

## **Introduction**

China has always intrigued the entire world with mystery and mystique. Today, every country and scholar of repute have been trying to understand the strategy being followed by China. At best, all such efforts have been 'guesstimates' and nobody has been able to confidently say what China's strategy is and how it has evolved over a period of time. This article is an effort to trace the historical perspective of China's strategy and correlate it to the strategy that China is following today. It is also the aim of this article to deduce that there is a strong linkage between the two.

## **"Tian Xia" Syndrome**

Though there has been no external threat in historic times, the people from the periphery nibbled at China constantly. China's periphery can be termed as the area bounded by the mountains, jungles and plateaus to the South, West and South West, Gobi Desert in the North and the Eastern Seaboard. Lack of external threat led to a culture of the Chinese emperor, who was considered a descendent from heaven (Tian Xia), making the decisions on all policies. In the present day context, this is substantiated by the fact that in the first three generations of communist China's leadership it was still a single leader who made the decisions.

In historic times, there was a power struggle between the emperor, his family members and senior military officers. In today's political scenario the power struggle occurs between various power groups like tuanpai (Communist Youth League) and taizi (princelings). Changes in state policy used to take place depending on which group was powerful and a similar process happens even today.

## **Confucianism**

Confucianism has been the basis of governance for a long time in China. It is characterised by five constants (Wu Chang) and four virtues. The five constants are Ren (humane), Yi (Justice), Zhi (Knowledge), Xin (Integrity), and Li (Etiquette)<sup>1</sup>. The four virtues are Zhong (Loyalty), Xiao (Filial Piety), Jie (Continence) and Yi (Righteousness)<sup>2</sup>. China is amongst the earliest countries to adopt a selection system for government officials based on a written examination on Confucian Theory. These officials shaped the strategy to a great extent.

## **Song Neo Confucianism**

Song Neo Confucianism envisaged a hierarchical structure in which everyone understood his place and performed his role in relation to others. China always preferred a Sino-centric order. Heavy dependence on international trade activities was seen as a threat to the Chinese culture and internal stability. Even though China has adopted capitalistic norms today, China still follows the hierarchical structure and covets the Sino-centric order. A revival of Confucianism as against Buddhism is visible.<sup>3</sup> Therefore, the future strategies of China may be based on Confucian theory.

## **Strategic Behaviour**

Increase in a nation's size, its soft power, economic status and armed forces might induce it to increase its influence and domination in its neighbourhood. Chinese states that were strong, always dominated their neighbours. In the present context also, some experts feel that China will dominate the periphery with consequences to the regional order.<sup>4</sup> Five core features<sup>5</sup> of Chinese security behaviour from the last thousand years are :-

- (a) Protect the Chinese heartland through border defence and control.
- (b) Periodic expansion and contraction of periphery control and regional boundaries due to variations in state capability and re-emergence of a unified state.
- (c) Frequent, yet limited use of force against external entities based on pragmatic calculations of relative power and effect.
- (d) Self reliance and non coercive security strategies to control or pacify the periphery when the state was relatively weak.
- (e) Strong susceptibility to the influence of domestic leadership politics.

When one sees the analysis that China follows today, there are striking similarities with the ones mentioned above. China is strengthening border defence and control to protect the heartland. Annexation of Tibet, Xinjiang, Inner Mongolia, unification of Hong Kong and Macau have contributed towards the expansion of boundaries. China's use of force against India, Vietnam and in South China Sea are examples of use of force against external entities based on pragmatic calculation. At present, China is not weak and therefore, non coercive strategies are not visible clearly. Examples of domestic leadership politics determining strategy are the 1989 Tiananmen Square incident and her recent behaviour in East and South China Seas.

The control over the periphery either by conquest or by appeasement was with a view to defend the heartland and to a lesser extent sea lanes of communication (SLOC).<sup>6</sup> Therefore, security strategy of China has always been defensive. Conquest or control was the method adopted when the Chinese government was strong and appeasement to ensure symbolic deference when she was weak. Some experts feel that conquest or control will be used by a strong Chinese government in the present day context.<sup>7</sup>

China's war fighting was heavily dependent on infantry and mobile forces. The Mongols and Manchus were skilled in mobility due to their superior horsemanship and their ability to concentrate overwhelming forces at the

decisive location to overcome Chinese static defences. This has been the basic idea behind the war zone campaign doctrine conceived in the early 1990s by China.

Admiral Zheng He's expeditions in the 15th century to South East Asia, South Asia, Persian Gulf and East Africa for protecting China's maritime trade routes are folklore in China. The "Malacca Dilemma"<sup>8</sup> will continue to dominate China's security strategies in her efforts to protect her SLOC and increasing her influence in the Indian Ocean and Western Pacific.

Influence of religion or spiritualism was not well received by the Chinese rulers because religion was seen as a threat to the Confucian theory. These were either contained by force or a "Bamboo Curtain" was placed to keep the Chinese people ignorant. In recent times, China has banned the Falun Gong movement and restricted the practice of religion. There is a correlation to the increase and decrease of the periphery to two things, that is, the strength of the regime and the stage of the regime's period. The area of the periphery increased during the ascendancy and decreased during the waning periods.<sup>9</sup> Examples of these are the Han, Tang, Ming and Qing dynasties. Today, with increase in Comprehensive National Power, China has increased her influence in Central Asian Republics, Mongolia, Korea, South East Asia, South Asia, West Pacific and the Indian Ocean.

When the regimes were on the decline, the Chinese heartland disintegrated into many feudal kingdoms. Examples of such a situation are North - South Division (420 - 598 AD), Five Dynasties and 10 Kingdoms Era (907-960 AD). Present day emphasis of China on regime security and protection is likely to have evolved from this syndrome. Ensuring the communist party's predominance in politics is also a manifestation of this concern.

The statecraft in China is influenced by three great scholars. They are Confucius, Mencius and Sun Zi. All the three men advocated contrasting styles. Confucius favoured force, Mencius, moral persuasion and Sun Zi, coercion. Sun Zi advised the Kings that a good military leader should win a war without fighting. Presently, China is concentrating on building her asymmetric warfare capabilities keeping in line with Sun Zi's strategy.

China will choose offensive strategy to cut down an opponent to size, when it is militarily strong and such a use of force results in minimum political and economic penalties.<sup>10</sup> When extrapolated to the existing geopolitical situation, China is yet to become militarily strong, it is a growing economy with a number of contradictions and not yet a political heavy weight. If these incongruences are removed, then China may exert her military strength. China's use of force has a specific pattern. She has used force mainly to regain territories or to control the periphery. Though China has articulated a defence policy that is defensive in nature, she can justify any use of force as a principle of active defence.<sup>11</sup> This is an example of Confucian Strategy. Military incursions into periphery areas were followed by establishment of garrisons in those areas. New garrisons have been created in Tibet after the riots in March 2008. Most of the Chinese Regimes have not been able to subjugate their opponents because they did not understand the inner strengths of the latter.<sup>12</sup> Even today, Chinese feel that their systems are superior and if they work for them it should work for others too.

Chinese have also taken another lesson from their history. When they included cavalry into their forces, they could not sustain it as they had to purchase horses against those who raised their own horses. The desire to be indigenously self-sufficient for arms and equipment seems to have evolved out of this and also due to the erstwhile USSR's unilateral withdrawal of support in the early 1960s. When the nomads from the periphery of China faced defeat, they could retreat and return later after the Chinese forces had withdrawn, whereas the Chinese forces could not do so as they had to rely on fixed agricultural areas for their support.<sup>13</sup> Mao Zedong's theory of drawing the enemy deep into his territory seems to have originated from such thinking.

## **Non Coercive Security Strategies**

Non Coercive Security Strategies adopted by China are passive defence, policies of appeasement and co-optation, cessation of contact with outside world, assurances or maintenance of hierarchical, sino-centric diplomatic relations or the acceptance of more equal interactions using political balance, tactical alliance and manoeuvre.<sup>14</sup> While a combination of all these aspects was used depending on the strength or weakness of the regime, sometimes the peripheral regions were set-off against one another.<sup>15</sup> Supporting Pakistan against the wishes of India can be compared to this. In some cases, education in Chinese culture and marriages were used to secure the alliance of the rulers. Establishment of Chinese cultural centres in many countries in the present scenario bears resemblance to this technique.

China maintained a cordial relationship with countries by giving trade and cultural incentives.<sup>16</sup> By projecting China as a benevolent and peaceful nation, China has been improving her relations with both ASEAN and some SAARC countries. The non-coercive strategy adopted by China has undergone a metamorphosis due to the changes in security threat, growth of other countries and the 'century of humiliation'. To overcome these changes, China is undergoing 'peaceful development'.<sup>17</sup> In the Qing dynasty era, China relied on maintaining peace externally while she grew internally.<sup>18</sup> Similar policy is being followed today. It is known as 'external calm and internal intensity'.

China had also been adopting a policy of ensuring that some vassal states do not maintain relations with countries opposed to her. China ensuring that no country maintains official relations with Taiwan is an example of this. This can also be seen in China's dollar diplomacy with countries in the Asia-Pacific and Africa to ensure that Taiwan is marginalised.<sup>19</sup> In such cases, China offered protection or economic assistance. In the present day context, example of Pakistan-China relations also measure up to such scrutiny.

The modern era altered the application of China's non-coercive security strategy. When the western countries started invading China in the nineteenth century, she was just not satisfied with the kind of control she had over the periphery. The modern states proved superior to the Confucian state. This resulted in China tightening the hold on Chinese society and expanding the Chinese heartland. China felt that she is a victim of the aggression from her periphery. Later, the century of humiliation accentuated this feeling. Therefore, there is a powerful urge in the Chinese

psyche to undo what she perceives as the wrongs committed on her.<sup>20</sup> This has formed the basis for the reunification of the motherland. Examples are Hong Kong, Macau, Taiwan and Islands in the East and South China Seas. Moreover, this has resulted in China becoming extremely sensitive to existing or perceived external threats. Her reactions to India-USA relations, USA-ROK-Japan exercises, India-USA-Japan-Australia linkages can be attributed to this.

### **Weak-Strong Security Strategy**

Even though the importance given to maintaining internal stability, control over the periphery and emergence as an important player in the international order remains, the developments in the last century as mentioned above have changed the outlook in foreign affairs and security policy of China. China needed to improve her organisational and administrative capabilities to gain dominance over the periphery. She also had to assimilate the concepts, organisation and modern practices to compete with the first world.<sup>21</sup> In a classic example of 'weak-strong state security strategy' China adopted non-coercive methods to fend off aggression while she modernised her armed forces and gained direct control over Tibet, Inner Mongolia and Xinjiang.

### **Calculative Strategy**

It is a strategy that has evolved from 'weak-strong state security strategy' and encompasses:-

- (a) A non-ideological, market led economic growth.
- (b) Maintain good international relations.
- (c) Deliberate restraint in the use of force.
- (d) An increasing stake in the international affairs.

China seems to be following this strategy presently. With the opening up of economy in 1978, a further change in the 'weak-strong state security' approach towards a highly calculative security strategy has been distinct. Resistance to use of excessive coercive force and the opposition to get involved with foreigners resulted in static border defences. This has led to a defensive orientation. While the jury is still out on the Air Defence Identification Zone issue, it may have been notified as a defensive measure against the air violations pertaining to Senkaku Islands.

### **Shi Strategy**

Experts believe that China adopts Shi Strategy that has been followed for centuries by the players of "Go", a game which is in stark contrast to modern day Chess.<sup>22</sup> As the game progresses, the number of pieces keep increasing on the board in "Go" and it is right opposite in the game of chess. Physical annihilation of opponent's forces is not the aim of winning in this game.<sup>23</sup> It is the relative positioning of own resources to gain maximum influence, that is the aim. Such a strategy is visible in China's international behaviour today. China gaining influence in South American countries, astride Panama Canal, countries that lay astride Gibraltar Straits, Gulf of Aden and the Indian Ocean, Africa and Asia Pacific are examples of these.

### **Conclusion**

There is a strong relationship between the security strategies followed by China in her chequered history and the ones being followed by her today. A combination of coercive and non-coercive policies is likely to be followed by China. China's Military Modernisation will continue to be at a fast pace and the PLA will acquire capabilities to pursue coercive strategies. China will strive to adapt some systems, capabilities and structures of developed countries. This will be in consonance with her aim of becoming a leading player on the world stage.

### **Endnotes**

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**The Sino-Indian Boundary Question and International Case Law**  
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A question that is often raised is that if both India and China find it difficult to come to terms over the boundary question; why do the two countries not approach the International Court of Justice [ICJ] for a legal opinion? That China is unequivocally adamant that it will never go to the ICJ is rather well known, but what are the reasons for China to adopt such a strident posture? And has India ever attempted to persuade China to go in for international legal opinion on the boundary question?

On 10 December 1962, Nehru speaking in the Lok Sabha and in a subsequent letter to Prime Minister Zhou Enlai dated 1 January 1963, offered to refer the whole Sino-Indian border dispute for a decision, on merits, to the International Court of Justice [ICJ] at the Hague; which Nehru termed as an 'impartial' World Tribunal. Perhaps Nehru was aware that earlier also when the British Envoy to China, Sir John Jordan had challenged the then Chinese Vice-Minister Chen Lu in December 1919, to submit the 'whole Tibet question' to the League of Nations, Chen Lu had responded that 'China had no faith in the League of Nations; in this as in other matters, might was still right' [emphasis added].

On 20 April 1963, Zhou in response to Nehru's offer flatly turned down Nehru's proposal on the grounds that 'complicated questions involving sovereignty, such as the Sino-Indian boundary question, can be settled only through direct negotiations between the two parties concerned and absolutely not through any form of arbitration.' Earlier on 26 October 1946 the then Chinese government, contrary to the position taken by PM Zhou in 1963, had informed the UN Secretary General that China recognises ipso facto the compulsory jurisdiction of the International Court of Justice in conformity with Article 36, paragraph 2 and 3 of the statute of the ICJ [emphasis added]. However, as soon as the People's Republic took the Chinese seat in the UN, including the permanent seat in the Security Council, the Government of the People's Republic on 5 December 1972 completely repudiated the previous commitment of its predecessor Chinese government. The People's Republic of China [PRC] Government informed the UN Secretary General that China 'does not recognise the statement made by the defunct Chinese government on 26 October 1946' [emphasis added]. The reasons for the Chinese government to renege on previous international commitments are obvious. These are examined in some detail in the subsequent paras.

Firstly, China is not confident that its claims on the boundary dispute with India can withstand international judicial scrutiny. Its legal case is far weaker than India's. China knows that in the ICJ, claims by parties based on treaties are particularly persuasive and that this rule holds good even when agreements are unclear or incomplete. The ICJ ruling in the boundary dispute in the case of the dispute between Thailand and Cambodia [The Preah Vihear case] is highly relevant. In it the ICJ held that in the interests of 'certainty, stability and finality of frontiers a map, even if it is an unsigned map, is valid evidence [emphasis added]. But the more important point accepted by the ICJ was that as Thailand had not expressed any dissent for a long period of time, this constituted tacit acceptance, acquiescence of the map [emphasis added]. The ICJ held that even though the map had no 'binding character', nevertheless since there was 'no reaction from the Siamese [Thai] authorities, they must be held to have acquiesced' [emphasis added]. Further the ICJ added that 'a party...which by its silence maintained an attitude manifestly contrary to the right it is claiming before an International Tribunal, is precluded from claiming that right' [Vinire contra factum proprium non valet]. Thus held Justices Alfaro and Fitzmaurice of the ICJ, 'silence is tacit recognition' [1962, ICJ].

The position of China with regard to the McMahon map and the McMahon Line is uncannily similar to that of Thailand. China never protested or raised the issue of the McMahon map or the McMahon Line from the time it was signed on 3 July 1914, till Zhou formally raised it with Nehru in his letter of 23 January 1959. For years China's main concern had been not the McMahon Line, but the boundary between Outer Tibet and Inner Tibet. Even after the People's Republic was established in 1949, the new government of China never raised the issue till considerably much later. China was well aware of Nehru's statement made in the Indian Parliament that 'map or no map, McMahon Line was our boundary.' They were aware of the provisions of the Indian Constitution [6th Schedule] explicitly incorporating NEFA within India. When India expelled the Tibetans from Tawang as late as 1951, China said nothing and never protested. Thus by its conduct and the silence that it maintained, China indicated acquiescence or estoppel.

Thus if we are to go by the ruling of the ICJ in the Preah Vihear case and if this is then taken as a precedent, China's case in the eastern sector [McMahon map, McMahon Line], becomes completely untenable as per international case law. There are other similar decisions that confirm the ICJ judgment [Alaska Boundary Dispute, 20 October 1903, The Guatemala-Honduras Boundary Arbitration, The Anglo-Norwegian Fisheries Case 1951, The Case Concerning Sovereignty over Certain Frontier Land 1959]. It is for this reason that China denounced the internationally recognised principle of estoppel as 'absurd.'

Secondly, China is aware that some of the maps published in China, including official maps, have shown the Sino-Indian boundary alignment as largely conforming to the Indian version. The important maps so listed are: [1] A 6th Century Chinese map showing the Kuen Lun mountains as the southern limits of Sinkiang [2] Map from Nei fu yu tu, 1760 [3] Hsi yu tu chih, 1762 [4] Ta ching hui tien, 1818 [5] Hsin chiang chih lueh, 1821 [6] Hsi yu shui tao chi, 1824 [7] Hsin chiang tu chih, 1911 [8] Official Chinese map of 1893, handed over by a Chinese government official Hung Ta Chen to British officials [9] The Peking University Atlas published in 1925 and [10] Postal Atlases of China of 1917, 1919 and 1933. During the 1960 Official-level talks with the Chinese, the Indian side produced 36 official Indian maps and 8 official Chinese maps to support its case. The Chinese could refer to only 13 official Indian maps and none to official Chinese maps to support its case. Thus international case law, as it exists, is not favourable to China's position, particularly as it pertains to the McMahon Line. Even when the occasion so demanded that in order to maintain its claims China should have expressed its reservations; China faltered and never expressed its dissent on the McMahon Line map till much later.

Even in the Western Sector after the establishment of the People's Republic in 1949, the Chinese position continued to be legally full of contradictions and confusion. Take the case of the Chang Chenmo valley between the

Lanak la [pass] and Kongka la [pass]. In 1950, a map published in People's China showed the whole of the Chang Chenmo valley as within Indian Territory. In 1951, the 'New Map of China' showed an alignment cutting across the Shyok valley. Similar was the position in maps published in 1953 and 1956 which showed a part of the Chang Chenmo valley in India. And to add to the confusion, PM Zhou wrote to Nehru that the alignment shown in 1956 in Chinese maps was the correct alignment of the Sino-Indian boundary; whereas Chinese officials in 1960 produced yet another version! The Chinese tried to cover-up this obvious discrepancy by accusing India of 'trying to exaggerate the divergences of delineation of Chinese maps.' If there were no divergences, as claimed by the Chinese authorities, then why did Chinese officials not say in the Official Level 1960 Boundary talks that the position as indicated by Zhou in his letter of 17 December 1959 to Nehru stands, i.e., the 1956 line. Why did they then have to produce yet another, a 1960 version? The fact is that it was only at the 6th Meeting of officials held on 27 June 1960 that for the first time the Chinese submitted an authorised map showing its version of the whole alignment of the Sino-Indian boundary [emphasis added]. Did the People's Republic of China established in 1949 not know where its boundaries were till then? What would the ICJ have made of this?

Another important reason why the Chinese hesitate to go to the ICJ is that it would open up the debate on whether Tibet has an international personality or not and whether it was capable of entering into agreements on its own. Much of the Chinese case on the Sino-Indian border is actually Tibetan. If the ICJ were to rule, as the International Commission of Jurists had done, that Tibet had an independent personality and that between 1911 and 1950 it was free from any vestige of Chinese control; that would seriously upset the Chinese position. The so-called 'liberation' of Tibet in 1950 would then be labelled automatically as an 'invasion' and Tibet an 'occupied country'. China can under no circumstances even remotely risk such an outcome.

Some foreign apologists of the Chinese contend that the Chinese turned down Nehru's offer to refer the boundary issue to the ICJ due to the presence of a Taiwanese judge on the bench of the International Court of Justice.<sup>1</sup> This reasoning is rather odd, for the Taiwanese judge on the International Court of Justice was none other than the redoubtable Wellington Koo. It is well known that Wellington Koo had fought all his life for the territorial integrity of China. Koo was often lauded as one of the builders of modern China and despite serving the Republic of China [Taiwan], was to receive a personal invitation from Mao to visit China in February 1972.

The Taiwanese have been as adamant as the PRC government regarding China's position on the McMahon Line. At the end of October 1962 the Taiwanese authorities released a statement that 'the so-called McMahon Line is a line unilaterally claimed by the British during their rule over India. The Government of the Republic of China has never accepted this line of demarcation and is strongly opposed to the British claim.'<sup>2</sup> It was very noticeable that when the US recognised the McMahon Line as the international border, the Taiwanese Embassy in Washington issued one of its very rare 'Protest Notes' to the United States Government. In fact Li Zhongren, the former acting President of the Nationalist [KMT] government on mainland China, wrote to the New York Times [NYT] in November 1962 as follows :-

"The Chinese, including those not on the mainland, feel that the border issue has transcended mere ideological differences: it has become something involving their territorial sovereignty as well as their national integrity and honour. No Chinese, regardless of political beliefs, will ever subscribe to the validity of the McMahon Line."

The undeniable fact is that even up to present times, the Taiwan Chinese authorities remain even more forthright and adamant in pushing the Chinese case than their political opponents sitting in Beijing. It was apparent that not to go to the ICJ was just an excuse, for the real reason was that the Chinese knew of the weakness of their case. And it was convenient to utilise the myth of a Taiwanese Judge on the ICJ.

The Chinese were never enamoured of International Law for as the People's Daily [18 September 1957] explained in an article entitled 'Refute the Absurd Theory Concerning International Law' that :-

"International law is one of the instruments of settling international problems. If this instrument is useful to our country, to socialist enterprise, or to the peace enterprise of the people of the world, we will use it. However, if this instrument is disadvantageous to our country, to socialist enterprises or to the peace enterprises of the people of the world, we will not use it and should create new enterprises to replace it [emphasis added]."

Further, the Chinese never displayed much respect for the ICJ then and instead hurled abuse on this international institution with the People's Daily of 27 July 1966 accusing the ICJ of being a 'shelter for gangsters.'

However, times change and so do policies of governments. In more recent times the Chinese have adopted more pragmatic policies towards the ICJ. In 1986 a conference was convened in Shanghai by the Chinese International Law Association where several stake holders deliberated on China's policies towards the ICJ. By 1989 the Chinese government was confident enough to give up its policy of 'blind reservation' on all questions relating to the jurisdiction of the ICJ. By 1989 China was also confident enough to take part with other P-5 Security Council members to discuss ways of 'strengthening' the ICJ and by 1994 a Chinese judge [Shi Jinyong] was serving on the ICJ. Many eminent Chinese scholars of international law such as Professor Huang Deming and Dr Zhu Fenglan have now begun to opine that as China needs peace to develop, peace needs law and law needs the courts! Most have suggested that the international juridical system needs to be strengthened.

Yet, in one important respect Chinese policy has not changed at all. On questions relating to national interest, such as land and maritime boundary issues, China still prefers bilateral negotiations and consultations and is not inclined to submit these to international tribunals for decisions. China has made clear that except for the above, China will not make any 'reservations' on ICJ jurisdiction pertaining to international treaties, covenants, conventions that it signs; particularly those relating to the fields of Commerce and Trade, Science, Technology, Aviation, Environment, Transportation, Culture and other related fields.

Presently, serving on the ICJ bench are a Chinese judge and an Indian Judge. Even if both countries were to shy away from making a formal reference for obvious reasons; should they not think in terms of making an informal

reference to test the efficacy of their respective cases? Informal international legal advice so received, may not be made public; but it just might help in building a momentum towards a final solution.

### **Endnotes**

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# **China's Claim of Sovereignty in the South China Sea - An Appraisal\***

## **Major General Nguyen Hong Quan, PhD@**

### **Introduction**

Recently some Chinese high-ranking officials, senior military officers and scholars have said that as early as the 2nd century BC, during Han dynasty period, Chinese ships had sailed into the South China Sea and discovered Xisha islands (the Paracel) and China has sovereignty over Nansha islands (Spratly) and that the Haiyang Shiyou-981 drilling rig is located within the Exclusive Economic Zone (EEZ) of the Paracel which belong to China. Furthermore, they maintain that Vietnam had acknowledged China's sovereignty over the Paracel and Spratly islands in the 1958 diplomatic note of Prime Minister Pham Van Dong of the Democratic Republic of Vietnam. This article examines the Chinese and Vietnam's positions with regard to the sovereignty over the Paracel and Spratly group of islands in relation to international laws and the 1982 UN Convention on the Law of the Sea (UNCLOS 1982) etc.

### **Principles Governing the Acquisition of Territorial Rights in International Law**

China has adopted the principles of "historical sovereignty" and "historical title" to claim sovereignty over the Paracel, Spratly and Pratas islands, and Macclesfield Bank. In the long history of international law, legal principles and rules governing territorial sovereignty have been established on the basis of international realities such as 'actual occupation', 'historical sovereignty', 'geographical distance', etc. However, 'acquisition of national territory' is the only method to evaluate legal viewpoints given by disputed parties positively and scientifically, and becomes a principle widely recognised by international community. It is called the 'acquisition of territorial rights.' Development and growth in the 16th century made the Netherlands, the United Kingdom, France, etc., become major powers competing with Spain and Portugal for territories newly discovered outside Europe.<sup>1</sup> Under such circumstances, maritime powers devised legal principles applied to acquisition of territories they had newly discovered, including the principles of priority of occupation (or 'right of discovery') and 'actual occupation.'

According to 'priority of occupation,' international law reserves the priority of occupation for nations which are the first to discover those territories. However, in fact, the principle itself has never brought about national sovereignty for those which discovered those new territories. It is because of the fact that they could not specify the concept and legal value of discovery, the first discoverer, evidence of that discovery, and so on.

Thus, 'discovery' is supplemented by 'nominal occupation,' i.e., a nation which discovers a territory must leave traces on that territory. However, the principle of 'nominal occupation' not only failed to fundamentally resolve complex disputes among powers over 'promised land', especially territories in Africa and islands thousands of nautical miles from the main land, but also led to a number of serious confrontations between powers. The reason for this lies in the fact that they could not specifically agree upon what constituted 'nominal occupation.' Therefore, after the conference on Africa in 1885 of thirteen European powers and the United States, and especially after the session of the International Law Institute in Lausanne (Switzerland) in 1888, they agreed to apply a new principle. That is the principle of 'effective occupation.'

Articles III, XXXIV and XXXV of the Treaty of Berlin signed in 1885 determine the principles of 'effective occupation' and the essential conditions for the same as follows :-

- (a) There must be a notification of occupation to nations signatories to the aforementioned treaty, and
- (b) Maintaining a power on the occupied territory, sufficient to ensure that rights of occupants are respected.

The Declaration of the Lausanne Institute of International Law in 1888 emphasised: "...every occupation that wants to make nominal sovereignty... must be true, i.e., real, not nominal." This statement made the principle of 'effective occupation' of the Berlin Treaty a principle of common values in international law, enabling the settlement of sovereignty disputes between countries all over the world. Although the 1919 Saint Germain Convention declared the Treaty of Berlin 1885 void on the basis that the world no longer had derelict territories; lawyers and international tribunals have continued to apply its principles to resolve sovereignty disputes over islands.<sup>3</sup>

However, China is using the theory of historical sovereignty to prove its sovereignty over the Paracel and Spratly islands. This is an extremely outdated theory, which is contrary to international law and is no longer used to resolve disputes over territorial acquisition of islands.

### **Validity of Vietnam's and China's Sovereignty Claims Over the Paracel and Spratlys**

Vietnam has sufficient historical and legal evidence to prove its sovereignty over the Paracel and Spratly islands. Official historical documents show that at least since the 17th Century, Vietnamese emperors claimed sovereignty and carried out activities to confirm Vietnam's sovereignty peacefully and continually over the Paracel and Spratly Islands when these territories were considered as 'derelict'. In particular, the Nguyen dynasty established Paracel Flotilla to conduct economic activities and exercise state administration over these two groups of islands. In 1835, King Ming Mang ordered the building of Paracel pagoda and placement of a stone monument on the Paracel, etc. Therefore, Vietnamese emperors' continual exercise of administration during the past centuries faced no opposition from any country, including China.

During this period, China did not have any sovereignty claim over the Paracel or Spratlys. Many maps, including the most recent maps published in the early 1930s, reveal that China's South pole actually stops at Hainan islands and China's territory does not include the Paracels and the Spratlys.

After Nguyen dynasty, the French and Vietnamese governments also continued to maintain their sovereignty and actual control of these islands. While establishing the protectorate in Vietnam in 1884, France, on Vietnam's behalf,



took over the Paracel and Spratly islands. They built a meteorological observation post on the Paracel Islands. In late 1973, soldiers of the Republic of Vietnam stationed on the islands even saved five Chinese fishermen when they were washed ashore on the islands. The soldiers shared their meagre rations to save this family.

The San Francisco Peace Conference, held in August 1951 with the participation of leaders from 51 countries to settle territorial disputes after World War II, recognised Vietnam's sovereignty over the Paracel and Spratlys. At this conference, Head of Vietnamese delegation confirmed Vietnam's sovereignty over the Paracel and Spratly Islands in the presence of representatives of 50 countries, including China. His assertion did not face any objections.<sup>4</sup> Meanwhile, up to 48 out of 51 countries at the Conference rejected China's proposal for recognising its sovereignty over the Paracel and the Spratlys.

In July 1954, parties, including China, at the Geneva Peace Conference (1954), signed the Geneva Accords of 1954, recognising and respecting independence and territorial integrity of Vietnam. After France's withdrawal, the Republic of Vietnam resumed its exercise of sovereignty and administration of Paracel and the Spratlys, undertook a series of activities to assert its sovereignty over these islands. However, Chinese troops occupied by force some eastern islands in 1956 and seized entirely the Paracels from Vietnam in January 1974. Subsequently, China invaded Johnson South Reef which was under Vietnam's administration till March 1988. However, Vietnam has continued to assert and has never renounced its sovereignty over the Paracel and the Spratlys since 1974. China's aforementioned acts violate a fundamental principle of international law which requires the States to refrain in their international relations from threat or use of force [Article 2 (4) of the United Nations Charter].

### **About the Prime Minister Pham Van Dong's Diplomatic Note of 1958**

China's interpretation of the Diplomatic Note dated September 14, 1958 signed by Prime Minister Pham Van Dong as an evidence that Vietnam recognised China's sovereignty over the Paracel and Spratly Islands is completely one-sided, and is a distortion of the contents and the meaning of that document. The correct position is explained in the succeeding paras.

According to China's explanation, on September 4, 1958 Chinese Premier Zhou Enlai declared to the world China's decision regarding the 12 nautical mile territorial waters from mainland China, which also included a map clearly depicting sea borders and sea territories (this also included the two archipelagos of the Paracel and the Spratlys). On September 14, 1958, Prime Minister Pham Van Dong representing the Democratic Republic of Vietnam sent a Diplomatic Note to his Chinese counterpart, as follows :-

"We would like to inform you that the Government of the Democratic Republic of Vietnam has noted and support the September 4, 1958 declaration by the People's Republic of China regarding territorial waters of China.

The Government of the Democratic Republic of Vietnam respects this decision and will direct the proper government agencies to respect absolutely the 12 nautical mile territorial waters of China in all dealings with the People's Republic of China on the sea. We would like to send our sincere regards."

The above statements of China and the Democratic Republic of Vietnam were made in a complicated situation prevailing in the region at that point of time, especially the confrontation between the Chinese and the Americans in the Taiwan Strait.<sup>5</sup> In this situation, China made the declaration on territorial waters, including Taiwan, in order to confirm its maritime sovereignty in the Taiwan Strait. However, China did not forget its long-term plot in the South China Sea and added Vietnam's Paracel and Spratlys archipelagos to the declaration.

Prime Minister Pham Van Dong's Diplomatic Note of 1958 was released based on the special ties with China at that time. It was a diplomatic action showing the support of the Democratic Republic of Vietnam to China in respecting China's 12 nautical mile territorial waters in view of the complicated situation in the Taiwan Strait. The contents of the Diplomatic Note 1958 were very cautious, and especially it did not declare to give up Vietnam's sovereignty over the Paracel and the Spratly Islands. The Prime Minister of the Democratic Republic of Vietnam understood clearly that the right to make declaration of the national sovereignty belongs to the country's highest power institution - the National Assembly, and defending sovereignty and territorial integrity is always the top priority of the State and the Vietnamese people, especially in the circumstances that the Diplomatic Note was issued.

The Diplomatic Note of 1958 has two clear contents: (a) the Government of the Democratic Republic of Vietnam noted China's 12 nautical mile territorial waters and (b) the Government of the Democratic Republic of Vietnam instructed its state agencies to respect China's 12 nautical mile territorial waters. The Diplomatic Note 1958 did not have a single word about territory and sovereignty or name of any island. Therefore, the Chinese interpretation that Diplomatic Note of 1958 declared Vietnam's abandonment of its sovereignty over the Paracel and the Spratlys and that the diplomatic document was the evidence of Vietnam's recognition of China's sovereignty over the two archipelagos, is a distortion of history and has no legal basis.

The San Francisco conference in 1951 recognised Vietnam's historical and legal sovereignty over the Paracel and the Spratlys. The Geneva Accords 1954 and the Paris Treaty 1973, which had China as an official participant, also recognise Vietnam's sovereignty over the Paracel and the Spratlys. Those Accords and Treaty asked participating countries to respect independence, sovereignty and national unity, and territorial integrity of Vietnam. Hence, China's declaration of sovereignty over the two archipelagos dated September 4, 1958 is invalid under the international law.

In the Diplomatic Note of 1958, PM Pham Van Dong did not mention the Paracel and the Spratlys because under the Geneva Accords 1954, the two archipelagos, which are located to the south of the 17th Parallel North, were managed by the Government of the Republic of Vietnam (South Vietnam). At that time, the Government of the Democratic Republic of Vietnam (North Vietnam) did not have the duty or power to exercise sovereignty over the two archipelagoes under the international law. In its capacity as a nation that participated in and 'helped' Vietnam negotiate the Geneva Accords 1954, China knew better than any other country that Vietnam was divided into two by the 17th

Parallel. The Democratic Republic of Vietnam could not 'give' China what did not belong to them, in spite of the close relationship between the two countries.

Meanwhile, the Government of the Republic of Vietnam (South Vietnam), under the Geneva Accords 1954, continuously exercised Vietnam's long-standing sovereignty over the Paracel and the Spratly Islands through state administrative machinery and instruments of sovereignty. The highlight of that is the fierce battle of the Republic of Vietnam against China's invasion by ships and aircraft on the Paracel in 1974.

The Prime Minister Pham Van Dong's Diplomatic Note of 1958, in nature, expressed a political attitude and friendly behaviour to China's declaration of 12 nautical mile territorial waters. It is, therefore, illogical and naïve to imply (as China did) that Prime Minister Pham Van Dong signed this document to give up Vietnam's territory and sovereignty while he and the entire Vietnamese people struggled with all their hearts to win independence and freedom.

Before 1975, the countries and territories involved in the South China Sea disputes included China, Taiwan, South Vietnam, and the Philippines. Therefore, declarations made by North Vietnam may be seen as declarations of a third party, which had no effect on the conflict itself. Supposing that the Democratic Republic of Vietnam (North) and the Republic of Vietnam (South) were one country, then based on international law, this declaration is also invalid. However, some have quoted the doctrine of "estoppel" in order to argue that this declaration has validity and Vietnam cannot go back on its words.

According to international law, there is no other legal bar that creates obligation for those who make unilateral declaration other than 'estoppel'. The estoppel doctrine must meet the following

criteria :-

- (a) The declaration or action must be taken by a representative of a country in a clear and unequivocal manner.
- (b) The country that claims estoppel must prove that based on that declaration or action; there are actions or inactions being carried out by that country which constitute 'reliance', as is called in the English and the American law.
- (c) The country claiming estoppel also has to prove that based on the declaration of the other country, it has suffered damage, or that the other country has benefitted when making that declaration.
- (d) Some judgments aver that this declaration must be made in a sustained manner over time.

The estoppel doctrine has many precedents in international courts and countries who have made certain declarations but have found to not be obligated to follow them because not all the conditions had been met.

Applying these criteria of estoppel to the declaration of the Democratic Republic of Vietnam, we can see that conditions (a) and (c) above are missing. In the years 1956, 1958, and 1965, China did not have any position or make any changes in its position based on North Vietnam's declaration. China also cannot prove that it suffered damage for relying on that declaration. North Vietnam did not benefit in any way from making that declaration.

The wording of the declaration does not clearly and unequivocally affirm Chinese ownership of the Paracel and the Spratly Islands. The letter only states, "The Government of the Democratic Republic of Vietnam respects this decision (the decision to determine the 12 nautical mile territorial waters of China), and will direct the proper government agencies to respect absolutely the 12 nautical mile territorial waters of China..." In fact, this is a promise to respect the decision of China in its determination of sea territories, and a promise to order national agencies to respect Chinese territories.

Estoppel doctrine is only applied if we consider North Vietnam and The Socialist Republic of Vietnam as one; and even France during the colonial period, and the Republic of Vietnam (South Vietnam) as the same entity as the present Vietnam. If we consider the Democratic Republic of Vietnam (North Vietnam) as a separate country, then estoppel cannot be applied because, as stated above, the declaration will be seen as a declaration made by a country that does not have authority over territories being disputed. Therefore, if Vietnam is seen as one single entity from historical times until the present, then the declarations made by North Vietnam are only statements that carry political meaning during wartimes, compared to the position and viewpoint of Vietnam in general from the 17th Century until the present.

In view of the above, the declaration that we are analysing does not have many factors that allow for estoppel to be applied. The factors of reliance and intention are very significant. If the reliance factor does not exist in order to limit the application of estoppel, countries will not be able to formulate their foreign policies according to the changed circumstances.

Furthermore, China's statements that there is no dispute over the Paracel are contrary to what has been acknowledged by China's leaders. In September 1975, Deng Xiaoping, the then Deputy Prime Minister, told the then First General Secretary of the Vietnam Workers' Party Le Duan that the two sides (Vietnam and China) had different points of view about the Paracel and the Spratlys, which would be resolved through negotiations.

### **Claims in Relation to UNCLOS 1982**

China has tried to justify their placement of Haiyang Shiyou-981 drilling rig since May 2014, stating that the oil rig was located within the EEZ and continental shelf of the so called Xisha islands (the Paracel) of China. This was completely illegal and is explained in the subsequent paras.

The Paracels consists of small rocks (the largest one is Woody island with the area of about 2 square kilometers). They do not satisfy the regime of islands in international law since they cannot sustain human habitation or economic life. Under the UNCLOS 1982, these rocks are not entitled to a 200 nautical mile EEZ and continental shelf. They can generate no more than a 12 nautical miles territorial sea. Therefore, the position of the Haiyang Shiyou-981 drilling rig (17 and later 25 nautical miles off Tri Ton island) is completely within Vietnam's EEZ and continental shelf of which there is no dispute with China. Under the 1982 UNCLOS, the oil rig is not located in the EEZ and continental shelf of the Paracels.

China deployed a large number of ships from its marine police, marine surveillance, fishery administration, and even naval ships and warplanes to illegally escort the Haiyang Shiyou-981 drilling rig deep into Vietnam's EEZ and continental shelf. China allows their vessels to remove canvas sheets covering their weapons, intimidating Vietnamese fishing vessels. The aforementioned acts reveal that China has threatened to use force. More alarmingly, Chinese ships have proactively and intentionally rammed and damaged many vessels of Vietnam's law enforcement forces. They even rammed and sank Vietnamese fishing boats and damaged ships of Vietnam's Fisheries Surveillance Force and Marine Police, injuring a number of men of Vietnam's law enforcement forces and fishermen working in the traditional fishing grounds in Vietnam's EEZ.

The Charter of the United Nations bans the threat or use of force in general and for territorial issues in particular. All disputes must be resolved through peaceful negotiations. The Security Council authorised on several occasions the use of force by member states, not only in cases of self-defence but also for the protection of the rights and lives of the people of other states.

Chinese declaration of establishing a safety zone with a radius of three nautical miles around the oil rig also violates international law. Under the 1982 UNCLOS, a state is allowed to establish a 500 m safety zone around its installations and structures at sea. In fact, Chinese vessels were obstructing ships of Vietnam's law enforcement forces from 30-40 nautical miles off the oil rig. This has threatened security, safety and freedom of navigation in the region. Furthermore, flights at low altitudes of Chinese reconnaissance aircraft and jet fighters to intimidate ships of Vietnam's law enforcement forces and fishing boats have become a real threat to safety and freedom of navigation in the Vietnam East Sea.

After more than two months' illegal operation in Vietnam's EEZ, Haiyang Shiyou-981 has been withdrawn. However, China's strategy of monopolising the East Sea remains unchanged. The withdrawal of the oil rig aims to : (a) avoid being criticised on the threshold of ASEAN Summit, ASEAN Regional Forum (ARF) and the East Asia Summit (EAS); (b) prevent Vietnam from submitting a case to the Permanent Court of Arbitration (PCA); (c) create the "atmosphere" for Vietnamese-Chinese government-level negotiations which would probably be followed by China's new actions to escalate the situation in the East Sea. In other words, the struggle to protect Vietnam's sovereignty over the sea and islands will become more strained, complex and difficult in the forthcoming time.

## Conclusion

A decade ago, China disseminated the concepts of 'peaceful rise' and 'peaceful development' and pledged not to seek hegemony in order to reassure nations of the world. China proposed 'a maritime silk route' and an ASEAN - China Treaty on Good Neighbourliness in 2013. China hosted the Conference on Interaction and Confidence Building Measures in Asia (CICA) in May 2014. However, through its repeated provocations since 2009 in the South China Sea and East China Sea, countries in the region see a growing gap between words and actions of China.

China has been seen as a great power which is easily prone to use of force to upset the status quo in the region. It asserts sovereignty by creating 'new facts' in the South China Sea, becomes increasingly aggressive, violates international law, and threatens regional security, peace and stability. Thus, trust of regional countries in China has decreased. When trust in China's 'peaceful development' decreases, regional countries will resort to jurisdictional measures, establish new international cooperation and even strengthen self-defence capabilities. This will not benefit China in the long run because great powers need to create an environment of peace and cooperation on their peripheries. In today's interdependent world, an environment of peace and cooperation is necessary for prosperity in the region. Any actions that create confrontation and mistrust between neighbours ought to be avoided.

## Endnotes

1. Decree signed by Pope Alexander VI on 4 May, 1493 for dividing spheres of influence of Spain and Portugal in newly discovered territories outside Europe.
2. Treaty of Berlin, <http://www.blackpast.org/treaty-berlin-1885#sthash.gpYEz6rA.dpuf> (Accessed on 25 Jun 2014).
3. In April 1928, La Haye (Permanent Court Arbitration) adopted this principle to resolve Island of Palmas Case between Netherlands and the United States of America. Judgment of the International Court of the UN in November 1953 for the sovereignty dispute between Britain and France over islands of Minquiers and Ecrehous, etc. In December 2012, the International Court of Justice concluded that sovereignty over islands of Pulau Ligitan and Pulau Sipadan belonged to Malaysia because they found that Malaysia had continually exercised authority over the islands.
4. At this Conference, Mr Tran Van Huu, prime Minister and Minister of Foreign Affairs of King Bao Dai Government, had declared: "Et comme il faut franchement profiter de toutes occasions pour étouffer les germes de discorde, nous affirmons nos droits sur les îles Spratley et Paracel qui de tout temps ont fait partie du Viet Nam".
5. On May 26, 1950, the Korean War broke out. The American President Harry S Truman ordered the 7th Fleet to enter the Taiwan Strait to prevent China's attack on the islands there. To show its determination to liberate Taiwan, on September 3, 1954, China shelled some islands like Quemoy and Matsu. This First Taiwan Strait Crisis lasted from August 11, 1954 to May 1, 1955. In 1958, the Second Taiwan Strait Crisis happened. On August 23, 1958, China

intensified artillery shelling of Quemoy and Matsu islands. The US President Eisenhower sent US warships to protect the logistic route from Taiwan to Quemoy and Matsu islands.

\*This article represents the author's own opinion and not necessarily that of the Institution where the author holds an official position.

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# **The Role of Pakistan in the Taliban Insurgency in Afghanistan**

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### **Introduction**

The name Afghanistan means the land of the Afghans. The origins of the name Afghan remain unclear. Its use dates from the 18th century, when Pashtun tribes began to carve out a region of Central Asia as their sovereign base. As the British Empire expanded, it tried to place the Pashtuns under their rule. Throughout the 19th century, British Indian Military units tried to control the recalcitrant Afghan tribes who may or may not have preferred rule by other Afghans, but certainly opposed that of the British. The frontier Pashtun tribes continue to bedevil Afghan-Pakistan relations even today since the Pakistanis have inherited the British mantle in this region.

### **The Land and its People**

The Pashtuns form the most important and the most numerous ethnic group in Afghanistan. The twin terms Pashtun and Pakhtun refer to the two separate confederations of tribes, the Abdali or Durrani tribes based in the Kandahar-Herat region and the Ghilzai based in the Nangarhar-Paktia region, who together with the eastern tribes in Pakistan speak the Pashtun dialect. The tribes that belong to neither confederacy, the Afridi, Khattak, Orakzai, Waziri, Mahsud were designated as the hill tribes by the British though increasingly they came under the term Pashtun for the sake of convenience.

The characteristics of Pashtun form the stuff of tales from Rudyard Kipling to George Macdonald Fraser. The 17th century Pashtun poet and warrior Kushal Khan Khattak depicts the acme of Pashtun manhood as brave, love smitten, honourable and heroic. The Pashtuns are overwhelmingly Sunni of the Hanafi School of law. They are known for their Pashtun code or Pashtunwali, the tribal code of honour, which includes Melmastia, or hospitality, Nanawati, the notion that hospitality can never be denied to a fugitive and badal, the right of revenge. Pashtun honour is maintained by constant feuding, revolving around Zar (gold), Zan (woman) and Zamin (land).

The Tadjiks speak Afghan, Persian or Dari and live in northern, northwestern and western Afghanistan. Related to the Tadjiks are the Farsiwan, also Sunni, the Quizilbash and the Hazara, both Shia. Besides these there are Turkic people, Uzbeks, Turkmen and Kazakhs, all Sunni. In the West bordering Iran are the Heratis who are Shia.

It can be clearly seen from the demographic composition of Afghanistan, that its population is heterogeneous. However over the years the Pashtuns have consecrated to themselves that they are the rulers of Afghanistan. This has not gone down well with the people other than the Pashtuns. The crux of the problem in Afghanistan is that for generations the leadership of the Pashtuns had not been challenged by the other groups- the Tadjiks, Uzbeks, the Quizilbash, Turkmen, Farsiwan and the Heratis. Also, the division between the Sunni and the Shia was not as unmanageable as is the situation today.

The crux of the problem has been because of the divide between the Western world and the Islamic world that has automatically exacerbated with the extremist Islamic groups becoming well defined like the Jammāt Ulema Islam, the Ahle Hadis, and the Wahabi sect from Saudi Arabia. These groups have not taken kindly to the more moderate Shia, or the Jammāt-e-Islami practised by the Tadjiks, Uzbeks. To take a specific example, the Hazaras are Shias, yet the Hazara women represent their community in their defence leadership. This stand is not acceptable to the Pashtun Jamaat-e-Ulema-i-Islam.

### **The Mujahideen and the Holy War**

Actually the whole issue got stratified with the Soviet invasion of Afghanistan. Nearly three million Pashtuns fled to Pakistan as refugees from the Godless Soviets. The Interior Minister of Pakistan happened to be a patron of the Jammāt-e-Ulema-i-Islam or Deobandi sect. He immediately began to set up Madrassas of the JUI. All the children of the three million Afghan refugees mainly Pashtun were accommodated in the JUI Madrassas set up then. Thus whole generations of Talibs-students of the JUI Seminaries were schooled in the Deobandi sect of hard Islam. When the Soviets were defeated, and retreated to the Soviet Union, the Pashtun had been well converted to the Deobandi philosophy. The first casualty of this development was the divide that manifested between the Pashtuns on the one hand and the other groups of Afghanistan – the Tadjiks, the Uzbeks, the Hazaras, Quizilbash and the Heratis. This divide got very badly exacerbated by the horrifying massacres that the Pashtun committed on the Tadjiks, Hazaras, Heratis and the Uzbeks over the years.

### **The Battle for Kabul and the Rise of the Taliban**

The Mujahideen captured Kabul in 1992. Kabul did not fall to the well-armed Pashtun parties in Peshawar, but to the better organised and well-armed and more united Tadjik forces of Burhanuddin Rabbani and his military Commander Ahmed Shah Masood and to the Uzbek leaders from the north under Rashid Dostum. This was a devastating blow to the Pashtuns, because for the first time in 300 years they had lost control of Kabul. An internal civil war began immediately as Gulbuddin Hekmatyar attempted to rally the Pashtuns and laid siege to Kabul shelling the city mercilessly.

Afghanistan was in a virtual state of disintegration by the end of 1994. The country was divided into warlord fiefdoms who had fought, switched sides and fought again in a bewildering array of alliances, betrayals and bloodshed. The predominantly Tadjik government of Burhanuddin Rabbani controlled Kabul, its environs and the northeast of the country. Three provinces of the country centering on Herat were controlled by Ishmael Khan. In the East, on the Pakistan border three Pashtun provinces were under the control of a Shura or council of Mujahideen commanders based in Jalalabad. In the North, Rashid Dostum, the Uzbek warlord held sway over six provinces. In central Afghanistan, the Hazaras controlled Bamiyan. Southern Afghanistan and Kandahar were divided among dozens of ex-Mujahideen warlords and bandits who plundered the population at will. The warlords sold off everything as scrap to Pakistan traders to make money – factories, machinery and even road rollers. The warlords abused the population at

will kidnapping young boys and girls for their sexual pleasure.

The war, wrote Samuel Huntington left behind an unusual combination of Islamist organisations intent on promoting Islam against all non Islamic forces. It also left behind a legacy of expert and experienced fighters, training camps and logistical facilities, elaborate trans Islamic networks, a substantial amount of military equipment, including several hundred Stinger Missiles and most important a heady sense of power and self confidence over what had been achieved and a driving desire to move on to other victories.<sup>1</sup>

When the fight against the Soviets began, a Jordanian Abdullah Azam came to Afghanistan and organised the hundreds of Islamic fighters who had assembled to fight the Godless Soviets. Saudi funds flowed to Azam and then an ultra rich Arab, son of a very rich contractor in Saudi Arabia, Osama bin Laden joined hands with Abdullah Azam. After organising the hundreds of Islamic fighters coming to fight the Soviets, bin Laden befriended Mullah Omar who had been made the leader of the Pashtuns of Afghanistan and the Frontier Administered Tribal Areas of Pakistan by the Pakistan Inter Services Intelligence (ISI). Osama bin Laden then moved to Kandahar to help Mullah Omar.

Meanwhile, the United States had invaded Iraq, under the mistaken conclusion that the President of Iraq, Saddam Hussain had a stockpile of weapons of mass destruction. This was simply a very foolish and immature decision. It rallied all the forces that were opposed to the United States. Osama bin Laden who had invested his vast enormous bank balance in financing the insurgent groups to fight the Soviets in Afghanistan now turned his attention to the United States. The movement that started soon developed into a plan to attack the United States in their territory. A group called the Al Qaeda was formed with terrorist fighters from several groups who were fighting the Soviets in Afghanistan forming a nucleus. The plan to train a group of terrorists to carry out suicide attacks on a landmark target in the United States was hatched. A group was formed from terrorists operating in Pakistan, Afghanistan and the Middle East. The plan was for four selected teams to learn flying from Flying Schools in the United States and then fly hijacked airliners and crash them into selected skyscrapers in the United States.

The George Bush administration took office in the beginning of 2001. General Musharraf who was the President of Pakistan found that it was easier to deal with President George Bush, than President Clinton. Whereas Clinton resisted the wool being pulled over his eyes, the Bush administration simply closed their eyes themselves!<sup>2</sup> The Federal Bureau of Investigation issued 216 internal threat warnings about the possibility of an attack by Al Qaeda between January and September 2001, while the National Security Agency reported thirty three intercepts indicating possible Al Qaeda attacks. Richard Clark wrote to Condoleesa Rice, the Secretary of State on 28 June 2001 saying that warnings of an imminent attack had reached a crescendo.<sup>3</sup> Years later Condoleesa Rice admitted her failure when she stated – “America’s Al Qaeda policy wasn’t working, because our Afghanistan policy wasn’t working, and our Afghanistan policy was not working because our Pakistan policy was not working.” Al Qaeda was both a client of and a patron of the Taliban, which in turn was supported by Pakistan.<sup>4</sup>

Then on 11 September, two hijacked planes slammed into the twin Trade Towers in New York. The US Intelligence realised that it was the Al Qaeda, based in Afghanistan and aided indirectly by Pakistan that had perpetrated this terrifying attack on the United States. The next morning Richard Armitage Deputy Secretary of State of the United States summoned the Pakistan Ambassador and Lieutenant General Mehmood Ahmed, the Pakistan ISI Chief and delivered the strong message of the US President “Either you are with us or with the Terrorists.” The next morning the Pakistan President was asked to intercept all arms shipments from Pakistan to Afghanistan, ending of all logistics support to the Al Qaeda, and access to airports in Pakistan for US military aircraft for operations against Al Qaeda. General Musharraf after consulting his generals agreed. On the evening of 7 October 2001 the US attack on the Taliban commenced as 50 Cruise missiles and dozens of laser guided bombs hit thirty one targets around all the major cities of Afghanistan. The bombing continued for four weeks. This naturally weakened the Taliban positions and the first breakthrough came when Dostum’s Uzbeks led cavalry charges against fixed Taliban positions and routed them. Some eight thousand Talibs retreated in their pickups. Several thousand Talibs were killed as they retreated and the US Air force targeted the retreating Taliban. Three days after the fall of Mazar-e-Sharief, the Northern Alliance captured the whole of Northern, Western, and Central Afghanistan.

The Pakistan President General Musharraf requested the US President to dissuade the Northern Alliance from taking Kabul. It was too late to stall this move. On the night of 12 November 2001, the Northern Alliance drove into Kabul as the Taliban retreated. Hundreds of Taliban fighters were killed as they retreated, but the Al Qaeda and Taliban leaders managed to escape. In Kunduz several Taliban leaders and Frontier Corps personnel of Pakistan were trapped. General Musharraf telephoned the US President and got permission to send some Pakistan Air Force planes to Kunduz. UN observers at the Kunduz airfield reported that several Pakistan Air Force planes landed at Kunduz and evacuated the Taliban leaders and Frontier Corps personnel.<sup>5</sup>

Between eight thousand to twelve thousand Taliban were killed in this retreat from the North. A meeting was convened in Bonn to decide on a new Government for Afghanistan. The new Government was sworn in. The United Nations mandated an International Security Force to take over Kabul. Fifteen hundred British troops formed the core of the International Security Force designated. In the rest of the country, the warlords remained in power.

### **The Objectives of the Pakistan Government for Afghanistan**

Pakistan had three aims for Afghanistan. They did not want Indian hegemony in the region. They wanted a pro Pakistan Government in Afghanistan. They wanted to promote the Kashmir cause. All three interests rested on unquestioned support from the Islamic fundamentalist parties and their extremist wings. At the time of 9/11, there were more than forty extremist groups in Pakistan, all of whom were controlled by the ISI. Some of these groups like the Jaish-e-Muhammad were set up by the ISI. Before 9/11, some of these groups had also forged links with the Al Qaeda. The ISI gave sanctuary to the Taliban in Baluchistan. In fact the Quetta Shura, the HQs of Mullah Omar, the leader of the Taliban was located in Quetta. Gulbuddin Hekmatyar, the leader of the JEI sponsored Hizb-e-Islami was allowed to set up a base at the Shamshatoo camp near Peshawar. Jalalludin Haqqani, the Taliban leader was given sanctuary in North Waziristan. The Islamic Movement of Uzbekistan was settled in South Waziristan. Over time the United States and

NATO were able to collect intelligence of the ISI running training camps for the Taliban North of Quetta. In 2003 and 2004, US soldiers from their bases on the Afghanistan-Pakistan border and US drones in the sky watched Pakistan trucks delivering Taliban fighters to the border to infiltrate into Afghanistan and then recover them a few days later when they returned. For four years, Mullah Omar and his commanders were able to operate freely in southern Afghanistan and Baluchistan without being monitored by the US intelligence. The US military did not have a look down satellite to cover southern Afghanistan!<sup>6</sup>

The Taliban did not slip across the border into the FATA provinces and Baluchistan secretly in ones and twos. They drove across the border in pickups, buses, on camels and horses. ISI officials along with guards of the Frontier Constabulary welcomed them at Chaman, the border crossing into Baluchistan. The Taliban had been nurtured by the Pakistan Army since long and for Pakistan they represented the future of Afghanistan!

It was December 2001, a month after the Taliban's defeat in Mazar-e-Sharif, the Taliban commanders had gathered in a meeting hall to decide their course of action. Watching from the sidelines were several well known figures from the Pakistani Military and Intelligence Services. Among them was the late Major General Zahirul Islam Abbasi, an active supporter of the Taliban. Another figure present was the master trainer of jihadi fighters Colonel Imam. His real name was Brigadier Sultan Amir, a Pakistani Special Forces officer. He had overseen the training of thousands of Afghan Mujahideen and closely monitored the Taliban when it was first formed. Mullah Omar had been one of his first trainees. Also attending the meeting was Muhammad Haqqani, son of the Taliban commander Jalalludin Haqqani. For two decades Pakistan had used proxy forces, Afghan Mujahideen and the Taliban against Afghanistan and Kashmiri militants against India. General Abbasi and Colonel Imam were among the main players in executing this policy. The Peshawar meeting was as much a confirmation of long standing policy as it was the start of a new chapter of war in Afghanistan.<sup>7</sup> People in Kandahar remember a Major Gul along with Colonel Imam. Soon after Mullah Omar secured a base in Kandahar, he attacked the border town of Spin Boldak. This time the Taliban clearly showed signs of Pakistani support-artillery fire in support from across the border. Among the attackers were also hundreds of Madrassa students from Pakistan. They left behind a trail of packing paper of brand new weapons.<sup>8</sup>

Two weeks later, Colonel Imam took out a convoy of trucks loaded with medicines passed through southern and western Afghanistan enroute to the Turkman border. The operation was stage managed by the ISI.<sup>9</sup> Colonel Imam with another ISI officer Major Gul was deputed to lead the convoy of thirty five trucks. They took two Taliban commanders with them. Not far inside Afghanistan, the convoy was stopped by local militias. The Taliban battled the militias for two days and routed them killing their leader Mansour Achakzai and hung his body from a tank barrel in front of Kandahar airport. The Taliban had established their power in South Afghanistan.<sup>10</sup>

With control of Kandahar, Mullah Omar was dominating the southern and eastern Pashtun belt of Afghanistan. But as they proceeded further North resistance intensified. They lost hundreds of men in a bloody encounter with the Northern Alliance. They however succeeded in capturing Herat city. Colonel Imam was appointed the Pakistani consul in Herat and was open about his involvement in the military campaign. Colonel Imam remained close to Mullah Omar for the next seven years.<sup>11</sup>

### **Pakistan's Suicide Bomb Factory**

Afghan investigators discovered that the suicide bombers and the networks supplying them were emanating from Pakistan. Assadullah Khaled the Governor of Kandahar told Carlotta Gall, "I think that there is a factory for these bombers, most of the attackers are non Afghans, we have proof, we have prisoners, we have cassettes, and we have addresses." Over the months the evidence accumulated. These bombers that could be identified turned out to be mostly Pakistanis or Afghans living in Pakistan. They were being recruited through mosques and Madrassas and some through connections to banned Pakistani militant groups, such as Jaish-e- Muhammad and Harkat-ul- Mujahideen. We started to hear of memorial ceremonies being held for the martyred bombers back in Pakistan. It was evident that the organisation, recruiting, indoctrination and funding was being done by Pakistani militant groups.<sup>12</sup>

The trail took Carlotta Gall back to Quetta. She began to visit villages near the Afghan border. She found the black and white striped flag of the Jamiat-e-Ulema-i-Islam, the Deobandi religious party of Maulana Fazlur Rehman flying above the mosques and houses in every village. In Pishin village she found families whose sons had been drawn away to war without their knowledge and who were grappling with the news that their sons had blown themselves up in Afghanistan! Their loss was compounded by the fact that they had no bodies over which to grieve. No remains of suicide bombers were returned to their families. They were buried in unmarked graves. Most troubling of all, the relatives were scared, scared to talk about their son's deaths, scared to say who had recruited them!<sup>13</sup> As she knocked on doors and asked questions she realised that their primary concern was the fear of the Pakistani Intelligence Service the ISI.

### **Conclusion**

After thirteen years, a trillion dollars spent, 1, 20,000 foreign troops deployed at the height, and tens of thousands of lives lost, the fundamentals of Afghanistan's predicament remain the same, a weak State, prey to the ambitions of its neighbours and extremist Islamists. The United States and the NATO are departing with the job only half done. A comprehensive effort to turn things around only began in 2010. The fruits were only starting to show in 2013. Meanwhile the real enemy remains at large. The Taliban and Al Qaeda will certainly try to regain bases and territory in Afghanistan, upon the departure of western troops.

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# **The Indus Waters Treaty - Changed Ground Realities Necessitate A Review**

## **Shri MS Menon@**

### **Introduction**

The history of the Indus Waters Treaty (IWT) entered into by India and Pakistan is the tragic story of a water sharing agreement that began with hope, but continued in precipitating the disputes, as demonstrated by the events that followed. IWT was signed in 1960 by the two countries at the instance of the World Bank with the aim of achieving the optimum development and utilisation of the Indus waters. However, it failed miserably not only in accomplishing the objectives, but also in settling the disputes between the two for more than five decades since its inception. With China also claiming its rights in the basin, it is high time the Treaty is reviewed to include the aspects of modern technologies, environmental issues and equitable water allocation, lack of which is causing the continued bickering. Instead of waiting for the simmering hostile situation erupting to volcanic proportions, we should prevail on our neighbour to agree and review the Treaty provisions to ensure peaceful neighbourly relations.

### **Background of the Dispute**

The Indus basin drains an area of about 1.2 million sq kms of which 13 per cent lies in Tibet and Afghanistan, 28 per cent in India and 59 per cent in Pakistan. It has an average annual yield of 207 billion cubic metres (BCM). Partition resulted in the division of the Indus basin between India and Pakistan in 1947, creating disputes on the sharing of the Indus waters. Continued negotiations between the two held under the auspices of the World Bank ultimately culminated in the signing of the IWT.<sup>1</sup> While the Bank brokered the Treaty, it was not a guarantor, but had certain responsibilities for its smooth functioning. The USA also played an important supporting role in closing the deal.<sup>2</sup>

The Treaty allocated, with some restrictions, all the waters of the western rivers (tributaries) – the Indus main, Jhelum and Chenab to Pakistan and the waters of the three eastern rivers (tributaries) – the Sutlej, Beas and Ravi to India. While Pakistan got 80 per cent of the Indus waters, India got only 20 per cent under this allocation. Though the Treaty had exhaustive provisions for its working including for a dispute resolution mechanism, it neither provided for future advancement in technologies and environment related requirements nor any general principle of law for the future. The lack of such provisions and misinterpretations of the clauses provided in the IWT became the root cause for many disputes that arose soon after the Treaty came into operation. Interestingly, while other similar international treaties executed elsewhere had a fixed period of validity, the IWT had no such fixed time frame and exit option.

Further, provision for getting the optimal benefits from the Indus waters was ignored in the agreement, since the storages permitted in the Indian projects were much less than the capacity available at the sites. Also, the aspect of inland navigation had also not been considered in the Treaty, even though these waterways were used for the purpose in the past. Hence, the Treaty failed to make the requisite provisions to ensure the optimum development and utilisation of the Indus waters, as declared in the Preamble of the IWT.

The Treaty brokered by the World Bank was hailed by interested groups as a model for international water sharing agreements since, as per their version, it employed the principle of reasonable and equitable usage of water between the upstream (India) and downstream (Pakistan) states with each getting three of the six tributaries of the river. Also, they claimed that it survived two wars and many warlike situations between the two countries because of its inbuilt resilience.

### **Biased Provisions in the Treaty**

A perusal of the basis of water allocation in IWT would indicate that only six tributaries of the Indus system were accounted for allocation of the waters, while an important tributary, the Kabul river was excluded from consideration, thus permitting Pakistan unbridled use of its waters also. Further, a false impression has been created of apparently equal share distribution by equally dividing the six tributaries. In fact, the allotment should have been made on equitable basis according to the quantum of water carried by the rivers rather than equally dividing the tributaries. Parameters creating legal and equity rights in water sharing as per the then existing international practices should have been considered for water sharing such as - the existing cultivable area, population dependent on the river system, drainage area, length of the river beds etc in each of the co-basin states. If this basis was adopted while allocating the waters, India would have got more than 40 per cent of the Indus waters.<sup>3</sup> Thus India was deprived of its legitimate share of the waters needed to meet the increasing demands of its farmers in Punjab, Haryana and Rajasthan situated within the Indus basin.

The claim that the Treaty could survive two wars and many war scares due to the inbuilt resilience in the agreement is also far from the truth. India had willingly accommodated many of the unreasonable demands of its neighbour, even at the risk of slowing down the infrastructure plans for the State of Jammu and Kashmir (J&K). But this spirit of accommodation has been taken as our weakness by Pakistan and encouraged it to make the Indian proposals a subject of endless debate, thereby impeding their implementation. Hence even after five decades, due to Pakistan's interference, India has been able to develop hardly 20 per cent of the hydropower potential of 8769 MW from its share in the western rivers.

If we delve deep into the principles of water allocation and other provisions of the Treaty, it would be clear that the real facts on the much hyped Treaty are concealed and lie buried under a mountain of rhetoric and the Treaty provisions are biased in favour of Pakistan. Our neighbour has been always objecting to the Indian projects in a language couched in non-constructive application of the provisions. The costly alternatives suggested by them ignored sound engineering economics and practices, and India has been pointing out all such anomalies. Hence, to claim that the Treaty has survived the tempests of history is a blasphemy; and to extol it as a model for principles of water sharing and utilisation is a sacrilege.

Using the loopholes in the Treaty, Pakistan has succeeded in stalling and delaying Indian projects planned on

the western rivers. Initially, India did agree to many of the demands of her neighbour just to maintain good relations. For example, it agreed to close the sluices of the Salal project as demanded by Pakistan, knowing fully well that such an action would shorten the project life due to heavy silting of the reservoir. The construction activities for Wular (Tulbul) project, a scheme to facilitate cheap inland water transport to the apple growers of interior J&K were also stopped as our neighbour wanted more discussions on the subject. The project has come to a dead stop as Pakistan continues to make it a subject of endless debate and is still to accept the proposals made by India.

### **Baglihar Project and the Dispute Resolution by World Bank**

The Baglihar project, upstream of the Salal project across the Chenab was the next to come under attack from Pakistan. Though India gave all the details sought by Pakistan that country continued with its allegations of India flouting the Treaty provisions. Many meetings and discussions at the level of Permanent Indus Commissioners and even at Secretary level later, Pakistan unilaterally took up the matter with the World Bank charging India with the flouting of IWT and seeking an appointment of a Neutral Expert to examine the issues. The construction of the project got delayed and costs got escalated due to this. On the basis of written and oral presentations made by the two countries, the Neutral Expert permitted India to go ahead with the project after carrying out some minor modifications.

Pakistan was unhappy with the decisions of the Neutral Expert for allowing India to complete the Baglihar project. In the meanwhile, due to mismanagement of its water resources, many parts were experiencing water scarcity in that country. The government was being criticised for giving preferential treatment to north Punjab areas by depriving water to other states and for its failure to build and maintain adequate storages to meet the shortages. To divert public attention, Islamabad attempted to hoist the Indus waters issue in the framework of the Composite Dialogue Process in the international forum. From past experience, Pakistan had learnt that by accusing India of impeding the Indus flows with projects in violation of the IWT provisions, it could get the sympathy not only from its people but also from the international community. Though there was the provision in IWT for a mechanism, the Permanent Indus Commission, to settle recurring disputes between the two countries, our neighbour knew that raising the issue in a different forum would be a politically safe move to get public support and thwart Indian attempts in taking up projects on the western rivers.

As this approach did not succeed, Pakistan resorted to initiate a media war blaming India for causing hardship to its farmers. It hoped that such an accusation on the upper riparian, India, would get them the support of India-baiters who would jump into the fray to tarnish India's image using, information, disinformation and even information derived from questionable sources. Always being ready to oblige our neighbour, these critics vilified India for harassing Pakistan for using the monsoon river flow to fill the then approved Baglihar project reservoir, thereby causing water scarcity downstream. India clarified that the reservoir filling was done within the period stipulated as permitted in the Treaty to enable the commissioning of the already delayed project. Otherwise, it would have to wait for one more year for the scheduled period of filling, thereby causing further delay of one more year in getting the project benefits. Also, water downstream was not in short supply as per flow records and even one of their ministers had lamented then about the water being wasted by the farmers.

Pakistan continued to make a hue and cry alleging that India had blocked water through various dams on the western rivers for its hydroelectric power generation, thereby causing reduction in flows downstream. However, India continued to clarify in all meetings that IWT had permitted unrestricted power generation on these rivers as per the criteria specified in the Treaty and information on all projects were supplied to Pakistan. Still India was not able to even take up many of these projects due to the objections raised by Pakistan.

### **Kishanganga Project and Intervention by International Court of Arbitration**

After failing in its attempt to stall the Baglihar project, Pakistan now turned to accuse India of violating the Treaty provisions in taking up the construction of the Kishanganga Hydro Project (KHP) in the Jhelum basin. The project envisages construction of a run-of-the-river project across the Kishanganga river, a tributary of the Jhelum. The ponded waters would be diverted through a tunnel and powerhouse again to the main Jhelum river and in the process would generate 330 MW of power using a drop of 297 metres. As the diverted water from the Jhelum would return back to the main river, India ensured that Pak's share of Jhelum would remain unaffected.

The project details were furnished to Islamabad during the nineties as per treaty provisions. As expected, our neighbour protested insisting that the Indian project affected their existing interests downstream and also their proposed Neelum Jhelum project downstream of the KHP. Instead of giving details of their uses, Pakistan continued to harp on Treaty violations by India to attract World Bank intervention. In 2010, it instituted arbitral proceedings against India requesting the World Bank that a Court of Arbitration (CoA) be set up to determine the permissibility of India constructing the KHP by diverting Jhelum waters. Since our neighbour had failed to get the support of a technical Neutral Expert on Baglihar project, it presumed that legal experts of the Arbitration Court would decide favourably on technical matters of KHP.

Pakistan had raised two techno-legal issues; first, regarding the violation of the Treaty by India proposing the inter tributary diversion of the flows thereby causing a reduction in the Jhelum flows; second, questioning whether India could draw down the water level to flush out sediments. India asserted that it had every right to transfer waters between the tributaries of the Jhelum so long it did not reduce the flows in the Jhelum. It also pointed out that desilting by flushing is an essential part of any project built across rivers carrying heavy silt load during monsoons.

After hearing the arguments from both the parties, the Arbitration Court, gave its interim award<sup>4</sup> in February, 2013, permitting India to proceed with KHP on two conditions - when operating the project, India has to maintain a minimum flow in the river, and India should not operate the reservoir below the dead storage level even for flushing out the deposited silt. The quantum of the minimum flow would be given in the final verdict after the parties furnished additional information on issues sought by the CoA. The final verdict of the Court given on 21 December 2013 further confirmed the verdict.

Pakistan was desperate. Hence it initiated a media war<sup>5</sup> blaming India for choking its agriculture by construction of storages on the western rivers violating the Treaty provisions. It succeeded again in roping in India detractors who were ready to ignite the incendiary hydropolitics in the subcontinent. These cynics, making a special study of the Indian projects on the Chenab river, floated the concept of 'manipulable storage' and indicated that India had planned 1700 million cubic metres (mcm) of manipulable storage capacity in its projects on the Chenab river alone. They warned that with this storage India could withhold 40 days of river flow during lean season and deprive the lower riparian its much needed water. However, the assumptions made while computing the estimate were found to be questionable and the results derived there from were highly exaggerated. For example, the 'manipulable storage' estimated in the 390 MW Dulhasti project in the Chenab using the same logic is 95 mcm, whereas the gross storage actually provided in the project is only about 9 mcm – one tenth of the computed value! Further, the presumption that India would first deplete all its storage to refill the reservoirs with lean season flows to spite Pakistan does not stand to reason since it ignored the substantial revenue loss of millions of dollars India would suffer by shutting down power generation just for harassing Pakistan!

Though India was happy that the Court upheld its right to divert the water within the same basin, it could not accept the restrictions put forth on reservoir operations which shortened the life of the project due to heavy silting and the directions on minimum flows which affected the economics of project operation. It was evident that CoA had gone beyond the IWT provisions, choosing to apply recent environmental laws to include the aspects of minimum flows in a river, but ignoring the present day international practices for desilting reservoirs by lowering water levels below the dead storage level. Hence, the Court's final decision was tilted in favour of Pakistan. The Indian projects planned or under construction would prove uneconomical because of the ruling now given by the Court which would make the projects uneconomical.

### **Chinese Projects in the Upper Indus Basin**

In the meanwhile, China has also staked its rights on the Indus waters by constructing the Zada Gorge project in Upper Sutlej. It has also reportedly constructed a project at Senge Ali in the Upper Indus river.<sup>6</sup> This situation was not anticipated while signing the IWT in 1960. These projects would drastically reduce the river flows downstream upsetting the working of the Treaty. However, China is not concerned with it as it is not a party to the Treaty. If the river flows downstream get affected, Pakistan and its sympathisers would still blame India and continue their vituperative attacks.

### **Needed a Review of the Treaty**

The disenchantment with the Treaty is growing in India due to the biased allocations of the waters, and with global warming altering weather patterns; fresh water availability is also being affected in the basin. The recent decision of the Arbitration Court arming Pakistan with additional powers to object to our projects has further enhanced the possibilities of conflicts at a future date.

The root cause for any conflict is the scarcity of the resource as per studies carried out by David Zhang<sup>7</sup>, based on the data of more than 8000 wars that took place in the past, and in this case water is the scarce resource. However, war is certainly not the only option for India to settle water disputes when other options are available.

The operation of the IWT during the last five decades has revealed that it has only perpetuated the Indus dispute. It could survive the flash points all these years only because India acquiesced to the unreasonable demands of its neighbour. A review of the Treaty is, therefore, essential considering its inequity in water allocation and inherent ambiguity in the clauses giving undue benefits to Pakistan. It is time for us to insist for the review of the Treaty. If Islamabad does not cooperate, India should revoke article 62 of the Vienna Convention on the Law of Treaties, 1969, which permits terminating or withdrawing from the Treaty due to fundamental change of circumstances.<sup>8</sup> The circumstances have changed with China entering the scene. India should not allow Pakistan to sabotage its projects any further, using the provisions of an outdated Treaty supported by the verdict of the Court of Arbitration.

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**Coastal Security and Coastal States**  
**Dr KR Singh@**

## Introduction

Government of India (GoI) launched with great fanfare and after a great deal of deliberations the Coastal Security Scheme (CSS) in 2005-06. After the first phase was over, it launched the second phase of that scheme in 2011. It also has a five-year span. Rs 646 crore were earmarked for the first phase and Rs 1,579.91 crore have been earmarked for the second phase. The CSS, as it has evolved, has to a great extent sidelined the role of major stake holders; the coastal state and the coastal population and has given the Central Government primary responsibility. The expenditure is to be borne by the Ministry of Home Affairs (MHA). The enforcement is under the Navy and the Coast Guard, both come under the Ministry of Defence (MoD). The Marine Police, that represents the involvement of the coastal state, has been given a marginal role. Thus, the scheme, as it is envisaged, has reversed the roles. Those who are the prime targets and whose active cooperation is essential for its success have been marginalised.

## Coastal Security Scheme

As noted, the first phase covered the period upto 2011. It was decided to extend the scheme for five more years. Coastal states and Union Territories were asked to carry out a vulnerability gap analysis in consultation with the Coast Guard, to firm up their additional requirements for formulation of Phase II of the scheme. Thrust of Phase II was no different than that of Phase I. More funds were allocated under heads that were earlier listed under Phase I for Phase II as well. There was no enhancement in the role of Coastal Police, nor were they equipped with vessels that would have enabled them to challenge heavily armed terrorists even in the waters along the sea shore. The only item of significance that was proposed was to construct 60 new jetties for the boats of Marine Police during Phase II. Accompanying table giving details of the allocation of funds by MHA for infrastructure construction and acquisition of equipment will help to understand the limited nature of role that coastal state (Marine Police) is expected to play in coastal security. This is independent of the contribution by MoD for the Navy and the Coast Guard.

The role of various maritime security agencies entrusted with ensuring coastal security is specified. As per the Annual Report of 2013 of the MHA (Coastal Security, 3.57) it is a multilateral arrangement involving the Indian Navy, Indian Coast Guard and the Marine Police of the coastal states and Union Territories. Interestingly, the Customs (Marine Wing) that is responsible for economic security upto the outer limit of India's contiguous zone [24 nautical miles (NM) from the coast line] has not been listed as participating in the scheme of coastal security. One wonders why?

**Table: Coastal Security Scheme I & II (MHA's contribution)**

	<b>Scheme I 1905/6-11</b>	<b>Scheme II 2011-16</b>
<b>Financial</b> (in Rs. Crores)		
Total outlay	646.00	1,579.91
Non-recurring	495.00	1,154.91
Recurring	151.00	425.00
(on fuel, repairs, training)		
<b>Major infrastructure</b>		
Coastal police stations	73	131*
Check points	97	-
Outposts	58	-
Barracks	30	
Jetties	Nil	60
<b>Equipment</b>		
Jeeps	153	131
Motorcycles	312	242
Patrol boats:		
12 tons	120	150
5 tons	86	75 (includes 10 larger vessels for A & N, and 12 rigid inflatable boats for Lakshadweep.)

\*28 existing police stations in Andaman and Nicobar Islands (A&N) to be upgraded.

The Report also specifies the division of the roles of these three agencies. Surveillance on the high seas is carried out along the limits of exclusive economic zone (EEZ) by the Navy and the Coast Guard. If one overlooks the confusion created by terms like 'along the limits of EEZ', it is clear that the sea space beyond the outer limits of the territorial waters is entrusted to the Navy and the Coast Guard for surveillance only. It is because only these two,

besides Customs (Marine) have vessels that can operate effectively in those waters and are so authorised.

The Report says that in the territorial waters, the Coast Guard (alone) protects Indian interests through vessels and aerial surveillance. Thus, the Marine Police is not entrusted with maritime security of the whole of territorial waters adjacent to the coast. As per the report, Marine Police has been entrusted with close coastal patrolling. The Report also makes the following statement, "The State's jurisdiction extends upto 12 NM in the shallow territorial waters". Thus, under the Scheme, the state has jurisdiction but no capability and hence, limited responsibility vis-à-vis coastal security.

### **Constitutional and Legal Constraints**

Is the coastal security perspective the result of an inherited land-centric or so-called sub-continental mindset, reinforced by the constraints imposed by the Constitution and subsequent policy formulations? The reference is to the controversial Centre-State relationship as defined under the Constitution and reflected in policy formulations. One need not find faults with the constitution makers of those days. They wanted all states to enjoy equal rights as also privileges. Hence, the Constitution limited the extent of state's territory to its 'land' border. Under Article 297, Central Government reserved to itself exclusive right to exploit all non-living resources even within the territorial waters adjacent to the coast. Also, all fishing activities 'beyond the territorial waters' were retained under the control of the Central Government. By implication coastal state could have the power to regulate fishing activities only within the territorial waters adjacent to its coast. This backdrop is essential to understand the psyche that dominated the concept of sea governance and hence of coastal security.

In that context, Article 297 of the Constitution that gave the Central Government exclusive jurisdiction over the resources of the adjacent sea space (3 NM in 1951) assumes great significance when one analyses India's extended jurisdiction over its adjacent sea space. India extended the outer limit of its territorial waters from 3 NM to 6 NM through a Presidential Ordinance in 1956. The same year, by another Presidential Ordinance, it introduced the concept of contiguous zone. It extended 6 NM beyond the outer limit of territorial waters. In 1963, India amended Article 297 and added the concept of continental-shelf. No outer limit was specified but it legalised the exploration and exploitation of oil and gas reserves of the Bombay High. Article 297 was once again amended on 27 Apr 1976. It not only extended the outer limits of the territorial waters and the contiguous zone but also created a new zone - the EEZ. All that was before UN Convention of the Law of the Sea (UNCLOS-III) of 1982.

Article 297, as amended in 1976, enabled the Parliament to enact the Maritime Zones of India (MZI) Act, 1976. It fixed the outer limits of various maritime zones; territorial waters (12 NM), contiguous zone (24 NM) and EEZ/Continental Shelf (200 NM). That act also defined the extent of India's jurisdiction and sovereignty over each of these zones. That act also took care not to violate the concept of freedom of navigation on the high seas. Though India signed UNCLOS-III in 1982 and ratified it in 1995, it has not enacted any bill that legalises its provisions; Piracy Bill 2012 being the sole exception. Hence, MZI Act, 1976, provides the primary basis for defining India's maritime security framework vis-à-vis various zones.

MZI Act, 1976, did not provide for arrest, trial and punishment of persons apprehended for violating its provisions. Parliament had to enact specific laws in that context. It enacted Suppression of Unlawful Acts (SUA) Act, 2002, to legalise the provisions of the SUA Convention of 1988. It also passed the Piracy Bill in 2012. But, to the best of my knowledge it has not as yet passed a bill that can empower maritime enforcement agencies to neutralise the threat of maritime terrorism beyond the narrow limits of territorial waters.

### **Coastal Security under MZI Act, 1976**

One point needs to be underlined here. Before the GoI introduces a bill in that context, it can very well take advantage of the provisions of MZI Act, 1976. Section 5 deals with the contiguous zone, sea space that extends 12 NM beyond the outer limit of territorial waters. Since this section is often ignored while examining the question of maritime security, the same is reproduced below :-

Section 5, Subsection 4. The Central Government may exercise such powers and take such measures in or in relation to the contiguous zone as it may consider necessary with respect to:-

- (a) The security of India
- (b) Immigration, sanitation, customs and other fiscal matters.

Section 5, subsection 5 - The Central Government may, by notification in the Official Gazette :-

- (a) Extend, with such restrictions and modifications as it thinks fit, any enactment relating to any matter referred to in clause (a) or clause (b) of sub-section 4, for the time being in force in India or any part thereof to the contiguous zone.
- (b) Make such provisions as it may consider necessary in such notification, and any enactment so extended shall have effect as if the contiguous zone is a part of the territory of India.

Thus, MZI Act, 1976 already provides for enlarging India's maritime security zone upto the outer-limit of its contiguous zone (24 NM) even without enacting a new law. That notification will provide the maritime enforcement agencies of the Central Government, the Navy, the Coast Guard as well as the Customs (Marine), the legal basis to apprehend likely suspects well away from the coast. These suspects can then be produced before the designated court for trial under existing national laws.

Some legal purists might object to it by arguing that such an action would violate the concept of freedom of navigation on the high seas. Indian action does not violate that freedom under two counts. The first is that provision of

UNCLOS-III dealing with freedom of navigation applies to state actors alone and not to non-state actors. Secondly, since India has only ratified UNCLOS-III but not given it legal sanction by enacting an appropriate bill, MZI Act, 1976 reigns supreme and its provisions alone will be upheld before the Indian courts. Hence, Government of India should take steps to operationalise the contents of Section 5, Sub-section 4 (a) and 5 that deal with security so as to legally strengthen the hands of the enforcement agencies to curb activities of terrorists further away from the coast.

## **Coastal States and Sea Governance**

While the framers of the Constitution as also those who formulated the framework of governance gave primacy to problems dealing with 'land territory', little attention was given to the question of sea governance. The Constitution tried to bypass that question by placing almost all aspects of sea governance, be they fishing on the high seas, shipping, major harbours, foreign trade, exploration and exploitation of sea based resources etc under the control of the Union Government. The result was that coastal states that were the real stake-holders as also main beneficiaries had practically no role to play in sea governance, not even in matters of intimate concern like marine fishery beyond the narrow limit of territorial waters. The result was that most of the maritime governance issues, that should have reflected the maritime concerns of India, were allowed to languish by bureaucracy sitting far away in New Delhi.

Marine fishery is an area that has been long neglected. MZI Act, 1976, gave India exclusive right to exploit living resources in this vast 200 NM EEZ. While GoI passed laws in 1981/82 regulating fishing by foreign fishermen in these waters it has failed to enact a law that regulates fishing by Indians in these waters. Under the terms of MZI Act 1976, Indians are free to fish anywhere in India's EEZ. Indian fishing, even deep water fishing, has expanded rapidly over the decades. Indian fishermen, who operate from fishing harbours and landing sites along the coast and fish in waters beyond the outer limits of the territorial waters, are not governed under any law. Absence of a law facilitated Pakistan-based terrorists to target Mumbai in 2008; they captured a fishing boat from the Gujarat coast and used it to sail unhindered all the way to Mumbai. Such a thing can happen even now because 'Indian' fishing boat has a license under MZI Act, 1976 to fish anywhere in India's EEZ.

Attempts are being made to register Indian fishing boats under a new scheme. Since the subject (shipping) comes under the jurisdiction of the Central Government, there are proposals to formulate a common code and the task of registration is to be entrusted to coastal states. The data can be centralised. At best, that can help identify the boat, the place of its registration, owner and may be its crew. But that information alone cannot undo the present-day lawlessness on these waters, or give the enforcement agency the power to intercept and verify the need for presence of the vessel in a given place. A fishing vessel from Gujarat can still reach the coast of Maharashtra or even Kerala.

The Central Government, on its own can never truly regulate fishing in India's EEZ by Indian fishermen. It must involve coastal states in some aspects of sea governance. Some sort of supervisory role by the coastal states on marine fishery can be a major input in that direction. Since these boats are largely based along the coast – fishing harbour and landing sites – it is easy to monitor their activities and even to regulate them to the extent possible because these boats cannot be operated without the input of facilities like fuel, ice, places for landing of fish, cold storage, canning facilities, repair facilities, dockyards etc. These can be best handled at the level of the coastal states. A law dealing with fishing by Indian fishermen can not only be a step towards better sea governance but also a step towards combating acts of maritime terrorism and other crimes like smuggling in which these boats are often involved.

## **Recommendations**

One can suggest a few following steps that can enhance coastal security without disturbing the present framework of coastal security and with very small financial input. The first step is to strengthen legal norms. As noted, India has not enacted a law that can permit maritime security agencies like the Coast Guard and the Navy to apprehend suspected terrorists beyond the outer limits of the territorial waters. Pending the passing of such an act, Central Government can well invoke Section 5, Sub-sections 4(a) and 5 of the MZI Act, 1976. As discussed before, that provides a legal basis to treat India's contiguous zone as India's maritime security zone.

Secondly, steps need to be taken to enable coastal states to play a more active role in two matters related to coastal security. They are marine fishery and maritime security. An amendment can be suggested to include marine fishery as an item in the Concurrent List (List III) of VIIth Schedule. That will enable the coastal states to help the Union Government in organising the activities of fisher folk in respective states without in any way limiting the power vested in the Union Government under item 57 of the Union List.

Thirdly, the Constitution does not specify any role in matters of maritime security to coastal states. Its security reach, at best, extends to the outer limit of the territorial waters adjacent to its coast. It is too narrow a sea space given the long reach of contemporary terrorists. Also, even a fast fishing boat can cover that distance in an hour leaving little time for effective response. Maritime security concerns of a coastal state do not end with the outer limit of its territorial waters. It must have some means of at least monitoring the adjacent sea space where its fisher folk also operate and which is not being monitored by its Marine Police. If the Constitution is amended so as to list maritime security as an item under the Concurrent List, it can constitutionally empower the coastal state to extend its zone of concern well beyond the narrow confines of territorial waters.

Thus, a concept that recognises the role of coastal states in further strengthening sea governance will create an environment that will, over the years, not only lead to good sea governance but will also ensure a more equitable balance of responsibility between the Central Government and the State Governments even in matters of coastal security.

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# **UN Peacekeeping Operations: Relevance and Indian Contribution?**

## **Major General SB Asthana, SM, VSM (Retd)@**

### **General**

The recent Israeli shelling outside UN Relief and Works Agency (UNRWA) camp for refugees in Rafah has once again highlighted helplessness of UN to deal with complex security situations like in the Middle East and Ukraine. There have been debates in various think tanks and academia globally, whether the UN is effective enough to handle such complexities or otherwise. The volatile situation in the Middle East and Ukraine once again brings to focus that various countries react to a crisis situation as per their own national interest; hence there is a need for an effective global recognisable organisation, which could be seen as a neutral body to broker peace in such complex situations. Although Peacekeeping Operations were never envisaged in the original UN charter, these have got evolved as the flagship activity consuming bulk of the UN budget. Since 1948, UN Peacekeepers have undertaken 69 field missions.<sup>1</sup> Currently, there are approximately 98,755 personnel serving on 17 peacekeeping operations led by UN Department of Peacekeeping Operations (UNDPKO), in four continents, with an annual budget of \$7.83 bn. This represents a nine fold increase since 1999. A total of 122 countries have contributed military and police personnel to UN peacekeeping. India continues to maintain its commitment in assisting UN in the maintenance of international peace and security, and continues to participate in large numbers in the peacekeeping missions; hence a cost benefit analysis of the scale of Indian participation is worth consideration.

### **Relevance of UN Peacekeeping/Peacebuilding in Global Context**

It is a matter of fact that there is no other alternative organisation, with as much recognition and membership of various countries, which has stood the test of time and has a large number of missions of various kinds to its credit, for global role. UN peacekeeping is not as costly as it appears to be, as it costs only 0.4 per cent of world military expenditure, despite being the second largest deployed military force in the world. Bulk of the peacekeeping missions are in areas, where there are bright chances of conflict arising again. The fact that there has been no third world war, and no recognisable cold war in the recent past, some credit for it should also go to the UN as well, although a number of scholars would relate it to a large number of other factors, including cases where regional organisations like Organisation of African Unity (OAU) have brokered peace, and the UN has carried out only monitoring role. The idea of global policing by the US or regional policing by the Regional powers is a very dangerous option marred by individual agendas of these countries. Hence, the relevance of UN exists, however her future roles can be debated in light of various limitations of Peacekeeping Missions like; limited mandate, conflicting interests of member countries, lack of identifiable parties/viable political process in affected areas, financial and resource constraints etc.

Today a large number of countries are facing asymmetric threats and are trying to contain/combat these on stand-alone mode, despite acknowledging that such problems (especially terrorism) have regional and international linkages. The problem is more acute for certain nations, who do suffer from such problems, but do not have adequate resources and instruments of state power to fight the same. Thus, there is a need for the UN to take initiative and convince the member states to formulate a global strategy to fight these threats and concerns, which would entail political and diplomatic actions, and enhancing the scope of peacekeeping operations to include stronger and wider mandate. Although it is understood that the UN should not 'bite more than what it can chew' but it is high time that the international community sensitises itself to future challenges to peace, and make global effort to address these global concerns, with global deliberations in a synergised manner.

In the past, the majority of the UN's attempts to strengthen its mission and organisational effectiveness have been hampered by its own members, due to lack of political will to adhere to the body's action agenda. For example, the ineffective deployments of peacekeeping missions in the Democratic Republic of Congo (MONUC) and Sudan (UNMIS)<sup>2</sup> was caused due to lack of will on the part of a large number of UN members to provide well trained troops to ensure effectiveness of the operations. Thus, the relevance of UN is well established; however it's strengthening to be an effective actor needs generation of the political will amongst the member states.

### **Relevance of UN Peacekeeping Operations in Indian Context**

India has a proud history and stands committed in assisting UN in the maintenance of international peace and security right from the time of its Independence in 1947 (UN was established on 24 Oct 1945). India has contributed, the largest number of troops from any country, exceeding 170,000 troops,<sup>3</sup> a significant number of police personnel, participated in more than 43 missions. India has also provided eminent hierarchy in DPKO and continues to provide eminent Force Commanders for various UN missions. India has so far, provided one Military Adviser, one Police Adviser, one Deputy Military Adviser, 14 Force Commanders, and numerous Police Commissioners in various UN missions. The first all women contingent in peacekeeping mission, a Police Unit from India, was deployed in 2007 to the UN Operation in Liberia (UNMIL). Indian representatives also worked on the 'High-level Panel on Threats, Challenges and Change' of the Peacebuilding Commission, and India was reappointed thrice into Organisational Committee of the Peacebuilding Commission.

Currently, in 2014 India is the third largest troop contributor country with 7,860 personnel deployed with ten UN peacekeeping missions including 995 police personnel. The high standards of performance maintained consistently by the Indian troops and policemen deployed on UN missions, under challenging circumstances have won them high regard worldwide. Recently, Indian Peacekeepers were lauded by the UN for their efforts in preventing carnage in the South Sudan conflict, which resulted in the supreme sacrifice by two Indian soldiers. While serving under the blue flag, 156 gallant Indian soldiers have made the supreme sacrifice to bring peace and harmony to the world so far.<sup>4</sup> Our gallant soldiers have been conferred with one Param Vir Chakra, six Mahavir Chakra, Two Kirti Chakra, 20 Vir Chakra, nine Shaurya Chakra, four Yudh Seva Medal, and numerous other awards in UN Missions<sup>5</sup> so far.

### **Why Should India Contribute Troops to Peacekeeping Missions to the Extent it has done so far?**

- (a) India has been a consistent propagator of peace everywhere in the world. Participating in such actions demonstrates Indian commitment to peace.
- (b) We need to have strategic footprints in certain areas of the world, where we have strategic/economic/energy/ multilateral interests. We need to tap every possible source of energy to grow. We also need to build confidence of Indian diaspora, working in various parts of the world, affected by disturbances of various kinds. Deployment of peacekeeping troops may be one of the means to do so.
- (c) We can create tremendous goodwill with the parties to the conflict, host nation and the countries with whom our contingents are serving. Our “Quick Impact Projects” to win the hearts and minds of people may further improve our relations with affected countries, furthering military diplomacy.
- (d) If we do not send troops, some of our adversaries can take a lead and send troops in certain areas, which may not be in our strategic interest.
- (e) Few strategists feel that being one of the largest troop contributing country may help in our claim for permanent membership of Security Council. This is a misnomer because not very many permanent members of Security Council have made noticeable contribution as troop contingents, although they do occupy sizeable important appointments in UN staff. No one really appreciates or gauges the claim to permanent membership of Security Council, by virtue of being the largest troop contributing nation.
- (f) Troop contribution to UN does generate certain amount of foreign exchange into Consolidated fund of India, in terms of reimbursement of Certificate of Entitlement (COE), which can be gainfully employed for modernisation of own Armed Forces. The pay and allowances of 7860 troops and reimbursements of equipment is not a sizeable amount, considering the size of Indian economy, and should not influence strategic decisions of India.
- (g) It also gives international exposure to our officers and troops thereby improving professional experience.

### **Cost of such Contributions for India**

The troops deployed for UN peacekeeping role may not be available at a very short notice to deal with any misadventure by any of our adversary in conventional/asymmetric operations in own country. Non availability of troops deployed for UN peacekeeping for conventional/CI operations has corresponding reduction in our deterrence value. India is raising and equipping its Armed Forces at a very heavy cost to meet external as well as internal security challenges. There also exist huge shortages of manpower and equipment to meet our optimum requirements. It, therefore, does not support the argument of sending troops for UN, when Indian Armed Forces themselves have shortages.

The shortage of troops deployed for UN Peacekeeping role, more so in areas with continued deployments, has an adverse impact on increased tenures of various units in counter terrorism operations and high altitude areas within India which indirectly leads to inconvenience to them, by shortening of peace tenures essentially required for training.

While we all are proud of supreme sacrifice of 156 Indian troops and their gallant actions, and the nation has appropriately recognised and rewarded them; but, we need to ask a question to ourselves; is such a sacrifice worth it, especially in areas where no recognisable Indian interest is being served? We need to have a re-look at our policies to convince ourselves whether casualties occurring due to firefight between various terrorist groups at places, where India has no worthwhile interest are really worth it or otherwise? Can we convince the relatives of these martyrs that their son/daughter has sacrificed himself/herself for the motherland?

In most cases Indian contingents have been initially deployed under Chapter VI of the UN charter, but invariably they have to go prepared for undertaking a role under Chapter VII, which involves additional deployment of equipment and resources. In a large number of situations, the approved mandate under Chapter VI has been found to be grossly inadequate to effectively deal with some critical situations, which has resulted in sub optimal employment of full combat potential of our Armed Forces, resulting in poor results, and a criticism of professionalism of Indian Armed Forces, who had to deal with the situation, with one hand tied behind their backs. While the affected population has unrealistic expectations from peacekeepers, the interested parties at times question their impartiality, and in such a condition any awkward incident brings unnecessary criticism to professionalism of the Indian Army.

### **Conclusion**

Since the Second World War UN has proved itself to be a credible global organisation in contributing to world peace, which has no worthwhile alternative, and has a large number of successful missions to its credit. It also has some limitations like inability to effectively curb nuclear proliferation and unilateral military actions by some of its members. It also needs to enhance its role to synergise global fight against terrorism. UN needs willing support of all its members in the interest of world peace.

India is proud of her contribution to the UN for world peace in peacekeeping, as well as peacebuilding efforts, and should continue her support towards that, but a realistic cost benefit analysis should be carried out to analyse the implications, before contributing troops for future peacekeeping missions. India should participate and deploy troops where she has some strategic interest and wants to leave some strategic footprints, besides earning goodwill. In hindsight, there have been many instances, which force the military scholars to think that the troops deployment for peacekeeping and the casualties sustained did not serve any worthwhile strategic interest of India, in many cases. We need to weigh and be sure that the level of strategic interest served by contributing troops for peacekeeping for future missions as and when asked for, justifies taking on casualties, if the need arises. Sending military contingents only for strengthening the claim for a permanent seat in the Security Council or earning foreign exchange is not recommended.

### **Endnotes**

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# **Amphibious Warfare : Medical Planning during Normandy Landings and Lessons for Integrated Planning in Indian Scenario**

**Surgeon Vice Admiral VS Dixit, AVSM, VSM (Retd)@**

## **Introduction**

Amphibious warfare is the use of naval firepower, logistics and strategy to project military power ashore. Over millennia, it has stood as the primary method of delivering troops to non-contiguous enemy-held shores. In ancient times, Greeks, Persians and Norse raiders had resorted to amphibious warfare to gain lodgment on enemy shores. Napoleon failed to conquer England as France was not as strong a sea power and could not venture to cross the channel. Gallipoli landing led by British forces, which ended in a disaster, was the main amphibious operation conducted during World War I.

Some of the successful amphibious operations of the recent times are : the Normandy landings (1944), Inchon landing during the Korean War (1950) and the Falklands War (1982); of these, the Normandy landings were unique in scale of forces employed and the logistics involved.

Mobility, flexibility and surprise are the main features of amphibious warfare. Surprise is the most important element if the enemy is evenly matched as it happened in Normandy landings. These features affect the medical planning and deployment as resource mobilisation needs to be refined to suit the situation. Limitation of an amphibious operation is that the attacker has to build up his strength on enemy shore and later in enemy held territory from initial zero. The likelihood of attacker being massacred, as it happened in 'Battle of Dieppe', is high unless the enemy is caught by an element of 'surprise'.

## **Complexity of Planning**

An amphibious landing of troops on a beachhead is the most complex of all military manoeuvres. The undertaking requires extensive training, enormous planning, huge amount of resources, and intricate coordination of numerous military specialities, including tactics, logistical planning, specialised equipment, naval transport, naval gunfire, land warfare (which include Marines, Commandos and Paratroopers), air power and last but not the least, casualty management and evaluation.

Generally, operational planning, troop movement and deployment, and mobilising logistical resources of all kind get done as per schedule but issues pertaining to casualty management, evacuation, mobilising medical stores and establishing treatment facilities at various echelons do not get planned as well as they ought to be. Reasons could be :-

- (a) Operational and logistics planning takes precedence.
- (b) Inadequate discussion between operational and medical authorities regarding casualty management and evacuation, and medical stores mobilisation and supply for 'D' Day and beyond.
- (c) Inadequate discussion between medical authorities of the three services regarding casualty management and evacuation.
- (d) With little or no amphibious planning experience on the part of medicals, there is probably lack of enthusiasm and efforts at integration.

## **Medical Planning during Normandy Landings**

It is interesting to note that Medical planning for assault on German held West Coast of France started in April 1942, nearly two years before the invasion, with planners having little amphibious warfare experience to guide it. Manuals on amphibious doctrine had little useful information about medical operations. War time British Commando raids, and even the August 1942 attack on Dieppe, offered few medical lessons. However past events confirmed that heavy casualties were to be expected. There were innumerable uncertainties and areas of ignorance. Medical stores organisation was in poor shape. However, with progress on other aspects, medical planning too progressed and achieved more than what was desired and expected. Efforts have been made to study the planning processes which have been very well documented in 'Medical Service in the European Theatre of Operations (ETO)'.

## **Medical planning**

Planners struggled to mobilise the following :-

- (a) Manpower. Planners faced shortage of medical manpower. More importantly, training needed to be imparted to face the peculiar problems of the warfare with several variables and very little lodgment area.
- (b) Diagnostic and Therapeutic Equipment. With difficulty at replenishment, planners had to resort to novel methods at equipping and packing.
- (c) Equipping each medical unit / section with stores for primary responsibility of casualty management.
- (d) Resources for casualty evacuation.
- (e) Replenishment of Medical supplies as the attack progressed inland.

Casualties

Unless the adversary is weak, heavy casualties are a rule. Hence, Medical authorities had to work with uncertain parameters and plan for the worst scenario, which was ‘enemy effectively repulsing the landing of troops and inflicting heavy casualties and material losses when there would be no scope for casualty management or evacuation!’ Because of the peculiarity of warfare, no single formula could be relied on to work out the number of casualties. The assault force would suffer its largest proportion of wounded at precisely the time when hardly any medical manpower would be on shore to care for them. During the Normandy landings, for planning purposes, it was assumed that the assault forces would suffer 12 per cent wounded on ‘D’ Day and 6.5 per cent on D plus 1 and D plus 2, with a declining proportion thereafter, if the troops advanced. Using this ratio, Army Surgeons had to think in terms of treating or evacuating over 7,200 wounded on ‘D’ Day and another 7,800 in the next forty-eight hours, of whom about 3 per cent i.e. at least 450, would be too severely injured to be transported any distance without definitive surgery. Planners had realised that even these estimates were uncertain.

## Managing Casualties

Where does one treat the injured? Planners ruled out any attempt to treat the injured on the French shores concluding that such treatment would require more manpower, hospitals and equipment than could possibly be landed during the phase of assault and early build-up. If injured are not to be cared for on the enemy shore, they would have to be evacuated directly from the beaches to hospitals in Great Britain. How does one evacuate the wounded? Evacuate in what?

## Casualty Evacuation

Planners decided to evacuate all casualties from the Normandy beaches except those needing immediate surgery to keep them alive and the lightly wounded. Deploying few available hospital ships or smaller hospital carriers had been ruled out because of the risk of enemy fire.

Landing Ship Tank (LST), military designation for naval vessels to carry significant quantities of cargo, vehicles and landing troops directly onto an unimproved shore, were built during World War II to support amphibious operations. As the number of hospital ships or smaller hospital carriers available was inadequate to evacuate the expected number of casualties, planners adopted the policy of maximum evacuation during the initial assault by using returning LSTs (after discharging personnel and equipment) as the main casualty carriers in the absence of other options and alternatives. LSTs were selected as the principal evacuation craft as the ships could embark large number of casualties in a comparatively short time. The ships could also accommodate ambulances and stretcher carrying jeeps. The tank deck could hold up to 300 stretchers. Casualties could be hoisted on board in small crafts or on individual stretchers. The ship’s upper decks and crew’s quarters could hold 300 additional walking wounded. Any LST could be fitted for evacuation and accommodate a small emergency surgical facility, without reducing its ability to perform its main task. Operationally it was assumed that only 75 stretcher and 75 walking patients would be moved on each voyage of an LST as the ship will face enemy fire and may not be able to stay long enough on the shores after discharging the contents to load up to full capacity.

Army surgical teams complemented LST naval medical teams to provide emergency surgery for casualties taken on board directly from clearing stations during the first days of the attack. 10 Hospital carriers (small ships converted) were later pressed in to service to carry additional medical personnel and supplies to France and then embark patients requiring early and extensive surgery. When emptied of their cargo, LSTs rolled heavily in all but the calmest seas, creating an unstable platform for surgery. As combatant vessels carrying troops and weapons outward bound, LSTs could not be protected with the Red Cross and were legitimate attack targets. Some Army authorities called LST a ‘cold, dirty trap for injured men and rotten ships for care of wounded’. In the absence of any suitable alternative, these were the ‘chosen vessels’ to transport the wounded.

Despite the constraints, LST was ‘the only improvised method of removing casualties forced upon the Medical Service by operational necessity.’ All objections were overruled by the Allied Supreme Commander.

## Medical Cover during Landings and After

Great Britain and the United States were the two major countries in the alliance. Designated authorities delineated the plan and arrived at basic decisions on a number of important issues. Army-Navy division of cross-channel evacuation responsibility, which applied to both British and American forces, was established. Medical authorities of Navy and Army initially and Air Force at a later date, were to coordinate closely from the time operations were conceived to address every important issue of casualty management and evacuation. Responsibility for each service was laid down for tasks enumerated on ‘D’ Day to ‘D’ plus 2’, which is tabulated below :-

Serial	Task	Responsibility
1.	Establishment of Beach Aid Post and Casualty Clearance Stations	Navy
2.	Collection of wounded on the beaches	Navy and Army
3.	Collection of wounded from inland and move them to the beaches	Army
4.	Loading the wounded on vessels / craft and caring for patients	Navy

during Evacuation

5. Unloading the wounded at home port and removing them to hospitals :-  
(a) Fresh triage and emergency surgery  
(b) Transporting less severely injured to inland hospitals to reduce the workload on the local hospital.
6. Considering that the beachhead has been secured and troops advance inland, responsibility for further medical cover, casualty management and evacuation rests with the Army.
7. Establishment of compact lodgment area in which armaments, ammunition and supplies including Advance Dressing Station and Field hospital can be set up.
8. Taking over the airfield.
9. Air evacuation from conflict zone to home base

Navy and Army

Army

Advancing troops

Advancing troops

Air Force and

Army

#### Backlog of Casualties

Backlog of casualties who could not be evacuated due to many unforeseen circumstances was kept in mind. To meet this contingency, teams from army's auxiliary surgical group were attached to the clearing company of each engineer special brigade medical battalion. These units, the only hospitals on shore during the first twenty four hours or so of combat, could care for a substantial number of severely wounded.

#### Blood Transfusion

Blood transfusion is indispensable for controlling shock in severely wounded soldiers. This had been more than proven in British experience in the Western Desert and from early American operations in North Africa and Sicily. Whole blood is highly perishable, difficult to store and transport but was found indispensable for controlling shock in severely wounded soldiers. Blood administered as far forward as possible in the evacuation chain, saved lives that plasma alone could not. Americans established European Theatre Operations (ETO) whole blood service in Jul 1943. This service was modelled on the highly successful British Army Transfusion Service. In Normandy operations, only type 'O' blood was used. Blood was processed, prepared for daily shipment on top priority to advance depots for distribution as far as the field hospitals and division clearing stations. Satisfactory storage and transportation conditions were ensured.

Up-to-date estimates of whole blood transfusion requirements in combat surgery were essential. Expected usage rate in the field as per British planning ratio was one pint for 8-10 wounded. Medical service, on the basis of reports from the Fifth Army in Italy, increased its estimate of requirements to one pint for every 2.2 casualties which was much beyond the capacity of collection and processing.

#### The Surgical Programme

Medical authorities and the consultants defined uniform surgical practice for each step in the evacuation process and this had definite and satisfactory results. War Department Technical Manual 8-210, 'Guides to Therapy for Medical Officers', was rewritten to simplify and make it more useful to surgeons in the field. 'ETO Manual of Therapy' was published in late 1943. Of the manual's three sections :-

(a) Two sections dealt with surgery in clearing stations and evacuation and fixed hospitals. Written in short, simple sentences, these sections concentrated on specific treatment of particular types of injury at each point in the evacuation chain and omitted lengthy expositions. The manual emphasised the need to avoid definitive surgery in the forward areas, unless absolutely necessary to save life.

(b) Third section covered basic medical emergencies from poisoning to neuropsychiatric disabilities.

‘ETO Manual of Therapy’ was supplemented on 15 May 1944 by an ETO circular on ‘Principles of Surgical Management in the Care of Battle Casualties’. The circular reiterated many of the policies and constituted a concise practical guide for fresh and usually inexperienced surgeons from civilian practice at treating severe injuries in primitive facilities under pressure of time.

#### Usage of Gas and Chemical During War

Planners had perceived the threat due to use of chemicals and gas attacks and issued detailed instructions pertaining to the following :-

- (a) Medical precautions against the threat of German gas attacks.
- (b) Training for all troops in first aid for chemical warfare casualties.
- (c) Issue of eye ointments and impregnated protective clothing.

#### Preventive Medicine

Based on intelligence inputs, planners tried to anticipate every foreseeable problem, actual or potential, and outline a solution. State of public health in occupied enemy territory was of utmost importance as it would have direct and indirect impacts on the health of allied troops. Water purification and sewage disposal facilities needed to be streamlined. Standard immunisations, personal hygiene and mass sanitation were impressed and practised to contain communicable diseases. Measures were taken to repress commercial sex in areas in which the troops were planned to be quartered or through which they were to pass. Adequate nutrition of troops also was ensured to prevent under nutrition and malnutrition. Functioning hospitals located in enemy territory were audited for quality, capacity and expertise so that available facilities could be utilised to treat the wounded soldiers and sick civilians.

#### Integrated Planning

Though amphibious exercises have been carried out by Indian Navy over the past few decades, during 80s and 90s involvement of Medicals has at best been peripheral. The reason could be that operational and logistics planning takes precedence and medicals are co-opted at late stages. There is a need for medicals to go in to all modalities of operation and plan for casualty management and evacuation and seek collaboration of Army (which is a major player) and Air Force to evolve an integrated and elaborate plan in all spheres of medical planning. Medical aspects of the operations should get integrated in the tactics and planning of warfare from the word ‘go’. With availability of hospital ships, strengthening of support vessels, addition of helicopters and establishing of ‘Integrated Defence Staff’, things would be different today.

It is noted from the details and events enumerated in the publications on Normandy landings that major planning for casualty evacuation and management rested with the Army. Role of the Navy was primarily casualty evacuation in LSTs and supportive role in casualty management.

#### Lessons for Integrated Planning in Indian Scenario

It is undoubtedly true that morale of troops depends on the confidence they have in Medical Planning. A Soldier, a Sailor or an Airman goes in to battle facing enemy bullets with the belief that if injured, the medical organisation is geared up to evacuate him to a safe place, treat the injuries and save his life. Hence there is no room for laxity on this count. Following are the lessons for medical planning by the three Services for efficient outcome :-

- (a) Integrate Medical aspects of tactics and planning of operations from the word ‘go’.
- (b) Assess adequacy and competence of manpower (medical, dental, nursing and paramedical personnel).
- (c) Training of manpower to meet the demands of amphibious operation.
- (d) Scaling of medical equipment (including modern expendable items of every kind).
- (e) Equip each medical unit/section/individual with stores for primary responsibility.
- (f) Collaboration between Army, Navy and Air Force to plan for comprehensive casualty management and evacuation.
- (g) Resources for casualty evacuation – assessment and mobilisation. With the ‘Golden Hour’ rule and principle, helicopter evacuation of severely injured should be the goal.
- (h) Replenishment of Medical supplies as the attack progresses inland.
- (j) Collection and transportation of whole blood and also components.
- (k) Prepare to meet the Nuclear, Biological and Chemical (NBC) scenario.
- (l) Assessment of health status in enemy territory prior to launch of operations.

(m) Treating and evacuating wounded prisoners of war

(n) Treating the sick and injured civilians.

#### Preparing Senior Medical Officers for the Tasks

A course titled 'Commander, Amphibious Task Force (CATF)/Expeditionary Strike Group (ESG) Surgeon Course' used to be conducted at Surface Warfare Medicine Institute, San Diego, California, which provided Navy Medical Officers with training in amphibious operations, expeditionary warfare, and associated operational health service support training. On qualifying the course they would be prepared to serve effectively as a Senior Medical Adviser to a Task Force/Expeditionary Strike Group Commander, eligible for assignment as a Commander, Amphibious Task Force (CATF)/Expeditionary Strike Group (ESG) Surgeon and Officer-in-Charge of a Fleet Surgical Team. This had a Security Classification as Unclassified and duration of the course was 10 training days. Subject matter experts presented lesson topics and US Medical Department officers and enlisted personnel currently active within the surface community provided course presentations, as did past CATF Surgeons, Fleet Surgical Team leaders, and other service members.

Till now Indian Medical Officers have not been deputed for any course which prepares them for this role. It is essential that Medical Officers (Senior Surgeon Commanders and Surgeon Captains/equivalent from Army) are exposed and prepared for the role to execute medical tactics and plans for amphibious exercise/ warfare. Deputing them for such courses should be considered.

#### Conclusion

There is a need to evolve an elaborate template of medical planning in consultation with 'Operations and Planning Branch', which can be adopted for a specific exercise with necessary changes. It is considered imperative that Medical authorities of Army, Navy and Air Force comprehensively plan casualty management and evacuation, scaling and organising medical manpower, establishing the Field Hospitals and replenishment of stores as Army becomes the major player once the troops are landed on the enemy held shores. It is considered essential that Medical Officers are deputed to undergo training in planning for amphibious warfare in the USA or any other identified countries where such training is imparted.

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# **Sun Tzu and Kautilya on War and Statecraft : Their Relevance Today**

## **Lieutenant Colonel BS Varma (Retd)@**

### **Historical Perspective**

Written in 500 BC, Sun Tzu's essays on 'The Art of War' are still relevant today because they are 'the concentrated essence of wisdom on the conduct of war'. Among all the military thinkers of the past, only Clausewitz is comparable and he is even more 'dated' than Sun Tzu. Sun Tzu has clearer vision, more profound insight and eternal freshness.<sup>1</sup>

In the past, successive generations of Chinese and Japanese soldiers and scholars evolved their military thinking based on Sun Tzu's 'Seven Military Classics'. Much later in the eighteenth century, the European colonial powers and Russia evinced interest in Sun Tzu leading to many translations of his works. In 1772, 'The Art of War' was published in Paris and was possibly read by Napoleon, as a young officer. In 1803, he said "China is a sleeping giant, when she awakes the whole world will tremble". Later, in 20th Century, Mao Zedong keeping the "sleeping giant" in mind, promised his Communist comrades "All that the West has, China will have". Today China, aided by their cumulative civilisational military wisdom, has awakened and shaken the world to emerge as a leading world power. Mao Zedong in his two celebrated essays, "On Protracted War" (1936) and "The Problems of Strategy in China's Revolutionary War" (1936) acknowledged his indebtedness to Sun Tzu.<sup>2</sup>

Recently on 25 Jul 2014, speaking at a book release function at the Rashtrapati Bhawan, Prime Minister Narendra Modi said, "India very often is not a history conscious nation.....only a society which is conscious of history has the potential to create."<sup>3</sup> In this context, India with its rich civilisational and martial heritage must learn from what military strategists like Sun Tzu, Kautilya, Clausewitz, Liddell Hart and Samuel Griffith said on the 'conduct of war'. It is equally important to study Military History to learn the lessons from other's experiences because human life span is too short to gain experience in every field. In the Indian context, it will be relevant to quote Major General PJS Sandhu (Retd) from his article in USI Journal Oct-Dec 2011.<sup>4</sup>

*"If the military and civilian leaders of those times had studied the Korean War (1950-53) and imbibed its lessons, the outcome might have been different. It will be generations before we come to terms with what happened in October-November 1962."*

In Kautilya's 'Arthashastra' situations visualised some 2300 years ago remain astonishingly relevant to date. It is so, despite the European industrial revolution and ever continuing march of science and technology besides the present day revolutions in military affairs.<sup>5</sup>

A few selected quotes on what Sun Tzu and Kautilya said on 'war and statecraft' and responsibilities of the heads of the State (Kings), military leaders (Generals) and the polity are put together in the succeeding paragraphs to provide a glimpse of oriental military wisdom to 'kindle interest' in statecraft and matters military. Certainly, being strong intellectually and militarily have been the two essential civilisational characteristics.

### **Sun Tzu's Precepts on War**

#### **Study of War**

War is a matter of vital importance to the State; the promise of life or death; the road to survival or ruin. It is mandatory that it be studied thoroughly. Moral strength and intellectual faculty were decisive in war whose proper application could lead to certain success.<sup>6</sup>

#### **Seeking Supreme Excellence in War**

To fight and win in all battles is not supreme excellence; supreme excellence consists in breaking the enemy's will and resistance without fighting.<sup>7</sup>

#### **Planning and Readiness**

The art of war teaches us to rely not on the likelihood of the enemy's not coming, but on our own readiness to receive him; not on the chance of his not attacking, but rather on the fact that we have made our plans unassailable.<sup>8</sup>

#### **Surprise and Deception**

All warfare is based on deception. Deception means deceiving or being deceived, tricking or shamming by doing the unexpected to achieve surprise. It involves use of military devices leading to victory which must not be divulged beforehand.<sup>9</sup>

#### **Waging War**

The art of war is governed by five constant factors : The Moral Law; Heaven (signifying night and day, cold and heat, times and seasons); Earth (comprising distances, danger and security, open ground and narrow passes, the chances of life and death; The Commander (should stand for the virtues of wisdom, sincerity, benevolence, courage and strictness); Method and Discipline. Every general should be familiar with these five heads to be victorious.<sup>10</sup>

#### **On Long Wars**

There is no instance of a country having benefited from prolonged warfare. In war, let your object be victory and not lengthy campaigns.<sup>11</sup>

#### **Five Essentials for Victory**

He will win who knows when to fight and when not to fight; he will win who knows how to handle both superior and inferior forces; he will win whose army is animated by the same spirit throughout all its ranks; he will win, who prepared himself, waits to take the enemy unprepared; he will win who has military capacity and is not interfered with by the sovereign. Hence, if you know the enemy and know yourself you need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will also suffer losses (e.g. heavy casualties in the Kargil War). If you know neither the enemy nor yourself, you will succumb in every battle (e.g. 1962 War).<sup>12</sup>

## **Methods of Attack**

In battle, there are not more than two methods of attack; the direct and indirect; yet these two in combination, the direct and the indirect, lead on to each other. It is like moving in a circle – you never come to an end.<sup>13</sup>

## **On Generalship**

In war, the General receives his command from the sovereign, collects his army and concentrates his forces. He, whose generals are able and not interfered with by the sovereign will be victorious. (To make appointments is the province of the sovereign; to decide on battle, that of the general. A sovereign of high character and intelligence must be able to know the right man, should place the responsibility on him and expect results).<sup>14</sup>

The general who advances without coveting fame and retreats without fearing disgrace, whose only thought is to protect his country and so service for his sovereign, is the jewel of the kingdom.<sup>15</sup>

## **On Gaining Victory**

If you know the enemy, know yourself; your victory will never be endangered. Know the ground, know the weather; your victory will then be total.”<sup>16</sup>

## **Kautilya on Statecraft**

### **Relevance for India**

Kautilya, also called Chanakya, is as big a military thinker as Sun Tzu; as also, an outstanding military thinker who inspired Sardar Vallabh Bhai Patel amongst others to follow his teachings at the time of our Independence. Field Marshal KM Cariappa, as Commander-in Chief of the Indian Army, had the privilege of observing how closely the Sardar followed Kautilya in precept and practice. Kautilya always had much to offer to the Nation and its strategists.<sup>17</sup> Free India's first Prime Minister Jawaharlal Nehru studied Kautilya and highlighted the achievements of Chandragupta and Chanakya in establishing Mauryan Empire within two years of Alexander's death in his book, 'Discovery of India' – crediting Chanakya with playing a dominating part in further growth and preservation of the empire.

### **Duties and Responsibilities**

Kautilya's Arthashastra dwells on the Mauryan Army and has in many places sought to advise the Rajadhiraj (King) on the duties and responsibilities of the Head of State. It is amazing how clearly he saw the likely faultlines in governance, the intricacies of management of the military by the State functionaries, the nature of the military and the citizenry and the close interplay between them all which are so completely relevant even after 2000 years.<sup>18</sup>

### **Importance and Usage**

Most of the Arthashastra's contents were distilled from the four Vedas – Rig Veda, Sama Veda, Yajur Veda, Atharva Veda and Puranas, including Ramayana and Mahabharata.<sup>19</sup> Therefore, Arthashastra's maxims over the millennia have become part of everyday life through folklore. For instance, the four stratagems of Saam (conciliation or treaty), Daam (reward or money) Dand (retribution) and Bhed (secrecy of plans, creating dissensions and gaining intelligence) continue to be amongst the best used dictums. It reinforces two fundamentals : “one who aspires for peace should prepare for war ; and without good administration, there cannot be good governance and rule.”<sup>20</sup>

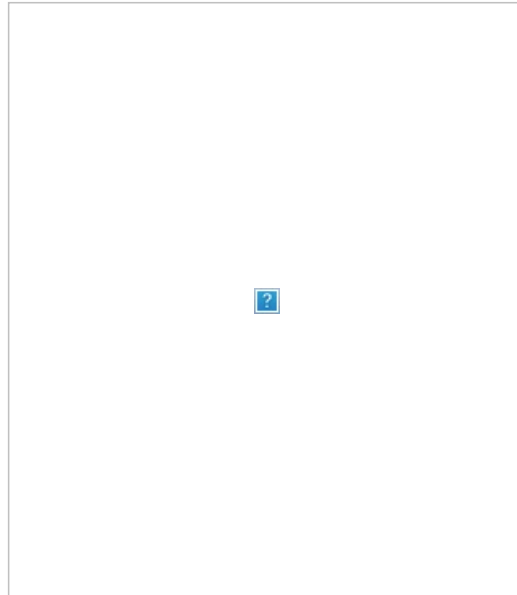
### **Contents**

The Arthashastra contains fifteen Adhikarnas (books) in which broadly speaking : The first five deal with internal administration of the State, the following eight cover its relations with neighbours, while the concluding two are on miscellaneous subjects. Importantly, Book Six (two chapters); firstly, amplifies the constituents of the Nation State (king, ministers, treasury, the army, fortifications and alliances) and the qualities require in the king and his advisors for ensuring effective governance; secondly, it explains the types of neighbours and the 'Circle of States' (Mandala Theory) in various forms of alliances and conflict. Book Nine (seven chapters) and Book Ten (six chapters) are related to 'The Activity of the King about to March' and 'Concerning War' respectively.<sup>21</sup>

### **Analytical Study**

An analytical study of the Arthashastra suggests that Chandragupta and Kautilya had made an extensive study of the causes and consequences of the fall of the Nanda dynasty, and also the failure of Porus at Jhelum. [Refer to Schematic Sketch of Battle of Jhelum (326 BC) in USI Journal, Oct-Dec 2012, p. 56]. Accordingly, he introduced improvements in the Mauryan Army; in matters of tactics, defence, the security of the sovereign and commanders, considerations for crossing of water obstacles, movement through deserts, forests and mountains, the formations for attack and defence – and even withdrawal. The tactical wisdom on indispensability of 'reserves' was also highlighted: “Having gone a distance of 200 bows, the King should take his position together with reserves; without reserves, he should never attack”.<sup>22</sup> No wonder he established the Maurya Empire which extended to the North along the natural boundaries of the Himalayas, to the East into Assam, to the West beyond modern Pakistan, into Balochistan and the Hindu Kush mountains of what is now Afghanistan.<sup>23</sup>

**(Refer to Map)**



**Map: Maurya Empire at its maximum extent**  
**Source : [http://wikipedia.org/wiki/Maurya\\_empire](http://wikipedia.org/wiki/Maurya_empire))**

### **Conclusion and Recommendations**

In the 20th century, Sun Tzu's *The Art of War* and Kautilya's *Arthashastra* have evoked much interest in India and abroad. Sun Tzu was a thinking military general (who knew the multi-faceted compulsions of a State) while Kautilya was an all pervasive strategist of statecraft (who also knew the components and compulsions of war). Sun Tzu and Kautilya's works are outstanding classics that deal with the issues of war and peace in both strategic and practical terms. In China, generals and military thinkers made strategic studies into an independent discipline and sustained it down the centuries.<sup>24</sup>

On the other hand, Kautilyan strategic culture lost its vigour with the decline of Hindu India. Subsequent Indian rulers - Muslims and Mughals - developed their own strategic thought. Later, during the British imperial rule, their war strategy in India encouraged treason and forgery, intrigue and forgery, reinforced by bribery and blackmail, leading to complete subjugation of the Indian people and suppression of the strategic thinking process.<sup>25</sup> By using Indian resources, wealth, soldiers and manpower they went on to create 'The British Indian Empire' whose strategic frontiers lay well beyond the Maurya Empire.<sup>26</sup>

Lastly, even after the 1962 border conflict with China, a study of China's strategic culture was not taken up by either the military or the academics. It is only over the last two decades or so that some modest beginnings have been made to examine the issue of military strategy and national security across the Country. It may be worthwhile to expose our future military leaders to these classics on warfare and statecraft right from their impressionable years at the National Defence Academy and carry these right through the military and civil institutions of higher learning. As one grows up in age and service these texts begin to take on different meanings and are intellectually stimulating.

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**@Lieutenant Colonel BS Varma (Retd)** was commissioned into 18 Cavalry on 11 Jun 1967 and was later transferred to 43 Armoured Regiment in February 1981, on its raising. He retired from the Army on 30 Jun 2004. Presently, he is working as Assistant Director at USI since Jun 2007.

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## **1962 War : Battle of Namka Chu - As I Saw It Brigadier AJS Behl (Retd)**

### **Background**

After reading an account of the above battle and subsequent days in Chinese captivity by Major JS Rathore (Retd) who was a Lance Naik (Technical Assistance) in the 'E' Troop of 17 Para Field Regiment, I felt motivated to put down my own experience of that war, as I saw it. Being an officer, I had the added advantage of seeing things from a higher plane and thus being able to put the events of those fateful days in a tactical perspective. I was the Gun Position Officer (GPO) of 'E' Troop from 17 Parachute Field Regiment which took part in operations in Oct 1962 in support of 7 Infantry Brigade on the Namka Chu in Kameng Frontier Division of erstwhile NEFA. The narrative that follows is based on my personal experience during that battle and later as a prisoner of war (PW).

### **Induction of 'E' Troop**

'E' Troop ex 17 Parachute Field Regiment was inducted into the 7 Infantry Brigade Sector as per the operational plans to evict the Chinese from Thagla Ridge. A battery of 36 Heavy Mortar Regiment was already deployed there and augmenting the same by a troop ex a Parachute Field Regiment which could be airlifted fitted well into the operational plans of Lieutenant General BM Kaul. A JCO went to Kanpur to get winter clothing. I did a quick course in first aid for high altitude sickness with our medical unit 60 Parachute Field Ambulance. The induction of my troop was properly planned and we were well kitted, had adequate supply of gun ammunition and small arms ammunition.

We left Agra on 30 Sep 62. One AN12 and three C119 lifted the troop. It consisted of two officers, two JCOs and 45 men. We had four guns 75mm Pack Howitzers (made in the USA) and one first line ammunition for our four guns. The entire troop was concentrated at Tezpur, HQ 4 Infantry Division. I was briefed by Major Narinder Singh General Staff Officer 2 (Operations) HQ 4 Infantry Division. I was given blue prints of the area as no maps were available. In these blue prints McMahon Line was shown to be running along Thagla Ridge which is North of Namka Chu. 7 Infantry Brigade was deployed astride the Namka Chu which was tactically unsound.

I met General Kaul at Tezpur airport and he insisted that I should be in Tsangdhar before 10 Oct 62 failing which I will be in for serious trouble. I managed to reach Tsangdhar by 08 Oct thus saving myself from trouble. We left Tezpur airfield by Otter aircraft for Diranga in Bhutan and after a night stay there were heli-lifted to Zimithang. Our troop Commander Captain HS Talwar had already left for HQ 7 Infantry Brigade. Next morning, I was called by Major General Niranjana Prasad, General Officer Commanding for a cup of tea and a pep talk. He had been Commander 50 Independent Parachute Brigade before assuming command of 4 Infantry Division. Next day, I along with my troop moved to Tsangdhar via Karpola passes 1 and 2. The height of these passes is above 16000 feet and we went across them without any acclimatisation. We reached our Gun position at Tsangdhar on 08 Oct before last light, well before the limit laid down by General Kaul.

I got orders from my Troop Commander Captain HS Talwar to prepare the gun position. I got this ready in the next two days. The track to Bhutan and Karpola was on my left as we faced the Namka Chu. I was given man power to collect my guns, ammunition and other equipment. Everything had been dropped using Dakota aircraft as they have a small radius of turning. Some equipment did land in the Chinese hands as the air drop was taking place along Namka Chu. We managed to retrieve two guns and 80 rounds of gun ammunition from the area. By 18 Oct, the following had occurred :-

- (a) Both my JCOs had been evacuated due to sickness.
- (b) My Troop Havildar Major had been evacuated as he fell sick.
- (c) My Nursing Assistant died due to sickness.
- (d) My Troop Commander Captain HS Talwar had moved to HQ 7 Inf Bde.

I will say one thing at this stage that there was total lack of confidence in the air. The order for attacking the Chinese had been called off and we were told to adopt a defensive posture.

### **The Big Bang - 20 Oct 62**

On the Night of 19/20 Oct, the Chinese had lit up bonfires on other side of Namka Chu and nobody could tell me the reason for this. I checked the sentries and went off to sleep. Next morning even before the stand to, heavy artillery fire started from the Chinese side. Two of my men Gunner Avtar Singh and radio operator got injured badly. I could not take them to the Advanced Dressing Station which was about 300 yards away due to heavy shelling. I removed their shell splinters and poured brandy on the wounds and gave them shell dressing. Both recovered fully in PW camp after about three months. By this time it was 0900 hours. We had no communications with anyone. Even with supply depot there was no communication. As there was no communication with anybody no fire support could be asked for by the Observation Post Officer who had started withdrawing with Brigadier JP Dalvi from the Brigade HQ. They had started withdrawing towards Hathungla side.

We had no option but to resort to direct firing on our own. I initially ordered direct firing towards Black Rock area to our left and fired about 20 rounds in that direction. I had organised an all round defence as is peculiar in a gun position. I sent out a small patrol to see what had happened to the helicopter which had landed a little while ago. I was told that a Major with a red turban and a Squadron Leader were lying dead near the helicopter. The helipad was about 400 yards from my gun position.

Next day, I recognised them as Major Ram Singh, Second in Command of 4 Division Signal Regiment and

Squadron Leader Sehgal and as a PW I buried them with the help of some of my men.

Havaladar Major of the Heavy Mortar Battery came to my trench to enquire as to what was happening. He was standing in my trench and was killed by fire when I was trying to indicate enemy to him. We were firing on the enemy who were near Black Rock area as also behind us. We fired about 20 more rounds with guns in direct firing mode and finished our ammunition. The fighting had become quite intense.

Two of my jawans had died and three more were wounded. The enemy was closing in and they had reached the area of the Supply Point. My three light machine guns were firing and we were using our personal weapons. I would like to add at this stage that Brigadier JP Dalvi in his book 'The Himalayan Blunder' (Page 382) has written that he saw my guns firing in direct firing mode over open sights and praised my troop for holding on at the gun position. It was mid-day by now. A withdrawal had started. People from supply depot and the FDLs were running away to Bhutan on the track which was close to my gun position telling us to hold on and continue firing. I can say with pride that none of my boys suggested that we should withdraw. We all stuck to our positions, fought to the best of our capability and with full confidence.

At this stage direct firing of guns was not possible as the melee of the battle was too thick and we had finished our gun ammunition. Our stubborn resistance came to an end by about 1530 hours. The Chinese had surrounded us from all sides. They hit us with rifle butts and we surrendered as they shouted on loudspeakers to surrender. From proud paratroopers we were now Prisoners of War of the Chinese. It was a big shock to me. In this battle, I lost three men killed and five were wounded.

### **Prisoners of War with the Chinese**

Next day we were kept in Tsangdhar. We also buried our dead. On 22 Oct we were moved to an area across Namka Chu to Lee and to the road head at Marmang. From here we were loaded in open trucks and after a journey of three days reached our PW camp at a village called Chenye. In the camp we were divided into four companies. Gorkha troops were kept separately as the Chinese wanted to show a soft corner towards them. However, they failed in this attempt of theirs to create division amongst us. We had four lieutenant colonels, three majors and seven captains and subalterns in our camp.

38 of my men were in the PW camp with me. I can say with pride that all of them behaved in the highest traditions of the Indian Army. Whenever they met us they wished, stood to savdhan and gave all the respect to the officers. At the time of repatriation none of them including Captain Talwar and me accepted any gifts from the Chinese.

To give an example of their loyalty to Captain Talwar and me, my gun fitter Sardar Singh brought green tea every morning which was without milk and sugar. We took it and enjoyed it throughout our stay in the PW camp. My jawans gave two of us hot water for washing our hair every fortnight at 0200 hours to avoid being observed by the Chinese. We washed our long hair and did not cut our hair though some of the PWs had cut their hair in the camp. I reported sick everyday though I was perfectly fine. Captain Talwar, Lieutenant Bhup Singh of 2 RAJPUT and I had planned to escape in summers when the passes would open. However we were repatriated before that and our escape plan could never be put into practice.

### **Repatriation to India**

We were handed over to Indian Red Cross at Bumla and were taken to Ranchi where a Centre for interrogation for all PWs had been established. In this camp they segregated officers, JCOs and jawans into groups of those who had been indoctrinated and those who had stood their ground. Those who were suspected of indoctrination were sent to some camps in India for observation. I was so happy that my Troop Commander Captain Talwar, self and all my 38 men were given all clear and posted back to 17 Parachute Field Regiment, a very rare feat at that time.

**Brigadier AJS Behl (Retd)** was commissioned into the Regiment of Artillery on 17 Dec 1961. He participated in the 1962 War as a young officer in the Battle of Namka Chu as part of 7 Infantry Brigade and was in Chinese captivity as a prisoner of war. He also participated in 1965 Rann of Kutch operations, 1965 and 1971 Wars. He retired from the Army as DDG, NCC, J&K in Apr 1995.

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## **A Personal Experience in Aid to Civil Authority - The Telangana Agitation of 1972**

### **Colonel NN Bhatia (Retd)@**

Andhra Pradesh was created on 1 October 1953 from the Telugu speaking northern districts of Madras State now called Tamil Nadu. On 1 November 1956 the Telangana region (Medak and Warangal divisions) of the erstwhile Hyderabad State was merged with it to form the Telugu-speaking state of Andhra Pradesh. The people of Telangana always felt neglected and six long decades struggle led to creation of the 29th State of the Union on 02 June 2014. I and my Battalion 13 KUMAON have a bit of role in this evolution process as narrated below in this piece.

During 1971 India-Pakistan War, I was posted on the staff of HQ 62 Mountain Brigade that took part in Bangladesh liberation war, while my unit 13 KUMAON took part in operations in the Jaisalmer Sector. I was posted back to the Battalion immediately after the cease fire and made commander of the screen position almost in eye ball to eye ball contact with the Pakistanis in the wilderness of the desert with temperatures soaring to around 50 degrees Celsius. The Battalion finally moved to its new peace station Udaipur - the lake city in Rajasthan and we looked forward to living with our families for a while. I got a short 10 days leave to get my family that was staying in Kanpur where my previous formation was located prior to the 1971 war.

We quickly packed our baggage and left Kanpur for Udaipur. My wife was very excited to join the Paltan along with our three years old daughter for the first time and we looked forward to enjoying a peace tenure after the 1971 War. But things were to unfold differently for all of us. As our train arrived at Udaipur station, I alighted on the platform looking for my Sahayak and some battalion representative earmarked to receive us. To my utter surprise I saw our men in battle fatigues loading a train on the adjacent platform that apparently looked like a military special. Major Bandopadhyay, a few months junior to me saw me and saluting smartly uttered, "thank God, Nini you have come." I was the officiating Commanding Officer (CO) as Lieutenant Colonel (Later Brigadier) RV Jatar, Major Wakhle, Second in Command, and Major Misra the senior most Company Commander were away and that the Battalion was moving on 'red hot priority' to Secunderabad in Andhra Pradesh as 'Telangana agitation' had taken an ugly turn and our Brigade had been ordered to move forthwith to defuse the situation. Since the unruly agitators had been fired upon and perhaps treated harshly by the CRPF, the mobs everywhere in the Telangana region were anti-CRPF and were shouting slogans like 'CRPF Go Back, CRPF Hai Hai' and so on.

Needless to say, since military special was almost ready to move, I left my wife and our little child at the Udaipur Railway Station itself to be taken care of by the low medical category Junior Commissioned Officer (JCO)-in-charge of the battalion rear party who was directed to take them safely to my single room Officers Mess accommodation. He was also directed by the Quarter Master (QM) to provide them langar meals from the langar (soldiers' cook house) as Officers Mess was moving with the Battalion and our luggage was yet to fetch up. Other officers' wives who had come to the Railway Station to bid 'good bye' assured me that they would look after my wife and daughter till the Battalion returned. In the Armed Forces we graduate with 'service before self' and military families too realise the predicament and commitment of the service personnel and thus their support and sacrifices indeed are real motivators and force multipliers so very necessary for combat effectiveness.

Since we moved from desert terrain, obviously our uniform was in Khakis. During our train journey, I sent 'Emergency' (a category indicating precedence for clearing) signals to my formation and the Army HQ to issue us Olive Green popularly called OG uniforms so that the agitators do not mistake Army units for the CRPF. In those days, Rajasthan had only metre gauge railway lines and our train moved to Ahmedabad with a lunch distribution break around Himmat Nagar. At Ahmedabad we hauled in broad gauge train and after nearly 30 hours we reached Secunderabad. The Station Commander, Secunderabad met us at the railway station and briefed me that the new Andhra State buses had been mustered to take our company columns to Guntur, Vijayawada, Tenali and Machhlipatnam. The conductors of the buses would act as interpreters as our troops being North Indians did not know Telugu. The Battalion HQ was to be located in Guntur with a company column. I asked him about my two demands - OG uniforms for troops and a magistrate with each column. He replied that he had got my signal, and Ordnance Maintenance Company (OMC) had been tasked to deliver the OG uniforms at the earliest in location of each column; and that during this agitation not many magistrates were available as being locals they feared reprisals. He also told me that the unit's Imprest Account (an account to draw salaries from) had been opened and we could draw men's salary on the last of the month that was a week away, from Secunderabad. We were told, since all schools and colleges were closed, our columns would be located in the institutions earmarked for each column. The Battalion HQ along with one company was to be located in Guntur Medical College complex.

While our columns moved, the agitators mostly young men and women in thousands were squatting on the roads all over in villages and small towns and as I had apprehended, mistook us for the CRPF and violently agitated and gheraoed our buses chanting 'CRPF Go Back and CRPF Hai Hai' slogans. When our column commanders told them on loud hailers that they were army troops and the columns were from 13 KUMAON they did not believe this fact and, continuously and aggressively kept shouting 'Liars...Liars, GO Back, Go Back'; often pelted stones and squatted in front of our vehicles. I again sent a Special Situation Report (SITREP) requesting for OG uniforms immediately to our superior authorities, lest matter took an ugly turn.

Within the next few days of our arrival in the Telangana region agitating for a separate state, Lieutenant Colonel RV Jatar, the CO, Major PM Wakhle, the Second-in-Command and Major Misra, arrived back in the Battalion from leave and I joined my Bravo Company located in the VV Giri Degree College complex in a small town Tenali, often called by the locals as the Paris of Andhra Pradesh. We did regular flag marches but agitators always thought we were CRPF personnel in Khaki uniforms and booed and jeered us as liars whenever we told them that we were the Regular Army in khaki uniforms from the desert region. They also questioned that if these were military columns, why were they not moving in military trucks?

On the last day of the month, Captain PV Singh (a short statured officer but a live wire), Adjutant of the Battalion had collected the Regimental Imprest money for distribution of pay and allowances in the new Andhra State

Transport Corporation bus near Vijayawada with an escort of a few armed soldiers from the Battalion. The agitators in thousands squatting on a road crossing stopped the bus and started shouting 'CRPF Go Back' slogans. Through the interpreter and himself in Hindi and English, Captain PV Singh repeatedly told the crowd on loud hailer that they were a military column in Khaki uniforms as they had come from Rajasthan desert on a very short notice. The agitators refused to believe them and charged the bus and tried to torch the same by sprinkling petrol. Also, some miscreant(s) threw a crude bomb or two inside the bus through a window and one of the escort jawan's two fingers were blown off. Captain PV Singh coolly announced to the agitators time and again to disperse or else he would be forced to fire. The mob in awful frenzy and with a wrong apprehension thought that military personnel could never be in khaki dresses and were in fact CRPF personnel lying to them, attacked the bus. So as not to endanger lives of the troops and also ensuring security of the large sum of imprest money that he was carrying, Captain PV Singh fired two rounds from his sten machine carbine aiming below the waistline of the front ranking violent agitators. Two agitators unfortunately lost their lives in the firing but the bus, troops and Imprest money were saved though two fingers of the Jawan in crude bomb attack were lost and agitators dispersed peacefully and quickly. The next day Times of India, published from Vijayawada had front page news item 'Army Commander fires, two agitators dead' that incidentally let the agitators realise that it was indeed the Army in khaki uniforms and started respecting and applauding Army columns for their humane attitude and fair play.

Needless to say, after this unfortunate incident, in the next 24 hours, the Battalion was supplied with two pairs of the OG uniforms for each soldier. Thereafter, we started operating in OG uniforms. Over the next few months, when the Battalion was deployed in various locations, the locals and agitators would salute, clap and appreciate Army's impartial role with compassion and for using minimum force in bringing the situation under control. The same students of the VV Giri College, Tenali who used to agitate against the CRPF gave us a grand emotional farewell, praising our troops a lot and many of them with emotional fervour requested us not to go back to Udaipur!

There were many lessons learnt from our deployment in aid to civil authorities during those tumultuous days that are not taught in the Army institutions or manuals. the major lessons could be summarised as under:-

- (a) In rural and semi-urban areas, except in Rajasthan and parts of Gujarat, OG uniform is synonymous with the Army and, khaki for the Police and Home Guards. Therefore, Army columns must always be in their OG uniforms when deployed in aid of civil authority.
- (b) Likewise, Army columns moving about in military trucks/vehicles with camouflaged nets in maintenance of law and order situations /disturbed areas are psychologically considered more potent. Miscreants and locals understand that army means business and acts with impartiality and fairness.
- (c) Positioning of magistrates with each column is essential and very important.
- (d) Those were the days without mobile phones, Internet and TV. Local vernacular media must inform the populace that the Army was being deployed to restore the situation. If Army is operating in Khaki uniforms and in civilian vehicles due to any constraints that must be repeatedly televised, printed and broadcast.
- (e) Army columns also need to be provided with crowd control weapons like rubber bullets, sten grenades etc. which can be used in most situations without causing fatal casualties. The necessity to use live ammunition would arise only when a frenzied mob threatens lives, property and acting in self defence using minimum force, with impartiality and in good faith. However, this needs to be weighed against diluting the psychological impact of the Army's appearance in such situations.

**@ Colonel NN Bhatia (Retd)** was commissioned into 13 KUMAON in 1963 and later commanded 2 KUMAON (Berar). After his retirement from Army in Sep 1995, he served in the Intelligence Bureau for nearly six years. He is deeply involved in pursuing with various authorities for the release of 54 Indian prisoners of war, allegedly still languishing in Pakistani jails since the Indo-Pak War of 1971.

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# 1962 War - The Unknown Battles : Operations in Subansiri and Siang Frontier Divisions<sup>\$</sup>

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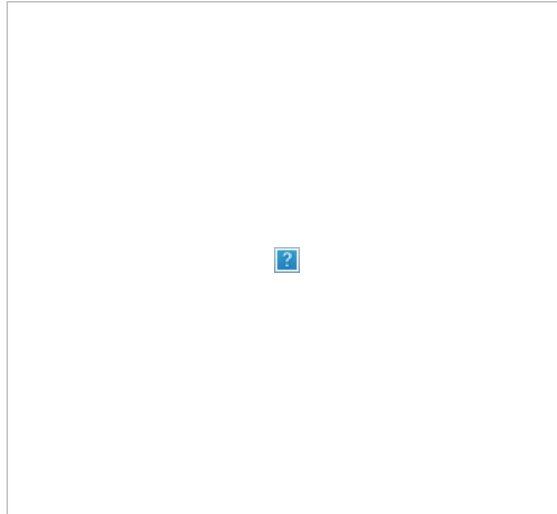
## Introduction

### Background

The 1962 Sino-Indian War was fought in two sectors; namely, the Western Sector (Ladakh) and the Eastern Sector (NEFA – now Arunachal Pradesh). In the Eastern Sector, a lot has been written about the battles in the Kameng Frontier Division (Tawang, Se La, Bomdi La etc) as also about the battle of Walong in the extreme East in the Lohit Frontier Division. However, there are hardly any accounts of the operations that took place in the Central Sector of NEFA, i.e. the Subansiri and Siang Frontier Divisions. It is generally believed that this area was dormant and no operations of significance took place. This is not true as will be evident from the narrative that follows.

### Area of Operations

Please refer to **Map ‘P’**. Basically, the terrain is rugged with altitudes ranging from 3600 m to 5500 m and the snowline at around 4500 m. The extent of the area (as the crow flies) from West to East (less Kameng and Lohit Frontier Division) is about 300 – 350 km and North - South (from the MacMahon Line to foothills) about a 100 – 150 km. However, due to criss crossing of the mountain ranges, inter valley movement is extremely difficult and time consuming. The road communications on the Indian side of the border were almost non-existent in 1962. The only motorable road that existed in the area of operations at that time was from Majorbari to Along. The area is sparsely populated. The important places along the border are; Asaphila, Limeking, Migyitun, Longju, Maja, Takaing (Dakesi), Menchuka, Jieju, Gelling, Tuting etc.



### Prelude to Operations

Soon after the annexation of Xinjiang by the PRC in early 1950, Mao set into motion the process for annexation (liberation) of Tibet in Jan 1950 itself. However, the annexation of Tibet was a politico – military effort wherein, political actions took precedence over military operations. Due to compulsions of terrain, Tibetan resistance, Chinese sensitivities to the Tibetan issue etc. the whole process took much longer and was completed only by about the middle of 1952. However, by Jan 1952, the troops of 18th Army of PLA (52nd Division) had reached the Himalayas and hoisted the red flag in areas which they considered to be frontiers of China. PLA troops (154 and 155 Regiments of 52nd Division) were permanently stationed at suitable encampments in the Shannan and Linzhi (Nyingchi) Prefectures of Tibet, abutting NEFA.<sup>1</sup> However, due to lack of proper infrastructure and road communication on both sides, there was still considerable no man’s land between the PLA troops and Indian police forces guarding the border.

### The Longju Incident - Aug 1959

The Tibetan rebellion broke out on 10 Mar 1959 which was brutally suppressed by the PLA. The 14th Dalai Lama escaped and entered Indian territory on 31 Mar along with some followers, and was subsequently granted political asylum by India. This upset the Chinese authorities a great deal as they felt that the rebellion had been instigated by India and was aimed at securing ‘Independence for Tibet’. However, this was far from the truth. The rebellion occurred due to the politics of repression followed by the Chinese in Tibet.

Shannan Region abutting western NEFA was considered by China to be the hotbed of ‘Tibetan reactionaries’. This view seems to have been further reinforced by the fact that the Dalai Lama escaped to India through this region. The traditional routes from Lhasa to Tawang and beyond also pass through Shannan Region of Tibet. Shannan Region is considered extremely important by China. It is located southeast of Lhasa and is considered a gateway to erstwhile NEFA (Arunachal Pradesh). Chinese had identified 28 routes leading from Shannan Region into NEFA. It is also one of the main grain producing areas of Tibet. So, the Chinese reaction in Shannan was heavy and they employed nearly four

infantry regiments (154, 155, 159 and 401) to quell the rebellion in Shannan and thereafter established permanent posts to dominate the border with India.<sup>2</sup> Migyitun (in Tibet) was one such post on the border which was opposite and in close proximity to Longju (in India), a border post held by the Assam Rifles.

The Indian post at Longju irked the Chinese and in a note dated 23 June 1959 they accused Indian troops of intrusion and occupation of Migyitun and some other places in Tibet and their collusion with the Tibetan rebels.

It was at Longju in the Subansiri Frontier Division that the first armed clash took place between the PLA (2nd Company of 1st Regiment of Shannan Military Sub Command) and personnel of 9 Assam Rifles occupying the Indian post at Longju on 25 Aug 1959 which resulted in two Indian casualties. The issue was finally resolved through diplomatic channels and both sides withdrew from the area on 29 Aug 1960. However, after this incident, with effect from 27 Aug 1959, the defence of NEFA which till then was the responsibility of Intelligence Bureau (IB) under the Ministry of Home Affairs and Assam Rifles under the Ministry of External Affairs became the responsibility of the Indian Army. Though Assam Rifles was to continue to remain deployed on the border but henceforth, it would be under the operational control of the Army.<sup>3</sup>

### **The Indian Reaction**

After the Longju incident, Assam Rifles did not reoccupy Longju and instead set - up a post at Maja, 10 km South of Longju, on 29 Aug 1959. At this stage, the responsibility for defence of the border was as under:-

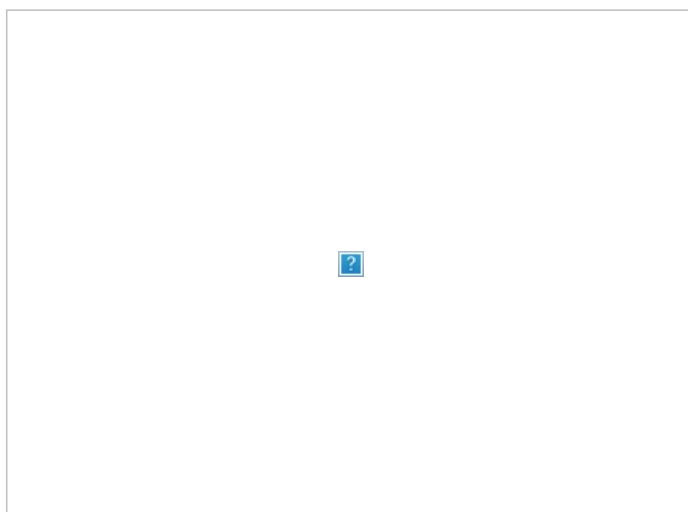
- (a) Subansiri Frontier Division – 9 Assam Rifles.
- (b) Siang Frontier Division – 11 Assam Rifles.

In Nov 1959, 4 Infantry Division which till then was located at Ambala Cantt was ordered to move to Assam and given the responsibility for defence of entire NEFA. The chain of command ran upwards from HQ 4 Infantry Division at Tejpur to HQ 33 Corps at Shillong and on to HQ Eastern Command at Lucknow. 5 Infantry Brigade of 4 Infantry Division with its HQ at North Lakhimpur was made responsible for defence of the Rest of NEFA i.e. less Kameng Frontier Division. A battalion was moved for defence of Walong in the Lohit Frontier Division. Hereafter, we will be primarily concerned with the Subansiri and Siang Frontier Divisions.

### **The Chinese Build-Up**

Please refer to Sketch 'Q'. For the Chinese, this sector was of secondary importance and operations in this Sector were to be coordinated with the main offensive being launched in the Kameng (Tawang) Frontier Division. It was only on 27 Oct 1962 that the GHQ ordered the launch of offensives towards Limeking in the Subansiri Frontier Division, and towards Menchuka and Tuting in the Siang Frontier Division. The overall Chinese aim was to annihilate the Indian troops deployed in the Central Area of NEFA. To what extent it was achieved, it will be seen later.

Chinese did not have troops specially earmarked for the offensive in this area. They assembled on adhoc force of about three battalions (approximately 2200 troops) by milking units from Shannan Sub Area, Linzhi Sub Area and Lhasa Area. The command and control was also adhoc. The overall command was to be exercised by Tanguansan, the Political Commissar of Tibet Military Command. The main attack was to be launched on 18 Nov.<sup>4</sup> However, before that, Chinese carried out preliminary operations from 21-30 Oct to capture and secure favourable positions along the border from where main attacks could be launched.



### **Subansiri Frontier Division**

#### **Indian Dispositions**

1/5 GR (FF), a battalion of 5 Infantry Brigade was moved to Ziro in Nov 1959 and assigned the responsibility for the defence of Subansiri Frontier Division. In addition, it was also decided to set - up maximum number of Assam Rifles posts under "Operation Onkar". During the period Jan – Oct 1962, nine Assam Rifles posts were set - up along the border.<sup>5</sup> In May 1962, 1/5 GR (FF) was replaced by 2 JAK RIF, which established its HQ at Daporijo.

## The Conference at Delhi - 15 Sep 1962

At this stage an interesting development took place which was to have far reaching repercussions on the Indian defensive posture in the whole of NEFA. On 15 Sep, a high level conference was held at Delhi in the Ministry of Defence (MoD) for which GOC-in-C Eastern Command was also called. At this conference, the Director IB pointed out enhanced level of threat in NEFA, particularly against Maja, Menchuka, Taksing, Tuting and Walong Sectors. Based on the decisions taken in this Conference, the following were ordered by HQ Eastern Command :-

- (a) Posts to be established North and northwest of Dhola between Dhola and McMahon Line; a post, if possible, to be established at Tsangle (Kameng Frontier Division).
- (b) Maja to be reinforced by a platoon.
- (c) One company to reinforce Menchuka.
- (d) One more company to Takaing. This was in addition to the one ordered previously.
- (e) One battalion to Walong.

As a result of the above, two battalions of the incoming 62 Infantry Brigade would be committed under 5 Infantry Brigade in Along and Walong respectively, leaving only one battalion with the Brigade which was actually meant for Tawang Sector. Secondly, reinforcing forward positions meant a major shift in the policy of the 'Defence Line' as laid down in the Army HQ Operation Instruction No. 25 and Eastern Command Operation Instruction No. 8 (Teju - Hayliang - Jairampur), northwards close to the frontier. The effect of this change was to prove disastrous later.<sup>6</sup>

## Indian Defensive Posture

In the wake of imminent Chinese offensive in Oct 1962, the Subansiri Sector was bifurcated into two; Kamla Valley Sub Sector (comprising lower Subansiri District) and Subansiri Sub Sector (comprising Upper Subansiri Sub Sector). The responsibilities for defence were as under :-

- (a) **Kamla Valley Sub Sector.** 9 Assam Rifles with its HQ at Kimin. HQ of its A Wing was at Ziro with seven platoons and four sections.
- (b) **Subansiri Sub Sector.** 2 JAK RIF with its HQ at Daporijo. It had a company each at Takaing and Taliha, a company at Limeking and a company with the battalion HQ at Daporijo. In addition, 2 JAK RIF had under its operational command eleven platoons of 9 Assam Rifles and in support 69 Heavy Mortar Battery ex 44 Heavy Mortar Regiment, plus a platoon of 6 MAHAR (Machine Gun Battalion).

On 22 Oct, 5 Infantry Brigade was placed directly under command of the newly raised 4 Corps commanded by Lieutenant General BM Kaul. Till then, they were under 4 Infantry Division. 2 JAK RIF less three companies, 69 Heavy Mortar Battery and the Medium Machine Gun (MMG) Platoon less a section were ordered to move from Daporijo to Taliha on 22 Oct and were redeployed at Taliha by 24 Oct (the war had already started on 20 Oct).<sup>7</sup>

## Chinese Offensive - Phase I (23 - 26 Oct)

Chinese attacks during Phase I have been indicated at Sketch 'Q'. As per the Indian accounts, approximately a battalion group of Chinese troops launched an attack on the morning of 23 Oct, against the border posts of Asaphila, Sagamla, Tamala and Potrang. As a result, all the forward posts were ordered to withdraw to Taliha under the orders of HQ 4 Corps issued through HQ 5 Infantry Brigade. In the attack on Asaphila, 2 JAK RIF troops are reported to have suffered one JCO and 17 Other Ranks as killed/ missing in action. Maja was also abandoned at 1500 hours on 23 Oct.<sup>8</sup> By 26 Oct, all the Indian forward posts had been withdrawn and the Chinese troops would have occupied these. During this period (26 Oct-17 Nov) Chinese also set about improving the road communications to their intended launch pads for the main offensive which was taking shape from 27 Oct onwards and was set to commence on 18 Nov.

## Indian Reorganisation

Towards the end of Oct, HQ 2 Infantry Division was raised under Major General MS Pathania and made responsible for defence of the Rest of NEFA, i.e less Kameng Frontier Division. The areas of responsibility were redefined with the induction of 192 Infantry Brigade. 5 Infantry Brigade was assigned the responsibility for Subansiri Sector, named as Sector 1 with effect from 13 Nov. The Brigade was to occupy a cohesive brigade defended sector. Five first lines of ammunition and 28 days of supplies were to be dumped. 1/4 GR ex 192 Infantry Brigade was also allotted to 5 Infantry Brigade. Alas, these measures came too late! By 18 Nov, the deployment of 5 Infantry Brigade was as under :-<sup>9</sup>

- (a) HQ 5 Infantry Brigade - North Lakhimpur.
- (b) 1/4 GR. Two companies at Daporijo and the Battalion less two companies at Taliha.
- (c) 2 JAK RIF. Two companies with a tactical HQ at Limeking and the Battalion less two companies at Taliha.
- (d) MMG Pl ex 6 MAHAR. A section at Limeking and the platoon less a section at Taliha.
- (e) 69 Heavy Mortar Battery - Taliha.

## Chinese Main Offensive - Phase II

**The Advance to Limeking (Limijin).** The main attacking force was a battalion (approximately 650 men) of the 1st

Infantry Regiment ex-Shannan Sub Area under the Regimental Commander, Baiquan and its objective being Limeking. They had to first restore the bridge at Riyue which had been destroyed by the withdrawing Indian troops. It took them three days (14-17 Nov) to set-up a temporary bridge. The Chinese commenced their advance on 18 Nov and the first fire was exchanged with a protective patrol of 2 JAK RIF under Second Lieutenant MR Kishore. In a fire fight that lasted around 45 minutes, one Indian soldier was killed and the Chinese suffered six wounded. The Chinese advance was slow due to Indian resistance and difficult terrain which was made even more difficult due to some demolitions carried out by Indian troops. The Chinese managed to outflank Limeking and made contact with the main defences on the morning of 21 Nov. The Indian troops had already been ordered to withdraw from Limeking during Night 20/ 21 Nov to Daporijo. Thus, Chinese were able to secure Limeking by about 0830 hours on 21 Nov. The Chinese thereafter continued their advance towards Daporijo till last light 21 Nov, at which time they received orders to stop and return to Limeking.<sup>10</sup>

When the Army HQ learnt of the withdrawal orders issued by the Brigade, they countermanded the orders and issued instructions for the Brigade to occupy defensive positions in Area Taliha – Daporijo – Ziro. However, it was too late and Limeking had already been lost. It may also be noted that a number of Assam Rifles posts (atleast five) had been withdrawn without being attacked by Chinese.

## **The Siang Sector**

### **Indian Dispositions**

11 ASSAM RIFLES was deployed in the Siang Frontier Division in Jun 1959. In Nov 1959, when 4 Infantry Division took over the operational responsibility in NEFA, 2 MADRAS less two companies were at Along and a company each at Tuting and Menchuka. HQ 11 ASSAM RIFLES with 'A' Wing were at Along, with its 'B' and 'C' Wings in Areas Menchuka – Manigong and Tuting – Pasighat respectively. In Feb 1962, a post was also established at Gelling (40 km northeast of Tuting and 10 kms South of McMahon Line). As part of 'Operation Onkar' seven new Assam Rifles posts were established in this Sector by the middle of Sep 1962.<sup>11</sup> By this time the Chinese threat had become imminent and the Siang Sector was divided into three sub-sectors and the deployment was as under <sup>12</sup> :-

- (a) **Menchuka Sub Sector.** 2/8 GR alongwith a company of 2 MADRAS and 'B' Wing of 11 ASSAM RIFLES with three platoons and a section MMGs ex 6 MAHAR were responsible for this sub sector.
- (b) **Manigong Sub Sector.** CO 11 ASSAM RIFLES was made the commander for this Sub Sector. The troops allocated were – 'B' Sub Wing of 11 ASSAM RIFLES with three platoons, section 3 inch mortars and a section MMGs.
- (c) **Tuting Sub Sector.** 2 MADRAS less a company with HQ 'C' Wing 11 ASSAM RIFLES with eight platoons and 70 Heavy Mortar Battery.
- (d) HQ 11 ASSAM RIFLES and 'A' Wing with four platoons were deployed in Area Along – Pasighat.

All troops were air maintained by Kalinga Airways. The advanced landing grounds (ALGs) were available at Along, Menchuka and Tuting.

### **Chinese Build-Up and Plan**

The Tibet Command HQ mustered a strength of around 1650 troops by pooling in units/sub units from Command's independent battalion, two companies each from the Milin and Matuo Battalions of Linzhi Sub Area for operations in this Sector. The force was commanded by Yangyongen, Commander Linzhi Sub Area. Initially, the main attack was to be launched towards Menchuka and subsequently operations were to be developed towards Tuting – Gelling in the form of a pincer movement from South and North with the aim of annihilating the Indian troops deployed in these areas. Chinese troops had adequate artillery and engineer support for the operations.<sup>13</sup>

### **Chinese Offensive - Phase I (21 - 28 Oct)**

In the Menchuka Sub Sector, the Chinese troops, in company strength occupied Lasam, about 45 minutes walking distance from Lamang towards the border on 21 Oct 1962. Two days later, on 23 Oct evening, the Chinese surrounded the Assam Rifles platoon at Lamang which was ordered to withdraw to Menchuka under orders from 4 Corps. In the fire fight that ensued, four soldiers of Assam Rifles were killed, besides three porters.

On 20 Oct, approximately two Chinese companies were reported at Dom La, in the Manigong Sub Sector, by the Assam Rifles patrols. On 24 Oct, the Chinese attacked the Indian post in the area Henkar - Domla. After some resistance, the troops were ordered to withdraw to Manigong. The Chinese, after bypassing Papikrong, attacked Manigong on the Morning of 28 Oct. The Indian troops withdrew to Karo. Subsequently, when the Chinese were reported to have withdrawn from Manigong, an attempt was made to recapture Manigong but proved unsuccessful.

In the Tuting Sub Sector, a platoon of 11 Assam rifles was deployed at Dilerrock (a border post). On 24 Oct, its observation post at the Pass was attacked by Chinese, employing a company size force. The platoon suffered three fatal casualties with two wounded. As a sequel to this, the troops at Lamdo La, Nayur La and Shoka La were withdrawn to Tuting. Thus, by the end of Oct, the Chinese had made ingress upto Lamang, Manigong and Jorging in the Siang Frontier Division.

### **Indian Reorganisation**

Towards the end of Oct 1962, a review of the situation was carried out by the Corps Commander and GOC 2 Infantry Division. It was decided to hold on to present positions and strengthen the defences further. 5 Infantry Brigade was ordered to reinforce Menchuka. Some troops were air lifted from Along and Walong.

After the allocation of 192 Infantry Brigade to 2 Infantry Division, this Brigade was made responsible for the Siang Frontier Division. The Brigade was effective only by 12 Nov 1962. Its two battalions, 1/4 GR and 4 DOGRA were inducted into Subansiri and Lohit Sectors respectively. Thus, in the Siang Sector, 192 Infantry Brigade had under command 2 MADRAS and 2/8 GR, the latter was in the process of being moved piecemeal by air from Walong. The Brigade Sector was now reorganised into two sub sectors, Menchuka and Tuting, instead of three earlier. By 16 Nov (eve of the battle), the dispositions of 192 Infantry Brigade were as under :- <sup>14</sup>

- (a) **Along.** HQ 192 Infantry Brigade, two Companies of 2/8 GR and HQ 11 ASSAM RIFLES with one platoon.
- (b) **Menchuka Sub Sector.** 2/8 GR less two companies, company 2 MADRAS, 3 inch mortar platoon and a section MMGs.
- (c) **Tuting Sub Sector.** 2 MADRAS less a company, two MMG platoons ex 6 MAHAR and ten platoons of 11 ASSAM RIFLES.
- (d) **Artillery.** 70 Heavy Mortar Battery.

#### **Chinese Main Offensive - Phase II (16 - 21 Nov)**

On 16 Nov, the Chinese started their advance from Manigong with the Milin Battalion heading for Tuting and the Independent Battalion going for Menchuka. On 17 Nov, the troops of Independent Battalion contacted the Indian defences at Nisangong and a brief fire fight ensued. The plans to reinforce Menchuka with 2/8 GR troops from Along could not materialise due to poor flying conditions. While Brigade Commander was at Chaluna on 8 Nov to meet GOC 2 Infantry Division, orders were received from Headquarters 4 Corps to stop induction of two companies of 2/8 GR into Menchuka from Along. Instead, troops from Menchuka were to be moved to Along. The withdrawal was to commence on night 18/19 Nov. Even the Brigade Commander and Battalion Commander felt that Menchuka was untenable.

Menchuka was vacated on the night of 18/19 Nov and the Chinese occupied it by the morning of 19 Nov. The Independent Battalion was tasked to progress operation towards Tuting. The withdrawal from Menchuka by 2/8 GR proved disastrous. A small party of 35 led by the Commanding Officer Lieutenant Colonel DA Taylor who ventured out on a 'hunters track' to Tato, got lost. Many died of exhaustion including the Commanding Officer. The main party under Major Dar was ambushed on Menchuka-Tato track on 20 Nov. In the process of withdrawal, 2/8 GR suffered 42 casualties including three officers and 12 taken as prisoners of war (PsW). Out of a total force of 13 officers, 18 JCOs and 826 OR at Menchuka; eight officers, four JCOs and 150 OR were reported to have been killed / missing or taken PsW.

The Chinese column which had contacted Nisangong on 17 Nov was approximately of two companies strength, whereas Menchuka was held by over 800 regular troops, besides six platoons of Assam Rifles. It is apparent that the commanders just lost the will to fight. It was the Brigade Commander who on 17 Nov influenced the Corps Commander about the inability to defend Menchuka with the available troops.

It is evident that the GOC 2 Infantry Division and the staff were not consulted on withdrawal from Menchuka. GSO 1 of 2 Infantry Division had sent a signal to HQ 4 Corps, stating that Menchuka should not be abandoned without a fight and had requested that the decision to withdraw from Menchuka be taken up with the Corps Commander.

On 21 Nov, the Chinese occupied Gelling. On 22 Nov, when closing up with Tuting, they learnt that the position had already been vacated. As per the higher directions, the troops of Independent Battalion stopped their pursuit in the wake of orders for ceasefire.

The Tibet Military command ordered the units of Shanan and Linzhi Sub Areas to fall back to Limeking and Menchuka and consolidate while awaiting further orders. 2 Infantry Division ordered 192 Infantry Brigade to concentrate the withdrawing troops at Pasighat. 11 Assam Rifles was made responsible for the defence of Along and also assist in the withdrawal of units. Army Headquarters, instead ordered 192 Infantry Brigade to occupy defences around Along. The Brigade was also asked to reoccupy Tuting with Assam Rifles troops, if not occupied by the Chinese. The same was occupied by a platoon of Assam Rifles on 25 Nov.

#### **Chinese Casualties**

During Phase I of the operations, Chinese seem to have suffered negligible casualties. As per the Chinese account, they suffered the following casualties during Phase II of the operations in Subansiri and Siang Sectors :- <sup>15</sup>

	<b>Officers</b>	<b>Soldiers</b>	<b>Total</b>
(a) Killed	2	12	14
(b) Wounded	2	20	22

#### **Indian Casualties**

The overall figures are not available. However, casualties in different engagements wherever available have been indicated in the text.

#### **An Assessment**

As in the Kameng and Walong Sectors, the Chinese aim in the Subansiri and Siang Sectors was also to annihilate the

Indian troops deployed there and then to withdraw to their starting positions unilaterally. While they were able to make limited gains in the border areas, they were not able to achieve their operational aim (annihilation) for a number of reasons as brought out in the subsequent paras.

The Chinese troops for the offensive were drawn from disparate commands; altogether a force of approximately 2200 troops (three battalions). There were apparently no reserves to maintain the momentum of attack. The command and control was also adhoc; the Political Commissar of the Tibet Military Command being the overall commander and his staff being pooled in from Shannan and Linzhi Sub Areas. The troops could not have trained as a cohesive force for their impending task.

In keeping with their operational concepts, Chinese had secured the border passes and certain other favourable positions South of the border prior to launching of main attacks so that they could develop communications, build up logistics and obtain detailed information about Indian deployment. They had also planned a pincer movement between the forces attacking Menchuka and the Motua Independent Battalion for capture of Tuting but did not quite succeed. At one stage, on 20 Nov at about 1400 hours, the Chinese forces in Area Tuting-Minying did notice approximately 150 Indian troops moving from the direction of Menchuka towards Tuting but local commanders failed to engage them misinterpreting them as the forward elements of an advancing Indian force and lost an opportunity. Overall, the operations lacked coordination and were poorly executed.

The success gained by the Chinese was not so much because of the brilliance of their campaign but more due to the inadequacies on the Indian side. A large number of Indian posts were withdrawn which were actually not attacked. The withdrawals from Limeking, Menchuka and Tuting were carried out without proper assessment of the situation by commanders in the chain. It seems that no proper defensive battles were fought. Perhaps, the debacles in the neighbouring Kameng and Lohit Frontier Divisions had a debilitating effect on the commanders and troops.

The overall force ratio in the Subansiri and Siang Sectors was in India's favour and there was no reason why we could not have got the better of the Chinese, atleast in this area. It can be said with certainty that the full combat potential of the two brigades (5 and 192 Infantry Brigades) defending this area was not brought to bear on the battles that took place. In addition, 181 Infantry Brigade which was available to HQ 2 Infantry Division was left unutilised throughout the war.

There were also some restraining factors on the Indian side. Firstly, there was a total lack of intelligence about Chinese strength, dispositions and intentions. Secondly, Indian troops were being inducted and regroupings carried out in the wake of impending operations. Command and control was changed too frequently and as a result troops were not quite prepared for their operational tasks when the hostilities commenced. Thirdly, various contingencies that could arise in battle were neither planned, nor rehearsed. It would seem that the units/sub-units, in the most difficult and rugged terrain, were being moved around as if these were mechanised units, with obvious results.

It also emerges from the above narrative (as seen from the decisions of 15 Sep 1962 Conference at the MoD) that the higher direction of war had come down to ordering of company and platoon posts; and that too at the behest of the IB. No thought appears to have been given to evolving a comprehensive strategy and an operational plan to meet the emerging Chinese threat.

Lastly, lack of air support must have been acutely felt by the troops on ground - but for that the responsibility must lie at the national level. However, it must be acknowledged that the air transport support in all these inaccessible areas was always forthcoming and that is what helped in moving and sustaining these troops, where road communications were practically non-existent.

## Endnotes

1. Chinese Book, A History of Counter Attack War in Self Defence Along Sino-Indian Border, Academy of Military Science Publications, 1994, Chapter 2, Section 1.
2. Ibid.
3. History of the Conflict with China 1962, History Division, Ministry of Defence, Government of India, New Delhi, 1992, page 39.
4. Chinese Book, op. cit., Chapter 5, Section 4.
5. These posts were at : Yatey, Dharma, Pagak, Kashongla, Sagamla, Tamala, Potrang, Asaphila and Chimpungla (not shown in Sketch 'Q').
6. Extract of the Henderson Brooks Report put on the Internet by Neville Maxwell on 17 Mar 2014, page 75.
7. History of the Conflict with China, op. cit. 3, Page 262.
8. Ibid, page 264.
9. Ibid, page 266.
10. Chinese Book, op. cit. 4.
11. These posts were at : Lamang, Henker, Nayu La, Shoka La, Lamdo La, Lusha La and Hunter's Track (not shown in Sketch 'Q').
12. History of the Conflict with China, op. cit. 3, Page 272.

13. Chinese Book, op cit. 4.
14. History of the Conflict with China 1962, op. cit. 3, Page 277.
15. Chinese Book, op. cit. 1, Statistical Tables.

**(Authors' Note : In order to avoid clutter it has not been possible to show all the place names mentioned in the text on Sketch 'Q'. Chinese names of places and commanders are mentioned in italics).**

\$This article is in continuation of the four earlier articles "1962-Battle of Se-La and Bomdi-La", "1962-The Battle of Namka Chu and Fall of Tawang", "1962 - War in the Western Sector (Ladakh)" and 1962 War - Operations in the Walong Sector published in Oct-Dec 2011, Apr-Jun 2013, Jul-Sep 2013 and Apr-Jun 2014 Issues of USI Journal, respectively.

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**£Major General PJS Sandhu (Retd)** was commissioned into 8th Light Cavalry on 15 June 1966 and later commanded 47 Armoured Regiment. He retired from the Army as Chief of Staff, 1 Corps on 31 July 2003. Presently, he is working as Deputy Director and Editor at USI since 01 May 2007

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## Director's Page

Dear Members,

Another year has gone by and we at the USI are able to look at it with great satisfaction.. Reflecting on 'national security issues' in an ever changing international environment and nature of warfare under the constant gaze of erudite scholars, think tanks and practitioners in charge, has been an exhilarating and rewarding experience. I would like to put on record that it would not have been possible for me to keep the USI flag flying high without the active support of the USI fraternity and guidance provided by the Vice Patrons (Service Chiefs), Council Members, members of various Boards and elder members of the Institution. There can be no better goal for each one of us than to work and build on the rich legacy of USI, going back 144 years.

The Centre for Strategic Studies and Simulation (CS3) has expanded on the quality and content of its research on strategic affairs. Besides conducting scenario based strategic games for the National Defence College, the three war colleges (Army, Navy and Air Force) and Foreign Service Institute, USI has signed a Memorandum of Understanding with OP Jindal University and conducted two capsules on 'National Security' and 'Terrorism' for them. Twelve research projects have been completed and published by CS3. Presently, four more namely; *'PLA Modernisation and Likely Force Structure by 2025'*, *'Assassin's Mace – A Chinese Game Changer'*, *'An Analysis of the Logistics Support Chain Management of the Indian Army and the PLA'* and *'Art of Generalship'* are under print.

The periodicity of round table discussions (RTD) with eminent strategists and scholars from across the world has increased and brief reports are put on the USI website. An International Seminar on *'Afghanistan and Central Asia 2015'* in collaboration with Near East South Asian Centre for Strategic Studies (NESA), National Defence University (NDU), Washington and the 2<sup>nd</sup> Workshop on Nuclear issues jointly with the International Institute of Strategic Studies (IISS), London were also held this year. The 5<sup>th</sup> trilateral meeting between the USI, the Vanderbilt University, USA and the Okazaki Institute, Japan was held at the Marine Corps University, Quantico, USA. The process of enhancing the scope of our research and analyses worldwide has encouraged us to formalise bilateral and trilateral tie-ups with other universities and leading think tanks of the world. The USI has also launched a new blog ([usiblog.in](http://usiblog.in)) for interactive discussions on subjects of contemporary geopolitics, security and military affairs. It gives us a sense of great satisfaction and fulfillment when ideas and strategic perspectives emanating out of deliberations held at USI find their way to concerned authorities entrusted with the responsibility of safeguarding national security and strengthening the armed forces.

The major focus of the Centre for Armed Forces Historical Research (CAFHR) during the year was on executing its programme to internationally highlight the role played by India in the First World War, as a part of the joint USI-MEA 'India and the Great War' centenary commemoration project. The CAFHR's three day international conference (05-07 Mar 2014) on this theme was the first of its kind where scholars from eight countries presented new perspectives on the subject. The inaugural address at the conference was delivered by the Hon'ble Vice President of India Shri Hamid Ansari, while Field Marshal Sir John Chapple of the UK delivered the keynote address and Foreign Secretary, Smt Sujatha Singh, IFS, delivered the valedictory address. The latest information on the Great War Project can be accessed on the CAFHR face book which is also linked to the USI website. A write up on the project is also published in this journal. Despite the intense activities carried out by the Centre, it continued its research activities and published five books during the year.

For over a hundred years the USI has been involved in distance learning programme. These have been found to be useful and have been appreciated by our young and mid level officers. With the increasing complexity and wider scope of study the role of USI assumes even greater importance, and more so in view of the fact that our future senior officers, apart from being military commanders, are also expected to be diplomats, strategists, analysts and even scholars. The importance of all round professional education cannot be over emphasised. Our results during 2014 have once again been most gratifying. A total of 1577 students attended our courses. Out of these 546 took the DSSC/TSOC Correspondence Course. Out of the 20 officers who secured competitive vacancies, 17 were our students. Out of the 239 nominated seats, 202 seats were secured by our students. And even out of the 12 reserves, 10 were our students. The results of the TSOC were as encouraging, where 57 of our students were nominated and two earmarked as reserves. A number of officers also benefitted from the three contact programmes run for the DSSC and TSOC. More serving and retired officers are requested to come forward and add to the strength of the pool of our directing staff to provide continuity to this important facet of USI's academic activity.

The Colonel Pyara Lal Memorial Library, *'a gold mine of information'* in the area of researching and developing strategic thinking on national/international warfare techniques, has computerised most of its activities to facilitate fast access of latest information to our members. A full spectrum of evolving worldwide knowledge is maintained and updated regularly by acquiring latest books and relevant study materials. The daily news/editorial highlights are being uploaded on our website.

The USI Journal, in continuous publication on Strategic and Defence Affairs since 1871-72, has grown in content and stature to draw worldwide attention through wide ranging topics by some eminent soldiers, diplomats, journalists, bureaucrats and experts. During the last five years Colonel Pyara Lal and General Samir Sinha Memorial Lectures, National Security Lectures, personal war experiences of soldiers and series of articles on 1962 (also covering the Chinese perspective) have been read with much interest. For many writers, both in and out of uniform, the USI Journal has proved to be an effective medium for articulating their views. The annual USI Gold Medal Essay Competition in Groups A and B continue to draw good response. These essays act as a barometer of the thinking of the current generation of officers on topical professional issues. We would like to encourage serving officers to increasingly put their pen to paper and try and develop strategic thinking.

The CUNPK continues with its well established training activities and conducted five national and two international courses.



The USI has been a founding member of the Challenges Forum, Sweden and the Peace Capacities Network, Norway. The USI actively participated in researching and producing the Challenges Forum book, “Designing Mandates and Capabilities for Future Peace Operations” which will be released at the UN Headquarters, New York in the presence of the Secretary General in January 2015. Similarly, the USI is actively participating in the Peace Capacities Network project to research the role of Emerging Powers in Peace Operations. We are also in touch with the UNDPKO to provide inputs for the High Level Panel set up by the UN Secretary General.

Lastly, I reiterate my request of last year to you, to access the USI website: **[www.usiofindia.org](http://www.usiofindia.org)** regularly to keep yourselves updated on USI events and strategic perspectives. I would also like to remind the serving officers again that they are welcome to attend USI events, even if they are not members. This would certainly help them in enhancing their professional outlook and knowledge.

I thank all our esteemed members and serving officers for their active participation in USI activities and wish all of you, on behalf of all of us on the USI staff, a VERY HAPPY NEW YEAR.

Looking forward to seeing and interacting with you whenever you come to the USI.

**Lieutenant General PK Singh, PVSM, AVSM (Retd)**  
**Director**

## **India and the Great War : Project Update**

**Squadron Leader Rana TS Chhina, (Retd)@**

Following the successful conclusion of the “India and the Great War” international conference held at the USI from 05-07 Mar 14 (see report in the USI Journal of Jan-Mar 2104 pp. 112-126) considerable interest was generated both nationally and internationally in the project. This was reflected in the spike in number of “hits” on the project’s internet based platforms including the Facebook and Flickr pages. The inaugural and valedictory speeches of both, the Hon’ble Vice President and the Foreign Secretary, respectively, were featured on their own websites and served to generate greater awareness about the project as well as to act as a stimulus for greater official involvement in the numerous activities planned to highlight India’s role in the war on an international platform.

Upon returning to the UK, Field Marshal Sir John Chapple, GCB, CBE, DL, who had delivered the Keynote Lecture at the conference, was kind enough to circulate the conference programme along with the list of planned project activities under a covering note to a host of institutions and organisations. He also made mention of the planned commemoration at his talks at the Memorial Gate ceremony in London and at Sandhurst. Within the country, while an increasing number of civilians and service officers have been coming forward with details of their ancestors who served during the Great War, two major Indian magazines (The Week and Outlook) ran a special issue on India’s involvement in the First World War. The latter issue was substantially assisted by the USI Centre for Armed Forces Historical Research. Research assistance/inputs also continue to be provided to a number of media representatives from various countries who are engaged in making documentary films or radio programmes focusing on India’s contribution to the war.

A database of descendants of soldiers who fought in the Great War is being maintained. A large number of descendants of distinguished soldiers have come forward with treasured family heirlooms, documents, medals and other historical artefacts. While it may be invidious to single out individuals, but two stand out for the uniqueness of the material in their possession. Mr Jitender Singh Bhati of Jaipur, great-grandson of Major Thakur Hukum Singh, OBI, IDSM, Commandant Jaipur Imperial Service Transport Corps has his ancestor’s wartime diary, while Brigadier Veer Pal grandson of Risaldar (Honorary Lieutenant) Sukh Pal, Bahadur, OBI, IDSM, 22 Cavalry (FF), has in his possession his grandfather’s published autobiography in Hindi, along with other letters and documents. Those who have worked on the history of those times will understand the priceless nature of these Indian voices from the past. Nearly all the records available are written by British officers of the Indian Army, and almost no narratives of the Indian experience of World War I have been recorded or have survived. Against this backdrop, these writings by Indian soldiers are worth their weight in gold. It is hoped that before the centenary project winds up in 2018, more such hidden gems will have been unearthed and be made available to be preserved for posterity.

Other upcoming events are the planned “mirror conference” being held at Ieper (Ypres) in Belgium on 24 Oct 2014, two days after the centenary of the first Indian soldier to be killed in action on European soil (22 Oct 1914). This is a joint event with the “In Flanders’ Fields” Museum. The day-long conference will conclude with the release of the “Battlefield Guide” to the Indian battlefields of the Western Front. This guide is a joint USI-UK venture and will serve to generate interest and awareness about the Indian Army’s activities in France and Flanders from the crucial period of autumn 1914 till the Indian cavalry divisions were withdrawn altogether from France in 1918. The same evening there will be a special wreath-laying ceremony at the Menin Gate; an Indian military ceremonial presence is expected. On the 25/26 Oct there will be a special tour of the Indian battlefields in France and Flanders, followed by a ceremony at the Neuve Chapelle Indian Memorial on the morning of 28 Oct 2014. This ceremony is being coordinated by the Jullundur Brigade Association (JBA), which commemorates four years of staunch comradeship in battle between three regiments, the 47th Sikhs (now 5 SIKH), the 59th Scinde Rifles (FF), (now 1 FF [Pak], better known as the Garbar Unsath) and the 1st Battalion, Manchester Regiment (now Duke of Lancaster’s Regiment). The 59th till this day commemorate the day when command of the battalion devolved on the Subedar Major, the redoubtable Parbhat Chand, after all British officers became casualties in the battle of Neuve Chapelle. Till date, the Subedar Major marches the battalion off parade on ceremonial occasions in memory of that battle.

The ceremony will be attended by members of the Jullundur Brigade Association. Representatives of the Duke of Lancaster’s Regiment and 5 SIKH are expected to be present. The evening of the 28th will see a major commemorative ceremony being organised by the Government of Belgium at the Menin Gate in Ieper. USI members who wish to attend these ceremonies in Europe may contact the Secretary CAFHR for additional details.

On 30 Oct 2014, a joint USI-UK reception is being hosted at the residence of Ambassador James Bevan, the UK High Commissioner in India to jointly commemorate India’s role in the Great War. The reception will be accompanied by an exhibition of large storyboards that will recount the tale of India’s sterling contribution to the conflict. The Government of the United Kingdom has digitised the war diaries of Indian Army units that served on the Western Front. These will be presented to the National Archives and to respective Colonels of Regiments on the occasion, by the High Commissioner. In addition, a plan to install memorial stones to the Indian recipients of the Victoria Cross for supreme valour in battle is also being processed. The memorial stones will be unveiled at the reception and handed over to the USI for further installation at selected locations. Apart from high civil and military dignitaries and veterans, descendants of distinguished World War I soldiers are also expected to attend the reception.

**@Squadron Leader Rana TS Chhina (Retd)** is Secretary and Editor of the Centre for Armed Forces Historical Research (CAFHR) at USI.

**Concept and Application of Smart Power in Promoting India's National Interests and Strategic Objectives\***  
**Rear Admiral K Raja Menon (Retd)@**

General PK Singh, Chairman, ladies and gentlemen. I am humbled by being asked to deliver the Major General Samir Sinha Memorial lecture. It's a pleasure and an honour. It's a pity I didn't get to know General Sinha during his lifetime but I'm aware that this institution which has developed a national and international reputation would not have been the one it is but for the hard work done by General PK Singh and his predecessors.

My subject this morning is 'Smart Power and its Applications in Promoting India's National Interests and Strategic Objectives'. As the Chairman quite rightly said that the concept has been around for a long time, although the term has come out only recently. The meaning of the term is that Hard Power should be used in combination with various aspects of Soft Power such as culture, justice, rule of law, benign rule, treating the conquered people with a level of benignity etc. It clearly involves a combination of uses of Hard Power with economic power, cultural power, diplomacy, humanitarian and other steps. The earliest possible example of smart power is that of the Roman Empire.

The Romans were the greatest engineers of their time and if you go through the remains of the Roman Empire as it exists today, Southern Europe and Southern Spain, you would see these great aqueducts – beautiful works of sculpture and engineering where they brought in flowing water into the cities. These were the first cities in the world to have flowing water. In fact, the capital of Rome had piped water coming through lead pipes; but I think the greatest legacy that Rome left behind was that they left the conquered people with pride in saying that they were Roman citizens – in a sense that everyone of the citizens, no matter where he was located, was entitled to take his problem to the Roman Senate where it would be discussed by a group of senators representing that person's interest, no matter where in the empire he came from.

The Greeks of course, before the Romans, were not so hot on civil rights because they had more slaves than they had citizens but they left behind, again a great architectural legacy. If you take Alexander's conquest of Egypt, he found time to lay down the outlines of the great city of Alexandria. So the Greeks left behind a great culture too and also willingness and enthusiasm to be part of the Greek Empire. For me, as an individual, the great Greek legacy to the world was the extraordinary beauty of Gandhara sculptures which combine the best aspects of Greek and Indian sculpture. These were early examples of smart power.

In modern times there is no better example of Smart Power than the British Empire. The way in which the East India Company used Indian soldiers to conquer other Indian territories, and then levied land revenue to finance that expansion, is surely the smartest examples of Smart Power that we can possibly think of. Having in a 100 years conquered most of India, they used India as a springboard to expand their empire all over the world-into Burma, Southeast Asia, Africa and so on. At the height of British rule it was said that the Sun never set on the British Empire. Yet, the total GDP of Great Britain was never more than nine per cent. That is an extraordinary fact. But this brings in certain complexities. The British Empire was established around 1815-1820, after the fall of Napoleon. By 1878, which is barely 58 years later, the American GDP overtook that of Great Britain. Though barely 10 years after the American Civil War, the US by 1878 had not yet incorporated all the territories that today form the USA including California, New Mexico, Arizona etc.

However, when you look at it, the US actually took over from Great Britain as the hegemon of the world only post Second World War after the dropping of atomic bombs on Japan. It took something like 75 years after the US overtook the GDP of Great Britain for it to actually become the hegemon of the world. Now, there is a lesson in this. If you consider economic power as the basis of total power, there are many who would say that the Chinese are going to usher in a new world order by 2025 when they will overtake the US in GDP. But I suspect that it's going to take much longer, if we go by the experience of the takeover of world power from the British Empire by the Americans. As the Chairman rightly said there are many claimants to coining the expression of Smart Power. Two of these are from the US – the first one is Suzanne Nossel, who wrote an article in the Foreign Affairs in 2003 (that was my first exposure to Smart Power) – she was the Deputy to Richard Holbrooke, who was the American representative to Af-Pak. The second, of course, is a more famous claimant – Joseph Nye, former Assistant Secretary for Defence under Clinton. He wrote a book on Soft Power. Now everyone knows that the reference to Smart Power was a reaction to President Bush's decision to the use of American Hard Power unilaterally, both in Iraq and in Afghanistan. Nye argued that Smart Power should ask five questions :-

- (a) What is the desired objective or end state? i.e. How many years would it take for the application of Soft Power to achieve the desired end state?
- (b) What resources are available and by resources he meant diplomatic, military, economical, political, legal and cultural. Of course, what backs them all is finance. He didn't define it as finance but obviously the availability of funds is ultimately the crucial factor.
- (c) What is the targeted audience for which kind of power?
- (d) Which of the six forms of power would most likely succeed in a particular set of circumstances? There are different sets of power that would apply in different sets of circumstances.
- (e) What is the probability of achieving the end state?

In the US, the term Soft Power was brought in officially during the hearing of Hillary Clinton when she was being confirmed by the Congress as the Secretary of State. Hillary Clinton said that she was going to shift American

foreign policy to using Smart Power and by Smart Power she meant that she was going to move from unilateralism to multilateralism, using the UN as the organisation through which the US would thereafter begin to act. Therefore, you see in President Obama's time, although he has been greatly criticised for being soft and vacillating, in his reluctance that the US has been reluctant to use Hard Power in Libya, Syria and Ukraine, this marks a shift towards smart power. Of course, this has been partly brought on by economic difficulties, during the time of an economic downturn. I looked at other cultures to see whether there is a concept of Smart Power. The Chinese have something similar to Smart Power in their theory of what they call the 'Three Warfares'. Three Warfares is something very interesting in the sense that the Chinese have always believed that they must win and 'the best way to win is to win without fighting' and they believed that Hard Power should be held in reserve; and that the use of Hard Power is an admission of the defeat of your strategy. So they hope to win by these three warfares which are Legal, Media and Psychological. Those of you who have followed the Chinese stand on Tibet and on the South China Sea will immediately see the application of these 'Three Warfares.'

Now to the original classic form of the Chinese concept of 'Three Warfares' they have added a fourth i.e. Coercive Economic Inducement. This also starts to ring a bell because they are already applying the 'Three Warfares' together with Coercive Economic Inducements. I also skimmed through Indian history for examples. With Chanakya I found there were references to different applications of power but I didn't find anything so specific as the Chinese or American concept of combining hard and Soft Power. Every idea in the world offers something new, resulting in a sequence of events which lead people to think in a particular way and Smart Power is born of a synergy between force and reconciliation. A great and extraordinary hubris in Washington was the result of three military campaigns from which I think they drew wrong conclusions :-

(a) They brought Yugoslavia to the negotiating table purely by the use of air power. This is a new kind of warfare where the nations will decide the results of their Hard Power, which is a reasonable conclusion if you execute it like the Kosovo air campaign that brought the Yugoslavs to the negotiating table.

(b) The first and second Gulf Wars. The first Gulf War saw the first application of the revolution in military affairs (RMA) and the second was the further application of the RMA and the Kosovo air campaign where there was a lightning strike that brought the Iraqi Armed Forces to their knees.

(c) The War against the Taliban after the attack on the World Trade Centre, where in fact, the Taliban as a fighting force was brought to its knees and Kabul captured purely by the use of air power in conjunction with the Northern Alliance. If you remember that Kabul fell when the total number of American troops on the ground were not more than one regiment strength. So Rumsfeld got to the wrong conclusion that Hard Power was so uniformly and unilaterally successful that other forms of power need not be used. The whole intellectual movement towards Smart Power came as a result of America getting bogged down in Iraq and then ultimately in Afghanistan after that, with no clear outcome.

Let's come to India. How relevant is Hard Power when you are talking about Smart Power? The more basic question as far as India is concerned is that we are not the US. We are not a world power that aims to project our strength globally or influence the world order through the use of Smart Power. We have got a new Government and the new PM articulated something very strong and basic when he said, "give me ten years". What he implied by that was that he needed 10 years to rescue the Indian economy from where it had drifted to, to raise the Gross Domestic Product (GDP), to improve the per capita income, reduce poverty, increase infrastructure and fix the economy. This presumably is his grand vision for India. There are many things very wrong in this country internally, which need to be arrested in the window of opportunity that exists in the coming 10-15 years.

This can be expressed in many ways and one of them is that within the next 10-15 years India is going to overtake China in population, we are going to have a middle class of 300-400 million people who are not going to live in villages but will aspire to move into the cities. They are going to become the new lower middle class. This problem of the future can be expressed in many ways but I would emphasise the fact that - today 57 per cent of the population of India who live in villages produce only 13.8 per cent of GDP. No modern country can have 57 per cent of its people produce 13 per cent of its GDP. Now this is not an indication of a healthy index for a modern State. This massive migration from rural to urban centres of an enormous population must be addressed before the demographic dividend dies out.

So this is at the heart of the internal problem that faces India in the next 15-20 years and in that situation the question can well be asked-what is the role of Smart Power? Why would we want to exert power all over the world? But I think that there are some areas that in spite of this grave internal problem we have to look at— the fact that there is an external world out there. These are the inescapable issues that one cannot get away from, no matter how large the national problem is.

First, of course, are the neighbours. The neighbours are here to stay. They are not going away. You can't imagine that beyond our international borders lies an uninhabited ocean. Because it does not. You have Nepal, Bangladesh, Pakistan, Sri Lanka and Myanmar. For instance, if you take a country like Bangladesh which is an agrarian economy, the land availability is 12 persons per hectare, whereas it is three for India and 3.5 for Pakistan. In Northeast India it is one person per hectare. So what are we going to do? Make a fence and pretend that Bangladesh is not there? We can't do that. So the fact that we have neighbours is a problem that we have to deal with, no matter how serious our internal problems are.

The second is our relationship with the US. The US is a world power but in a way it's also an Indian Ocean power and in that sense, it is as much a neighbour of India as Pakistan or Bangladesh. Therefore, we have to contend with the US because there is no escaping that the US is a world power right at our door step, geopolitically if not geographically.

The third is Energy. Despite the amount of coal we have, we import 80 per cent of our hydrocarbons, gas and

oil, and we are dependent on this from a very volatile area.

The fourth is the rise of China. We may ignore the rise of China but China is not going to ignore India. The expansion of China is going to make it advance exponentially and make its presence felt through all the areas where it never existed before.

The fifth is the security in the Indian Ocean. Ever since the British and the French fought a series of five naval battles between Madras and Mauritius, for domination of the Indian Ocean, which eventually led to the control of the Indian peninsula, it is clear that we cannot sit isolated in our peninsula, and not care as to who controls the Indian Ocean.

Sixth is political Islam or Jihadism on which I don't want to spend too much time, as it is a very complex issue which at the current moment is evolving rapidly without a clear notion of the outcome of the present turmoil in the Middle East. We now have a Caliphate which has been declared in the parts of Syria and Iraq. You may dismiss it but an Islamic Caliphate is a serious idea for Muslims. They will take a call whether they want to laugh at the idea of a Caliphate being declared through inappropriate means or whether it is a serious issue and momentous event. I am aware that our Ministry of External Affairs is concerned with many more issues. Some will argue it is impossible in a globalised world to sequester six issues only.

My point is that if at this juncture we are not applying Smart Power we've got to start applying it somewhere. We cannot immediately start applying Smart Power globally. So I am reducing the areas in which there is an inescapable necessity to apply Smart Power and these are the six issues I have highlighted above. Many Indian commentators compare our Smart Power unfavourably with China but we lost the contract at Jaffna where the Chinese have built a beautiful harbour, railways and a fine modern highway from Colombo airport to the city. Of course, we have got to realise the fact that this is not a fair competition, in the sense that we are a two trillion economy and we are competing, as far as Smart Power is concerned, with another country whose GDP is nine trillion.

So there are limitations to our Smart Power and this is something we have to look at. So when you look at these six areas where we must apply Smart Power I find that we have not done too badly, particularly in some sectors. I would like to single them out. One of them is 'Energy'. We are dependent upon hydrocarbons, gas and oil from a region that is particularly volatile and we have no control over the geo-politics of that region and geo-politics decides oil prices. If the oil prices go to 120 dollars a barrel it will stymie the growth of our economy, an event that we have no control over. Complicating this issue further is the fact that we have six million Indians living there, sending back 50 billion dollars annually. So we are in a very weak position as far as being able to have a say; in fact that we have assets which are vital to our growth and that we are in a very vulnerable position vis-à-vis our energy needs. Yet, I must say that this country has managed over the last 30-40 years to make sure that energy comes into India. Two or three super tankers being unloaded every day, year on year and that I think is quite a fine example of the use of economic, diplomatic and cultural influence in an area where we are unable to use Hard Power because of our vulnerabilities.

Another area where we have not done too badly is the extraordinarily unfavourable ratios of comparison with China. Much of the military audience here believes that our stand against China has not been robust enough, but if you look at the economic comparison we have not failed entirely. We've engaged China. We've traded with China, cooperated in the Nalanda Project, in the cultural links and at the same time we have allocated as much money as we can for the defence of our country to stand up to a military stand-off with China.

However, where we have not been smart enough with China is in not accepting Chinese money, for reasons I cannot understand. Some believe that we can accept Chinese money only when the border problem is settled. I don't see it that way because China became rich by doing well on the world order being run by its main strategic competitor, which is the US. China grew rich on the US. It's got a 300 billion dollar surplus trade with the US and that's how China has become cash rich. So our reluctance to accept Chinese money, to fix India's infrastructure and create employment is one aspect that is weak as far as our policy with China is concerned.

At the same time, I think, we are blowing up the boundary issue out of proportion because I don't think a long boundary like this can be settled without 'give and take' and I don't think we have the political consensus to be able to 'give'; much less the large exchanges that may have to be necessitated in a border settlement with China.

Looking at the list of inescapable issues, I have reservations on whether we have done smartly as far as Smart Power is concerned, with our neighbours, particularly with Pakistan. I think there are similarities to the Cold War and to our relationship with Pakistan. It is 25 years since the Cold War ended, and it was won by the West without firing a shot. The momentous event in the collapse of the East in the Cold War was when the East Berliners took picks, axes and shovels and knocked down that wall in East Berlin.

The Cold War, in retrospect, was a propaganda war, which was won by the West with the use of Soft Power and in the war of Soft Power, the USSR actually lost. About a decade ago, I met a number of people who ran an organisation called 'Radio Free Europe' that used to broadcast programmes to Eastern Europe and the USSR for almost 50 years. During the later stages of the Cold war, people in Eastern Europe and Soviet Union used to tune in to 'Radio Free Europe' to get the real news, and that is how the propaganda war was won.

In our conflict with Pakistan, by and large there are huge misperceptions. I met a Pakistani senior retired General who says he goes to the Pakistani Staff College to speak to the officers and they ask him "what do the Indians want? Why do they keep firing at us on the border?" This misperception needs to be settled. This is a Media war in many ways. Many people say, Pakistanis watch Indian TV channels in any case. Pakistanis are misled by their history books, they are misled by the press, if there is an attack on the Karachi Airport it is attributed to a foreign country, the euphemism used for India. In fact as far as their Tehrik-e-Taliban Pakistan (TTP) is concerned, when it carries out its terrorist attacks, it always says its TTP is funded by a foreign country. So these perceptions need to be corrected perhaps by a smart media.

There are some areas of Hard Power too where we are not matching ends and means. The last war that we fought with Pakistan, apart from the Kargil conflict was 43 years ago. But for 43 years large portions of our military spending has been oriented towards our defence against Pakistan and yet on two occasions, in 2002 after the Parliament attack and after the Mumbai attack, the Armed Forces were frankly unable to give the political authority a military option. Archival literature is deficient in India, but we do know that the Chiefs met the Cabinet Committee on Security (CCS), and we know that at this meeting various options were discussed, but eventually it was decided that we did not have a suitable military option as far as dealing with Pakistan was concerned. If that is understandable as far as 2002 is concerned, why was it forgivable six years later in 2008? And why would it be acceptable if Mumbai was to occur again in 2014 and we are still unable to provide a military option? So there are deficiencies as far as the Armed Forces community is concerned when it comes to Hard Power options as part of Smart Power.

We may stop looking at single issues. You may well ask me, what are my recommendations as far as the institutional problems are concerned; are we geared to use Smart Power? I think to use Smart Power, we need to define the area in which we intend to use the same. The world is not standing still. It is evolving. If we have to use Smart Power against Myanmar, for instance, the objective that we define for ourselves would be to bring Aung Sang Su Ki back into power against the Generals. This is going to take eight or 10 years but during these 8-10 years Myanmar is going to change. We need to write a scenario which will track the future evolution of Myanmar particularly with relation to India. Who is going to write the scenarios? We have a lot of institutions and individuals capable of writing scenarios.

I think the best expertise as far as foreign relations are concerned is available today at the desk systems in the MEA. But unfortunately, the desks in the MEA are so tied up running day to day diplomacy that they don't have the time to sit back and dream about creating scenarios ten years down the line. But we have other organisations. We have the Research and Analysis Wing (R&AW) which also has expertise and a database of intelligence, we have the staffers in National Security Council Secretariat (NSCS) who also specialise in certain areas; we have the expertise in the Integrated Defence Staff (IDS) in the military. But who is going to pull this expertise together to create a holistic matrix which in turn will be an important resource for exercise of smart power ?

In the US, it is usually done by the Directorate of Net Assessment, which is tasked by the President to collect inputs from intelligence from the foreign office, from the National Security Council and from the Pentagon and put it together which the Directorate of Net Assessment does in a document that is available on Google called Global Futures. It is available as open literature but the classified Papers which led to the making of Global Futures are not available as open literature. The Global Futures for 2014-18 has something like 64 papers backing it up, including on subjects like space, technology, global warming etc. We don't have a similar process. Institutionally, I think, we lack the ability to write scenarios and then address Soft Power at that scenario.

I have come to the end of my talk. All I want to say is that I don't think there is going to be a state to state conflict in the next quarter century. We are already 43 years from the last war we fought. In the history of man, no democracy has ever declared war on another democracy and as there is a continuous and constant movement towards democratisation of the world, there are arenas of the world where war is not going to occur for a very long period. Brazil fought the last war in 1859 - that's a 179 years ago. So we should start thinking in terms of either, using Hard Power in a smarter way or, using Smart Power, i.e. various aspects of Soft and Hard Power to benefit fully from the application of Smart Power in a future where old definitions are crumbling in the wake of newer strategies for influencing the course of history. With that I thank you all for listening to me. Thank you!

\*This is a slightly edited text of the 12th Major General Samir Sinha Memorial Lecture, 2014 delivered by Rear Admiral K Raja Menon (Retd) at the USI of India on 28 Jul 2014 with Shri Lalit Mansingh, IFS (Retd), India's former Foreign Secretary in Chair.

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**Management of National Security - Some Concerns\***  
**Shri NN Vohra, IAS (Retd), Governor J&K@**

I feel privileged to have been asked to deliver the First Air Commodore Jasjit Singh Memorial Lecture to remember Jasjit Singh who, after a long and distinguished tenure as Director General, Institute of Defence Studies and Analyses (IDSA), served as the Director of the Centre for Air Power Studies from the day it was established till he passed away last year.

I compliment the Chief of Air Staff, the Chairman and Members of the Board of Trustees and Director of the Centre for Air Power Studies for establishing an annual lecture in the memory of Jasjit Singh. My very long association with this scholar air-warrior commenced in the mid 1980s when the Air Headquarters released him for joining the IDSA. For nearly three decades, till he passed away last year, I had known Jasjit closely and was associated with several of his initiatives to enlarge awareness about security related issues.

In today's Lecture, I shall speak about the most urgent need for the Central Government to secure appropriate understandings with the States for finalising an appropriate national security policy and putting in place a modern, fully coordinated security management system which can effectively negate any arising challenge to the territorial security, unity and integrity of India. It would be useful, at the very outset, to state that, in simple language, the term "national security" could be defined to comprise external security, which relates to safeguarding the country against war and external aggression, and internal security which relates to the maintenance of public order and normalcy within the country.

The first generation of India's security analysts, who focused attention almost entirely on issues relating to external security, had found it convenient to distinguish issues relating to external and internal security. However, such a segregated approach is no longer feasible, particularly after the advent of terrorism which has introduced extremely frightening dimensions to the internal security environment. I would go further to say that issues of internal and external security management have been inextricably intertwined ever since Pakistan launched a proxy war in Jammu and Kashmir in early 1990 and Pak based Jihadi terrorists started establishing networks in our country.

While evolving a holistic approach towards national security management, it would be relevant to keep in mind that our country comprises an immense cultural and geographical diversity and our people, nearly a billion and a quarter today, represent multi-religious, multi-lingual and multi-cultural societies whose traditions, customs and socio-religious sensitivities are rooted in thousands of years of recorded history. It is equally important to remember that in our vast and unfettered democracy the unhindered interplay of socio-cultural traditions and religious practises carries the potential of generating discords and disagreements which may lead to serious communal disturbances, particularly when adversary elements from across our borders join the fray.

While it may appear somewhat trite to cite school level statistics, our security management apparatus shall need to reckon that we have over 15,000 kms of land borders, a coast line of about 7500 kms, over 600 island territories and an Exclusive Economic Zone of about 25 lakh sq km. These awesome parameters and, besides, the extremely difficult geographical and climatic conditions which obtain in the various regions of our vast country present serious challenges to our Security Forces who maintain a constant vigil on our land, sea and air frontiers.

While it would not be feasible to recount the varied security challenges which India has faced in the decades gone by, it could be stated that the more serious problems in the recent years have emanated from Pakistan's continuing proxy war in Jammu and Kashmir; Jihadi terrorism, which has been progressively spreading its reach; the destructive activities which the Left Wing extremist groups have been carrying out for decades now; the serious unrest created by the still active insurgencies in the Northeast region; and incidents of serious communal violence which have been erupting in various States, from time to time. Mention must also be made of the steadily growing activities of the Indian Mujahidin, a terror group which has its roots in Pakistan. Another phenomenon, relatively more recent, relates to the emergence of certain radical counter-groups which have been organised with the primary objective of countering the Jihadi terror networks. It needs to be noted that the activities of such counter groups have the potential of spreading disharmony and divisiveness which could generate wide spread communal violence and result in irreparably damaging the secular fabric of our democracy.

The activities of the Left Wing extremist groups, which have been continuing their armed struggle for the past several decades to capture political power, are posing an extremely serious internal security challenge. While there may have been a marginal decline in the scale of incidents and the number of killings in the past few years, there has been a marked increase in the gruesome attacks by Naxalite groups on the Security Forces. India's hinterland continues to remain the prime focus of Pakistan based terror groups, particularly LeT and IM. In the recent past, indigenous groups comprising elements of SIMI and AL-UMMAH have perpetrated serious violent incidents in the country and, notwithstanding its frequent denials, Pakistan remains steadfastly committed to harbouring anti-India terror groups on its soil.

Having referred to some of the more worrying concerns on the homeland front it would be useful to examine whether we have framed an appropriate national security policy and established the required institutions which are capable of effectively meeting the arising threats. Before commenting further on this important issue it would be relevant to keep in view that, as per the provisions in our Constitution, it is the duty of the Union to protect every State against external aggression and internal disturbance.

In the decades past, the country has had to encounter external aggression on several occasions and no significant issues have arisen about the Union's role and responsibility to protect the States against war. However, insofar as the Union's duty to protect every State against internal disturbance is concerned, all the States have not so far accepted the Central Government's authority to enact and enforce federal laws for dealing with terror acts, cyber offences, and other major crimes which have all India ramifications. The States have also been opposing the Central Government's authority to establish new security management agencies with pan India jurisdictions. In this context, an

argument which has been repeatedly raised is that it is the constitutional prerogative of the States to manage law and order within their territories and that the Centre has no basis for interfering in this arena!

Undoubtedly, the States are constitutionally mandated to make all required laws in regard to the Police and Public Order, take all necessary executive decisions, establish adequate police organisations and manage appropriate security management systems for effectively maintaining law and order within their territories. However, looking back over the serious law and order failures which occurred in various parts of the country in the past six and a half decades, it cannot be asserted that there have been no failures and that all the States have a sustained record of ensuring against any breach in the maintenance of peace and security within their jurisdictions.

It may not be practical to detail the varied reasons on account of which the States have failed to timely and adequately deal with arising disturbances in their jurisdictions in the past years. However, it could be briefly said that, among the more significant contributory factors, the defaults of the States have arisen from their failure to maintain adequate Intelligence organisations and well trained Police Forces in the required strength for effectively maintaining internal security within their territories. On many occasions the States have also displayed the lack of political will to deal with an arising situation on their own. Instead, the general practice which has evolved over the past many years has been for the affected State to rush to the Union Home Ministry for the urgent deployment of Central Armed Police Forces for restoring normalcy in the disturbed area.

Another factor which has adversely affected internal security management relates to the progressive erosion of the professionalism of the State Police Forces. This regrettable decline has taken place because of the day to day political interference in the functioning of the constabularies. Such interference has, over the years, caused untold damage and most adversely affected the accountability, morale and the very integrity of the State Police Forces. In the annual all India Internal Security Conferences organised by the Union Home Ministry, many Chief Ministers have been taking the position that internal security cannot be managed effectively because the States do not have the resources for enlarging and modernising their Police and security related organisations.

For the past over two decades now the Union Home Ministry has been providing annual allocations for the modernisation of the State Police Forces. However, it is a matter of serious concern that, over the years past, the Central Government has failed to evolve a national security management policy which clearly delineates the respective role and responsibility of the Central and State Governments. Nonetheless, whenever called upon to do so, the Central Government has been consistently assisting the States by deploying Central Police Forces, and even the Army, for restoring normalcy in the disturbed area.

Considering the gravity of the progressively increasing security threats and also bearing in mind the constitutional prescription that it is the duty of the Union to protect every State against internal disturbance, it is important that the Central Government takes the most urgent steps for finalising the National Security Policy and the machinery for its administration, in suitable consultations with the States. The National Security Policy must leave no doubt or uncertainty whatsoever about the Central Government's authority for taking all necessary steps for pre-empting or preventing arising disturbances in any part of the country. In this context, it is regrettable that in the past years the Central Government has not invariably been able to deploy its Forces for protecting even its own assets which are located in the various States. The circumstances which led to the demolition of the Babri Masjid, and the grave consequences thereof suffered by the Nation, are still far too fresh in our memories to call for any retelling.

Under Article 256 of the Constitution, the executive power of the Union extends to giving of such directions to a State as may appear to the Government of India to be necessary for that purpose. However, over the years, the Union Home Ministry's general approach has been to merely issue cautionary notes and not any directives in regard to an emerging situation. This approach, of sending out advisories, has not proved effective and, over the years, varied internal disturbances have taken place in different parts of the country, some of which have caused large human, economic and other losses.

After the National Security Policy has been finalised, the Central Government shall need to undertake, in collaboration with the States, a country wide review of the entire existing security management apparatus and draw up a plan for restructuring and revamping it within a stipulated time frame. While playing their part in such an exercise, the States would need to accept the important role which they are required to play in national security management and demonstrate their unconditional commitment to work closely with each other and the Central Government for ensuring against any assault on the unity and integrity of the country.

For the past nearly two decades now, there have been repeated pronouncements that the Central Government is promulgating a law for dealing with identified federal offences and establishing a central agency which would have the authority of taking cognisance and investigating crimes which have serious inter-State or nationwide ramifications for national security. In this context, the proposal of setting up the National Counter Terrorism Centre (NCTC) has continued to be debated for the past several years. A number of States, which have been opposed to the establishment of NCTC in its present form, have suggested that the proposed framework of this body should be entirely revised in consultation with the States. Some other States have urged that NCTC should not be established through an executive order but through a law enacted by the Parliament and that it should function under the administrative control of the Union Home Ministry instead of under the Intelligence Bureau. As terror acts and other federal offences cannot be dealt with by the existing security management apparatus, it is necessary that the Central Government undertakes urgent discussions with the Chief Ministers to resolve all the doubts and issues raised by the States.

For commencing a purposeful dialogue with the States, with the objective of securing the requisite Centre-States understandings in the arena of national security management, the Union Home Ministry could beneficially utilise the aegis of the Inter State Council (ISC), of which the Prime Minister is the chairperson.

For progressively enhancing meaningful Centre-States relations in regard to national security management it would be useful for the Central Government to also consider various possible initiatives for promoting trust and mutual



understanding between New Delhi and the State capitals. Towards this objective, to begin with, the Central Government could consider inducting representatives of the States in the National Security Advisory Board and the National Security Council, even if this is to be done on a rotational basis. The Central Government could also consider setting up an Empowered Committee of Home Ministers of States to discuss and arrive at pragmatic solutions to various important security related issues, including the long pending proposal to set up the NCTC.

Some of the doubts voiced by the States about the management of security related issues arise from the style of functioning of institutions which are exclusively controlled by the Central Government. In this background, perhaps a more productive approach may lie in moving towards certain important institutions being jointly run by the Centre and the States. An excellent example in this regard is the Joint Terrorism Task Force (JTTF), established by the USA in the aftermath of 9/11. The JTTFs located in various cities across the USA include representatives from the Federal, State and Municipal enforcement agencies and perform several important roles, including the clearing of all terrorism related information. Over time, functioning through joint institutions will enable the States to gain a well informed all India perspective about the complex and sensitive issues which concern national security management and, in this process, also defuse their perennial complaint about the Central Government "interfering with the powers of the States in the arena of internal security management".

Needless to stress, if national security is to be satisfactorily managed, the States must effectively maintain internal security within their territories. Towards this end, they must urgently get to work for enlarging and upgrading their Intelligence and Police organisations and security administration systems. In this context, it is a matter for serious concern that the annual allocations for Police comprise an extremely low percentage of the total budgeted expenditure of all the States and Union Territories in the country. The scale of these allocations shall require to be significantly enhanced, particularly keeping in mind that about 80 per cent of the annual State Police budgets go towards meeting the salaries and pensions of the constabularies and virtually no funds remain for undertaking the expansion or modernisation of the State Police Forces. Time bound action would also require to be taken to ensure that the sanctioned posts of Police personnel, lakhs of which remain vacant for years in the State and Union Territory Police Forces, are filled up on a time bound basis.

It also needs being recognised that the ailments from which the State Police Forces have been suffering, for decades now, shall not get cured merely by providing larger budgetary allocations for their expansion and modernisation. It is extremely important to ensure that Police Reforms, which have been pending for decades, are carried through without any further delay. It is a matter of utter shame that after nearly seven decades since Independence the Police organisations in many States are still functioning under the colonial Police Act of 1861. Most States have also not taken the required steps to implement the Supreme Court's orders regarding the establishment of Police Complaint Authorities and State Security Commissions; segregation of Law and Order and Investigation Functions; setting up of separate Intelligence and Anti Terrorist Units and taking varied other required actions for establishing modern and accountable Police Forces which would enable the effective functioning of the security management apparatus.

It is also necessary to recognise that national security cannot be safeguarded unless the entire apparatus of the criminal justice system discharges its duties with competence, speed, fairness and complete honesty. Last year, nearly two crore criminal cases under the Indian Penal Code and Special Laws were awaiting trial. This sad state of neglect, accompanied by progressively declining conviction rates, has rightly generated the perception that crime is a low risk and high profit business in India.

The functioning of the judicial apparatus, particularly at the lower and middle levels, suffers from serious logistical deficiencies - grossly insufficient number of courts and judges, prolonged delays in filling up long continuing vacancies, lack of the required staff and essential facilities in the courts and so on. Needless to stress, the most urgent measures are required to be implemented for enforcing complete objectivity and fairness in the selection and appointment of judicial officers and judges at all levels and stringent steps taken for enforcing the highest judicial standards and accountability for establishing a clean and strong judicial system which restores fear and respect among one and all for the Constitution and the Rule of Law.

Alongside the clean-up and revitalisation of the judicial system it is necessary to weed out all obsolete laws and update and amend other statutes, many of which were enacted during the colonial era or in the early years after Independence, to ensure their relevance in the contemporary context. For instance, the Indian Evidence Act needs to be urgently reviewed to, inter alia, provide for the permissibility of electronic evidence. It is also necessary to ensure prompt and professional investigations, competent and time-bound trials, and award of deterrent punishments to all those found guilty of unlawful acts. Towards this end, it shall be necessary to create cadres of competent Investigation Officers and Criminal Law Prosecutors and urgently enact a well considered federal law for dealing with the rapidly increasing economic offences. Drawn up in appropriate consultation with the States, such a comprehensive law should cover the enlarging spectrum of economic and other major offences, some of which are closely linked with the funding of terror and organised crime networks.

It would be incorrect to assume that serious threats to national security emanate only from the activities of Naxalites, terror groups and the mafia networks. Corruption at various levels, with which the entire governance apparatus is permeated, is another factor which adversely impacts our national security interests. Year in and year out, for the past several decades now, major scams and scandals have been getting exposed and India continues to hold a shamefully high position in the global Corruption Index. It needs to be stressed that corruption vitiates and disrupts the Rule of Law and destroys the very foundations of the administrative and legal apparatus. The prevalence of corrupt practices at various levels generates anger, despair and helplessness among the people at large, compelling them to lose trust in the functioning of the governmental machinery. Cynicism and the loss of hope engenders an environment which leads to the alienation of the common man, paving the way for attraction to the gun culture and extremist ideologies.

As regards the subversion of the governmental machinery from within, it may be recalled that, consequent to

the serial bomb blasts in Mumbai in March 1993, the Government of India had set up a Committee to ascertain how Dawood Ibrahim and other mafia elements had been able to establish such powerful networks. The Report of this Committee (generally referred to as “Vohra Committee Report” or the “Criminal Nexus Report”) had concluded that, in several parts of the country where crime syndicates/mafia groups have developed significant muscle and money power and established linkages with government functionaries, political leaders and others, the unlawful elements have been able to carry out their criminal activities with ease and impunity.

Over two decades have elapsed since the Criminal Nexus Report was furnished. While I am unaware of the action which must have been taken on this Report, there is little doubt that the criminal nexus has since spread its tentacles far and wide and poses a serious threat to national security.

The national security apparatus cannot function effectively unless it is manned by appropriately qualified, highly trained and experienced functionaries. It is, therefore, extremely important that well planned steps are taken for very early establishing a cadre of officers drawn from various required disciplines, selected on an all India basis, who are provided the best available training in identified areas of expertise and deployed in the security management apparatus all over the country.

A proposal to set-up a dedicated pool of trained officers, drawn from various streams, who would spend their entire careers in the security management arena, was made by me in the Report of the Task Force on Internal Security, which had been set up by the NDA Government in early 2000. The Task Force Report (September 2000) had recommended the broad framework for establishing a pool of trained officers for manning the security management agencies run by the Government of India. This recommendation was approved in 2001 by a Group of Ministers (GoM) chaired by the then Union Home Minister and Deputy Prime Minister. Thirteen years have since elapsed. The decision of the Group of Ministers has not been implemented, possibly for no better reason than that this matter has not been considered important enough!

The security environment, in India’s neighbourhood and far beyond, has been progressively deteriorating. Grave consequences may have to be faced if there is any delay in revamping and tightening the security management apparatus which cannot continue to be run by functionaries of varied backgrounds who are drawn from one or the other service. To make up for the very considerable time which has already been lost, it would be enormously beneficial if the Central Government takes the bold step of establishing a National Security Administrative Service whose members, selected from among the best available in the country, are imparted intensive training in specialised areas before being deployed to run the security management institutions all over the country.

After the November 2008 terror attack in Mumbai, the Government of India had hurriedly enacted a law to set-up a National Investigation Agency (NIA), on the pattern of the Federal Bureau of Investigation of the USA, to investigate and prosecute terror offences. As per its legal framework, the NIA has the authority to investigate and prosecute only certain specified offences which are committed within the country and which affect national security.

The NIA has no extra-territorial jurisdiction and no powers to probe incidents which occur outside India, as for example the very recent militant attack on the Consulate of India in Herat. The Director NIA does not have the powers, enjoyed by the Directors General of Police of States, to permit an Investigating Officer dealing with a terror crime to seize or attach property. Also, unlike as in the case of the CBI, the NIA is not empowered to depute its Investigating Officers abroad for direct interactions with a foreign agency which is investigating a major terror act which directly or indirectly affects our national security interests.

The NIA’s functioning in the past six years also shows that the Police authorities in the States are reluctant and take their own time in handing over to the NIA even major crime cases which may have serious inter-State or nationwide ramifications. Many offences, including major Indian Penal Code (IPC) crimes which may be directly linked to terror activities, have still to be brought under the NIA’s jurisdiction. Thus, briefly, the NIA, as presently constituted, does not have the legal authority for taking the required action to pre-empt or prevent a terror crime, even when it functions in coordination with the concerned States. Needless to stress, the NIA needs to be fully empowered, on the most immediate basis, if it is to serve the purpose for which it was established.

In the context of the problems and issues about which I have briefly spoken this morning, it would be seen that, even after the gruesome terror attack in Mumbai, in November 2008, our Country has still to evolve a National Security Policy and put in place effective mechanisms for implementing it. Also, the ground has still not been cleared to promulgate a well considered federal law under which a fully empowered central agency can take immediate cognisance and promptly proceed to investigate any federal offence, within the country and abroad, without having to lose precious time in seeking varied clearances and going through time consuming consultative processes. Any delay, which is inherent in working within a consultative system, would have the grave danger of virtually ensuring the failure of investigations, particularly as the terror groups strike their targets and get away with lightning speed.

In the background of the brief overview of the more worrying national security management concerns which I have presented to you this morning, I would like to conclude by briefly reiterating that :-

- (a) India is facing progressively increasing security threats from across its frontiers, as well as from within.
- (b) The absence of a bipartisan approach has led to several States questioning the Central Government’s leadership role in national security management. Insofar as the discharge of their own constitutional responsibilities is concerned, most States cannot claim a sustained record of maintaining peace and tranquillity within their own territories.
- (c) As a general practice, which is now long continuing, instead of progressively improving the capability of their police and security maintenance apparatus for effectively dealing with arising disturbances, the States have been perennially seeking assistance from Union Home Ministry, whenever a problem is arising in their territories.

(d) While the Central Government has been, without any exception, providing assistance to the States by deploying Central Police Forces, and even the Army, for restoring normalcy in the disturbed areas, the States have never been questioned about the reasons for their failure to maintain internal security, nor about their failures to deal with the root causes of the recurring disturbances in their territories.

(e) The Constitution of India prescribes that the States shall be responsible for the maintenance of public order and that the Union Government has the duty to protect the States against internal disturbances. A holistic National Security Policy and the mechanisms for its administration must be urgently finalised in consultation with the States. The Central Government must not lose any more time in evolving the required Centre-States understanding for effective national security management.

(f) Besides finalising the National Security Policy, the Central Government shall also need to take time bound steps for :-

(i) Establishing appropriate institutions/agencies for effective security management across the length and breadth of the country.

(ii) Enacting laws and establishing all required processes and procedures for the prompt investigation and trial of federal offences.

(iii) Establishing a National Security Administrative Service for manning and operating the security management apparatus in the entire country.

To conclude, I shall yet again re-iterate that if the security, unity and integrity of India are to be preserved and protected then there is no more time to be lost. The Central and the State Governments must immediately forge all required understanding and take every necessary step for ensuring that there is not the slightest chink in the enforcement of national security.

\*This is a slightly edited text of the First Air Commodore Jasjit Singh Memorial Lecture delivered by Shri NN Vohra, IAS (Retd), Governor Jammu and Kashmir at the Centre for Air Power Studies (CAPS), New Delhi on 18 Jul 2014. It has been printed here with due permission from CAPS. This Lecture reflects the personal views of the speaker.

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**Role of Military in Nation Building**  
**General Deepak Kapoor, PVSM, AVSM, SM, VSM (Retd)@**

A nation is akin to a living organism. In order to progress and prosper, it has to grow in a balanced manner with the right mix of resources allocated for its growth on one hand and security on the other. Growth without security would leave a nation exposed to threats from its competitors. Conversely, excessive emphasis on security is likely to limit resource availability for growth. Let us examine this issue in a little more detail.

The rationale for existence of the military lies in the concept of a nation state. In a turbulent world such as ours, the need to grow in a stable and peaceful environment demands the necessity of a force which would ensure its national security against both internal and external challenges. Thus, almost all nations of the world have created their own militaries to perpetuate their existence. This has been the traditional justification for creation of militaries.

We are also aware that while investment carried out in all other fields provides tangible benefits in terms of returns and growth, benefits of funds spent on creation and maintenance of military are intangible and cannot be quantified. This provides grist to protagonists of growth in a 'guns versus butter' debate specially in developing economies where resources are invariably scarce. As a result, most nations end up allocating less than what is desired for defence, thereby jeopardising national security in the long run.

Thus, there is always a dilemma in deciding how much is enough as expenditure on a nation's military. A related aspect is that the expenditure on military is in direct proportion to the resource creation capability of a nation. Thus, stronger economies like the US and China can and do spend much more on their militaries than most European economies which are constrained by resources. Conversely, the moment a nation spends excessively on military by neglecting other sectors of growth; it becomes vulnerable to a break up thus endangering its national security. We have the recent example of the Soviet Union which built up a massive military industrial complex at the expense of a balanced growth, resulting in its break up finally. Even Pakistan, whose expenditure on military has been disproportionately high for years, is close to becoming a failed state for sheer neglect of other sectors. North Korea, possessing a massive stockpile of weapons, is faring no better and has problems sustaining its existence.

It needs to be appreciated that the expenditure on military is an ongoing exercise. To postpone expenditure today in the expectation that it would be made up subsequently is a policy riddled with serious consequences. It leads to loss of opportunity costs and accumulation of a deficit which is never possible to be made up due to invariable scarcity of resources. Our typical tendency to react only when a crisis is upon us rather than taking timely steps to avert it has landed us in dire straits in the past and would continue to do so in the future unless we become alive to this reality. Development of defence infrastructure on either side of the long Sino-Indian border is a clear example of the effect of regular versus sporadic spending. On the Chinese side, the infrastructure that has been developed is excellent, enabling China to launch and sustain large scale operations in a rapid time frame. On the Indian side, we are still in the process of developing the infrastructure thus putting a major constraint on our military to respond effectively to any threats.

From the foregoing, some facts emerge clearly. Firstly, in this era of nation states, no nation can do without having its own military to protect its core interests and its territorial integrity. Even those who consider it a non growth oriented and non remunerative white elephant have to possess it to perpetuate their existence. Leaving their security to others exposes them to a sense of vulnerability and an inherent disadvantage on the international stage which comes to the fore in times of a crisis. The Japanese apprehension over the Chinese claim on Senkaku islands controlled by Japan is a clear example. Secondly, a delicate balance has to be maintained by every nation between resources it allocates to its military as compared to other sectors. A substantial shift in favour of either can be disastrous for a nation in the long run. Thirdly, in order to keep the military modern, ready and relevant, expenditure on the military has to be on a continuing and ongoing basis.

In case of India, let us look at how the military has helped in nation building since the time of its Independence. The British followed the path of least resistance by leaving the status of 600 odd princely states within the union ambiguous and unsettled while announcing India's Independence. It required the vision of Sardar Patel and the backing of the Indian military to persuade, cajole, threaten and where necessary, use military force to make these states accede to the Indian Union and turn the country into one cohesive whole. Once again it was the military on which the nation relied to bring in a semblance of order in the mayhem and massacres of hundreds of thousands that took place during mass scale migration of people in Punjab and Bengal post the announcement of the Radcliffe award on partition of the country.

The invasion of J&K by Pakistan aided, abetted and supported by razakars in 1947-48 was thwarted by the Indian military despite a last minute entry when the attackers were knocking at the gates of Srinagar. Similar attempts by Pakistan in 1965, 1971 and 1999 met with the same fate, thanks to the heroic efforts of the Indian military. In fact, ignominious dismemberment of Pakistan and surrender of 90,000-93,000 Pakistani officers and men in 1971 added a glorious chapter to the history of the Indian military and gave the Country something to be proud of. All these victories have been achieved by the military in service of the Nation through supreme sacrifices and at a tremendous cost to life and material itself.

Even against China, while the debacle of 1962 rankles, a realistic appraisal would reveal that reasons for the setback lay in unrealistic policies, poor higher defence management, inability to appreciate their military's capabilities and intentions by the political leadership and an incompetent military leadership. The valour and heroism of troops on the frontline despite adverse conditions, in service of the Nation, was exemplary. That many made the supreme sacrifice is a testimony to their devotion to duty for the country.

Insurgencies in different parts of the Country have been a regular feature since the time we became Independent in 1947. Separatism, communalism, sectarianism, naxalism and Left Wing Extremism have been raising their ugly heads from time to time, striking at the roots of the very unity of the Country. Externally abetted proxy wars

like the current one in J&K are a constant attempt to undermine the integrity of the Country. Despite heavy odds, it is the Indian military which has kept the concept of One India alive. In tackling these insurgencies and fighting proxy wars, it has suffered more casualties than it did during the entire Second World War. In fact, the Indian state has always used the military as an instrument of last resort when all other means have failed. It is to the credit of the military that it has invariably delivered in all difficult situations. Our countrymen recognise this contribution and therefore have tremendous respect and admiration for the military.

The strong point of the military is its disciplined and organised methodology of problem solving. During training, aspects like prior planning, physical fitness, team work, nation building and devotion to duty are emphasised to bring out the best in every individual in achieving the laid down objectives. This well trained manpower has been a major asset of the military. While its worth in times of a war is amply clear, it provides an equally important resource in times of peace for nation building. This resource has excelled in every field it has entered into, because of the ethos and culture of organised hard work that it has developed while being trained in the military. Thus, today it is not uncommon to find former military personnel not only managing security organisations but also occupying pivotal positions in all other fields of corporate management, both in the public and private sector. With more than 50000 retiring personnel joining the national mainstream every year at a relatively young age of around 40 years, this resource if properly harnessed, can make a significant contribution to nation building.

In the past, it has not been uncommon to find the Country coming to a stop due to a strike in some vital sector of the economy or the other. Trade unions in the railways, oil sector, transportation sector etc. have held the Nation hostage bringing the economy to a grinding halt. In all such emergencies, it is the military with its limited resources which has come forward to run the essential services and keep the wheels of economy moving.

As a nation grows, there is a corresponding increase in its stature and the influence it wields in regional and global affairs. But to sustain such a situation, a nation has to have a military which can not only protect and safeguard its interests but also further them in the long term. Today, India is in this typical situation where military has a positive role to play in projecting it on to the world stage. We are being wooed by both the US and its allies and China with both sides trying to align us with themselves. In such a situation, military diplomacy, which is an extension of diplomacy by other means, has a crucial role in furthering our national interests. Carrying out joint military training with important players in the arena sends out signals which are most keenly watched and interpreted by the others. While we are keen to stay non aligned and preserve our autonomous decision making capability, it should not stop us from assuming the mantle of leadership in protecting common regional interests. Drug trafficking, piracy, protection of global commons and disaster relief are areas wherein the smaller nations of the region are hoping that India will take the lead. In fact, they are surprised as to why India has not done so till now. As and when it decides to take on the responsibility, the military will have a decisive role to play in furthering national policies and interests.

Our contribution to UN peacekeeping operations has enhanced our image in the eyes of the world. In all the peacekeeping missions across the globe, our military has acquitted itself admirably, resulting in greater demand for Indian troops wherever trouble has erupted lately and the UN decides to send its troops. Indian forces are seen as firm, fair, just and balanced in their approach, thus enhancing the image of the Country. In fact, our praiseworthy contribution to peacekeeping operations has strengthened our case for a permanent seat in the Security Council.

Likewise, our active stance on piracy on high seas and our deployment of the military in Arabian Sea to check the same has earned us the admiration of many a smaller nations. In the process, it has also enabled us to protect our vital oil supplies from the Gulf region, which in turn keeps the engine of economic growth moving.

If India is to occupy its rightful place in the comity of the nations, it has to achieve all round growth in all sectors. Balance has also to be maintained between growth and security. Optimum growth is only possible when both external and internal challenges to stability are taken care of. This underlines the importance of a ready, modern and relevant military. A robust military is an asset not only in the field of security but other areas of nation building as well. Its disciplined and methodical approach to crisis resolution is admired by the countrymen, who tend to fall back on the military as an instrument of last resort. The culture and ethos of a secular, apolitical and efficient military devoted to the unity and integrity of the country acts as a shining example to all others, bedevilled by communalism, corruption and poor governance. The military is successfully able to project and protect a country's image far beyond its borders thus contributing effectively to nation building.

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