundation of Gramswaraja. The same professes that every village should be a self-sufficient unit that is independent and self-reliant. It is to be understood that limiting Antodaya, Sarvodaya and Gramswaraj to merely human kind is downgrading the very philosophy of Mahatma Gandhi. The same must be understood in a holistic fashion and must take into account all beings from a crawling ant to the humongous mountain. Here it also becomes imperative to highlight Buddha's Pratityasamutapada or the theory of interdependence. It must be lucidly understood that we are not independent units. Our independence, birth, growth and sustenance are directly proportional and dependent upon various beings. Thus, in the wellness of all lives lies our own wellness. Based upon the philosophical edicts mentioned above, following are a few suggestions that can be included in the development of Kedarnath and surrounding areas.

Environmental Measures

- Increase the number of toilets and equip every toilet with sanitary napkins.
- Removing mules from Kedarnath Area.
- Establish Mobile Veterinary Clinics. Also,

employ 'pashu Mitra's' who should be trained as Para-vets.

Economical and Social Measures.

- Construction and promotion of of Hunar Hatt and Uttarakhand Bhoj Anand under Vocal for Local for encouraging local art, handicraft,

regional delicacies and cuisines of Uttarakhand.

- Construction Vocational Training Centres for skill development.
- Popularise Kedarnath Wildlife Sanctuary.
- Inviting Scholars from India and Abroad for short-term projects on local herbs, art, architecture, culture, environment and more.

References:

- 1 Kinsley David, *Hindu Goddesses: Visions of the Divine Feminine in the Hindu Religious Tradition*, Motilal Banarasiidass, Delhi, 1998, pp.11,13 (Saraswati River is mentioned in the Rgveda)
- 2 Skandapurana; Kedarakhanda.
- 3 Shantiparva, Ch.35; Vanaparva, Ch.38; Lingapurana, Ch.12; Vamanapurana, Ch.36; Padmapurana, Ch.61; Kurmapurana, Ch.36; Garudapurana, Ch.81; Saurapurana, Ch.69; Brahmavaivratpurana, Ch.17.
- 4 <https://www.news18.com/news/india/kedarnath-shrine-was-under-snow-for-400-years-scientists-619076.html>
- 5 National Institute of Disaster Management (MHA), *India Disaster Report 2013*, Delhi, 2014.
- 6 <https://nidm.gov.in/pdf/pubs/india%20disaster%20report%202013.pdf>.
- 7 Kedarnatha Temple remains open to public between Akshaye Tritiya (April) and Kartik Purnima (November).
- 8 National Institute of Disaster Management (MHA), *India Disaster Report 2013*, Delhi, 2014
- 9 The Australian continent and its surrounding seas are part of the Indo-Australian Plate, a significant tectonic plate that also stretches northwest to include the Indian subcontinent and nearby oceans. It was created around 43 million years ago when Indian Ocean's mid-ocean ridge, which had been separating the two plates, stopped spreading, and merged with the Australian plate.
- 10 National Institute of Disaster Management (MHA), *India Disaster Report 2013*, Delhi, 2014.
- 11 Ministry of Home Affairs, *Kedarnath Warning*, Delhi, 2013. <https://www.mha.gov.in/MHA1/Par2017/pdfs/par2013-pdfs/rs-070813/385.pdf>
National Institute of Disaster Management, *Uttarakhand Disaster 2013*, Ministry of Home Affairs, Delhi, 2015.p.29 <https://nidm.gov.in/pdf/pubs/ukd-p1.pdf>
- 12 (i) Shivani Azad, *Carcasses of dead mules in Kedarnath thrown into Mandakini*, Times of India, 2022, *Carcasses of dead mules in Kedarnath thrown into Mandakini*, http://timesofindia.indiatimes.com/articleshow/91796427.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.
(ii) Interview with Mrs.Gauri Mulekhi, Trustee, People for Animals.
- 13 National Institute of Disaster Management, *Uttarakhand Disaster 2013*, Ministry of Home Affairs, Delhi, 2015.p.30 <https://nidm.gov.in/pdf/pubs/ukd-p1.pdf>
- 14 On information gathered from Sh.Puneet Aggarwal, The Counselor at Indian Green Building Council (www.igbc.in)

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- 15 Developed by Dr.Vandana Sharma 'Diya'
- 16 Asian News International, PM Modi unveils Shri Adi Shankaracharya Samadhi and statue in Kedarnath, Uttarakhand, 2021.
- 17 <https://www.aninews.in/news/national/general-news/pm-modi-unveils-statue-of-adi-shankaracharya-at-kedarnath20211105093620/>
- 18 The Statesman, Smriti Van created in the memory of Kedarnath disaster victims, Dehradun, 2019
<https://www.thestatesman.com/cities/smriti-van-created-in-memory-of-kedarnath-disaster-victims-1502766382.html>
- 18 Sacred Yatra, <https://www.sacredyatra.com/rudra-meditation-cave-kedarnath.html>
- 19 The Week, Kedarnath cave where Modi meditated, Uttarakhand, 2019.
<https://www.theweek.in/news/india/2019/05/19/kedarnath-cave-where-modi-meditated-equipped-with-wifi-telephone-toilet.html>
- 20 E-uttaranchal, Rudra Cave Kedarnatha, <https://www.euttaranchal.com/tourism/rudra-cave-kedarnath.php>
- 21 National Highways Logistic Management Ltd, Ropeway, Delhi, 2016, <http://nhlm.in/ropeway.html>
- 22 <https://www.char-dham-tour.in/bio-digester-toilets-on-the-routes-of-char-dham-route.html>
- 23 <https://www.drdo.gov.in/bio-digester>
- 24 Conceptualized by Dr.Vandana Sharma



India's Web 3.0 and Blockchain Revolution: A Roadmap for Strengthening Leadership in the IOR and G20

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"The future belongs to those who prepare for it today." - Malcolm X

Introduction

In today's increasingly digitally connected world, Web 3.0 and blockchain technology hold the promise to revolutionise and transform the way nations and societies interact and conduct business. The Indian Ocean Region (IOR) and the Group of Twenty (G20) have gained strategic importance due to their immense economic potential and geopolitical significance. India's leadership in the G20 and the IOR is crucial for promoting regional and global stability, prosperity, and cooperation. As a rapidly digitising nation, India has a unique opportunity to leverage cutting-edge technologies such as Web 3.0 and blockchain to stimulate economic growth, enhance governance and transparency, and foster social inclusion.

Web 3.0 and blockchain technology signify the "next digital revolution." Web 3.0, also known as the decentralised web, represents the forthcoming generation of the internet, allowing users to connect and interact without relying on centralised entities such as tech giants and governments. This transition provides users with enhanced control, privacy, and security. Blockchain technology, a decentralised ledger, facilitates secure, transparent, and tamper-proof transactions. It enables the creation of digital currencies like Bitcoin and Ethereum, as well as smart contracts that automate

and secure transactions. Together, Web 3.0 and blockchain technology can transform the way the world interacts, transacts, and governs by creating more open, democratic, and equitable systems, empowering nations, societies, and individuals to exert greater control over their digital content.

Both Web 3.0 and blockchain technology possess the potential to decentralise power, increase transparency, and bolster security. These features can be particularly beneficial within the G20 and IOR, where corruption, lack of transparency, and security concerns pose significant challenges to economic and social development.

Applications of Web 3.0 and blockchain technology

Web 3.0 and blockchain technology have a wide range of applications across various sectors, such as finance, healthcare, supply chain management, governance, and cybersecurity. Notable examples include:

1. Cross-border payments: Facilitating secure, swift, and cost-effective international transactions.
2. Land records management: Ensuring transparent and tamper-proof property ownership records.

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3. Intellectual Property Rights (IPR) management: Enhancing transparency and reducing infringement risks.
 4. Voting systems: Strengthening electoral integrity and security.
 5. Agriculture and food supply chain finance systems: Streamlining financing and improving traceability.
 6. Cybersecurity: Utilising blockchain-based systems to mitigate cyberattack risks and enhance response times.
 7. Decentralised e-commerce systems: Encouraging secure, transparent, and cost-effective online transactions.
 8. Smart city infrastructure: Establishing secure, transparent, and interoperable urban management systems.
 9. Healthcare supply chains: Combating counterfeit drugs and medical devices while reducing costs and improving traceability.
 10. Public transportation: Enhancing fare collection, lowering operational costs, and improving passenger experience.
 11. Gaming platforms: Ensuring asset ownership, mitigating fraud risks, and elevating the gaming experience.
 12. Social media platforms: Boosting data privacy, diminishing fraud risks, and empowering users to control their personal data.
 13. Real estate: Minimizing fraud risks, increasing transparency, and reducing transaction fees.
 14. Intellectual property licensing: Lowering infringement risks, promoting transparency, and decreasing transaction costs.
 15. Aviation: Advancing data sharing, cutting operational costs, and bettering passenger experience.
 16. Humanitarian aid supply chains: Guaranteeing timely delivery and efficient tracking.
 17. Education: Facilitating data sharing, minimizing costs, and elevating the quality of education.
 18. Digital identity verification: Lessening identity theft, improving access to essential services, and protecting privacy.
 19. Telecommunications: Streamlining data sharing, cutting costs, and enhancing the quality of communication services.
 20. Government services: Curbing corruption, fostering data sharing, and improving the quality of public services.
 21. Energy management: Augmenting data sharing, minimizing operational costs, and encouraging sustainability.
- India has already made significant strides in adopting these technologies. In fact, India ranks among the top five countries for blockchain patents filed, and the government is exploring the use of blockchain in various applications, including land records, healthcare, and supply chain management. Initiatives like the National Strategy on Blockchain demonstrate India's commitment to being a global leader in this space.
- ### **Significance of adopting Web 3.0 and blockchain technology in India**
- Embracing these technologies will bolster India's leadership on the globe through various means, such as:
1. **Fostering technological innovation:** To maintain India's competitive edge in the

global economy, it is crucial to stay ahead in technological advancements. By adopting Web 3.0 and blockchain technology, India can drive innovation and create new growth opportunities.

- 2. Good governance and tackling corruption:** Blockchain technology can enhance transparency and accountability in governance, reducing corruption and increasing public trust. For regional cooperation, multilateralism, and global good governance, these technologies can provide efficient, transparent, and secure channels.
- 3. Strengthening cybersecurity:** Web 3.0 and blockchain technology can bolster India's cybersecurity infrastructure, making data more secure and less susceptible to cyber-attacks.
- 4. Expanding digital financial services:** India can utilize blockchain technology to provide secure, cost-effective, and inclusive financial services to its citizens, particularly those in rural and remote areas.

In comparison to the current Web 2.0 technology, Web 3.0 offers more decentralised and secure systems capable of addressing key challenges such as data privacy, security, and transparency. Essential features of Web 3.0 technology, like smart contracts, decentralised applications, and digital tokens, present new possibilities for constructing robust and sustainable digital ecosystems. As the digital revolution progresses, a widespread shift from Web 2.0 to Web 3.0 systems is expected, leading to the integration of these applications across industries and sectors.

Where to choose Web 3.0 over Web 2.0?

The following are a few examples of use cases where Web 3.0 can be advantageous over Web 2.0 in the context of India's leadership in the Indian Ocean Region (IOR) and G20. These are some of the instances where currently India's interactions with G20 and IOR countries face challenges and how Web 3.0 technology can potentially resolve these issues:

India and China: Long-standing border disputes between India and China have led to tensions between the two nations. Current Web 2.0-based dispute resolution mechanisms often prove slow and ineffective, resulting in prolonged disputes and increased costs. Web 3.0-based decentralised dispute resolution mechanisms can provide more efficient and transparent resolutions, reducing the risks of prolonged disputes and lowering costs.

India and the US: While India and the US maintain close economic and strategic ties, the current Web 2.0-based logistics systems present challenges, leading to inefficiencies and higher costs. Web 3.0-based decentralised logistics systems can offer more secure, transparent, and efficient logistics management, reducing operational costs and improving efficiency, thereby enhancing the economic relationship between the two countries.

India and Myanmar, Pakistan: Web 2.0 technology-based voting systems frequently suffer from fraud, errors, and a lack of transparency. With the aid of Web 3.0-based decentralised voting systems, countries can rely on more secure and transparent methods for conducting elections. For

example, blockchain-based voting systems can help reduce the risks of electoral fraud and improve voter turnout.

India and Australia: India and Australia share close economic ties, but challenges exist with the current Web 2.0 technology-based supply chain management systems, leading to inefficiencies and higher costs. Web 3.0-based decentralised supply chain management systems can provide real-time visibility and traceability of goods, reducing operational costs and improving efficiency, thereby enhancing the economic relationship between the two countries.

India and Indonesia: As part of the IOR region, both India and Indonesia face challenges with the current Web 2.0 technology-based logistics systems, resulting in inefficiencies and higher costs for agricultural products. Web 3.0-based agriculture data management systems can offer more secure, transparent, and efficient logistics management, reducing operational costs and enhancing the quality of agricultural products, thereby improving trade and economic ties between the two countries.

India and Japan: Although India and Japan enjoy close economic and strategic ties, challenges with the current Web 2.0 technology-based intellectual property rights systems result in infringement issues and poor record-keeping. Web 3.0-based decentralised intellectual property rights systems can ensure that rights holders maintain complete control over their IP, reducing the risks of infringement and lowering transaction costs, thereby enhancing the economic relationship between the two countries.

India and Saudi Arabia: Close economic and strategic ties exist between India and Saudi Arabia,

but challenges with the current Web 2.0 technology-based supply chain management systems lead to inefficiencies and higher costs. Web 3.0-based decentralised supply chain management systems can provide real-time visibility and traceability of goods, reducing operational costs and improving efficiency, thereby enhancing the economic relationship between the two countries.

India and Brazil: India and Brazil share close economic and diplomatic ties, but challenges with the current Web 2.0 technology-based healthcare data management systems lead to a lack of interoperability and poor data sharing. With Web 3.0-based decentralised healthcare data management systems, secure and transparent data sharing between different stakeholders becomes possible, reducing operational costs and enhancing patient privacy, thereby strengthening healthcare ties between the two countries.

India and France: India and France maintain close strategic and diplomatic ties; however, challenges with the current Web 2.0 technology-based environmental monitoring systems result in a lack of transparency and data quality issues. Web 3.0-based decentralised environmental monitoring systems can provide secure and transparent data sharing between different stakeholders, ensuring data quality and enhancing sustainability efforts, which will improve environmental ties between the two countries.

India and South Africa: India and South Africa have close economic and strategic ties, but current Web 2.0 technology-based energy management systems present challenges, including a lack of interoperability and poor communication channels. With Web 3.0-based decentralised energy

management systems, secure and transparent data sharing between different stakeholders can be achieved, reducing operational costs and enhancing sustainability, thereby strengthening the energy ties between the two countries.

India and Mauritius: India and Mauritius share close economic and cultural ties, but challenges with the current Web 2.0 technology-based agriculture data management systems lead to poor data sharing and a lack of transparency. Web 3.0-based decentralised agriculture data management systems can provide secure and transparent data sharing between different stakeholders, reducing operational costs and enhancing the quality of agricultural products, thereby improving agricultural ties between the two countries.

India and Singapore: India and Singapore enjoy close economic and strategic ties, but challenges exist with the current Web 2.0 technology-based digital identity verification systems, resulting in a lack of security and transparency. Web 3.0-based decentralised digital identity verification systems can provide secure and transparent identity verification, reducing the risks of identity theft and fraud while enhancing privacy, thereby strengthening digital ties between the two countries.

India and Thailand: India and Thailand maintain close economic and cultural ties, but current Web 2.0 technology-based tourism systems present challenges, such as a lack of transparency, inefficiencies, and poor customer experience. Web 3.0-based decentralized tourism systems can provide secure and transparent data sharing between different stakeholders, reducing

operational costs and enhancing the customer experience, thereby improving tourism ties between the two countries.

India and UK: India and the UK share close economic and diplomatic ties, but challenges with the current Web 2.0 technology-based intellectual property rights systems lead to infringement issues and poor record-keeping. Web 3.0-based decentralised intellectual property rights systems can ensure that rights holders maintain complete control over their IP, reducing the risks of infringement and lowering transaction costs, thereby enhancing economic ties between the two countries.

India and Iran: India and Iran have close economic and cultural ties, but challenges with the current Web 2.0 technology-based agriculture data management systems result in poor data sharing and a lack of transparency. With Web 3.0-based decentralised agriculture data management systems, secure and transparent data sharing between different stakeholders becomes possible, reducing operational costs and enhancing the quality of agricultural products, thereby strengthening agricultural ties between the two countries.

India and UAE: India and the UAE maintain close economic and strategic ties; however, challenges with the current Web 2.0 technology-based logistics systems lead to inefficiencies and higher costs. With Web 3.0-based decentralised logistics systems, more secure, transparent, and efficient logistics management can be achieved, reducing operational costs and improving efficiency, thereby enhancing the economic ties between the two countries.

India and Russia: India and Russia share

close strategic and diplomatic ties; however, challenges with the current Web 2.0 technology-based intellectual property rights systems lead to infringement issues and poor record-keeping. With Web 3.0-based decentralised intellectual property rights systems, rights holders can maintain complete control over their IP, reducing infringement risks and lowering transaction costs, thereby strengthening the economic ties between the two countries.

India and South Korea: India and South Korea have close economic and strategic ties, but challenges exist with the current Web 2.0 technology-based digital identity verification systems, resulting in a lack of security and transparency. Web 3.0-based decentralised digital identity verification systems can provide secure and transparent identity verification, reducing the risks of identity theft and fraud while enhancing privacy, thereby improving digital ties between the two countries.

India and Tanzania: India and Tanzania share close cultural and economic ties, but challenges with the current Web 2.0 technology-based energy management systems lead to inefficiencies and higher costs. With Web 3.0-based decentralised energy management systems, more secure, transparent, and efficient energy management can be achieved, reducing operational costs and enhancing sustainability, thereby strengthening the economic ties between the two countries.

India and Bangladesh: India and Bangladesh maintain close economic and diplomatic ties; however, challenges with the current Web 2.0 technology-based healthcare data management systems result in a lack of interoperability and poor

data sharing. Web 3.0-based decentralised healthcare data management systems can provide secure and transparent data sharing between different stakeholders, reducing operational costs and enhancing patient privacy, thereby improving healthcare ties between the two countries.

India and Canada: India and Canada share close economic and strategic ties, but challenges with the current Web 2.0 technology-based intellectual property rights systems lead to infringement issues and poor record-keeping. With Web 3.0-based decentralised intellectual property rights systems, rights holders can maintain complete control over their IP, reducing infringement risks and lowering transaction costs, thereby enhancing economic ties between the two countries.

India and Malaysia: India and Malaysia maintain close cultural and economic ties; however, challenges with the current Web 2.0 technology-based financial services systems result in inefficiencies and poor access to financial services. Web 3.0-based decentralised financial services systems can provide secure and transparent financial services, reducing operational costs and improving financial inclusion, thereby strengthening the economic ties between the two countries.

India and Maldives: Web 2.0 technology-based healthcare systems often suffer from data privacy and security issues, leading to a lack of trust among patients and healthcare providers. With Web 3.0-based decentralised healthcare systems, countries can rely on more secure and transparent systems for managing patient data. For instance, the use of blockchain-based health records can help reduce medical errors and improve patient outcomes.

India and Seychelles: Web 2.0 technology-based tourism systems often suffer from a lack of transparency, inefficiencies, and poor customer experience. With Web 3.0-based decentralised tourism systems, countries can rely on more secure, transparent, and efficient systems for managing the tourism industry. For instance, the use of blockchain-based tourism systems can help improve data sharing, reduce operational costs, and enhance the customer experience.

India and Sri Lanka: Web 2.0 technology-based logistics systems often suffer from a lack of transparency, inefficiencies, and poor supply chain management. With Web 3.0-based decentralised logistics systems, countries can rely on more secure, transparent, and efficient systems for managing logistics. For instance, the use of blockchain-based logistics systems can help improve data sharing, reduce operational costs, and enhance the efficiency of the logistics industry.

India and Oman: India and Oman have close cultural and economic ties, but there are challenges with the current Web 2 technology-based energy management systems, leading to inefficiencies and higher costs. With Web 3-based decentralised energy management systems, it is possible to provide more secure, transparent, and efficient energy management, reducing operational costs and enhancing sustainability, thereby enhancing the economic ties between the two countries.

India and Sri Lanka: India and Sri Lanka have close cultural and economic ties, but there are challenges with the current Web 2 technology-based healthcare data management systems, leading to the lack of interoperability and poor data sharing. With Web 3-based decentralised

healthcare data management systems, it is possible to provide secure and transparent data sharing between different stakeholders, reducing operational costs, and enhancing patient privacy, thereby enhancing the healthcare ties between the two countries.

India and Egypt: India and Egypt have close cultural and economic ties, but there are challenges with the current Web 2 technology-based energy management systems, leading to inefficiencies and higher costs. With Web 3-based decentralized energy management systems, it is possible to provide more secure, transparent, and efficient energy management, reducing operational costs and enhancing sustainability, thereby enhancing the economic ties between the two countries.

India and Myanmar: India and Myanmar have close economic and cultural ties, but there are challenges with the current Web 2 technology-based agriculture data management systems, leading to poor data sharing and the lack of transparency. With Web 3-based decentralised agriculture data management systems, it is possible to provide secure and transparent data sharing between different stakeholders, reducing operational costs and enhancing the quality of agricultural products, thereby enhancing the agricultural ties between the two countries.

India and Germany: India and Germany have close economic and strategic ties, but there are challenges with the current Web 2 technology-based environmental monitoring systems, leading to the lack of transparency and data quality issues. With Web 3-based decentralised environmental monitoring systems, it is possible to provide secure and transparent data sharing between different

stakeholders, ensuring data quality and enhancing sustainability efforts, thereby enhancing the environmental ties between the two countries.

India and Qatar: India and Qatar have close diplomatic and economic ties, but there are challenges with the current Web 2 technology-based remittance systems, leading to inefficiencies and higher costs. With Web 3-based decentralised remittance systems, it is possible to provide more secure, transparent, and efficient remittance management, reducing operational costs and improving efficiency, thereby enhancing the economic ties between the two countries.

India and Mexico: India and Mexico have close economic and cultural ties, but there are challenges with the current Web 2 technology-based healthcare data management systems, leading to the lack of interoperability and poor data sharing. With Web 3-based decentralized healthcare data management systems, it is possible to provide secure and transparent data sharing between different stakeholders, reducing operational costs, and enhancing patient privacy, thereby enhancing the healthcare ties between the two countries.

India and Turkey: India and Turkey have close economic and diplomatic ties, but there are challenges with the current Web 2 technology-based financial services systems, leading to inefficiencies and poor access to financial services. With Web 3-based decentralised financial services systems, it is possible to provide secure and transparent financial services, reducing operational costs, and improving financial inclusion, thereby enhancing the economic ties between the two countries.

India and Kenya: India and Kenya have

close cultural and economic ties, but there are challenges with the current Web 2 technology-based supply chain management systems, leading to inefficiencies and higher costs. With Web 3-based decentralised supply chain management systems, it is possible to provide real-time visibility and traceability of goods, reducing operational costs and improving efficiency, thereby enhancing the economic ties between the two countries.

India and Vietnam: India and Vietnam have close economic and diplomatic ties, but there are challenges with the current Web 2 technology-based real estate systems, leading to inefficiencies and poor transparency. With Web 3-based decentralised real estate systems, it is possible to provide secure, transparent, and efficient real estate management, reducing operational costs and improving transparency, thereby enhancing the economic and diplomatic ties between the two countries.

Capitalising on Web 3.0 and Blockchain Technologies

Economic Development: Blockchain technology can enhance supply chain efficiency, reduce transaction costs, and prevent fraud in the IOR. By creating a blockchain-based trade platform, India can position itself as a regional trade hub, fostering economic growth and promoting regional cooperation. This will encourage blockchain technology usage in the region and reduce trade barriers, thus increasing economic growth. For example, India can collaborate with other G20 and IOR countries to create a regional blockchain network that tracks the movement of goods and services across the region, increasing

the efficiency of cross-border trade and reducing the cost of doing business.

Diplomatic Relations: Web 3.0 and blockchain technology can strengthen diplomatic relations by promoting transparency and reducing the risk of misunderstandings. India can use blockchain technology to improve the transparency of aid and development programs in the region, building trust with other IOR countries and promoting cooperation on common issues like climate change and counter-terrorism.

Security: India can enhance its security and defence capabilities and influence in the IOR by using Web 3.0 and blockchain technology to establish a tamper-proof, decentralised, and secure communication channel for sharing maritime intelligence. This will catalyse strategic partnerships with G20, IOR nations, and international organisations to develop a collaborative maritime security platform, including capacity-building initiatives and technology transfer agreements. For example, India can develop a blockchain-based maritime security platform that securely shares critical maritime data, such as Automatic Identification System (AIS) data, among IOR nations. Blockchain technology can also be used to enhance the security of critical infrastructure, like ports and power plants, which are vulnerable to cyberattacks.

Digital Infrastructure Development: India can capitalise on its digital prowess to create blockchain-powered infrastructure projects in the IOR, further asserting its leadership role and enhancing regional connectivity. For instance, India can develop a blockchain-enabled digital payments platform for the IOR, enabling seamless cross-

border transactions and fostering economic integration among partner nations.

Environmental and Disaster Management: India can leverage blockchain technology to address environmental and disaster management challenges in the IOR, building resilience and promoting regional cooperation. For example, India can create a blockchain-based disaster management platform that securely shares real-time disaster-related data, such as early warning alerts and resource allocation information, among IOR nations.

Key Strategies

Investing in Research and Development. India needs to invest in research and development (R&D) to encourage innovation in Web 3.0 and blockchain technology. This includes setting up research centres, partnering with leading global institutions, and supporting startups working on Web 3.0 and blockchain technologies.

Drafting and executing a facilitatory regulatory framework. India needs to develop a facilitatory and supportive regulatory framework for the growth of Web 3.0 and blockchain technology. This will help create a favourable environment for businesses and startups to innovate and thrive, while ensuring consumer protection and security.

Promoting Public-Private Partnerships (PPPs). India needs to encourage PPPs to drive the adoption of Web 3.0 and blockchain technology. Such partnerships can help leverage the strengths of both the public and private sectors, accelerating innovation and deployment of these technologies.

Focusing on capacity building and skill

development. India needs to prioritise capacity building and skill development to create a workforce ready for the opportunities presented by Web 3.0 and blockchain technology. This includes developing educational programs and training initiatives that equip individuals with the necessary skills and knowledge to succeed in this digital landscape.

Implementation Methodology

The time for India to seize the Web 3.0 revolution is NOW. Upcoming events like the IOR conference and G20 summit can serve as key opportunities to showcase India's digital commitment. By demonstrating India's achievements and future plans, the country can position itself as a leader and influence regional and global conversations around these technologies. Key areas of focus for India during these events can include:

A. Presenting Use Cases and Success Stories: India should highlight its successful implementations of Web 3.0 and blockchain technology, showcasing the real-world impact of these technologies on various sectors, such as finance, healthcare, and supply chain management.

B. Promoting Regional Collaboration: India can use the IOR Conference and the G20 Summit as platforms to foster regional collaboration on research, development, and deployment of Web 3.0 and blockchain technology. This could involve forming strategic partnerships, sharing best practices, and engaging in joint initiatives to drive innovation and adoption.

C. Addressing Regional Challenges: India should emphasize its commitment to using Web

3.0 and blockchain technology to address regional challenges, such as climate change, poverty, and inequality. By showcasing its dedication to using these technologies for the greater good, India can bolster its image as a responsible and forward-thinking leader in the IOR.

D. Advocating for a Global Digital Agenda: India should leverage its influence at the G20 Summit to advocate for a global digital agenda that embraces Web 3.0 and blockchain technology. This could involve pushing for international standards, policy frameworks, and coordinated efforts to harness the potential of these technologies for global growth and sustainable development.

Conclusion

Web 3.0 and blockchain technology have the potential to revolutionise the way nations interact with each other and conduct business. As a major player among the G20 and IOR, India has the opportunity to use these technologies to enhance its economic, diplomatic, and security relations in the region. By adopting these technologies, India can drive innovation, improve governance, strengthen cybersecurity, and expand digital financial services. It can demonstrate its commitment to transparency and good governance, which can improve its standing in the region and attract foreign investment. The upcoming summits involving IOR and G20 countries offer platforms for India to showcase its digital prowess and reaffirm its commitment to these transformative technologies. Moreover, by collaborating with other G20 and IOR countries to create a regional blockchain network, India can promote economic growth, enhance diplomatic relations, and improve

security in the region. By focusing on research and development, executing a supportive regulatory framework, promoting public-private partnerships, and prioritising capacity building and skill development, India can navigate the digital frontier and establish itself as a leader among the G20 and IOR.

References:

1. Tapscott, D., & Tapscott, A. (2016). *Blockchain revolution: how the technology behind bitcoin is changing money, business, and the world*. Penguin.
2. World Economic Forum. (2018). *Blockchain beyond the hype: A practical framework for business leaders*. World Economic Forum.
3. World Bank. (2019). *Blockchain and distributed ledger technology in finance: Overview and potential implementation challenges*. Retrieved from <https://openknowledge.worldbank.org/handle/10986/31758>
4. National Strategy on Blockchain. (2021). Ministry of Electronics and Information Technology, Government of India.
5. Deloitte. (2019). *Blockchain in government: From hype to reality*. Deloitte Insights.
6. Zhu, F., Yan, J., Wu, Y., Liu, Z., Chen, Y., & Zhang, X. (2018). E-commerce logistics in supply chain management: Practice perspective. *International Journal of Production Economics*, 200, 12-26.
7. O'Brien, A., & Marley, M. (2017). A literature review of blockchain technology. *Business Horizons*, 60(6), 869-879.
8. Di Franco, C., & Khosrow-Pour, M. (2020). Blockchain technology and cyber security: Challenges and opportunities. *Journal of Computer Information Systems*, 60(4), 354-363.
9. Marques, R. C., Antunes, N., & Nucciarelli, A. (2020). How blockchain can impact financial inclusion: A systematic review of existing evidence. *Journal of Business Research*, 109, 336-348.
10. Böhme, R., Christin, N., Edelman, B., & Moore, T. (2015). Bitcoin: Economics, technology, and governance. *Journal of Economic Perspectives*, 29(2), 213-238.
11. Ali, R., Barrdear, J., Clews, R., & Southgate, J. (2014). Innovations in payment technologies and the emergence of digital currencies. *Bank of England Quarterly Bulletin*, 54(3), 262-275.
12. Crosby, M., Pattanayak, P., Verma, S., & Kalyanaraman, V. (2016). Blockchain technology: Beyond bitcoin. *Applied Innovation*, 2(6-10), 71-81.
13. Crosby, M., Pattanayak, P., Verma, S., & Kalyanaraman, V. (2018). Blockchain technology: Beyond financial services. *IEEE Access*, 6, 64297-64310.
14. Kshetri, N. (2018). Blockchain's roles in meeting key supply chain management objectives. *International Journal of Information Management*, 39, 80-89.
15. Nakamoto, S. (2008). *Bitcoin: A peer-to-peer electronic cash system*. Retrieved from <https://bitcoin.org/bitcoin.pdf>
16. Swan, M. (2015). *Blockchain: Blueprint for a new economy*. O'Reilly Media, Inc.
17. Antonopoulos, A. M. (2014). *Mastering Bitcoin: Unlocking digital cryptocurrencies*. O'Reilly Media, Inc.
18. Das, S., & Das, D. (2021). Blockchain-based supply chain management: A systematic review. *Journal of Manufacturing Technology Management*, 32(1), 207-229.
19. Shukla, R. K., Mishra, A. K., & Ram, R. (2021). Examining the role of blockchain technology in the Indian healthcare industry. *Health Policy and Technology*, 10(2), 175-183.
20. Bandyopadhyay, S., & Dasgupta, S. (2019). Blockchain based security and privacy framework for IoT in healthcare. *Future Generation Computer Systems*, 97, 512-521.



