

The Official Secrets Act 1923 - A Troubled Legacy

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Introduction

The Official Secrets Act, 1923 is one of the most draconian laws still in force in India. A legacy of the British Raj, it had often resulted in grave miscarriages that have blotted the record books of judiciary and sullied our reputation among democratic nations. Eminent jurists and civil rights activists have unequivocally voiced the opinion that the infamous statute should be scrapped. After the enactment of the Right to Information Act in 2005, it has no right to exist, a fact that has been pointed out by Veerappa Moily, heading the Second Administrative Reforms Commission that has already recommended its repeal. Unfortunately, the proposal was shot down by the bureaucrats in the Home Ministry, based on objections from the intelligence agencies. The arguments advanced for its survival are based on the hypothesis that this will hamper the prosecution of spies. In fact, nothing could be further from the truth. It is necessary to go back into the history of the law to understand why it was enacted and whether it is still relevant today.

The Indian Official Secrets Act, 1889

The first record of a regulation dealing with official secrets is a Notification issued by the Foreign Department of the Government of India on 30 August 1843 which prohibited officials from making official documents public. At that time government officials often became correspondents for newspapers, especially during war. On 8 July 1875 the Home Department issued a Resolution that an official could become a correspondent for a newspaper only after obtaining permission from his office, which was normally granted. On 3 June 1885 the Home Department issued another Resolution that stated that the Viceroy had noticed that information of a confidential nature frequently appeared in newspapers. It advised government officials to be 'as reserved in respect of all matters that may come within their cognisance during discharge of their public duties as lawyers, bankers and other professional men in regard to the affairs of their clients'. 1

In September 1887 the British Colony of Gibraltar issued an Ordinance that prohibited making a sketch, drawing or photograph of any fortification in the garrison. A similar law had been enacted in France a year earlier. All British colonies were advised to issue similar Ordinances. In October 1887 the Secretary of State in London wrote to India, informing them of the advice to the Colonies. The Commander-in-Chief asked for a similar law to be enacted in India. On 1 June 1888 the Adjutant General in India forwarded a draft Bill to the Military department to prevent unauthorised entry and making of sketches of Military and Naval stations, to be called the Indian Fortifications Act, 1888.

On 9 June 1888 the Pioneer Newspaper reported that the Official Secrets Bill had been introduced in the British Parliament. Shortly afterwards a copy of the draft Bill was received in India. Since the Bill covered the points that were intended to be included in the Bill proposed by the Army, it was decided to wait for the enactment of the law in Britain. In September 1889 the Official Secrets Act was passed in Britain. It was applicable to India, but since it was considered unsuitable to the Indian legal system, it was decided to enact a separate law for India. The Indian Official Secrets Act (Act XIV) of 1889 was passed by the Viceroy's Executive Council on 17 October 1889. There was no discussion. The Viceroy, Lord Lansdowne, gave his assent on the same date.2

The Indian Official Secrets (Amendment) Act, 1904

In 1896 two persons - one a globetrotter and the other a local photographer - were arrested for taking photographs in Bombay harbour. It was found that the 1889 Act could not be used against them since wrongful intent could not be proved. The Army authorities urged a change in the law, making it more stringent and shifting the burden of proof on the accused. Lord Curzon did not approve, and the matter was dropped.

In 1901 the Army again pressed for a change in the law, after a Parsee was found taking a harmless photograph of Colaba Fort. Curzon reluctantly approved the amending Bill in March 1902, stating that 'it was the anti-thesis of everything that I had previously thought or written.' The draft Bill was sent to the Secretary of State in London, who raised certain objections. The Bill was redrafted. Curzon approved it, but did not read the revised draft. Later, he accepted the blame for approving it, and wrote: 'it deserved the worst things that have been said about it in the Press.'

In January 1904 the Bill was sent to a Select Committee, which gave its report a month later. Several members, including GK Gokhale, gave dissenting opinions. Pandit Madan Mohan Malaviya wrote a strong letter of protest against the Bill, which was considered in the Viceroy's Executive Council and passed on 1 March 1904, after incorporating some amendments suggested by Gokhale and Dr Ashutosh Mukherjee. The Indian Official Secrets (Amendment) Act, 1904 received the Assent of the Governor General on 4 March 1904.

Defence of India Act of 1915

Another Statute that was enacted during World War I was the Defence of India (Criminal Law Amendment) Act of 1915. The Partition of Bengal in 1905 created considerable resentment and unrest in Bengal. There were several cases of subversion and sabotage. This caused alarm even in Britain, prompting the Secretary of State to write to the Viceroy. It was decided to enact a new law similar to the Irish Act of 1881, which envisaged trial by tribunals,

against which there was no appeal. Act No XIV was passed in December 1908, which provided for speedy trial of certain offences and prohibition of dangerous associations. It was to apply in Bengal and Assam.

In December 1914, the Lieutenant Governor of Punjab, Sir Michael O'Dwyer, wrote to the Viceroy, asking for the enactment of an Ordinance to deal with the Gadharites and the Komagata Maru returnees who had become very active in the Punjab. He wanted a law on the lines of the Frontier Crimes Regulation and Frontier Murderous Outrages Regulation of 1901 that were in force in the North West Frontier province. The draft of the Ordinance forwarded by Punjab envisaged arrest without warrant and trials by special tribunals against which there was no appeal. Before taking a decision on the Ordinance, the Viceroy asked for it to be circulated among the members of the Executive Council. Except for Sir RH Craddock, the Home Member, the other five members, including the Commander-in-Chief, General Sir Beauchamp Duff, were against the Ordinance. Lord Hardinge ordered that the Ordinance in its present form was not immediately desirable, but another on the lines of the Ingress of India Ordinance should be prepared.

Conditions in Punjab deteriorated. In March 1915, O'Dwyer again wrote to Calcutta, giving instances of terrorist attacks, to buttress his arguments. Finally, the Viceroy relented. But he did not approve the Ordinance that O'Dwyer wanted. Instead, he ordered a Bill to be introduced in the Council to enact a law on the lines of the Defence of Realm Act that had been enacted in Britain shortly after the commencement of World War I. The Bill for enactment of the Defence of India Act was introduced in the Executive Council on 12 March 1915. It provided for the issue of regulations by the local government. Offenders could be tried by commissioners appointed for this purpose, instead of the normal courts. There was no appeal against the sentences.

During the debate, the Bill was strongly opposed by Madan Mohan Malviya and Surendra Nath Banerjee, but was passed on 18 March 1915. The Defence of India Act was made applicable to three divisions - Lahore, Jullunder and Multan - and not the whole of the Punjab. Later, it was also made applicable to Meerut and Benares districts of the United Provinces. It was to remain in force until six months after the end of the War, after which it would automatically lapse. 4

The Indian Official Secrets Act, 1923

We now come to the Indian Official Secrets Act, 1923. In 1911, a new Official Secrets Act was enacted in Britain, repealing the British Act of 1889. The Bill, intended primarily to meet military requirements, was introduced shortly after the Portsmouth spy scare and the debates in both Houses were centred on military espionage. The Act was made applicable to India also, along with the Indian Official Secrets Act of 1889 as amended in 1904. However, the maximum punishment in the British Act of 1911 was reduced to 7 years, whereas in the Indian Act it remained transportation for life.

On 26 February 1914 a German Jew called Hahn was found loitering near the Karachi Port where manoeuvres were being held. On the same date an Englishman called Chapman was arrested after he entered the Brigade Office at Karachi. Hahn was tried but discharged by the Magistrate, since espionage as such was not an offence under the Indian Act unless committed by an employee. Chapman was also released, since the Brigade Office was held not to be a prohibited place, as defined in the Act. The British Act of 1911 covered such offences and could have been used, but the magistrates were not aware of this. Quoting the above instances, in July 1914 the Army asked the Home Department to amend the law in India in line with the British law. After getting the opinion of the Legislative Department the matter was put up to the Viceroy, who approved it. A letter was sent to the Secretary of State in London, asking for his approval.

In his reply, the Secretary of State asked for an assurance that the proposed Bill would not revive the controversy that occurred after the amendment in 1904. After getting opinions from members of his Council, the Viceroy, Lord Hardinge decided to postpone the legislation. On 7 January 1915 he noted: "After careful study of the notes, this conviction is borne in upon me that the proposed legislation will present opportunities for endless and bitter controversies which is greatly to be deprecatedI do not consider the present time opportune for dealing with the question by legislation. I hope His Excellency the Commander-in-Chief will agree with me in these views and postpone the proposed legislation to a more peaceful date.'

In December 1916, the proposal was again submitted to the new Viceroy, Lord Chelmsford, who directed that it should be deferred till after the War.

After the end of World War I, the Defence of India Act 1915 lapsed. However, the Army wished to continue with its provisions, which were more powerful than the Indian Official Secrets Act of 1889. The proposal to consolidate the law in India relating to official secrets was again initiated in 1919. The Viceroy again deferred it, because of the bitter experience of the violent protests that had followed the Amending Act of 1904. Soon afterwards, a new Official Secrets Act was enacted in England in 1920, amending the previous Act of 1911. The new Act had more stringent provisions, but did not apply to India.

In 1921 the proposal to amend the law in India was initiated for the 'fourth' time. The Law Member, Mr TB Sapru advised postponement. The matter was referred to the Chief of General Staff, General CW Jacob. The reasons given were increase in Bolshevik activity; troubles on North West Frontier; threat from Afghanistan; increase in Japanese activity; danger from other enemy powers since war plans were being revised; and the possibility of racial war between Japan and the USA affecting India. The Viceroy, Lord Reading, agreed to the Bill being drafted and introduced. The penalty for spying under Section 3 was maximum 14 and minimum 3 years; under Section 5, 6, 7, 8 and 9 it was two years; and under Section 10 (harbouring spies) it was one year.

The draft was sent to local governments, high courts and bar associations for their opinions. It was also published in Gazette of India and local gazettes in English and vernacular. After their replies had been received, the

Assembly met on 6 September 1922 to debate the bill. It was opposed by several members, including KC Neogy, M Chintamani and MTV Seshagiri Ayyar. It was decided to refer the Bill to a Select Committee.

The Select Committee submitted its report on 30 January 1923, with a Dissenting Note by Mr KC Neogy. His major objection was the provision in Section 3(2) which said that 'it will not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety and interest of the State and notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case or his conduct or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety and interests of the State.'

The Select Committee tried to address the major objections of the members, especially Mr Neogy. The maximum sentence for military offences was 14 years, while for non-military offences it was three years. The provision of a minimum sentence was removed. The special rule of evidence, wherein it was not necessary to prove that the purpose was prejudicial to the safety or interests of the State, was made applicable only to military offences. For the non-military offences, the ordinary rules of evidence would apply. Military offences would be cognisable and non bailable, while the non-military offences would be non-cognisable and bailable. However, Mr. Neogy was not fully satisfied and gave a dissenting note.

The Assembly met on 14 and 24 February 1923 to consider the report of the Select Committee and debate the provisions of the Bill. There were heated exchanges and most of the amendments proposed by members were negated after being put to vote. Among those who opposed the Bill were Dr HS Gour, Mr KBL Agnihotri; TV Seshagiri Ayyar and Mr. KC Neogy. The Bill was finally passed and sent to the Council, which suggested some minor amendments. The Bill was accepted and passed by the Legislative Assembly on 21 March 1923. The Governor General and Viceroy, Lord Reading, gave his Assent to the Indian Official Secrets Act (Act No XIX of 1923) on 2 April 1923. It was published in the Gazette of India on 14 April 1923 and has remained in force ever since. 5

After Independence

After Independence, the Official Secrets Act was amended by Act 3 of 1951 and Amending Act 24 of 1967. The latter is important, as it made several changes, nullifying the efforts of stalwarts such as Gokhale and Neogy, who had succeeded in making the Act somewhat less draconian than what was initially intended. Interestingly, the Act of 1967 was passed in both Houses of Parliament of the largest democracy in the World, with little serious debate.

The Bill to amend the Official Secrets Act was introduced in the Rajya Sabha on 23 June 1967. Moving the Bill on 24 July 1967, Shri Vidya Charan Shukla, the Minister of State for Home Affairs, said : "this is only an amending Bill. There is not much that has to be said about it, and before I give a reply or say anything about this Bill I would like to hear honourable members of the House. Therefore, I move that this Bill be taken into consideration".

This was objected to by several members, including Shri Loknath Misra, Rajendra Pratap Singh, Bhupesh Gupta, Raj Narain and PN Saprú, who raised a point of order on the Minister's inability to make a statement while moving the Bill. They accused the Minister of being unprepared and requested the Chairman to adjourn the House. The House re-assembled after two hours and resumed the discussion. In his introduction, Shri Vidya Charan Shukla stated: '.... because of the kinds of methods used to gain access to official secrets and secret documents and the variety of unscrupulous methods which are used by various foreign Powers to get our official secrets it is necessary to amend this Act to make it more efficacious and more effective.'

One of the most important changes introduced in the Bill was in Section 3, regarding the necessity of showing that the accused person was guilty of any particular act in order to prove a purpose prejudicial to the safety and interest of the State, which KC Neogy had objected to in 1923, and which had been made applicable only to military offences in the Act of 1923. The Bill sought to make it applicable to all offences under Section 3. This was done by the simple expedient of omitting the words "with simple imprisonment which may extend to fourteen years" from Section 3(2) of the Act.

While explaining this particular amendment, Shri Shukla stated : 'Under Section 3(2) of the Act imprisonment of 14 years has been prescribed for certain offences under this clause. Now we have to amend this clause to provide that the provisions apply to all offences of spying punishable under Section 3(1), that is to say, of the preceding section of this particular section which is being amended". It was obvious that Shri Shukla had not understood the implication of the amendment. Section 3(2) did not prescribe any punishment - it only implied that for military offences, it will not be necessary to produce any evidence. The words 'simple imprisonment which may extend to fourteen years' were used only to bring out the distinction between military and non-military offences. However, this escaped the notice of the House.

The other major changes proposed in the Bill were to make all offences cognisable and non-bailable, and enhance the punishments of Section 5, 6, 7 and 8 from 2 to 3 years and of Section 10 from 1 to 3 years. No reasons were given for these severe amendments.

The Rajya Sabha debated the Bill on 24 July, 31 July and 31 August 1967. There were many speakers but most raised extraneous issues not connected with the Bill. Dewan Chaman Lal spoke about the necessity for a law to deal with treason. Shri Raj Narain raised a point of order that the Minister had not given any list of specific instances when the existing Act was found wanting, mentioned a book in which the map of India did not show the State of Assam, the necessity of using the words directly and indirectly; and many other issues. Shri Sunder Singh Bhandari spoke about the Chinese road in Aksai Chin and cases in West Bengal where Police officers dismissed

for espionage had been reinstated. Shri Niren Ghosh spoke about the Ford Foundation gathering secrets of the eastern region; Mr Dharam Teja's letter to the Deputy Prime Minister and Dr Nagendra Singh; the CBI inquiry into the Pyare Lal group and so on.⁶

It was obvious that, like the Minister of State for Home Affairs, several other members had also not understood the provisions of the Bill. Shri MP Bharagava, a senior member, went over each clause of the Bill. While dealing with the proposed amendment in section 3(2) of the Act, which said 'the words with imprisonment for a term which may extend to fourteen years shall be omitted', he said "This is a repetition because in the preceding para this has been clearly provided. So this repetition is not necessary". The words were not a repetition but had been used in lieu of military offences. Surprisingly, many members including Shri RT Parthasarthy and Shri Vidya Charan Shukla complimented him for his speech and analysis of the Bill!

Another member who did not comprehend the meaning of the amendment in Section 3 (2) was Shri M Ruthnaswamy, who said : ' And why then should the term of fourteen years imprisonment be omitted from sub-section(2) of Section 3 of the principal act? I think such severe punishment must be accorded for such offences as the unauthorised revelation of official secrets....". To be fair to Shri Ruthnaswamy, he goes on to state that the provision of it not being necessary to prove that the accused acted for a purpose prejudicial to the safety and interests of the State, as given in the Statement of Objects and Reasons, was 'a very dangerous provision because the conduct and the character of the man and so on are vague things.' With rare prescience, he made plea for a Special Security Service on the lines of the MI Bureau in UK and the Deuxieme Bureau in France (RAW came into being a year later, in 1968). ⁷

The Lok Sabha debated the Bill on 12 August 1967, where it was moved by Shri Vidya Charan Shukla. Like the Rajya Sabha, many members spoke on extraneous issues. However, one member who analysed the proposed amendments was Shri Nambiar, who felt that they were draconian and likely to be misused to harass innocent citizens. (He had been convicted under the Official Secrets Act in 1948). He questioned the necessity of making the special rule of evidence applicable to all offences, enhancing the punishments and making all offences cognizable and non-bailable. He felt that the new wording of section 3: 'which is likely to affect the sovereignty and integrity of India, the security of the State or friendly relations with foreign States', was very loosely worded. "Who will decide whether a particular disclosure affects the sovereignty and integrity of India", he asked? All the amendments proposed by members were negatived and the Bill was passed by the Lok Sabha on 12 August 1967.

The genesis of the Official Secrets Act was the need to prevent spying and wrongful communication of military secrets. The maximum punishment for 'spying' in respect of Defence Forces in the Act was 14 years while for wrongful communication it was 3 years. The punishments under other sections in the original Act of 1923 were between 1 to 2 years. These were enhanced to 3 years in the Amending Act of 1967. Another amendment was that the proviso of it not being necessary to prove that the action of the accused acted for a purpose prejudicial to the safety and interest of the State, which earlier applied only to military offences, was made applicable to all offences under Section 3. These amendments nullified the efforts of stalwarts such as GK Gokhale and KC Neogy and who had opposed it vehemently in 1904 and 1923, and forced the British authorities to make the changes which were reversed in 1967. The Indian Official Secrets (Amendment) Act, 1967 made the Act much more draconian than it was under British rule.

It is plain that neither the Minister nor most of the law makers who approved the Bill in 1967 were aware of its implications. The time when this happened is relevant. It was 20 years after Independence. The necessity for such an amendment had not been felt after the 1947-48 war with Pakistan or the 1962 war with China. Unlike all previous enactments, the Army had not asked for it - their own laws were much more stringent. Apparently, even the political leadership did not initiate it. Indira Gandhi had come to power only a year earlier; the Home Minister YB Chavan had recently moved from Defence to Home; and the Minister of State, VC Shukla, was oblivious about its provisions. Perhaps, the intelligence agencies, or rather the IB - RAW was yet to be formed -was behind it. Taking advantage of the inexperience of the political leadership - Nehru or Shastri would never have consented to it, having spent half their lives in jails - they got this draconian law enacted.

The Army, Navy and Air Force Acts

An interesting aspect is the overlap between the Official Secrets Act and the Acts of the Army, Navy and Air Force. The special acts of the Navy, Army and Air Force after Independence have absorbed both the infringements i.e. spying and wrongful communication of military secrets, while dramatically enhancing the punishments. Under the Navy Act, spying and wrongful communication with traitorous intent is death, while other wrongful and improper communication attracts 14 years. Interestingly, even civilians are covered by this. To illustrate, Section 38 of the Navy Act is reproduced below:

"38. Penalty for spying. - Every person not otherwise subject to Naval law who acts as a spy for the enemy shall be punished under this act with death or such other punishment as is hereinafter mentioned as if he were a person subject to Naval law."

Conclusion

The Administrative Reforms Commission chaired by Shri Veerappa Moily had recommended the repeal of the Official Secrets Act. This was opposed by the Ministry of Home Affairs and the intelligence agencies who contended that this will tie their hands and it will not be able to prosecute offenders such as those involved in the Naval War Room leak case. Another argument advanced for its continuation is that 'it has stood the test of time' and the conviction rate for charges under this Act is very high. The first point is not really valid, because there are adequate safeguards to cater for military offences in the military Acts themselves, which are in fact more stringent than the Official Secrets Act. Hence, even if the OSA is repealed, it would not make much of a

difference. The second point of a high conviction rate is fallacious. The high conviction rate is because of the draconian provision whereby the offence does not have to be proved by evidence, and the accused can be convicted merely on suspicion. Not surprisingly, there have been several instances where innocent persons have been convicted under the Act. In fact, instances of the Official Secrets Act being utilised to prosecute actual spies and moles are rare. On the other hand, cases of its misuse are legion. Hundreds of innocent citizens have suffered long periods of incarceration under the infamous Act. Examples are the soldiers involved in the Samba Spy case; the scientists prosecuted in the ISRO case; Captain BK Subbarao of the Indian Navy; newspaper correspondent Iftikhar Gilani and many others. Is it not time that we consigned the Official Secrets Act to the dustbin of history?

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Principles of War - Need for Re-evaluation in Context of the Indian Experience*

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Introduction

War is the 'management of violence' for some and 'a continuation of political transactions' for others.¹ Historically wars have been waged and conducted based on the Principles of War. These principles illustrated in the writings of Sun Tzu and later writers have stood the test of time. Various 'Revolutions in Military Affairs' have altered the importance of these principles, and added a few more, but the basic principles remain the same. Each nation with, its own experience of conflict and available military capability, has evolved its own set of principles. Indian principles of war are enumerated in the Joint Doctrine Indian Armed Forces, 2006. With the Indian Armed Forces evolving towards effective jointmanship, it is necessary to accept them as the Principles of War of the Country. They influence the conduct of joint operations at all levels, possibly varying in degree but not in relevance.² The Indian Air Force Doctrine has already modified these principles in October 2007 and added a few more.³ While these are justified by the authors of the Doctrine and may find agreement among the 'Air Warriors', it is necessary that the Principles of War address all dimensions and spectrum of conflict. The Navy, in their Maritime Doctrine, has enumerated each principle but has neither modified nor added to them.⁴ It however, mentions the emergence of five more in modern maritime thinking. The Army continues to enumerate the same eleven principles, as laid down in the Joint Doctrine.

This paper endeavours to collate all the enunciated Principles of War. It examines their relevance across the dimensions and spectrum of conflict that the Country is likely to face and suggests a set of principles that would stand the test in future. The principles are guidelines for the conduct of war. Clausewitz in his introduction to the principles of war stated, "These principles, though the result of long and continuous study of the history of war will not so much give complete instruction to Your Royal Highness, as they will stimulate and serve as a guide for your own reflections".⁵ The Principles of War do not apply only to the Armed Forces of the Country but across the Politico-Economic canvas of war waging. Therefore, a list of these principles would need to be relevant in the non-combat areas of conflict as well. They need to be examined for relevance in the aftermath of the technological advances which have contributed to the Revolution in Military Affairs (RMA) today. They also need to be examined against the background of increased well being of the Indian populace and the consequent reluctance to accept attrition, especially human casualties. This RMA, in the Indian context, is certainly not restricted to capability alone. It also encompasses the psyche of the people who handle and manage the technology at the disposal of India.

While most military minds agree that the conduct of war is governed by a set of principles, they are always reluctant to enumerate them. The great Marshal Foch in his book 'The Principles of War' 6 lists economy of force, freedom of action, free disposal of forces, security and 'etc'. One can conclude that he was in doubt as to how many there were. The first 'official' listing of the principles of war was done in 1924. The Field Service Regulations for the British Army listed them as objective, offensive, mobility, security, surprise, concentration, economy of force and cooperation. These are similar to those listed in the present day UK Joint Doctrine.⁷

The Principles of War as Enumerated by the Joint Doctrine. The Joint Doctrine of the Indian Armed Forces lists eleven well accepted principles of war. The 'Basic Doctrine of the Indian Air Force' has added the following to the list:

- (a) Deception and Surprise.
- (b) Flexibility and Managing Change.
- (c) Synergy, Synchronisation and Cooperation.
- (d) Generation and Sustenance of Favourable Asymmetry.

The Indian Navy 'Maritime Doctrine' mentions the emergence of five more principles related to modern maritime thinking :-

- (a) Seizing the Initiative.
- (b) Containment.
- (c) Defence in Depth.
- (d) Presence.
- (e) Stand Off Precision Attack.

National Aim and Interests

National Aim. To create an internal and external environment for unhindered economic progress and socio-political development to enable India to assume its rightful role in the emerging world order.⁸ It, therefore, flows that the threats to the nation's interests would be as much internal as these would be external. These threats would primarily thwart the achievement of this National Aim.

National Interests. The National interests are as under:-⁹

- (a) To preserve the sovereignty, unity and territorial integrity of India.
- (b) To maintain the democratic, secular and federal character of the Indian Republic.
- (c) To safeguard the nation's existing and emerging strategic, political, economic and military goals in consonance with the National Aim.
- (d) To ensure a secure and stable environment conducive to unhindered economic growth and well being of its people.
- (e) To attain its rightful place in the comity of nations by contributing towards international peace and security.

Internal Threats

Terrorism. Home grown, and at times foreign trained subversive elements, are and will continue to be one of the biggest threats towards creating a conducive 'environment' in the Country. The threat is to the establishment and maintenance of peace and order within the country. Whilst the reasons for this threat are generally restricted to the socio-political realm of National affairs, the resolution of the conflict of interests would necessarily involve the use of force and other means. Conflicts in this realm are likely to be short, swift and in most cases against a canny and unseen adversary.

Sectarian Conflicts. The Country faces sectarian movements in many parts. These movements stem from perceived neglect of interests resulting in two types of demands. First is the demand for independence/autonomy. The second to carve out a new state for administrative purposes. Responses to these threats need to be resolved.

Sponsored Acts of Violence. Increasingly India faces acts of violence sponsored from outside the Country. These acts may or may not be supported by internal subversive elements. The magnitude of violence and the desired end state set them apart from the earlier threats. Response to such acts may include actions within and outside the borders.

Organised Crime. While the Armed Forces could easily dismiss this as a police function, the amalgamation of this with any of the above three would result in this affecting military operations in support of internal security. The nexus between organised crime and terrorism has resulted in catastrophic incidents of violence – most notable being the Mumbai blasts of 1992.

Communal and Ethnic Violence. The root of these conflicts lies in vast differences that exist in the idea of 'India' amongst various religious and ethnic groups of the Country. The response may not be use of force but rather the show of force. The Joint Doctrine mentions the principle of restraint in the chapter on operations other than war. This principle would apply at the forefront of any military response to such crises.¹⁰

External Threats

Territorial Integrity. The foremost threat to any nation is a threat to its territorial integrity. This could range in intensity from minor border incursions to full fledged war. The threats to India especially from Pakistan in the North and West, and China in the North East are likely to remain omnipresent. The issue of territory is as much driven by economics as by the 'ego' of a country. It cannot be overemphasised that loss of territory is intolerable both to us and our potential adversaries. This intolerance for loss of territory will be one of the prime reasons for escalation in the intensity and scale of conflict. The Armed Forces would, therefore, need to plan military operations around the central aim of 'no loss of territorial integrity'.

The Geo strategic location of India and her size entail that the threat to territorial integrity is likely to be restricted to operations launched and sustained on land. The idea of a seaborne / air launched operation for occupation of territory, in today's world of combat power parity, would be restricted to adversaries with small land masses or island territories. It, therefore, follows that maritime and air operations undertaken in the face of such a threat to the mainland would be subordinate to operations on land. This would have a corresponding effect on the principles governing such conflicts.

Threats to Economic Interests. The Indian Armed Forces are today working to 'catch up' with the Country's economic interests in terms of reach and sustenance. As the economic interests of the Country move away from sovereign territory, the capability required in defending these interests and the principles of war applicable would entail a change. The need of the hour is the critical capabilities in combat power and the ability to project legitimacy of one's actions. The increased presence of neutrals and non-combatants in these areas of operations would further affect the applicability of these principles.

Collateral Threats. With increased international cooperation and subsequent interlinking of interests, threats to one nation would result in collateral threats to another. This could be both economic and human. The economic interests of a country are likely to be threatened by conflict in another nation. In addition, the increasing number of Indian expatriates and the consequent humanitarian crisis that is likely to develop would affect the Country. The Armed Forces, especially the Navy and the Air Force, would need to mount operations to provide succour and for evacuation. The principles guiding such operations would be substantially different than those existing. Cooperation would be the prime factor, with transparency and media management, playing an important role.

Nature of Future Conflicts

Future conflicts are likely to be unpredictable due to diversity of threats, blurring of lines of responsibility between the political and military spectrum of conflict management, and the increasing effects and easy availability of new age weapons. In an era when nations were represented in war solely by their armies or navies,

the issue was decided by a single decisive battle, called the Entscheidungsschlacht by Karl von Clausewitz.¹¹ In today's scenario, the National power of a nation may not be reflected in its entirety in the Armed Forces. This is especially true in Asymmetric Warfare where the local populace and ideological supporters outside the nation are equal and effective contributors to combat power. We are now witnessing quite radical change in the global security system. Even the continued dominance of the nation state can no longer be taken for granted, with its power apparently leaking away to supranational, transnational and sectional organisations and interests.¹²

‘War is the continuation of state policy by other means’.¹³ While this statement does hold true for most situations, the rise of non state actors and the resultant spectrum of conflict means that future conflict need not be governed by the interest of a state. With the proliferation of lethal weapons, the intensity of a conflict with a non state actor would continue to fall within the ambit of armed conflict and war. Non state actors in the areas of conflict may include Non-Governmental Organisations (NGOs), International Organisations and private commercial interests.

Range of Military Operations.¹⁴ The US Joint Doctrine describes it as Military Operations Other Than War (MOOTW). The Indian Joint Doctrine also enumerates MOOTW which includes operations to deter war and resolve conflict, and civil assistance. The doctrine also lists six additional principles of war applicable in such operations. These are:

- (a) Objective.
- (b) Unity of Effort.
- (c) Security.
- (d) Perseverance.
- (e) Restraint.
- (f) Transparency.

Technology and War. The effect of technology on war has been studied to a large extent by nearly every nation and her armed forces. Advancements in technology and the decreasing cycles of obsolescence has resulted in a RMA at an unprecedented scale. The Indian Armed Forces are grappling with this huge paradigm shift in the key areas of enhanced Battle Space Awareness and dimensions, increased effects of weapons and improved precision, shorter reaction times, proliferation and the war in the realm of cyberspace. The evolving doctrine and tactics are increasingly finding it difficult to keep pace with technological advancement. The principles of war would, therefore, also need to evolve to stay ahead of technology and future conflicts.

Arms Race and War. Not all arms races lead to war, as the biggest one in history, that between the USA and the USSR proves. Intention rather than capability matters. But runaway arms sales, erratic build-ups, sudden infusion of weapons into a tense region and surprise shifts in military balances all raise unpredictability and hence the risks of violence.¹⁵ The arms race that results in the excess production of arms and their consequent ease of availability to non-state actors would result in lethal combat power in the hands of the less responsible elements. Dealing with this threat would require the armed forces of a nation to operate in dense urban environments with the associated pitfalls of collateral damage. It would also result in the graduated application of force with emphasis on identification of potential threats in a low contrast environment.

TESTING THE PRINCIPLES OF WAR FOR RELEVANCE AND ACCEPTABILITY

Existing Principles

Selection and Maintenance of Aim. The aim at each level of war differs from the one above and below. At the National-Strategic level it would necessarily be biased towards the politico-diplomatic end state desirable. At the tactical level, it could be something as simple as capture of a hill feature. While the selection of an aim is relevant in any future conflict, the relevance of maintenance of this aim is arguable, especially at the tactical level of war. In the increased tempo of tomorrow's war, the scenario is likely to change at every instance. New capability, intelligence or improved battlefield transparency after the commencement of combat action may need a review of the aim at every step. This is especially so in low intensity conflicts of short duration. The question of, ‘What can be achieved?’ must be asked at each step. It, therefore, follows that the ‘selection of an aim’ is relevant and applicable at every level of war but the ‘maintenance’ of it is not relevant at the tactical level. However, as a principle of war it still holds good and would also be applicable in the future.

Offensive Action. Offensive action can be defined as ‘the ability to seize the initiative through bold and swift action with an aim to unsettle the enemy's coherent thought process and consequently his reactions’.¹⁶ In a conflict between nation states, seizing the initiative would mean pre-empting the enemy. This would sometimes lead to an unwanted escalation of the situation. However, very few armed forces in the world possess the ability to absorb the first blow and react effectively thereafter. This is especially true in today's scenario of increased lethality of weapons which could deliver a devastating first blow. In Low Intensity Conflicts (LIC) and Asymmetric Warfare, the ability to take offensive action would at most times rest with the weaker of the two sides. The greater power would be restricted by the requirements of showing restraint and bringing legitimacy to its actions. The aim of the greater power in an Asymmetric War would always be to create conditions of peace. The freedom to bring the enemy to battle at a place and time of one's choosing would wrest the initiative back from the adversary. The principle of ‘offensive action’ therefore needs to be replaced with ‘freedom of action’.¹⁷ This would mean the ability to resort to an action of choosing and the time of choosing.

Economy of Effort. “Limited war emphasises the principle of economy of force. Under limited war, the open ended objective of doing all possible injury to the enemy is ruled out. Each application of military power must be tailored to a specific military objective based, in turn, on specific political objectives”.¹⁸ The idea of economy of

effort finds instant popularity. This could mean lesser body bags at one end to lesser financial outflow at the other. Across the board, military leaders to political masters and economists would wholeheartedly back an option with this as the central theme. Economy of effort may be defined as the efficient use of all means physical, moral and material, towards winning a war. Of all the principles, it is the most difficult to apply, because of its close dependence on the ever changing conditions of war.¹⁹

Concentration of Force. The wars of tomorrow would increasingly move away from attrition based warfare to effects based warfare (EBO). In short, the combat power of a nation must be able to create the desired and necessary effects to create an environment that would lead to achievement of the desired end state. With current and future enhancements in weapon ranges the ability to concentrate military force in a place and time of choosing would be irrelevant. The end effect of a thousand riflemen can today be achieved by a single weapon. Weapons of today are designed for pinpoint accuracy and minimum collateral damage. It, therefore, follows that it is not the concentration of force but the concentration of massed effects at a place and time of choosing that would win a war. The big battle to settle the war as propounded by Mahan is a thing of the past. Tomorrow it will be the ability to create concentrated effect at the decisive point against the enemy that would win the war.

Flexibility. Flexibility has been defined as ‘the capacity to adapt, to change a previously appropriate, but now inappropriate response, because of a change in environmental priorities or contingencies, or in a perceived goal’.²⁰ The application of flexibility at the tactical level can be best illustrated by the ‘swing role capability’ of modern fighters. The ability of these machines to change colours for a new mission in-flight provides it inherent flexibility. However, at the strategic and operational levels of war, flexibility is much more than capability. Flexibility would entail the ability to incorporate plans for every projected scenario and essentially flexibility in the thought process of the military minds. Flexibility in capability has been made virtually omnipresent by technology. Capability to meet different and changing scenarios exists with almost all weapon and delivery platforms. Land forces can much more easily and effectively adapt to changing situations and terrain due to enhanced abilities made possible through technology. Air mobile forces can move from the tactical to the strategic requirements of a campaign within hours. Navies can shift gear from a peaceful mission to power projection and its use with complete ease. In the days of yore, it was courage, determination and resilience which won battles. Today in the fast moving or mobile battle, the requirement is more for improvisation, the ability to produce original solutions at the spur of the moment.²¹ It therefore follows that it is the originality of thought and improvisation that would lead to flexibility at every stage.

Surprise. Surprise has been highlighted as a principle of war by nearly every nation. However, it has been labelled the neglected principle.²² Surprise can be defined as that which results from going against an enemy at a time and/or place in a manner for which he is unprepared. It is not necessary that the enemy be taken unaware, but only that he becomes aware too late to react effectively.²³ Increased battlefield transparency has made the achievement of surprise virtually impossible. Many commentators on war have written off surprise as untenable due to technological advancements. However, despite all these advancements, nations have managed to achieve surprise at every level of war. Technology, rather than being a limiting factor, can in fact be an element of surprise. The sudden and unexpected introduction of a new technology/capability can achieve surprise. Doctrinal surprise can be achieved by the adoption of original and different courses of action in an otherwise mundane scenario. Security of own assets and information is essential for the achievement of surprise. Deception plans incorporated at every level of war is another major contributor to the successful achievement of surprise. It, therefore, follows that despite technological advances, surprise can still be achieved at every level of war. It must be understood that an average human mind is paralysed when faced with the unexpected. It is this ‘shock effect’ that surprise seeks to achieve.

Intelligence. Intelligence is primarily information of the enemy, his capabilities, plans and psyche. This is crucial to the development of own plans. Intelligence signifies the unknown and discovery. With the enhancement in surveillance means, a stream of intelligence has started flowing into operations rooms at all levels. What is difficult today is not the gathering of intelligence but the sorting out process to analyse information and provide intelligent assessments to the user. The emphasis of the modern day sensor centric intelligence gathering has been on quantity rather than quality. This leads to errors in reporting and missing out on vital information due to information overload. Thus, there is always an element of suspicion attached to ‘intelligent’ intelligence reports. This mindset needs to be changed and the first step towards this would be change in terminology. The Indian Navy used this to good effect when it renamed sorties of ships for routine exercises from ‘exercise programmes’ to ‘deployment programmes’. It, therefore, follows that intelligence is vital at all levels of war and has stood the test of time as a principle of war. However, it needs to be renamed as “information” for the focus to be shifted to the finished product rather than the gathering process.

Security. Security encompasses physical security of assets both military and otherwise and more importantly, in the future, security of information. No strategy is complete without the defence of one’s own knowledge assets against enemy attack. For the sword of knowledge cuts both ways. It can be used as an offensive action. It can destroy an opponent even before his first lunge. But it can also cut off the very hand that wields it.²⁴ Information warfare and the inherent nonlinear power of knowledge entail strict measures to protect it and use it to one’s advantage. Therefore, in the future security would include information and cyber security.

Cooperation. The Indian Air Force in their doctrine enumerates the principle as cooperation, synergy and synchronisation. The Navy with an increasing number of multi lateral engagements is moving towards multi-national cooperative engagement capability. Cooperation in the future would entail the abilities of interoperability with friendly forces from other nations against a common threat or towards a common mission. This does not in any way imply ‘alliances’ but rather ‘arrangements’, regional and UN sponsored. In the future asymmetric or what the western world calls Fourth Generation Warfare (4GW), the threat would not be restricted by international borders and ‘passport control’. The armed forces of nations fighting such a war would need to

cooperate in ensuring that borders are not the finishing lines for pursuit but rather the starting lines for cooperative war. Cooperation signifies the 'ability to operate alongside each other' but future demands 'synergy', which can best be described as 'the ability to operate together'. This synergy would include the armed forces of the nations involved, and the political establishments. Insurgents do not aim to win battles in isolation. They are always aimed at undermining the political will of a nation to continue with the conflict. Bloodshed and sensationalism take priority over military victories. Synergy between the military and political, both between nations and within the country is the call of the day.

Administration. Administering war is about sound and responsive logistics. This aspect of war is much neglected. General Montgomery said, "Make a sound plan and make certain that what you want to do is possible and that you have the necessary resources to do it. And do one or two things really properly, and don't try to do five or six things all of which are starved for lack of resources and which will probably all produce no results".²⁵ This may indicate that logistics governs the war, however, that would be too simplistic a deduction. Logistics must be integral to the planning and execution of war. The plan must include logistics and in certain conditions be led by it; but it would be, at nearly all other times, for the logistician to find the resources to support the plan. It is not a turf war between the military operations planner and logistician but rather the meshing together of the two, with each helping the other realise his aim. Logistics brings into its ambit the civilian support systems of a nation, and integrating them into the logistics chain is the challenge that every logistician faces. It would also involve integrated logistics between the three Services, each with its unique logistics requirements. Logistics will also need to transcend boundaries, international and national, civilian and military, and urgent and planned. Seamless logistics is essential to achieve this. In the joint wars of the future integrated logistics would be the key to victory.

Maintenance of Morale. Morale is a direct reflection of the state of training, discipline and satisfaction levels of an armed force. Knowing 'what' you are doing and 'why' you are doing it is equally essential. An action that is perceived to be unnecessary or illegitimate tends to lower morale. Inaction in the face of provocation is also a reason for fall in morale. In the face to face and trench to trench warfare of yore, morale was extremely important. Maintaining morale through a long drawn out attrition war preoccupies the minds of every military leader. Morale reflects the response to the call for charge at a decisive point in the battle. In the wars of the future, where the enemy would be largely unseen and the effects generated would be largely unfelt, morale would continue to retain importance but the maintenance of it would be a command function rather than a principle of war. Maintenance of morale would be relegated to being a largely peacetime function in the battlefields of tomorrow. What would be more immediate and essential would be dealing with the large amounts of information that would be available to the lower echelons of command and war fighting. This would be due to increased battlefield awareness and transparency, increased availability of information sources and the speed of flow of information. Managing this flow of information and its effects on the minds of the soldier and thus morale would be paramount. It, therefore, follows that apparent legitimacy in action, managing information flow to lower levels and clarity in decisions imposed would be the key to morale. Maintenance of morale may be relegated to essentially being a vital command function and not a principle of war.

Having studied the existing pronounced principles of war and suggested changes to a few, the next part would be to look at adding a few to the list. The additions would be based on two requirements. First, that the principles are principles of 'war' and not 'battle'. They need to be applicable to all levels of war from the political to the tactical. Secondly, they must endure and stand the test of future wars.

Emerging Principles

Media Engagement. The people thinking hardest about warfare in the future know that some of the most important combat of tomorrow will take place on the media battlefield.²⁶ War today has moved from the distant battlefield to the living rooms of the nation. Kargil was fought as much in the mountainous terrain of Kashmir as in the eyeball luring coverage on television. Embedded journalists and war reporting is not new. What is new, is their relative independence and lesser degree of reliance on the military for information and reporting or communication channels for transfer and subsequent broadcast of this information. Cellular phones, PCs, copying machines, fax, video cameras and digital networks permit the exchange of vast volumes of voice, data and graphic material through multiple, redundant and decentralised channels, often out of easy reach of government and military censors.²⁷ In the evolution of the media and war, the most dramatic shift in paradigm has been after the arrival of television. Television is about the visual. A picture says a thousand words. A visual on television is stale much before it is analysed, explained or even talked about. It therefore follows, that a TV reporter is already looking for his next 'enduring image' even as he captures the present one. The effect of the media and in particular 'Live' television on opinion is a gain. Managing the media and ensuring its use to one's own advantage is an important aspect of war. But, is it a principle of war? The role of the media in the Kargil war and the Gulf wars is well known. It forced the forces and nations involved to undertake two hitherto forbidden activities. First were the regular media briefings, at every level of operation, to ensure legitimacy. Second was releasing footage of operations undertaken to counter claims of indiscriminate targeting and indicate restraint in operations. The Commander of tomorrow would spend more time briefing the media than fighting the war.

Legitimacy and Restraint. The Indian Joint Doctrine lists these as principles to be applied to Operations Other Than War (OOTW). ²⁸ However, these operations in the conflict avoidance world of tomorrow are likely to be primary missions of a nation's forces. The need to acquire 'legitimacy' both within and outside the country would be vital for operations in the future. The lack of this would result in the exertion of international pressure on own freedom of action. In addition, the ability to apply force with discrimination and 'restraint' would be vital in operations mounted for internal security and against non state actors.

Tempo. Tempo is best defined as 'the ability to stay ahead of the enemy in time, thinking and capability. This

would encompass the elements of initiative, speed of movement, thought and decision making and the ability to meet needs'.²⁹ Tempo is not speed. Although speed is important in the future short and swift battle, it is tempo that needs to take precedence. Speed and Manoeuvre are composite parts of tempo. Technology does improve tempo, but it is realistic training in peacetime, diligent planning and original thinking that would eventually achieve it. High tempo is not the aim, but higher tempo than the enemy is what is desired. The culture of an organisation, its structuring, hierarchy, freedom of thought and action within it and its adaptability to change are all contributors to effective tempo building. 'Tempo' is also greatly influenced by those 'who we are fighting'.

Recommendation

It is recommended that 'Legitimacy and Restraint', and 'Tempo' may be added to the existing list of eleven Principles of War as it is believed that they would pass the tests of relevance and acceptance across all the levels, dimensions and spectrum of future wars.

Conclusion

The Principles of War are constantly evolving. Some principles have stood the test of time and technology. Some have been modified and replaced. There is no doubt that war in all its forms would continue to be governed and guided by principles. The aim of a re-evaluation cannot be to replace one set of principles with another. The aim has to be to analyse the relevance of those existing, discard or modify them as required and add a few to make them more contemporary. Principles of War would continue to remain susceptible to technology, new ideas and new environment. It may not be possible to write a set of enduring principles. Similarly, it is not possible to set a shelf life for the principles of war. The Principles of War must also not be purely military in relevance and application. They must apply across the continuum of conflict from the national – strategic to the tactical. Mao Tse Tung's first law of war was 'to preserve oneself and destroy the enemy'.³⁰ In the war of the future, it may well be 'to preserve peace and deny the enemy the opportunity for war'.³¹ The principles that would apply in the conflict avoidance world of tomorrow are sure to be different. Warfare in the future would be more political than military, more trade than diplomacy and more short than lengthy. Notwithstanding the nature of war and the boom of technology, even if we have robots fighting our wars, the key to every victory will continue to be the people and their ability to use brain power to correctly apply the Principles of War.

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China's Resurgence : An Insight*

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“Anyone who is able to prevent violence and remove harm from the people so that men's lives are protected, who can reward good and punish the evil and thus avoid the disaster – such a man may be called the emperor”.

Cu Chi Tang Quan - Chinese Classic, Eleventh Century
(The Central Mirror for the Aid of Government)

Background

The rise of China as a global power after a brief hiatus of almost 150 years is a phenomenon the world is following with considerable interest. The trend is expected to continue through the better part of this century. In a quest to restore its position as the “Central Country”, (Chong Guo) China has pragmatically, adopted, discarded and modified prevalent principles and fundamentals with the singular focus of increasing its influence, power and strategic space. Ex President Mr Jiang Zemin in ‘China's Declaration of the 21st Century’ stated, “PRC should first turn itself into a powerful country, if it intends to make a greater contribution to both progress of mankind and world peace”.

Till early 20th Century, it was a monarchy, with its attendant feudal trappings. For two thousand years, as late as the 19th Century, China had the largest economy in the world¹. Seen in that backdrop, many analysts now term China's rise, more of “Resurgence”. To understand China's transformation, it is pertinent to have an insight into China's past. Numerous personalities and prime events have proved to be the turning points in China's ascent.

Historical Perspective

The seeds of China's rise were sown during the “Century of Humiliation”, a period from the First Opium War (1839-1842) till the establishment of the People's Republic of China in 1949. Till the era of Ming Dynasty (1368-1644), China was a seafaring nation with vast reach. Qing dynasty, however, banned foreign trade until China was forced to open up by the European colonial powers. Neglect of its naval power, combined with a continental inward-biased mindset, were the main reasons for China's derailment from the path of progress and evolution.

The defeat in the First Opium War was followed closely by what the Chinese remember as “unequal treaties” with the French, Russians and the Japanese. The “Second Opium War” (1857 - 1860) culminated in the razing down of the Summer Palace. Wars with the French and the Japanese in 1885 and 1895, destroyed Chinese influence in Vietnam and Korea respectively. The treaty of Shimonoseki was draconian; implying independence for Korea, secession of Taiwan, the Pescadores Island, the Haidong Peninsula, besides millions of dollars in idemnity².

The obvious weakness of the Qing Empire led to collapse of Imperial China and establishment of the Republic, under Dr Sun Yat Sen in 1911. The regional warlords set up parallel power centres in the provinces. This period of great chaos called da luan in Chinese, caused great difficulties to the masses. The Chinese believe that they lost their position of primacy and suffered immense indignity because of their own weakness – their obsession with control. Their determination to redeem their lost position as a key global leader arises from this perception.

Process of Resurgence

The ‘People's Republic of China’ was formally established on 01 October 1949. Through the Mao era, the Chinese establishment continued to experiment with various measures to achieve self-sufficiency. To this end, events such as the “Great Leap Forward” (Da Yue Jin) from 1958-60, the “Hundred Flowers Movement”, and the “Great Proletarian Cultural Revolution” from 1966 till almost Mao's demise in 1976 were undertaken. Each of these had unpleasant and negative impact of tearing up an already beleaguered society further, and creating intense social disorder. Through the years of the Great Leap Forward, it is estimated that over 30 million people perished due to starvation and disease. However, Mao's era was not without accomplishments. It was during this period, that China gained identity as a communist state under one party rule. The periphery of the country which includes Tibet, Xianjing and Inner Mongolia was consolidated. A number of positive reforms were undertaken to elevate position of women in the society, control of population besides the literacy drive.

As per the Chinese, their nation's rise as a growing power has fructified due to the configuration of a “benign security and external environment”. The shaping of the external environment in favourable terms was made possible through a series of deliberate steps that China undertook. It re-established relations with the USA after the 1972-73 Joint Declaration. PRC made a deliberate effort to settle the borders with twelve neighbours, leaving only India and Bhutan where boundary disputes still persist. China has specifically focused on improving its relations with its neighbours in a concerted fashion.

Strategic Assessment by Deng Xiao ping

Deng Xiaoping, who survived the second purge during Cultural Revolution, re-emerged as a de-facto leader after Mao's death in 1976. Deng explained that one important reason for China's backwardness was its “closed door policy”. An important landmark was the strategic assessment by Deng Xiaoping. After his famous tour of the Southern Provinces in 1985, Deng proclaimed his assessment of the international scene, stating that China no longer was under threat of a general or nuclear war. He repudiated Cultural Revolution and began the process of reforms toward his version of “Socialist Market Economy” ³. He sought to shift the focus away from a war-fearing

mindset, to one that concentrated on improving the economic situation. His 24-character guidelines for national development enshrined the importance of realpolitik and pragmatism in the affairs of the Chinese state, a singular shift from the “ideology based Mao-era”. The operative words in the celebrated guidelines of Deng Xiaoping were :-

“Calmly deal with situation, stand firm,
never to take the initiative and bide one’s time”.

Orchestration of the Peaceful Rise

With the wisdom of hindsight, the orchestration of the process followed a clear articulation of China’s version of “glasnost” and “perestroika”, called “kaifang” and “gaige” respectively, or “gaige kaifang” as a composite. While economic reforms were to be undertaken expeditiously, in the political arena, status quo was to be maintained. Therefore, towards orchestration of Peaceful Rise, Chinese leadership came to a firm conclusion that the most important task of the Chinese Communist Party (CCP) was to ensure economic development. Every other facet of national power would be a natural fallout of such development. Deng Xiaoping is famously reported to have said “the colour of the cat is immaterial as long as it catches mice” and “to be rich is glorious”. There was officially declared policy support for the “Four Modernisations”, which, in given order of priority were, Agriculture, Industry, Science and Technology, and National Defence.

Economic Initiatives

China was one of the poorest countries in the world in the 1950’s. Even in 1975, its per capita income was the lowest⁴. Under the Soviet style central planning, collective agriculture and isolation from world economy, Chinese economy still managed to grow at a respectable six percent⁵. The impact of China on the world economy is well illustrated by the fact that its conscious integration with the major global economies makes her unassailable at the moment. Some of the salient initiatives undertaken by Chinese to boost its economy were: -

- (a) Economic decision-making process was decentralised to the provinces and even to municipalities so as to ease demands on the investor and make the FDI more attractive.
- (b) Prolonged negotiations were undertaken before China acceded to the terms of the WTO as a “developing country”. The average tariffs dropped from fifty six per cent in 1982 to eleven per cent in 2003. It’s volume of trade increased twenty five times between 1978 and 2001⁶.
- (c) All pressures were resisted to review the country exchange rates. PRC has retained a degree of control over the currency, the yuan (Ren min bi).

Comprehensive National Power

The concept of Comprehensive National Power (CNP) is an original Chinese political concept with no roots in either contemporary or past Western political theory. It refers to the organic whole, the totality of potential possessed by a sovereign state. As per the CNP theory, the power of a nation is composed both of hard power and soft power by assigning quantitative indices to these, whereby the overall power of a state can be quantified. The foundation of state’s CNP is its economic strength, military providing the benign security environment. Science and technology has been identified as a precursor for innovation. Going by the assessments of the China’s Academy of Social Sciences (CASS), the top ten countries in the world in terms of their CNP are as shown:-

Comprehensive National Power (CNP) Ratings (%)

The US	90.62	China	59.10@
The UK	65.04	Japan	57.84
Russia	63.03	Canada	57.09
France	62.00	South Korea	53.20
Germany	61.93	India	50.43

@ As per the Chinese thinkers, the main difference in the CNP between China and the USA is in terms of military potential.

Security Dimensions

Due to globalisation, there is an ‘internalisation of China’s domestic security’ and ‘domestication of international security’⁷. Envisioned from this perspective, today China does not face any direct external threat. However, China’s threats from within are attributable to domestic and social contradictions. People who have become used to the “egalitarian distribution system”, have a deep rooted mindset that “unequal distribution is a bigger problem than scarcity”. China remains internally fragile plagued by imbalances, which are enumerated in the succeeding paras.

Internal Imbalances. Internal stability today is the most critical component of China’s national security paradigm. The salient internal imbalances of China are:-

- (a) **Xinjiang-Uighur Autonomous Region.** Xinjiang region has been one of the major flash-points. Over the years, Uighurs and other Muslims have continued to nurse their grievances against issues like re-settlement of Han Chinese in Xinjiang, restrictions on the mosque building activities and population control measures. By reviving their historical linkages to Central Asian Republics on the basis of religious identities, Muslim unrest in Xinjiang has revived. In the wake of Beijing Olympics, two major terrorists related incidents took place in Xinjiang claiming around 20 lives.
- (b) **Tibet.** While Tibet’s ties with India involved cultural and commercial interactions, the interface with China was primarily of military and administrative nature. Dalai Lama’s asylum in India and Sino -

Indian War in 1962 made China highly skeptical of India's intentions in Tibet. While Tibet has been largely peaceful, but for the monks initiated unrest in early 2008, it has a very strong political voice in Dalai Lama.

- (c) **Taiwan.** In 1949, as a sequel to the successful communist revolution, Kuo Min Tang leadership set-up itself in Taiwan. President Richard Nixon's visit to China, in 1972, paved the way for normalisation of relations between the two countries. Thereafter, Taiwan no longer enjoyed formal recognition as a sovereign state by any major nation. In 1984, Deng Xiao-Ping spoke of "one country, two systems," implying greater flexibility towards reunification with motherland, an issue which remains high on Beijing's political agenda.
- (d) **Uneven Regional Development - East vis-a-vis West.** The inter-provincial economic gap in China has been growing at a rather fast pace. Western China remains land-locked and shares borders with countries that are unstable. Deng Xiaoping's "get rich fast" policy resulted in faster growth of China's coastal belt. Of the FDI actually invested in China, its Western Region has received only three per cent of it. China has taken a series of measures to rectify the imbalances by giving impetus to the development of Western region to bridge the East - West divide.
- (e) **Floating Population and Migration.** China today has changed into a highly mobile society, which has been partly forced by the inherent requirements of a rapidly growing industrial economy. This floating population, estimated around 150 million, while in a way integrates China's deprived sections also exposes them to rapid development. Measures have been put in place to regulate the movement and employment of migrants.
- (f) **Environmental Challenges.** China currently has an "enormous environmental footprint" with regards to polluted air and water. The major challenge to China's drive toward modernisation is environmental degradation and its related problems. Five of the world's most polluted cities are in China. Problem of acid rain is getting worse and total farmland has declined by 20 per cent. Environmental degradation in China is also contributing to mass internal migration.
- (g) **Growing Energy Demand.** China's most serious challenge in the 21st Century is that of securing enough energy resources. With large reserves, China is predominantly dependent on coal as the primary source of energy. This has raised serious environmental concerns internationally.
- (h) **Demographic Clock.** China has an ageing population which can impede its growth after 2025. While the numbers of people over sixty years in 2000 were 123 million, this number is expected to swell to 350 millions by 2030. By 2065, fifty four per cent of the population will be over sixty. Unless the Government modifies its current one child policy, the ageing population will be a major constraint. As per Barry Naughton "China will grow old before it has had the opportunity to grow richer"⁸.

Nuances of New Military Doctrine

In late 1990s, the PLA perceived that in future conflicts, it was likely to face an adversary technologically far superior to it. Hence the emphasis was to overcome its technological disadvantage. The "Two Transformations" (liangge zhuanbian), it then initiated, sought to make the Chinese Armed Forces undergo metamorphoses; first "from an Army preparing to fight local wars under ordinary conditions to an Army preparing to fight and win Local Wars under Modern High-Tech conditions", and second "to transform the Armed Forces from one based on quantity to one based on quality."

PLA's grand strategy is based on a key assumption that economic prosperity and stability will afford China greater international influence and diplomatic leverage as well as robust modern military. The PRC aims to develop a force to fight and win 'local wars under conditions of informationisation'. It is based on joint operations and logistics under informationised condition with strategic mobility inbuilt. The key facets of this doctrine are the - information warfare, network centrality, jointness, hi-tech force multipliers and "ideal man-machine matrix". Jointness in Chinese Defence structure is inbuilt right from the macro level. The Central Military Commission (CMC), the highest military decision making body, is composed of the PLA hierarchy, and headed by the President. Further, all wings of PLA function under the Chief of General Staff (CGS). Confucian ideal of winning a war before actually getting into it still remains valid.

Defence Modernisation - Salient Facets.

China in its quest for modernisation has laid down some informal timelines for achieving the goals. The aim is to lay "a solid foundation" by 2010, make "major progress" by 2020 to make capable of winning informationised wars and emerge as a modern force by 2050. The PLA appears to be aware that the bulk of its rank and file is still at the pre-mechanized stage, and needs to rapidly transform itself. China's military modernisation strategy is apparently based on the "PLA's simultaneous transformation", through mechanization and informationisation. Whereas mechanization provides the foundation, informationisation acts as the driving force. Salient facets of PLA modernisation are enumerated below:-

- (a) **PLA Navy (PLAN).** It is on the top priority for modernisation. Naval modernisation is envisioned in three stages. The First Stage is from 2000 to 2010, when the PLAN aims to develop capabilities to deal with the possible situations in Taiwan Strait and in South China Sea. The Second Stage is spread over 2010 to 2020, when the PLAN seeks capabilities to project power to the first island chain i.e. the Japanese islands of Kyushu and Ryukyu, the Philippines and Borneo. The Third Stage is from 2020 to 2050, during which the PLAN power projection is sought to be further expanded.
- (b) **PLA Air Force (PLAAF).** Next in the modernisation is the PLAAF. Presently, mission of the PLAAF is to cope with local contingencies. The 'Central Military Commission' has laid down that the PLAAF should have "quick reaction, integrated combat-in-depth capabilities." To this end, China is in the process of acquiring AWACS from Israel and in-flight IL 78 refuellers from Russia. Obsolete fighter aircrafts are being replaced with the induction of SU 30s from Russia and indigenous production of J 17s.

- (c) Strategic Forces. China currently maintains a minimal intercontinental nuclear deterrence, employing land-based ballistic missiles (ICBMs). The future capabilities envisage upgradation to “limited deterrence capability”. To this end, DF 31 (8000 km) is likely to be operationalised in the near future. DF 41 (12000 km) is under development. DF 15 and DF 21 SRBMs are replacing the older generation.
- (d) Land Forces. Restructuring of light infantry units is compatible with the PLA’s doctrinal emphasis of ‘manpower over machinery’ and manoeuvrability. Mechanization is the key element of transformational modernisation. For high-altitude operations, the PLA has been moving towards the Russian concept of Reconnaissance Combat Operations (RCO). Elite units are now being converted into mobile units.
- (e) Rapid Reaction Force (RRF). PLA’s conceptualisation of “rapid reaction” capability emphasises adaptation to warfare scenarios and developing quick responses to varying battlefield contingencies. Salient facets of PLA’s rapid reaction concept are training, speed, strength and effectiveness. China is in the process of developing competitive, high-technology-based rapid reaction forces (RRF) (kuaisu fanying budui) to cope with future small-scale, intense local military operations. Besides a fully operational Airborne Corps, another Air Borne Corps HQ is under raising. The development of the RRFs can also be linked to the PRC’s changing threat perceptions, especially vis-à-vis the Taiwan Strait, South China Sea, Tibet, and Xinjiang.

Information Operations (IW). Chinese view IW as an asymmetric tool that will enable them to overcome their relative inferiority in military hardware. In Chinese thinking, IW presents a level playing field for projecting power and prevailing upon the adversaries in future conflicts. Chinese also call their pursuit of IW as “Acupuncture Warfare” which entails “paralysing the enemy by attacking the weak links in his command, control, communications and information, as if hitting his acupuncture point in kung fu combat”.

HRD and Training Aspects. Alongside modernisation, the strategic project for “Talented People” aims to develop commanding officers with the skills needed to lead “informationised wars,” staff officers with operational planning expertise and experience, scientists/technical with specialist skills and a cadre of NCOs with subject domain expertise in the employment of complex weaponry. Besides, the PLA has ensured young combat officers’ corps. The age profile of commanding officers is early thirties and divisional commanders is early forties. The officer corps is better educated and technologically proficient.

Implications

China’s rise has generated multi-dimensional impact. The implications have both internal and external connotations. Internally the resurgence has enthused Chinese people and instilled a new sense of nationalism and pride. Influenced by the West, the Chinese are constantly seeking a better quality of life. This has also resulted in the masses becoming apolitical and trying to cash on the opportunities provided by the booming economy. In an effort to ensure sustained economic growth, the Chinese have established contacts even with remote regions of the globe. These efforts have been principally aimed to ensure energy supplies and resources, deemed vital for development, besides providing security to its investments.

The international community has taken note of the arrival of the “new kid on the block”, and has taken steps to accommodate and respond to the Chinese emergence as a new power. Various measures are being taken by the Western powers to simultaneously contain and engage China in the strategic field, described as “conengagement” by Western analysts. Russia has sought to use the Chinese against the West and vice versa in an effort to regain its own past position in the world order.

As far India is concerned, Chinese influence far outweighs that of ours both at regional and global levels. PRC is clearly way ahead in terms of GNP, per capita and trade volumes. This is likely to remain so for the next two or three decades. That notwithstanding, both India & China will continue to grow with their respective strengths and weaknesses. India needs to address this issue pragmatically and take appropriate steps to set right the imbalance. Going by the Chinese saying, “seek truth from facts”, India’s approach should be based on long term perspective, keeping in view its national interests. Therefore, India’s strategy towards China has to be holistic, multi-dimensional and farsighted. China respects strength i.e. li. Hence India ought to shed all ideological baggage and concentrate on building her CNP to comparable levels. India must capitalise on the overwhelming soft power assets, while continuing to engage China. There is a need to develop multilateral mechanisms to be able to raise issues of mutual concerns. Contentious border issue needs to be settled on equal terms. However, the real test of cooperation between India and China would be in the fields of economic and energy cooperation in Central and SE Asia. In the long run, India and China ought to narrow their differences and expand areas of cooperation, as good relations are in our best mutual interest.

As per the Chinese, accretion of resources (military, economic, technological), does not make a great power. It is the capacity of a nation’s political leadership to think big and bold. Chinese leadership has a proven legacy in this regard. China’s emergence as a global player is a stark reality today. How it’s leadership employs this capability, though an uncertainty, would have immense impact on the emerging shapes and contours of the new world order.

.Text of the talk delivered at United Service Institution, New Delhi on 12 Nov 2008.

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Corruption in China and the Combat Teeth of the System

Dr Sheo Nandan Pandey

Introduction

As the global financial crisis and consequent economic slow down spreads its shadows over China, the Chinese leadership is struck with biggest ever dilemma to combat deep rooted corruptions in the Chinese system of governance. According to a conservative estimate of Minxin Pei, over 10 per cent of Chinese government spending, contracts and transactions pass hands as kickbacks and bribes. In his studied opinion, he attributes the development to partial implementation of economic reforms, lax enforcement efforts, and abject reluctance of the Communist Party of China (CPC) to get to political reforms. He has noted that implementation of nearly 1200 laws, rules and directives to fight against corruptions of different hues and denominations were spotty and ineffective.¹ Notwithstanding, in a study, the Organisation for Economic Co-operation and Development (OECD) estimated that the amount transacted as kickbacks and bribes in the People's Republic of China (PRC) ran to 683 billion Yuan (US \$ 84.4 billion) in 2007, which works out to be over 5 per cent of its gross domestic product (GDP).

The list of corruption cases, involving persons in high positions, is incredibly high. It seems to have assumed insidious form: because of collusion among officials from top to the bottom levels. For example, in Heilongjiang, a scandal in 2004 brought down several hundred officials, including a former governor, several of his deputies and nearly all the prefect party bosses in the province. It is pervasive in some of China's most vital economic sectors, such as banking, financial services, mining, energy, real estate and infrastructure. It tends to distort market forces and allows the well-connected to line their pockets at the expense of the public. It is at the back of quite a few scams in most critical domains, endangering lives of thousands of people in one go and hurting China's national esteem. Sanlu brand baby milk food scam, which exposed 53000 infants to kidney afflictions, stands out as an example. In the bargain, rampant corruption at all levels and many forms tends to corrode the working of critical public institutions, such as the Chinese courts, law enforcement and public pension administrations. This has had quite a demonstrable adverse impact on public confidence and social stability.

The paper, in its pursuit, goes to study the existing Chinese institutional mechanism to fight corruption in public life. The broad assumptions of the study include: First, the Chinese leadership is abreast with the debilitating aftermath of the malaise, and as evident from the public statements on the issue, there is demonstrable political will to handle the problem; Second, the phenomenon of widespread corruption in China has got a fillip because of the CPC's abiding dependence on cadre system in governance which has created overriding space for corrupt practices; and, Third, the Chinese institutional response to weed out the evil of corruption as such would remain intractable as long as the blurred boundaries of private and public hold good in the personal, social and official lives of Chinese leadership. The study is sequenced to focus on: the Forms and Sources of Outgrowth; the Approach and Predicament; the Combat Mechanism; and, the Future Prospect.

Forms and Sources of Outgrowth

In China, corrupt practices have, for long, been low risk activity. Carnegie Endowment 2007 bears out that a corrupt civil servant stands 3 per cent chance of going to jail for corruption. Since 1982, 80 per cent of the CCP members disciplined and punished by the party got off with a warning, while the remaining 20 per cent were terminated and less than 6 per cent were prosecuted.² Not surprising then that the corruptions in China have come to acquire quite interesting array of forms.

One form of corrupt activity is "power trading". It involves the "buying and selling of official posts and positions". It falls in the category of "administrative" corruptions. In an interview with the People's Daily, Hu Xingdou, a Professor with Beijing University of Science and Engineering, recounted the process and spoke about four distinct features of the phenomenon.

First, the person, who bought an official position at certain level, would recoup and amass wealth by selling posts and positions in larger numbers at subsequent stage. In normal cases, an official, buying a position at the provincial level, tended to sell out at least three official posts. These three local officials were, in turn, quite likely to sell out 13 official posts. As a corollary, the 13 officials were supposed to sell out 30 official posts at the county level. Second, transaction takes place in pure commercial spirit. The knock down price will vary in terms of peak and lean season with special reference to location, time and reference person. Third, the medium of transaction could be either in cash or kind or favours. Fourth and last, the transactions have of late come to take place in broad day light. The official will hold a meeting of leading cadres. He will take stock of the situation. He will conclude the deal on-spot with give and take considerations.³

There is then "business corruptions". It is endemic both within the public and the private sectors. It stems virulently in all those areas of economic activities, where the Chinese state is deeply entrenched and uses discretions in the form of fang (relax) and shou (control). It is strange, and yet true, that the phenomenon has received breeding ground in areas where the government is presently acting proactively to put the house in order.

Of several forms of business corruption, the "facilitation payments" has acquired gigantic proportion. It is but a grey area as masterminds quite frequently cross the blurred boundary of otherwise legal payments and illegal

gratification. Off-the-book slush fund account serves the purpose. The business sectors, plagued most by the phenomenon are banking, financial services, public procurement and the construction sector. There are then some new areas, where public power has found voice, such as decisions on and allocation of public investment funds, assignment and pricing of land resources, regulations of levies and taxes, selection and financing of infrastructure projects, regulation of business, labour, trade and commercial disputes, and provision of social welfare in an expanding market economy. Corrupt officials expropriate public funds for their own purposes and many companies engage in corruption and pay bribes in order to maintain their place in the market. The National Audit 2007 found that RMB 7.1 billion of China's RMB 2 trillion social security funds was being transferred as overseas investments, used as commercial loans to companies, or spent on illegal construction projects.

In five years from 2002 to 2007, the Chinese officials, associated with metro projects and procurement of signalling device took US \$ 22 million from Transport Systems (TS) division of Siemens for seven projects worth US \$ 1 billion. Siemens, on its part had hired Chinese business consultants to facilitate bribery through "off-the-books" slush fund accounts and sell companies to their "partners" in China. Meanwhile, the Chinese officials, entrusted with the task of installation of high voltage transmission lines in South China took bribe of US \$ 25 million from Siemens Power Transmission and Distribution (PTD) division. The project was worth US \$ 838 million. Supported by phony distribution contacts, the payments went through a Dubai-based business consulting firm controlled by a former Siemens PTD employee and then to several entities associated with a US based highly connected Chinese consultant. In a still more bizarre instance, the Chinese officials and doctors, involved in a number of Chinese hospital projects took substantially heavy bribes. In one case where five Chinese hospitals were concerned, the Chinese officials took US \$14.4 million in cash and US \$ 9 million by way of favours from Medical Solutions (MED) division of Siemens. The favours included study trip to Las Vegas, Miami. It was all for the projects, worth US \$ 295 million. In yet another instance, the concerned Chinese officials and doctors took US \$ 64800 in lieu to facilitate Siemens MED division to win a contract for installations worth US \$ 1.5 million Magnetic Resonance Imaging (MRI) system. Notwithstanding, Siemens' US subsidiaries, Oncology Care Solutions (OCS) and Molecular Imaging (MI) also paid US \$ 650000 as bribes to secure sales of medical equipment to Chinese hospitals.⁴

In the PRC, the range of political corruptions can take wind out of anybody's imagination. It touches all levels of government, perhaps in increasing proportion as it goes down. The People's Liberation Army (PLA) is, interestingly, partner both in grand and petty corruptions in its own rights. When all is said and done, it is but a story of illicit relations between wealth and power retold, stemming largely as an offshoot of opportunities and incentives created with reform policies. Robert Klitgaard can not be faulted for his diagnosis of the phenomenon by his formula - Corruption =M+D-A: monopoly plus discretion minus accountability.⁵

Given the peculiarities of the Chinese system of governance, at every level of people's government, transparency was concomitant to the level of commitment and discipline of over 70 million cadres, having a say in different shape.⁶ It was conceived to be attained through "ideology and politics" until Deng doctrine, contained in the cliché "it does not matter whether a cat is black or white so long it catches mice", came to put them on backburner. Studies in the field suggest that the "ideology and politics" therapy did not work for various reasons, and political corruption ruled the roost throughout the yesteryears. The Chinese leadership is painfully aware of the reality, or else the 17th National Congress of the CPC would not have conceived and endorsed an array of soft and hard components of anti-corruption measures. It included a gigantic cadre training programme.⁷

The most discernible form of political corruption in China involves "misuse of political power" for "self and/ or group economic benefits and enrichments". The Chinese leadership has been addressing only this form of political corruption. In his Work Report to the First session of the 11th National People's Congress (NPC) in March 2008, Jia Chunwang, the procurator-general of the Supreme People's Procuratorate, went on record that 35 officials at the provincial or ministerial level, 930 at the municipal level and nearly 14,000 at or above the county level were then investigated for embezzlement, bribery, misappropriation of public funds in the past five years.⁸ Taking part in the debate, Liu Xiorong, one of the deputies, was succinct to brand the phenomenon of political corruption in China as a "trade off" between "power and money". The other form of political corruption, both at top national and down at all subsequent lower levels is to "perpetuate and continue with" the pomp and power in the hierarchy through all means. This is but a political system related malaise, and hence opinion could vary. However, it remains the mother of all sets of corruptions.

Approach and Predicaments

In simple terms, all forms of corruptions in China fall in the bracket of "misuse of public office for private gains". It could be individual and/or organised. While there are quite a large number of literatures yet, it is hard to present an archetype to explain trade off in Chinese office bearers at all levels getting berserk with such a terrifying magnitude to misuse their public office for private gains. In a theoretical perspective, it can be construed as a balancing act, where the individual and/ or group weighs perceived total cost of the said corrupt act against the perceived total gains. Increased chances of getting caught (despite neutralisation of all shades of political, social and cultural hedging) and being put to due process of law could possibly work as deterrence.

The conceptual part of the Chinese approach to combat corruption, developed and pursued in the past couple of years, visibly draws on the address of the Chinese President Hu Jintao to the Fifth Session of the CPC Central Commission for Discipline Inspection on 12th Jan 2005. Hu spelled out the need for both "temporary solution and permanent cure"; and laid down the focus of the action on "leading officials who pursued individual, illegal interests by misusing their powers"; and, outlined three pronged approach of "promoting education, actualising institutional accountability and invoking civil monitoring" as an antidote to the prevailing ills. He expected the approach to the problem as such would ultimately succeed in "gradually removing the soil that generates corruption".⁹ Seen in its perspective, it goes to serve the conceptual side of the Chinese approach.

In the same vein, the operational part of the Chinese approach to combat corruption draws on the address of the Chinese Premier Wen Jiabao to the Regional Seminar on Corruption in April 2007, where he impressed upon the need to launch “three pronged attacks”. They are: (a) addressing institutional deficiencies; (b) promoting reforms in political management; and, (c) using education and punishment to handle miscreants. Where it related to institutional deficiencies, Wen identified as many as four grey areas-excessive concentration of powers, lack of effective checks and oversights, obsolescence of the system and obsession for government approval. Wen outlined four sets of reforms in the political management, which sought to address the other four institutional deficiencies. He accordingly prescribed diffusion of hitherto existing concentration of power, enhancing public supervision and making all decisions in open, fair and just manner. In handling miscreants, Wen asked for using both education and punishment as a tool.

Corruption in the PRC is incidentally taking place in the broad backdrop of “booming economy and rampant materialism”, where the ability of the concerned officer to exploit connections and networks (guanxi) under the dual-track (shuangguizhi) economic system holds the key to success. In a business firm, it was essential even for getting timely and adequate quantum of support resources such as electricity and water as well as raw materials and intermediate goods. This guanxi has a whole set of sociological rationale and provides cultural acceptance for corrupt practices with a certain amount of winks and nods. In this scenario, it is a matter of academic speculation much less studied inference as to how much the Chinese approach would withstand the counter weight of interests behind the administrative, business and political corruptions in China.

Efficacy of the Combat Mechanism

The concerns of the Chinese leadership on the rise of corruption in all walks of life have of late found manifestation in the form of multi-dimensional initiatives to add muscle to combat mechanism. With quite a few caveats, they veer around both “curative” and “preventive” domains.

With open ended goals to deal with inter-department overlaps, and consequent possibilities of corrupt practices finding ways, the First Session of the 11th NPC deliberated and approved five Super Ministries in March 2008.¹⁰ Earlier in September 2007, the PRC had set-up National Bureau of Corruption Prevention (NBCP) with mandate to circumvent local officials and report straight to the central authorities.¹¹ It has been placed under the command and control of Ma Wen, who holds simultaneously the charge of Minister for Supervision. It has since been working on a guideline for “corruption prevention for companies and public undertakings, help trade organisations develop a self-discipline system, put forward policies guarding against commercial bribery and initiate publicity campaigns on corruption prevention”.¹² One of the major tasks of NBCO, as stated by Ma Wen in her interview with Xinhua News Agency, is to “expand preventive network to every corner of the Chinese society.”

In the PRC, the People’s Procuratorate, is in charge of prosecutions – from the top level of the Supreme People’s Procuratorate to the provincial, the municipal and the County Procuratorates. The procurator organisation consists of over 3,600 Procuratorates with more than 220,000 procurators and support staff throughout the country. Investigation of corruption cases constitute one of the several duties related with law enforcements. In November 1995, the Chinese Supreme Procuratorate came to set-up General Bureau against Corruption (GBAC). In prosecuting malfeasance at various levels in the bureaucracy, the Chinese Procuratorate normally concentrates on the preventive aspect. It keeps on looking at new ideas and at new channels of crime in order to formulate a more effective approach. The targets are: to develop preventive measures; to develop knowledge of the law; and to build up the concept of intellectual and moral resistance to corruption.

As the party cadres hold the key to the nature and character of governance, there is CCDI, entrusted with the task of looking into and dealing with the corruption and malfeasance among officials. It is directly responsible to the CPC National Congress and on the same level as the Central Committee. At the Provincial/ Autonomous Region/Municipality level, there is the Discipline Inspection and Supervision department at work. Of late, one of the initiatives of the CCDI to address the phenomenon at party cadre as much as general populace levels included inviting people’s opinion on website, which crashed on the very day it was set-up on 4 January 2006.

The Chinese leadership has tried its hand to curb and/ or eliminate the malaise, with little avail so far, in many other ways. In April 2008, the CPC Central Committee launched a 5 year anti-corruption campaign. In May 2008, it launched another campaign, exhorting cadres to “be the people’s loyal guard and masses’ close friend”. Subsequently, He Guoqiang, the Secretary of the CCDI and Chinese State Councilor Liu Yandong took two separate initiatives in September 2008 to involve students at large in the campaign.¹³

Future Prospects

The thoughts and actions thus gone into combating the malaise of corruptions of all hues are tremendous. However, the trap is somehow intractable. The approach and mechanism in place do not promise substantial results as long as the political corruptions, in particular the one that springs straight from the dogged will of the Chinese leadership at all levels to continue in the saddle, go scot-free.

A perceptible difference could come about as soon as the Chinese leadership rises above and undertake change in political structure; augur social developments that go to find substitute to guanxi (working through contacts and networks) to professional consideration in all sets of critical decisions in governance; and, Deng’s aphorism of shishi quiushi (seeking truth from the facts) come to play pivotal role in political reform as it hitherto did in economic reforms.

As it is, China’s combat mechanism to all pervading corruption is stuck with a lot of contradictions. In some cases the institutions supposed to ensure probity work under the command and control of the same structure and deviants. Where the new outfit goes to circumvent them, the matrix of interests to remain in power does not promise much escape. The phenomenon will perhaps remain theoretically intractable as long as the total cost of getting caught and exposed do not exceed the total benefit of breaking the cardinal principle of remaining transparent and honest. It could perhaps have negative impact on China’s so far robust comprehensive national power rating.

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Development of the Eurasia Land-Mass in the 21st Century*

Lyndon H LaRouche Jr**

Preface

Presently we are in the transition period from one United States president to another and in the process of a global financial crisis. It is crucial to know its form, to understand: What the prospects are for Eurasian Countries in particular?

The problem has been building up since 1987. It now aggregates to about \$1.4 quadrillion in value. The crash, which began in July 2007, is driven by real estate crisis and financial speculation based derivatives. This process will lead to the point, where the very existence of civilisation is going to be in doubt. The collapse will be comparable to what Germany experienced in 1923 – but of much greater magnitude. Therefore, reforms in the international monetary – financial system must occur. It will require a coalition of governments to go through bankruptcy reorganisation, because there simply is not enough to go around to pay off all this debt. The United States of America, India, Russia and China have a crucial role to play to see things in the right perspective.

Future of the Planet

Future of our planet depends upon the development of Asia. Russia is a keystone in forging a relationship between the European civilisation and Asian development. Although prospects of development in Asia are not good, the potential for growth is there – despite 60 to 70 per cent of it's population being extremely poor and lacking in technological skills. Therefore, what is required is a long term global perspective for the development of solutions of Asia's problems.

This can be done through advanced technology infrastructure. In India, this means, injection of Nuclear power to increase its productivity, per capita and per square kilometre – which is feasible. China has a much more critical programme in this respect than India does; because China is more dependent at this point on it's export market, than India.

Overall Development of Asia-Eurasia

The overall development of Asia depends upon development of natural resources in Asia itself or Eurasia. Much of that will come from Russia's North because it is sitting on top of much of the raw materials potential of Asia, and is otherwise very sparsely populated. But it has the technology, the means for development of transportation and power systems in Siberia, which is crucial for supplying much needed raw materials for development of South Asian countries.

This kind of technological cooperation between Russia, China and India is absolutely crucial. It cannot be forced through by individual countries. It is very clear that some powers in the world are not for this sort of thing: they do not believe in it, and will try to sabotage it.

To get out of this mess, a powerful combination of large states would need to take lead, to force reforms expeditiously.

Roosevelt's Concept - Establishment of a World Based on Sovereign Nation-States

We need to have something tantamount to what Franklin Roosevelt proposed back in 1944 – before Truman became the President. Roosevelt was against colonisation but Churchill was not very pleased with that. His intent was to eliminate colonialism and create a world of sovereign nation-states as rapidly as possible; through what we had at that time, a very powerful economy. It required converting military potential of our powerful economy, into a driver for a war torn world to develop large-scale technology, specially infrastructural development, which would be integrally required for transforming (former) colonised nations into potentially growing, independent, sovereign states. Roosevelt's concept was, as it is mine today, the establishment of a world based on sovereign nation-states with perfect sovereignty, but cooperating – and elimination of Europe's historic colonialism or imperialism. Unfortunately, Roosevelt died. Truman was much more sympathetic to Winston Churchill than he was to the policies of Franklin Roosevelt. As a result of that, much of European-controlled imperial interests remained intact, representing reversal of everything which Roosevelt had stood for.

Present International Financial-Monetary System

The present system is in the process of disintegration and is doomed. But if we go to what was called "The American Model" of sovereign nation-states, a fixed-exchange-rate system, agreed upon among powers, and agreement upon some principal objectives of world cooperation; I think we can get out of this mess quite nicely.

One of the proposals is to launch the economic and monetary reform from inside the United States, and then ask the other nations to come on board. My view is that we should probably get the preliminary agreement right away. In this sort of situation, to make a revolution, the first thing is to get consent among the revolutionary parties. You have to understand where you are going, and there has to be confidence that you mean what you say,

when you propose what you are going to do.

Now some of them at a high level in the USA want to propose reforms as a US initiative and then invite other countries to enter. My view today is that we should be in touch with relevant people who are close to leadership in four countries particularly: the USA, India, Russia and China. We should state our objectives, understand common objectives, test each other and come as quickly as possible to a common action plan. If we do so, we will succeed. If you have this kind of agreement among these four powers, you are not going to have a problem with Japan and Korea; Africa will rejoice and South America will also look towards the possibility of a new turn for the better. There is no guarantee, but we owe it to the future generations to make a sincere effort to sort out this mess.

Analyses of the World's Problems

We now have a population approaching 7 billion people on this planet. That is a lot of people, when you think about the food supplies, specially in certain parts of the world. If we do not increase our productivity, we are going to face Hell on this planet.

For example, let us take the case of China. China has been depending upon a market largely in the USA; and presuming that their system can be stabilised by continuation of that relationship. The US market for China has just collapsed and so has market for China collapsed in Europe. In China, you have three tendencies: the old communist party policy of defence of the welfare of the population; then the other extreme of "Communist Billionaires," and you have the middle level, which is more concerned, specifically with the future of China. There is a potential for a very nasty explosion inside China and in other countries who are particularly affected by that, if we do not do what I suggest.

In India, you have the same symptoms and in Asia the potential of chaos and conflict is beyond belief. I have Plan A and Plan B to solve this problem.

Plan A is that we succeed in creating a coalition, essentially, among four nations – at least an understanding of the need for a coalition among four nations – to bring other nations also together for a general reform of the planet. If we do not succeed – we are faced with Plan B, which is Hell on Earth. It means security problems. Typification is China. Here is a country of 1.4 billion people, which had a certain stability based on an agreement under the present Presidency – under the assumption that the relationships with the USA and other countries were going to continue.

Russia's Mistaken View

Russia also had a similar mistaken assumption that perhaps there would be a crisis in the USA, spilling over into parts of Western and Central Europe, but that Russia by its interest in raw-materials export, would be able to survive the crisis, neatly. In the past weeks, Russia has realised that they had made a mistake.

Now, a good example to discuss is the conflict problem - where Plan B comes up: What happens in the case of chaos? Soviet Union – or Russia, represented a very serious strategic potential. But the Russia's economic mistake is quite obvious. It was quite successful in innovation of military technologies. The fact of Soviet development of Nuclear weapons, about three or four years earlier than Bertrand Russel thought possible, is an example of that.

Similarly, recently Russia under Putin, and now Medvedev, has shown its ability to develop credible military options, in terms of technology. But, as earlier, the economy is in a mess. The economy was in a mess because of certain ideological reasons which have something to do with the British system mentality, which also affected the Russian thinking. Sometimes, people would call this, the "peasant problem" inside the Russian economy – the reluctance to progress.

But, I think that was not the case. Russia had the resources which it should have converted into developing its technology for production. Instead, it counted too much on export of raw materials and not enough on actual development, and it saved and hoarded money (in anticipation of the crisis), rather than investing in wealth for increasing the productive powers of labour. That is a characteristic weakness and a tendency which has carried over.

These are the kinds of problems we face. My view is that we in the USA have a different approach. By our involvement, we believe that we will be able to encourage Russians to go more and more into large-scale infrastructure projects – which they are quite capable of. They need to develop the rail system, or the magnetic levitation system because an international system of this type is needed for transportation. It would include the Alaska Bridge, the Land-Bridge rail system which will connect North America with Northern Asia. This is quite a feasible project. This would mean we would have rail links, linking all continents of the planet, except Australia.

Under these conditions, I believe, we can induce countries like Russia, China and others, to think a little bit differently about new ideas of economic development. Because, it is only through economic development, which is also a cultural development of the population, that we can deal with this problem.

The American Example

The root cause of all the world's problems have been the British colonial mindset and the European oligarchic traditions. The Americans, however, have emerged triumphant since their landing in North America in the 17th century by developing a different attitude – between us and the British. This is because although we have derived

from the same heritage; the Americans were created by an initiative of people in Europe who went to North America, with the idea to get away from European Culture. Their aim was to create a better quality of society.

Thus, there was a conflict between two English speaking cultures: American and the British. Gradually, the USA developed its industrial might and became dominant. But, despite its faults, it remained a link among nations.

For example, America was dragged into the World War II in 1940-1941. Where other parts of the world had trained armies, the Americans had two things: We were able to tie up much of the world in a way, which surrounded the Nazi enemy and the Japanese, logistically. Where other armies in the world had hundreds of pounds per capita, per soldier, we had tons. We were a factor in winning the war because of our logistical capability which enabled us to create a network around the world - to control the world. By our ability to control the environment around the adversary, we had the freedom of action.

This situation persisted into the post-war period, upto until the disastrous effects of the Vietnam War. Then, we were no longer able to exert this kind of control to protect parts of the world which were victimised.

Problems with International Terrorism

Now, we can see this thing with international terrorism: We were able to deal with particular problems like this one in the past because we were united and allied. At present we are not and, therefore, cannot. So, this is the other side of it: That, if we create this kind of cooperation around four nations, we can initiate a general global change. If we begin to act together with one another in terms of that intention, we will have the ability to cooperate with our friends to deal with any problem of this type, affecting the overall safety of mankind everywhere.

International terrorism is a perfect example of a vulnerability which we face right now. If we succeed in isolating them - they are finished. If not, they can still run around from one place to the other. Therefore, it is essential to establish control to deal with such negative situations by cooperation to accomplish long-term objectives. For example: for Asian development, the extremely poor population with poor skills, can be built up to the level that its productivity would lead to stability. A country like India can benefit much by enrichment of technical productivity. Similarly, China has a problem of greater severity and is more vulnerable than India is. The situation is same in Africa - which has large deposits of raw materials, has significant agricultural potential. But it does not have the infrastructure and technology to realise its full potential. It is unable to deal with its raw materials to maximum advantage.

In my opinion, we can come out of this situation, if we agree to cooperate with each other on a long term investment, of say 50 years.

Conclusion

If we cannot, then we are standing on the brink of Hell. Firstly, this quadrillion dollars derivatives bubble, will continue to crash on us and will plunge the entire planet into a new dark age. By cooperating with each other, we can prevent that by :-

- (a) Reorganising the world's monetary and financial systems and stabilising it
- (b) Through cooperation, we can generate long-term credit, reaching upto 50 years extension
- (c) By creating rail systems across the Eurasian continent
- (d) Developing power and water systems.

All these steps, through sharing ideas and cooperation, will contribute to large scale technological improvement and will make the planet stable for times to come. So we have to make a choice between the two options - Plan A and Plan B.

Before I finish let me interpolate one more thing: the case of Sarkozy in France. Sarkozy, was a very unprepossessing choice for President, at the outset. But the French institutions went to him, and influenced him to change his views and practices. In principle, now he is a solid supporter of the United States of America and playing a positive role in respect of Europe - to make it successful.

With the new President coming in, we Americans are determined to make him succeed by influencing him in the right way, as we have done with some other US Presidents in the past. I would like to assure you that we can be trusted to do all that we (Americans) only can - but we need cooperation. That is where we stand.

Plans for the Future

Finally, we have the Plan 'A'. First of all, take a four-power agreement among four major nations of the planet, as a nucleus, to bring the forces of the planet together into cooperation, which is comparable to the alliance, Roosevelt had in World War II. The key thing here is control. Not control by an empire, but control by a concert of nations with common aims. They do not have to agree on everything, but on common aims, on which the security of the planet depends.

If we can do that, we can surround the terrorism problem and deal with it. If we also do the right things in terms of investment and in terms of technology, we can come out of this and solve the long term problems for the next 50 to 100 years. If we do not - then we need to dig in.

We have now come to a stage where our very existence is threatened - everything is in jeopardy. If we do not do

something, we will lose it all. Are we scared enough, are we alert enough, to realise that we have to make a change? We have to come to a sense that despite representing different cultures and experiences: can we cooperate, to have common aims and common ends, and create a planet that is safe for people to live in? We, as a group of nations must have the power to control the situation, so that there is no threat that we cannot deal with – like the terrorism threat.

We have to be prepared to fight, either way, to either reach the top, or to defend ourselves from reaching the bottom.

Thank you.

*Edited text of the talk, in the context of what the world is going through today in terms of the Global Financial Crisis, delivered at United Service Institution of India, New Delhi on 4th December, 2008.

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India and the New World Order: Impact of Global War on Terror

Lieutenant General HC Dutta, PVSM (Retd)*

Introduction

The Cold War officially came to an end in 1991 though it had started sputtering down in the last years of Carters' presidency. So for close on three decades, the United States had things pretty much their own way through presidential watch of Reagan, HW Bush, Clinton; and for eight years Bush was and behaved very much like a 'master of the universe'. In comparison or as a result of the US high handedness, President Obama has inherited a host of problems. American supremacy or single super power status is challenged on various fronts. Russia, which lay prostrate for nearly two decades after the collapse of its empire is resurging, flush with petro dollars and resolute leadership of Putin. China with phenomenal growth of its economy and expanding sphere of influence in Asia and Africa, claims status of a super power. India, a regional player, is emerging as a nascent world power because of its nuclear power status, large population and growing economy. Japanese and other eastern economies are looking up. World economic and political balance is shifting to the east. In particular, the three most pressing challenges confronting President Obama are: Economic Meltdown; Terrorism; and perhaps most menacing of all, fear of Pak nuclear arsenal falling in the hands of radical islamists. These challenges also face all other countries, but most of all India, because of its geographical proximity to Afghanistan-Pakistan theatre and a long history of Pak enmity.

On the military front, the USA is over extended. The US misadventure in Iraq has still not concluded and Afghanistan is proving to be a potential Vietnam. Despite an impressive line up of forces comprising contingents from western allies, the ground situation is bad and demands more troops. To cap it all, forces of radical Islam are spreading their tentacles across the world from Chechnya in the west to Philipines and Indonesia in the east. Indeed, Radical Islam is fast acquiring dimensions of a military 'front'. India, apart from its share of economic downturn, hears the drum beat of militant Islam the most. India has witnessed its full impact transmitted through Pakistan, ranging from insurgencies to infiltrations to aerial high-jacking to series of bomb blasts in its cities. The long drawn insurgency in Kashmir continues unabated with frequent infiltrations by Mujahideen/Taliban/Al-Qaida from Pakistan. Indian embassy in Kabul was attacked and in recent times a major commando type assault took place in Mumbai.

Birth of Islamic Fundamentalism

The root of Islamic ire is usually traced to Muslim frustration arising out of their perceived injustice in Palestine exacerbated by brash exercise of Israeli military might. This recurs as justification by Bin Laden for terror attacks culminating in the infamous carnage of September 11, 2001 in the USA. Invasion of Iraq and Afghanistan further enraged the Muslims. The intervention in Afghanistan was started by a Mujahideen insurgency through Pakistan in the final years of Carter administration when the USA gave military and financial aid to President Zia-ul-Haq of Pakistan to fund an anti-Soviet insurgency in Afghanistan. Later, its scope was vastly enlarged to full guerrilla warfare by Pakistani Taliban for ousting Russians (CIA Programme Cyclone). Al-Qaida morphed out of the Mujahideen/Taliban.

The USA's Global War on Terror

The origin of Taliban (literally "students") lay in the children educated in the rapidly expanding network of Islamic schools (Madrassas) along Pak-Afghan border, later throughout Pakistan. Taliban were armed with modern weapons including shoulder-fired anti-air Stinger missiles, and re-inforced by Pak military. At the same time, a growing number of foreign Arab mujahideen (also called Afghan Arabs) joined the jihad against the Marxist regime. Later, Al-Qaida was established under Laden and Abdullah Azzam. Consequent upon Russian withdrawal, Taliban succeeded in capturing various parts of Afghanistan including Kabul and proclaimed a Taliban government in September 1996, with the help and support from Al-Qaida under Bin laden. It was recognised only by Pakistan, Saudi Arabia and UAE. The USA did not recognise it, but otherwise left Taliban to its own devices till 2001. After the 9/11 attacks, the USA under Bush embarked on a programme of heavy handed reprisals in mainland America, invaded Iraq, brought Libya to its knees and launched offensive operations in Afghanistan where Al-Qaida, the perpetrators of 9/11 carnage were located, so as to prevent recurrence of such attacks on the mainland USA. However, Bush enlarged the scope of a punitive action to a grand design of "global war on terror" and a war to "liberate and democratise Afghanistan". To that end, Pakistan was coerced to turn on Taliban (their own creation) and to help root out the supporting Al-Qaida. In sum, the USA threw out Russians from Afghanistan with the help of Taliban but it is now fighting to throw out Taliban from Afghanistan - a classic case of an insurgency which went wrong (or succeeded too well). The US operations succeeded in dislodging Bin Laden and bulk of Al-Qaida from Afghanistan but they shifted base to the mountainous vastness of Waziristan in Pakistan from where it continued stoking anti-American insurgency in Afghanistan.

Now, the USA is embroiled in a full scale counter-insurgency war in Afghanistan against Taliban/Al-Qaida, in what is possibly the worst battle ground in the world , with formidable Hindu Kush mountains, inadequate network of roads and communications and a fiercely hostile and historically ungovernable people. If conventional war in these conditions is difficult, the counter-insurgency operations are a nightmare. The insurgents have ready sanctuaries in Pakistan, a worst case scenario for fighting an insurgency. No wonder, Russia wilted under this

pressure, and no wonder the USA is feeling the heat now, despite their armed superiority, enormous financial resources and an array of contingents from 47 countries. To make matters worse, the USA and its allies are operating at the end of a highly vulnerable and tenuous line of supply, which is being frequently disrupted, and which the Pakistanis are unable or unwilling to secure. Alternative routes of supply are being investigated through Russia or Central Asian Republics, but they will be no less tortuous or vulnerable besides being much more expensive. Afghanistan assumes importance on two counts: it is a global 'export house' of jihadis; and it is the world's biggest supplier of opium. So, by logic these two issues, that is, jihadis and poppy cultivation should form the main focus of attention for the US led forces. Everything else, such as social restructuring of Afghan society, propagation of democracy and emancipation of women should be secondary. Problem of jihadis is twofold: sanctuaries, training camps and support structure inside Pakistan; and Taliban operating inside Afghanistan. Of the two, aid and abetment from Pakistan is more critical. If this is stopped, insurgency in Afghanistan will probably wither on the branch. In fact, it will be true to say that the focus of 'infection' lies in Pakistan - Afghanistan being only the symptom. As for narcotics, it is not difficult to destroy poppy crop, main source of revenue for insurgents, by aerial targeting or by defoliant spray, but it will shatter country's economy which in turn will need massive financial aid. However, in the long run, it may prove more cost effective to deploy money than to deploy 'boots on the ground'. To an extent, the same may hold true for fighting the jihadis in Afghanistan, that is, determined field operations backed by bribery and tactics of blood money to war lords against each other and against terrorist leaders, ie, tactics of "surge-and-bribe" used by the US General Petraeus in Iraq, suitably modified for Afghanistan.

The Pakistan Factor

An uncharitable reality is that, Pakistan has exploited the factor of Russian threat and turmoil in Afghanistan for obtaining armaments and financial aid from the USA for decades. Earlier, capitalising on Indian dogma of neutrality and its tilt towards Russia, Pakistan forged a defence pact with the USA in 1954 and also became a member of SEATO. Later in February 1955, it managed to join the Baghdad Pact for mutual cooperation with Iraq, Turkey, Iran, the UK and later the USA. Pakistan postulated that it wanted to ally with the western powers "to assist in defending the middle east oil resources" but did not have the requisite strength for this task because it had also to protect itself against a communist threat and threat from India. Subsequently, Pakistan found itself in an advantageous position again with the USA in the eighties when the erstwhile USSR intervened in Afghanistan. The last celebrated manoeuvre was in 2001, when Pakistan did an about-turn to face its own creation, the Taliban regime in Afghanistan. In fact, this decision is very unpopular with the Pakistan Army and its officers and is chiefly responsible for its indifferent performance. Be that as it may, fact of the matter is that a proactive foreign policy and various alignments by Pakistan have earned it enormous sums of money and a vast arsenal of armaments over a period of time, which have stoked its belligerence and emboldened it to undertake numerous misadventures against India.

Through the long and eventful history of the US-Pak relations, Pakistan has also learnt to manipulate the system of lobbys and professional lobby firms in the USA. Pak generals have been extremely successful in creating "cronyism" with Pentagon and influential congressmen. This politico-military expediency and manoeuvrability has enabled Pakistan to build a powerful military machine quite out of proportion to its intrinsic resources or legitimate needs which has traditionally been the main threat to security of India. Skeptics may decry Pak tactics of opportunism, but all said and told, Pak foreign policy is a case study for sheer audacity, panache, personal relationships and 'seat of the pants' diplomacy. As a result, a small young country has become a nuclear power and has parleyed itself into a world player.

As with the USA, so with China, Yahya Khan of Pakistan brokered Nixon's secret trip to Beijing on February 21, 1972, which helped it to forge strong bonds of friendship with China, gaining arms including nuclear weapons. Today, Pakistan must be the only country in the world which is getting massive aid from both the USA and China. To the USA, it possibly waves the China and India cards: to China it perhaps waves the USA and India cards (India being the fall guy in both configurations). In broader perspective, foreign policy objectives and actions of Pakistan have shown singular focus and flexibility. Ever since its birth in 1947, Pak leaders have felt that they got only a "moth-eaten" Pakistan, which would be in danger against a bigger and stronger India. Hence, theirs has been an abiding quest to acquire arms and financial aid from all quarters by any and every means. In addition, they have been motivated by hatred for a secular India, and a burning ambition to annex Kashmir.

Admittedly, the problem of Taliban/Al-Qaida can be said to have been started by the USA with the anti-soviet movement in Afghanistan with the help of President Zia-ul-Haq of Pakistan, but the 'Islamic twist' was a Zia Special. Indeed, he went about setting up thousands of religious schools all over Pakistan to produce fanatics. He also Islamised the Pak Army and spread the gospel of militant Islam in Muslim nations across the world. This genie of radical Islam has spawned the terror storm that the world has been witnessing for the last two decades and in truth is now threatening to swallow Pakistan. These madrasas (Islamic seminaries) have been reported to have grown from 136 in 1947 to 30,000 by the year 2000 and could be in the region of 45,000 now. By Paks' own estimates, 8 -10 lac students attend these schools, with numbers increasing by the day. They preach a twisted world view and a harsh version of radical Islam, glorifying terrorism and jihad. A leading expert on nuclear proliferation on the US Commission on the subject, Harvard professor Graham Allison has stated that "When you map WMD and terrorism, all roads intersect in Pakistan". Funding of the insurgency also gave birth to the infamous ISI of Pakistan with access to vast funds and to become a 'state within a state'. The story is somewhat similar regarding birth of Pak nuclear arsenal. The USA, for some unknown reasons, looked the other way when Pakistan was avidly seeking nuclear weapons. Now the USA and more so India are confronted by self same nuclear capability of Pakistan and the whole world is terrified by dangers of the arsenal falling in the hands of jihadis.

Impact of Islamic terrorism has been particularly severe for India (and Kashmir). Although, the erstwhile state of

Jammu and Kashmir acceded to India in a legitimate manner, Pakistan has tried to capture it by force of arms on three occasions (1947, 1965, 1971) and being unsuccessful, resorted to instigating and aiding a virulent insurgency and terrorist attacks. Now playing on American concern with Afghanistan situation, Pakistan is sporting a theory that the root of unrest in this part of the world lies in the unsolved problem of Kashmir which is responsible for tension on the sub-continent. Therefore, Pakistan has to set aside forces for this threat, which affects Pak ability to give full support to the USA. This “Root” theory is without foundation because the root of the unrest does not lie in Kashmir, it lies in Pakistan. It is also pertinent that if Pakistan were to gain control of Kashmir, it will become another Waziristan providing welcome havens to Bin Laden and Al-Qaida. In essence, there is a striking symmetry between terrorism in Kashmir and Afghanistan. In both cases the “focus of infection” lies in Pakistan. Hence, there is clear congruence of interests between the USA and India in this region. There is similar identity of interests regarding the danger of Pak nuclear arsenal falling into the hands of jihadis. Indeed, India would lie squarely in cross-hairs of the jihadis and be the first target if they were to gain control of Pak nuclears. Pertinently, since 2001 there has not been a single instance of terrorism on the US soil and only a few incidents in the UK and Europe, whereas India and Kashmir have been subjected to a rash of almost daily depredations.

Conclusion

To conclude, the geo-political outlook for India is a mixed bag. On the downside: the lengthening shadow of China has extended to the whole of south Asia and the Indian sub-continent including the Indian Ocean. her influence in Nepal and Burma has increased substantially, her ‘alliance’ with Pakistan has manifested as being much deeper than thought hitherto as shown by new found evidence of China having tested Pak’s first nuclear bomb in 1999. Pakistan is more bellicose and aggressive consequent upon getting massive infusion of arms both from the USA and China including a significant nuclear capability alongwith missiles and delivery systems. At the same time, Pak hostility to India has intensified, as seen by the vicious raid on Mumbai on November 26, 2008, which assumes sinister proportions in view of the lengthening shadow of Taliban over Pakistan, which will bring Taliban virtually to India’s door-step.

The upside is that the USA seems to have had cause to re-evaluate Pakistan’s effectiveness and reliability as an ally against Taliban in Afghanistan and there is growing realisation of Pakistan being the chief exporter of terrorism to the world. Nevertheless, it seems that as far as Pakistan is concerned, the USA is resigned to have a reluctant ally than no ally on the principle of “something is better than nothing”. For India, situation in Kashmir and Bangladesh is showing some improvement after the recent elections. There has been noticeable upswing in Indo-US relations consequent upon the Nuclear Treaty and Indian restraint in the face of the Mumbai carnage. There are also signs that the new US administration is beginning to recognise the congruence of interests with India, particularly with regard to Afghanistan and Pakistan. This is a window of opportunity for India and kindles hopes that the decades old negative US perception of India will be replaced by a positive image of a peaceful and responsible nation and a vibrant democracy. India needs American support to counter balance the Sino-Pak nexus. Besides, the routes to the solution of India’s problems with Pakistan lie through Washington. On its part, India needs to put its house in order, project image of a cohesive polity and build up economic and military strength to merit credibility as an ally. It will also have to learn to think big and think beyond Pakistan. After all, India dare not ignore the unpalatable geo-political reality that it shares contiguous land borders (and air envelope above) with Pakistan, China and Bangladesh (the recent Chinese naval foray into Indian Ocean adding a maritime dimension). There is a strong alliance between Pakistan and China. In short, a chilling reality of multiple fronts which should command urgent attention of Indian leaders. India needs all the friends it can get.

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Afghanistan Conundrum : An Analysis and the Way Forward

Lieutenant General K Davar PVSM, AVSM (Retd)

Background

Afghanistan today stands precariously perched on the edge of an abyss. A hapless victim of a once-again Taliban and al-Qaeda resurgence, an inept and deeply corrupt administration, a not-so-effective the US led international military presence, the devious role being played by its neighbour, Pakistan, and a booming drug economy makes Afghanistan a basket case of political and strategic instability. Dubbed by many security analysts as one of the most dangerous places on earth, Afghanistan, is truly the country where the world's most intense global war on terror (GWOT) is being fought, albeit not with much to cheer about.

The War in Afghanistan commenced in October 2001 with the launch of the US led Operation Enduring Freedom (OEF) as a direct response to the multiple September 11, 2001 terrorist strikes in the US heartland. This operation aimed at the capture of al Qaeda supremo Osama bin Laden (OBL), destruction of al Qaeda and removal of the brutal Taliban regime (1996-2001).¹ The US has approximately 30,000 troops in OEF 2 looking after the eastern and southern parts of Afghanistan, especially along the disputed Durand Line which divides Afghanistan and Pakistan, and is home to the most militant and lawless Pashtun tribes. The other international force in Afghanistan is the International Security Assistance Force (ISAF) which was established by the UN Security Council in December 2001 to secure Kabul and its surroundings. In 2003, NATO assumed control of the ISAF and has around 55,000 troops from 47 countries including around 23,000 troops from the USA. After successful removal of the Taliban regime during the initial phase of OEF, the USA led Coalition Forces are now bogged down in the security quagmire of Afghanistan with President Hamid Karzai's writ diminishing gradually, an alarming rise in the Taliban - al-Qaeda control over the Afghan countryside, flourishing poppy trade and above all, the dangerous situation astride the Durand Line from where rebel Pashtuns and the Taliban - al-Qaeda terrorists, especially in Pakistan's Federally Administered Tribal Areas (FATA) and equally restive North Western Frontier Province (NWFP), operate with impunity against the Kabul regime.

Strategic Significance of Afghanistan

By itself, Afghanistan is a landlocked country, characterised by harsh terrain, sparse population and with hardly any resources which could precipitate any conflict of interests. However, its unique geographical location sandwiched between Central and South Asia, has always made it a much coveted strategic pivot in the 'Great Game'. In the 19th century, the first 'Great Game' was prompted by Czarist Russia's quest for the warm waters of the Indian Ocean and the creation of a buffer between Imperial Britain and Russia. Today, the stakes are significantly higher which include oil and gas, strategic metals, hydro-power, pipelines, transit routes and access to the developing markets of Central Asia. The growing geo-strategic importance of Central Asia has led to the most powerful political cum military blocs vying for strategic space and influence in this region, namely one led by the USA through the NATO and the other bloc by China and Russia through the Shanghai Cooperation Organisation (SCO).

Afghanistan's immediate neighbour, Pakistan, has always surmised that Afghanistan confers additional strategic depth to it in the event of a military confrontation with India and that an adversarial regime in Kabul could impinge on Pak security by forcing it to face two fronts. The Chinese too have looked for access to the Indian Ocean and are feverishly engaged in building the Gwadar Port on Pakistan's Makran coast. This port would also be able to serve Central Asia, albeit through Afghanistan. For India too, this country remains the economically significant transit route to energy rich Central Asia, besides being a co-partner in the fight against terror especially engineered by Pakistan. The other major regional player in this area remains Shia dominated Iran which also seeks to influence the already complex political scenario of Afghanistan and has provided shelter and support, off and on, to some of its favourite warlords.

The Karzai Government and the Afghan National Army

Hamid Karzai chief of the Popalzai tribe hails from a widely respected Pathan family and was the US favourite to take over the reins of Afghanistan after the ouster of the Taliban regime in 2001. In Afghanistan, a conclave of tribal chieftains, the Loya Jirga considered as the source of all legal authority, also legitimised Karzai as Afghanistan's President in mid 2002. Despite recalcitrant warlords spooking a nose at Kabul, an unrelenting drug mafia fuelling crime and terrorism, and Pakistan's perennial mischief to put manifold obstacles in the Kabul administration's path especially by fomenting violence through the Taliban-al Qaeda extremists, Karzai has endeavoured to put Afghanistan on the road to development and stability, though without much success.

The Afghan National Army (ANA) in the 1960's to the 90's was earlier trained and equipped by the erstwhile Soviet Forces. After the ouster of the Taliban the West commenced restructuring and equipping the ANA. It was planned to have a force level of 70,000 troops for the ANA by 2009.⁴ The strength by February 2009 is around 79,300 personnel though it is felt by many experts that the overall level must touch around 1,35,000 troops. The ANA Chief, General Bismillah Khan Mohammadi has expressed that "The National Army has developed but frankly not fast enough. We're facing terrorists, the Taliban and interference from Pakistan and we cannot yet control our own borders. The force strength of 70,000 is not going to be sufficient."⁵ The ANA comprises five

regionally based army corps, comprising 14 brigades along with a nascent air corps. In addition to the ANA, the Afghan National Police and some Ministry of Interior troops total around 50,000 policemen. The ANP does not carry a good professional reputation like the ANA and is perceived to be corrupt. In addition, currently the ANA's Air Corps woefully lacks adequate rotary lift capability. Despite limitations in terms of equipment, air power and training, the ANA has recently commenced independent operations in the hinterland. Other encouraging trends in the ANA have been the fall in desertion rates and the recruitment of women soldiers 6 including in the parachute wing. The Karzai government has been rather unsuccessful in attracting ex-Talibanis and local militias to join the ANA and ANP so far.

The Redoubtable Drug Economy

Though the Holy Koran forbids all intoxicants, it is ironical that the so-called staunch believers namely, the Taliban have been using precisely the drug trade to fuel insurgency and terrorism in Afghanistan! Ahmed Rashid, in his book 'Descent into Chaos' has succinctly summed up the incestuous relationship between drugs and terrorists by stating that "the Taliban resurgence, al-Qaeda's reorganisation, and the restarting of its training camps for international terrorist groups after the US invasion would have been impossible without the explosion in heroin production. In turn, the attempts - to rebuild state institutions, curb warlordism, and create a viable legal economy were heavily imperilled by the illicit cash generated by drug traffickers. The flood of money to tribesmen on both sides of the border led to the spread of Talibanisation. In short, one of the major reasons for the failure of nation building in Afghanistan and Pakistan was the failure to deal with the issue of drugs."⁷ Notwithstanding deliberate efforts by the UN, the Coalition Forces and numerous NGOs in curtailing the burgeoning drug economy of Afghanistan, the country still remains the world's biggest opium producer. However, the latest UN reports have been encouraging as far as opium cultivation is concerned, as a 19 per cent reduction did take place in 2008 compared to 2007 and amazingly 98 per cent of the total cultivation was confined to the seven provinces out of 34 provinces in the Country and these are the provinces which have security problems.⁸ This highlights the strong link between opium cultivation and the security situation.

Pakistan's Continuing Machinations

After the ouster of the Taliban regime in 2001, as soon as Pakistan realised that the Karzai government would be following an independent, secular policy and in conformity with the Coalition Forces to take on the Taliban-al-Qaeda combine, it resolved to remove Karzai, who has since survived many ISI conceived assassination attempts. Importantly, India's growing influence in Afghanistan has unnerved the Pakistanis who have always visualised this region as its own exclusive backyard. The ISI continues to foment terror in Afghanistan through its old and well established linkages with militant leaders like Mullah Mohd Omar, Behtullah Mehsud, the Haqqani father and son duo and warlords like Gulubddin Hekattmayar. The USA remains in a Catch-22 situation that, though in full knowledge of Pakistan's duplicity in the War on Terror, it needs them desperately, for the bulk of their logistics chain to Afghanistan runs along two routes which commence at the port of Karachi; and one thence moves along the road via Chaman-Kandhar and the second one across the Khyber Pass route. In addition, bulk of the oil required for the Afghanistan operations gets refined in Pakistan itself prior to its move forward. Frequent raids on the US supply convoys have been launched lately by the Taliban-which could be with connivance of the Pak Army. Any 'surge' which US contemplates can only take place if logistics are ensured as supply by air hardly fulfills the requirements.

The current cease-fire between the Pak government and the Tehrik-e-Taliban Pakistan (led by Mullah Fazullah and his father-in-law Sufi Mohd) in Swat Valley where the Pak government have agreed to impose the old Sharia law in return for the Taliban's promise to halt all insurgent activities will have to be carefully monitored as it will have an effect on government - extremists relations in Afghanistan also. To most analysts this step is a 'surrender' to the militants, though some feel that this step could be replicated to broker peace in the other troubled areas of both Pakistan and Afghanistan.

Obama and a Fresh US Approach

Immediately on taking over the US Presidency, Barack Obama signalled his priority for Afghanistan over Iraq by nominating the veteran diplomat, Richard Holbrooke, as the Special Envoy for the Afghanistan-Pakistan region besides ordering a 'surge' of 17000 additional troops to Afghanistan. President Obama has expressed that "Pakistan and Afghanistan are central in the war on terror".⁹ He also stated that the situation remained "perilous" in Afghanistan and that his envoy would lead "our effort to forge and implement a sustainable approach to this critical region."¹⁰ Meanwhile a dismal picture of spiralling violence and a disintegrating society in Afghanistan has been reported in a confidential NATO report prepared by the Pentagon on behalf of the ISAF. Also, casualties figures for both Afghan civilians and those of the US and NATO forces were the highest in 2008 since 2001 according to both the Pentagon and UN reports.¹¹ The latter found 2118 civilians being killed and in the same report, UN secretary General Ban Ki-Moon stated, "despite the enhanced capabilities of both the Afghan National Army and the international forces, the security situation has deteriorated markedly."

The February 2009 Munich Conference debated at length the ongoing Afghan conundrum. Holbrooke told the conference, "NATO's future is on the line here - its going to be much tougher than Iraq."¹² The US Central Command Chief, General David Petraeus warned of a "downward spiral of security"¹³ and in addition to more troops, he called for "a surge in civilian capacity" to help rebuild villages, train local police, tackle corruption in the Afghan Government and reduce the country's thriving opium trade. At this conference, the Germans had come out strongly for redoubling of development works in Afghanistan. Rebutting the charges including his 'softness' towards some drug peddling warlords, Hamid Karzai told the attendees that Afghanistan had made large strides in development since 2001 and opined that the only way to bring stability to Afghanistan was to eventually negotiate a deal with the Taliban. Meanwhile, the White House has planned a review of their options in

Afghanistan and is likely to unveil its new strategy in April 2009 at the NATO Summit in France. President Obama in his first address to the Joint Session of the Congress on 24 Feb 2009 reiterated his firm resolve to root out terrorism from the Afghanistan - Pakistan region by evolving a new strategy.¹⁴

India's Role and Options

India has had age-old civilisational, political and economic ties with Afghanistan and cordial relations with all governments in Kabul except with the Taliban. Since long, India has been assisting the Afghan government in various developmental projects. In recent years, the UPA government has pledged over \$1.2 billion (Rs 6000 crore) for development works in Afghanistan. Only in January 2009, the strategic 215 km road Zaranj-Delaram in south western Afghanistan which connects Kabul along the Garland Highway to Iran was opened despite many attempts by the ISI and Taliban to disrupt its construction. This important road opens up a doorway for trade with Central Asia through Iran and its port of Chabahar. In addition, India is completing a second major infrastructure project that is the Pul-e-Khumri to Kabul transmission line and the sub station at Chimtala in Northern Afghanistan is being completed shortly. Besides, Indian assistance in various educational, telecommunications, medical and agricultural projects is well underway. India also trains ANA and ANP personnel on a regular basis. In addition, faced with a common threat emanating from the Taliban-al Qaeda and ISI combine, intelligence sharing between the two countries is only natural.

As India enlarges its strategic footprint in Afghanistan, Pakistan is rather wary of the growing Indian influence, whilst some in the US establishment may expect to see India also taking on a direct military role to augment the ISAF. Nevertheless, it will be prudent for India to keep away from direct military involvement in Afghanistan, even if requested by Kabul. However, India can augment training of Afghan military and police personnel, and also consider selling/donating combat equipment like T-72/55 tanks, BMP-2s, small arms including mortars, light artillery, radio, night vision and mine clearing equipment, helicopters and light aircraft, and non-lethal equipment like B vehicles, winter clothing etc. Nevertheless, India will have to despatch additional para-military personnel, suitably equipped, to deal with local insurgents and protect Indian assets to thwart the ISI-Taliban machinations against it.

The Way Forward

For the world to win its first GWOT and bring a modicum of stability to this terror ravaged region, a well concerted regional approach rather than a unilateral US-centric one is essential. Having ordered just 17000 troops to Afghanistan, perhaps only to temporarily stabilise the operational situation, President Obama has bought time as he has ordered a comprehensive review of the USA's Afghan strategy. According to media reports, the same will be presented to his NATO allies in France in April 2009. Meanwhile, commenting on the 'surge' so ordered, Admiral Mike Mullen, Chairman of the US Joint Chiefs of Staff has cautioned, "It isn't going to make a difference after those troops get here, if we haven't made progress on the development side and the government side."¹⁵ The Atlantic Council, a Washington based think tank has opined that Afghanistan's future would be determined by progress or failure in the civil sector" and had also advocated a regional approach and regional solutions.¹⁶ As the USA looks for a new strategy, some suggestions are enumerated in the succeeding paragraph.

Firstly, the US led NATO strategists should call in all regional players who are affected by the adverse security situation as prevailing currently, namely India, Pakistan, importantly Iran and members of the SCO namely, Russia and China as also the Central Asian States to evolve a regional strategy to combat terrorism and fundamentalism. In case, any country fails to cooperate with the larger goal of peace in Afghanistan and the rooting out of terrorism, concerted combined action including sanctions by the world community could be contemplated. Secondly, notwithstanding any problems, the Afghan parliamentary elections slated in August 2009 which will also elect the next President must be held on schedule for democracy is the panacea for many ills. Thirdly, efforts must continually be made to involve as many Afghans and their institutions in development work, and the aspect of self-governance be encouraged. The UN must coordinate all reconstruction and drug elimination efforts. Fourthly, no peace can ever come to Afghanistan until the semi- autonomous "badlands" of Pakistan are kept in check and terrorists of many hues ensconced there are marginalised. Aid to Pakistan should be directly linked to results which Pakistan shows in the GWOT. Pakistan's sincerity to combat terror is the key to peace in Afghanistan. The world has to bear in mind that the rapid Talibanisation of Pakistan has taken terror elements in that country a step closer to Pakistan's nuclear arsenal and the world has now got endangered as never before. The USA may wish to do something about it, for it's worth remembering that suicide bombers are not expected to use any logic!

Conclusion

The world community must not fail in Afghanistan as stakes are too high for the civilised world in this region. India must play a proactive role in bringing peace and development to this terror afflicted country and use its influence to get friendly countries like Iran and Russia on board with the international community to stabilise the worsening situation in this region. The US will have to impress upon Pakistan, using all the levers it has, that their moment of reckoning is around the corner and the battle against terror is more in the interest of the integrity of Pakistan than that of the USA.

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Prospects of ‘Grand Bargain’ Post-Mumbai and the Evolving US Policies

Brigadier Vinod Anand (Retd)*

Introduction

Mumbai terror attacks were engineered from Pakistan at a time when the democratic government had become more aggressive in asserting its legitimate role in the affairs of the state. Attempting to wrest control of the infamous Pakistan’s Inter Service Intelligence Agency (ISI) from the military was one such act that ended in failure. Pakistan military could not let go of an institution which it has used for decades as an instrument of its internal and external policies arising out of a vision where democratic governments and politicians are considered a threat to security and accommodation with India is an anathema. Further, scenario in Federally Administered Tribal Area (FATA) and adjoining areas of North West Frontier Province (NWFP) where Pakistan military has been fighting an unpopular ‘now off and then on’ war had been instrumental in creating increased dissonance internally within the Army as well as with the United States on its policies of drone attacks. An additional factor of timing was the forthcoming transition of power in the US and apprehensions of the policies of incoming Obama administration with regard to Pakistan and Afghanistan.

A critical assessment needs to be made as to whether situation arising out of Mumbai attacks was visualised to be a win-win situation for military-jihadi combine that has for years steered the destiny of Pakistan, detrimental to its polity and civil society. One of the intended or unintended consequences of Mumbai attacks was validation of the domineering influence of Pakistan military in affairs of the state and undermining the authority of duly elected democratic government. While the ruling civil dispensation in the immediate aftermath of the Mumbai massacre had agreed to dispatch the Director General ISI to address the concerns of India the military pressurised the Government to dilute or withdraw its commitment. Further, continuous flip-flops of the civil government on the identity and nationality of the lone terrorist caught in Mumbai, sacking of their National Security Adviser and whipping up of war hysteria amongst many other such events provided supporting evidence of arm twisting of the civilian government by the military establishment.

Second intended or unintended consequence of the attacks was putting to rest all the hopes of a grand reconciliation between India and Pakistan in the near term. Before the attacks, some progress had been made by renewal of the Indo-Pakistan peace process that had been stalled since March 2007 due to instability in Pakistan caused by the then president Musharraf’s policies and civil society’s agitation against military rule. Post February 2008 elections in Pakistan, there had been indications that Indian Prime Minister would have visited Pakistan once sufficient momentum in Indo-Pakistan peace process had been gained. Scenario as obtaining prior to 26/11, was not unlike pre-Kargil situation, when the then Prime Ministers of Pakistan and India were negotiating for peace while military-jihadi combine was preparing to embark on warpath against India.

Third possible goal was that the post-Mumbai war hysteria created by Pakistan military would have enabled it to withdraw from its Western front in FATA and NWFP and deploy forces against India. This was to be and is being used as a bargaining tool against perceived negative policies of the US vis a vis Pakistan. In the event, Pakistani Taliban groups like the one headed by Baitulla Mehsud and many other terrorist groups like Lakshar-e-Toiba volunteered to fight along Pakistani military in case of war against India. That Pakistani military establishment continues to harbour an indulgent attitude towards such groups is clearly visible from the ISI chief, Major General Shuja Pasha’s interview to German magazine Der Spiegel in the wake of Mumbai attacks. “Shouldn’t they be allowed to think and say what they please? They believe that jihad is their obligation. Isn’t that freedom of opinion? He asked, defending extremist rabble-rousers, who are sending more and more Koran school students to Afghanistan to fight in the war there.” Such groups have been used as valuable assets and force multipliers by Pakistani military to realise their policy objectives in Afghanistan and India. ISI stands accused of supporting terrorism in Afghanistan and India. Attack on Indian embassy last year was attributed to machinations of ISI even by the US and Afghan intelligence agencies.

Withdrawal of embattled Pakistani forces from their Western front would have also relieved the pressure on Taliban and other groups thus enabling them to recoup their strength and assist Afghanistan Taliban in the coming battle of spring this year. Enduring feature of the complex jigsaw puzzle that Pakistan presents is that both military and jihadis use each other to enhance their strength and pursue their own agenda. But with jihadis becoming increasingly autonomous, it is not clear as to who is driving whose agenda. For instance, Pakistani army has ceded control of vast swathes of territory in FATA as also in places like Swat in NWFP which enables these groups to enhance their strength and widen their agenda. On the other hand Pakistan army uses them to advance its own agenda in Afghanistan and India. Further, to influence the US policies, first Pakistan’s military establishment creates enhanced threat to the US forces in Afghanistan by aiding and abetting Taliban, and thereafter to mitigate that threat it bargains for vast amounts of military aid which it uses in different direction. Unwittingly, through its soft approach towards a recalcitrant Pakistani military the US has become complicit in an unending cameo where it ends up furthering the agenda of jihadis and Taliban fraternity.

With the appointment of Richard Holbrooke as Obama’s special representative for Afghanistan and Pakistan the US administration has resisted the temptation of formally linking solution of Afghanistan with the solution of Kashmir but that does not mean that there has been a fundamental change in its perceptions. Holbrooke in his speech after the appointment avowed to follow an agenda which would hardly remain confined to Pakistan-

Afghanistan matrix. "In Pakistan, the situation is infinitely complex. In putting Afghanistan and Pakistan together under one envoy, we should underscore that we fully respect the fact that Pakistan has its own history, its own traditions, and it is far more than the turbulent, dangerous tribal areas on its western border. And we will respect that as we seek to follow suggestions that have been made by all three of the men and women standing behind me (President Obama, Vice-President Joe Biden and Ms Clinton) in the last few years on having a more comprehensive policy." 1 In post-9/11 era the then President Musharraf was forced to reverse his policies in Afghanistan at the pain of risking being 'bombed to Stone Age'. Musharraf had then decided on a tactical retreat to protect its strategic assets (nuclear deterrence) and policies in Kashmir. In the current strategic milieu, Pakistani generals have calculated that the US is no more in a position to issue such dire threats and that the US needs Pakistan military more than they need the US; howsoever wrong they may be in their assumptions. Even now at a time when Pakistan's economic and financial situation is precarious, the USA has more than sufficient leverages to influence Pakistan's negative policies.

Yet, as if the earlier American experience of giving aid to Pakistan was not a lesson enough, John Kerry, who is also the Chairman of Senate's Foreign Relations Committee and is in a position to pilot an aid package has recommended (through an Atlantic Council Study Report) an aid of US \$ 4 to 5 billion over and above the earlier proposals of US \$ 1.5 billion per year for the next decade. This aid would be in addition to the IMF and loans from other sources. \$1 billion has been earmarked for military besides the military component of \$1.5 billion of the earlier proposals. Recent audits by the US administration have detailed how billions of dollars have been misused and even fraudulently claimed by the Pakistan military. Throwing good money after bad to recover the investment, generally is a trait associated with high-risk takers or in short, gamblers.

Over reliance of the US on Pakistan's military to bail it out of Afghan quagmire has given shape to the US policies that have yielded hardly any positive results in the past seven years of turmoil in Afghanistan. Formulation of a regional approach to the Afghan conflict has been suggested by the same very experts and advisers of Obama administration who have sought to link Pakistan-Afghanistan and Kashmir in one simple solvable equation. But not enough efforts have been devoted to concretise a regional approach. There are many grand bargains and reconciliations waiting to happen in the region before the situation in Afghanistan can be stabilised. What about a bargain with Iran? How about a bargain with Russia and Central Asian countries to remove the vice-like grip of the Pakistani GHQ on the US policies. Alternative routes for logistics for the US and NATO forces can only be realised, and dependence on Pakistan reduced in a meaningful way, if such bargains are made.

Repeated attacks on NATO convoys passing through the territory of Pakistan, in effect, are a strategic communication of military-jihadi combine to the US on the limits of its powers and capacities. The US is not ready to adopt a regional approach as yet. It has resisted the attempts of France and Germany to involve the United Nations Security Council alongwith other nations in the region to resolve the Afghan conflict. The US strategy of 'surge and bribe' or a version of the British colonial policy of 'Divide and Rule' following a success in Iraq of similar strategy is unlikely to yield any result in the coming years, unless the core issue of reigning in Pakistani generals is addressed. Harsh reality of the matter is that solution of Afghanistan is located in Pakistan; that too in Pakistani military establishment. And any strategy not focused on this would not do. Propping up military and Pakistani state repeatedly, asking India to grant concessions to Pakistan on Kashmir, seeking to preserve balance in South Asia through massive military supplies to Pakistan, and asking India to exercise restraint every time a state sponsored terror attack takes place would only whet the appetite of Pakistani military junta for more of the same.

The "Grand Bargain" as propounded by Professor Barnett and Rashid Ahmed is meant to rescue the situation in Afghanistan by re-establishing the relations of the key South Asian stakeholders on the basis of cooperation and enlightened self-interest with the US as an honest broker.² It has very ambitious aims of bringing stability in Afghanistan by linking Afghanistan, Pakistan and Kashmir together and then curing defects through a distorted vision of the underlying nature of the problem. As amply outlined in the discussion carried out above, such a formulation is likely to flounder against vastly varying perceptions of the stakeholders and especially against the ossified thought processes and ideology of Pakistan's military establishment. The Grand Bargain is also an adjunct of the US 'Greater Central Asia Strategy' with a strategic calculus carrying negative connotations for Russia and others. Would there be some flexibility shown by the new administration in its approach to Central Asia? Too early to say but it can be safely predicted that a shift in the evolving US policies would become imperative before the end of first term of Obama's presidency.

At another level the US Secretary of State Hillary Clinton's inaugural visit to China focused on 'deepening' and 'broadening' Sino-US relationship, with emphasis on cooperation in dealing with global financial crisis, climate change, and energy and security issues. The visit has been viewed by the Chinese leadership as a tilt towards Beijing. Over a decade back in the immediate aftermath of India's nuclear explosions the then US President Bill Clinton had offered 'overlordship' of South Asia to China in dealing with the two nascent nuclear countries. Emboldened by a perceptible shift in the new US administration's policies, China has also embarked on pushing its agenda in South Asia. People's Daily, China's official mouthpiece, has advised Richard Holbrooke to go back to his original mandate of linking Afghanistan, Pakistan and India in one simple equation. According to Chinese wisdom, the Afghan problem, the Pakistani problem and the Indian-Pakistani problem are all related. Of course, Pakistan who has China as its all weather friend would have certainly been gladdened by such a formulation.

Indian political leadership is perceptibly disappointed with the US policies more so in post-Mumbai attacks scenario. While India has been expecting the US to apply more pressure on Pakistan to deliver on culprits of Mumbai massacre, Pakistani generals have been remonstrating before the US to give it an 'equal treatment' vis a vis India' and apply more pressure on India to relent on Kashmir. The US interests remain focused on Durand line while Pakistan exploits the vulnerabilities of the US in Afghanistan, unabashedly by threatening to withdraw troops from western front. One thing that stands out clearly is that complex dynamics of the region do not lend itself to a quick solution through simple formulations. And the evolving Indo-US relationship has its limitations.

Neither, it can be used by the US to tread on the toes of India nor, can it be used by India to define the nature of the problem according to its own very justifiable vision. Therefore, one stark lesson emerging out of Mumbai is that India has to temper its expectations of the US and follow a balanced and more nuanced foreign policy which in the recent years seems to have become more attached with the US world view.

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India's Military Options in a Future 26/11 Scenario*

Colonel Ali Ahmed (Retd)*

Introduction

26/11 gave a sense of déjà vu in the sense of being in a way a repeat of the 13 Dec 2001 attack on the Parliament.¹ India's response on the previous occasion was military mobilisation as part of an exercise in coercive diplomacy.² The outcome was in drawing out a commitment from Pakistan not to allow its territory to be used for terrorist purposes directed against India. Since then, there has been the resumption of the peace process, ceasefire along the Line of Control and a drawdown in Pakistani sponsorship of terrorism in Kashmir, best evidenced by peaceful elections there. However, that terrorist infrastructure remains intact in Pakistan was starkly revealed in the well prepared and orchestrated terrorist outrage perpetrated at Mumbai on 26-29 Nov 2008.³ This gave rise to considerable speculation of Indian exercise of the military option in response.⁴ In the event, while the option has been kept open, India has instead relied on diplomacy targeting Pakistan, the UN, the USA and the international community, to bring pressure on Pakistan to take appropriate action against terrorist organisations. Even as the military option has not been exercised, it has been part of the backdrop in the crisis, with the media bringing it to the fore now and then. Should a similar crisis re-enact itself in the future, use of the military instrument may be quite different. Therefore, there is a need to analyse utility of the military option in terms of political aims, military objectives and implications with respect to effectiveness, costs and the nuclear overhang.

Prospects

Likelihood of terrorist outrages. Pakistan has perpetually been on the brink of 'failed state' status over the recent past. This tendency has been accentuated by its frontline status in the global war on terror (GWOT) that has grown to encompass its North West Frontier Province (NWFP) and the Federally Administered Tribal area (FATA), with terrorist incidents also occurring with increasing regularity and lethality in its hinterland.⁵ With the likelihood of the GWOT increasing in intensity in the vicinity due to the 'surge' in Afghanistan and the stated policy of the new US administration,⁶ there is the possibility of the situation worsening over the middle term before it gets better over the long term. Given that one of the possible reasons for the 26/11 outrage was to divert the Pakistani military from its counter insurgency engagement in FATA and NWFP to its eastern border,⁷ the possibility of a similar attack in the future remains. This could be state inspired, at least partially and covertly, or could have autonomous origin in terrorist strategy against both India and the GWOT. Therefore, the possibility cannot be ruled out.⁸ However, likelihood of the same should not be over inflated as the current conditions that inspired the attack may not recur in the future. Additionally, strengthening of India's deterrent posture in wake of the attack by the laws enacted, investigative agency set-up and the additional security measures and coordination undertaken would also impact terrorist calculus.⁹ State sponsorship, if any, would in all probability get diluted in light of the increased likelihood of India's possible response with a military option in future. However, the internal complexion of the Pakistani state could veer to the 'right' in face of the additional US pressure in the GWOT, which may make a diversion on its eastern front a tempting strategy for the Army-ISI combine.¹⁰

Possible resort to the military option. India has demonstrated restraint and maturity in wake of both the Parliament and the Mumbai attacks.¹¹ It has not allowed the calibration of its policy to be hijacked by war hysteria. However, India has possibly reached the limit of its tolerance levels. Internal politics may compel adoption of a hard-line in face of future testing of its resolve.¹² Media orchestration of public opinion, inevitable in a free democracy, would impact policy. While public mood should not determine policy, democratic accountability requires that it be taken into account as a factor. India's credibility would also require to be demonstrated lest restraint be mistaken for weakness. International community would be more amenable to an assertive Indian response, but with the direction of the GWOT at the juncture duly factored in.¹³ India's military preparations for a set of response options would likely be in place as a result of the lessons learnt from this crisis and would be in a position to execute a response strategy in a short warning scenario. Lastly, having tried mobilisation in Dec 2001 and diplomacy in Dec 2008, and with both being found wanting, there would be a requirement for adopting other options, not excluding the military option.

Contextual aspects

Recalling the Clausewitzian Trinity. It bears consideration that the outcome of conflict is usually uncertain. The only certainty is that change accrues and often outcomes may prove undesirable. This is not only with respect to the levels of attainment of aims of the conflict, but also to internal political complexion of state and society. Therefore, resort to the military instrument is not an exercise that can be done under provocation by a few terrorists, but must be a well considered one. The aspects of 'chance', 'passions' and 'policy', reflecting the concerns of the 'military', 'people' and the 'government' - they comprise Clausewitz's Trinity - combine to make for unpredictability in the outcome of a conflict.¹⁴ In the India-Pakistan case, adversarial history serves as a potentially escalatory backdrop. The second insight of Clausewitz - of the tendency towards Absolute War inherent in conflict - is also relevant to serve as a theoretical context to any consideration of the military option.¹⁵ Therefore, even if political aims and military objectives of a military response option are kept limited to begin with, the over riding aspect of limitation - even without factoring in the nuclear question - necessitates that any response option be first thought through and not one conducted in isolation of and without reference to Pakistan.

Instead, counter-intuitively, getting Pakistan on board by acquiescing with India's action would be an inescapable prerequisite.¹⁶

India's Grand Strategy. India ventured a course correction in its grand strategy by resorting to a change from socialism and non-alignment to liberalisation and a realist foreign policy to cope with the demands of the post Cold War era. This has resulted in its positioning as a potential Great Power today.¹⁷ The premier element of this grand strategy has been its economic policy of faster growth in order to expand the dimensions of the 'cake'.¹⁸ The impact of a military response option on this aspect would be the most important consideration. This impact would be accentuated in the period of global economic recession. This factor would have a dissuasive influence and any military response option would necessarily have to be a limited one with the least escalatory potential.

GWOT. The US presence in the region would have to be reckoned with. India would require making any military decision to be in consonance with the US aims. This would not only be sound diplomacy but would supplement GWOT resources. Since the performance of the Pakistani Army is crucial to the GWOT, any Indian action would require ensuring that it is least diversionary for Pakistani action to its west. Any diversion would result in a vacuum there; with the adverse fallout of giving strategic space to the Taliban to regroup. Therefore, India's aims would require to be overtly and explicitly conveyed to Pakistan. Since this may not be possible when the operation is under execution due to crisis constraints, the possibility should be discussed with Pakistan during the interregnum prior to the next provocation. Doing so would ensure Pakistani reaction can be managed away from being an escalatory over reaction.

The nuclear factor. Bernard Brodie's understanding of the nuclear era has not found a wide audience in India. His conceptualisation of the chief purpose of militaries being the prevention of war has been adapted by India to read – the purpose of nuclear weapons is to deter nuclear weapons and not war itself.¹⁹ The Limited War and Cold Start doctrines are a result of this understanding.²⁰ For votaries of the military option, the Pakistani nuclear threshold is 'high' and any interpretation that it is instead a 'low' one is but deterrent posturing by Pakistan.²¹ This understanding has created the space for the military response option despite the nuclear era.²² The Kargil episode demonstrates that it is an understanding shared by Pakistan. Therefore, while there appears scope for employment of a military option, caution is nevertheless warranted.

Strategic Dialogue. Limitation to any military response option is inescapable. Keeping it confined to the lowest rungs of the escalatory ladder would be prudent. Doing this would require a certain amount of concurrence on Pakistan's part. This would entail networking it into acquiescing with India's intent, if necessary with the US intervention on India's behalf as intermediary. This should be done prior to the next attack as the response would likely be executed under a time constraint and in a crisis situation. This unprecedented exercise implies a meeting of minds between the Indian and Pakistani security establishments. The assumption is that the Pakistani security establishment is rational and not the one sponsoring the terrorist act.²³ It's not being in complete control is resulting in terrorist acts against India. Thus to avert an Indian military response drawing a like response from Pakistan and resulting in an escalatory 'tit for tat' spiral, India's military response should instead be met with restraint by Pakistan, if not proactive action by it against the persisting terrorist infrastructure. Incentivising such action by Pakistan is the test of Indian diplomatic strategy in the interim before the next terrorist strike, if it takes place at all. Pakistan could use the Indian military response as an excuse for a turn around and crack down on terrorist organisations under the rationale of the larger national interest. This has precedence, i.e. the manner in which it reacted to the US threat to 'bomb it back into the stone age'.²⁴ A strategic engagement with Pakistan is required, through back channels, if need be.²⁵

Response Options

Political aims and military means. From political aims flow military objectives and strategy. Political aims range from minimal to expansive. In the context of response options these would be formed internally by political pressures, media hype, public outrage and capabilities; and externally by availability of international support and an assessment of Pakistani reaction. Along an ascending order the aims could range from exacting revenge to making Pakistan comply. The former would imply acute limitation in military strategy restricted to 'demonstration strikes' on terrorist infrastructure, while the latter means strategic compellence amounting to Limited War.²⁶ Since escalation cannot be ruled out – there being two actors – a shared understanding of an escalatory ladder needs to be arrived at, so as to enable termination of hostilities at the lowest possible level.

Operationalising the Strategy. Military means would require to be tightly controlled in light of limited political ends. Self-regulation internal to the military would be a necessity. Likewise the media would require to be appropriately managed in order that media fanned public passions do not adversely impact policy. Use of multiple voices and diplomacy through media should be abjured. The opposition would require to be taken on board so that a consensus is presented not only internally but also to the outside world. Maximisation of diplomatic effort should be done simultaneously as the military instrument is only meant to complement these resources. At all times, all channels to Pakistan be kept open to include direct diplomatic, through friendly countries and intermediaries as special envoys, back channel and hotlines.

The Military Option

Prior discussion of the escalatory ladder should be undertaken with the states involved in the GWOT, particularly the US. Compatibility between the operations to the east and west of Pakistan needs to be built in conceptually, a priori. A strategic dialogue needs to be initiated with Pakistan so as to convey Indian resolve and limited intent in wake of a possible future terrorist outrage.²⁷ This would in the event defuse Pakistani over-reaction, permitting termination of the conflict at the lowest escalatory levels. Higher escalatory levels of a Limited War should be avoided at all costs. However, these need be resorted to only in case of usurpation of power in Pakistan by right

wing extremists and in coalition with the international community, preferably with the approval of the UN Security Council. The timeline of response at the lowest level should be earliest. The firebreak between each level should be such, so as to allow diplomatic gains to be made and assessed.

The main limitation of the military option is the implication of its inherently escalatory potential for political aims. It is likely that military coercion would serve to prompt Pakistani nationalism, resulting its cohering at least temporarily, behind its military.²⁸ Such a constellation would push India to further exertion or stand down. Exerting high levels of pressure could prompt the undesirable outcome of rightist forces taking over the state in alliance with fundamentalist elements in society. Pakistani fragility, though taken as being over projected by Pakistan for the purposes of blackmailing the international community,²⁹ should be taken with seriousness as Pakistanis themselves see their 'failed state' status as an existential threat. Since India would prefer to see Pakistan on even keel, the utility of the military option is only for posturing to supplement diplomacy. Resorting to it, however, would be only in an extreme circumstance since India would not like to be deflected from its socio-economic trajectory by the action of a set of terrorists aimed at this very reaction.

Conclusion

The limited gains made so far in wake of 26/11, of getting Pakistani compliance with Indian requirements indicate that next time around there would be greater pressure for adopting a hard line, to include the military option.³⁰ The discussion here has revealed this to be of limited utility. There is, therefore, a need to think through the need for India to engage with Pakistan meaningfully as has been envisaged in the Simla and the Lahore Agreements.³¹ So far India has refrained from doing so in the belief that increasing relative power differentials would eventually lead up to Pakistan band-wagoning with India. This expectation has considerable weight. Incentivising Pakistan to bring this about would be correct prioritisation by India of its grand strategic goals with economic goals taking precedence over power oriented strategic conflict. Contrary to the suggestion of a proactive military response made by some strategists in wake of the Mumbai terror attack, the argument here is instead a 'strategic pause'³² in which husbanding of power indices along the economic and social cohesion vectors are preferred as against the use of military power.

*The views expressed in this article are that of the author and do not reflect USI / Government of India views.

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New Laws Against Terror - Implications for the Armed Forces*

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Introduction

The major security challenge faced by India today is to combat terrorism perpetuated by militant and terrorist groups. There is also the reality of a number of nuclear weapon states in the neighborhood. Equally daunting is the threat from insurgencies, spurred by tribal and ethnic aspirations and left wing ideologies. A democratic country having rule of law cannot but rely upon effective legislative tools coupled with a robust investigative law enforcement machinery to match the ill designs of terrorist networks. In the absence of an effective internationally binding legal instrument, backed with requisite force to ensure compliance, enactment of domestic statutes is the only viable option. India's response to the increasing destruction caused by terrorists having global network saw strengthening of internal laws. Appendix A enumerates the existing laws having relevance to the fight against terror as the position stood prior to 26/11.

New Statutes Legislated Post 26/11

The following new Statutes were legislated by the Indian Parliament during December 2008 :-

- (a)** The Unlawful Activities (Prevention) Amendment Act, 2008 (in short "the UAPA")
- (b)** The National Investigation Agency Act, 2008 (in short "the NIAA")
- (c)** The Criminal Law Amendment Bill, 2006

The NIAA introduced a new dimension in the fight against terror by empowering the Central Government to set-up a National Investigation Agency for probing certain grave offences characterised as "Scheduled Offences". The authority to constitute and superintend the Agency is retained in the Central Government which can suo-motu direct the Agency to investigate the matter. Various steps that go about to trigger the investigation process are shown in Appendix B. The Legislation provides for constitution of Special Courts for trial of Scheduled Offences investigated by the Agency. The task to actually undertake the prosecution is to be handled by Public Prosecutors to be appointed by the Central Government. The trial can be held in the absence of the accused or even his pleader. Identity and addresses of witnesses can be kept secret. The trial can be held at any place and on day-to-day basis on all working days. The notion of an open trial has been disregarded in the NIAA where the Special Court may direct that whole or any part of the proceedings will not be published in any manner. An appeal shall lie against a judgement of the Special Court only to the High Court and has to be submitted within 30 days from the date of pronouncement. The Appeal is to be disposed within a period of three months.

Purpose of NIAA and Problems

The intent and purpose of NIAA, as discernible from its preamble, is to craft a machinery for improved investigations and prosecution of serious offences. However, the text of the Act does not empower the NIA with any role or authority in the matter of prosecution. The following are the major problem areas that impose difficulties before the prosecutors which would, therefore, remain unattended:-

- (a)** Extra-ordinary secrecy
- (b)** Intimidation and threats
- (c)** Absence of hard evidence due to meticulous planning
- (d)** Conspiring acts, spread over various countries
- (e)** Shortage of foreign language experts

Resultantly, the follow-up of a successful Army mission against terrorists may culminate in proper investigation, only to be negated by half-hearted or ineffective prosecution. Instances are not uncommon when militants apprehended by the Security Forces were subsequently acquitted at their trial due to faulty prosecution.

The NIAA was drafted and made to sail through the parliamentary passage with undue haste. It is doubtful whether due scrutiny was carried out and comments of all concerned sought in its preparation. NIAA presents a few areas that offer scope for legal complications at a later stage. The statute does not include within its ambit certain grave offences committed in conjunction with terrorist acts. These offences could relate to Official Secrets Act or under the Conservation of Foreign Exchange and Prevention of Smuggling Act or under the Military Laws like the Army Act, Navy Act or the Air-force Act.

Another area where legal hurdles might be encountered is the one pertaining to jurisdiction of Special Courts set-up to try offences under the NIAA. The Central Government and the State Governments are both invested with powers to constitute Special Courts³. The authority provided to the Central Government under Section 11 does not give it a final say in the matter. There have been numerous instances in the past where the Central and State Governments adopted contradictory stands in relation to the version and role of the Armed Forces while deployed to deal with anti-national instances. Given such a history of Central - State relations, likelihood of a clash taking place in the matter relating to setting-up a Special Court or otherwise cannot be ruled out. The Act does not offer any authoritative solution in this regard.

Yet another grey area is the one concerning framing of rules meant to implement the Act. The Statute has given, rule making power to the Central Governments as well as to the High Courts. There could be situations where different High Courts take differing positions in matters concerning reporting of crimes, collection of evidence and recovery of exhibits etc. This may turn out to be problematic for military personnel who require a consistent and uniform policy in matters pertaining to operations and functional procedures.

Implications for the Armed Forces

It may be remembered that the power to arrest conferred upon an officer, JCO or NCO under the Armed Forces (Special Powers) Act (in short "AFSPA") was without any statutory fetters. However, it is not so in the NIAA. Vide Section 3(2) of the NIAA, power to arrest and investigate in relation to a Scheduled Offence shall be subject to the liabilities imposed upon the police officers. Viewed from that angle, the restriction and limitations set out under the Criminal Procedure Code or the Police Act may have to be read in AFSPA also and thereby restricting the functioning of the troops.

Designated authority has been empowered under Section 43F to demand information from any officer (read military commander) in his possession in relation to any offence within the purview of the Act. This power of the designated authority is quite potent as it is "notwithstanding anything contained in any other law". Failure to furnish information is punishable with maximum three years imprisonment. Now visualise a situation where the Designated Authority calls upon the commander of an Army unit or formation to deliver information which is militarily sensitive and not meant to be divulged. But for the NIAA provisions, the military would respond to any such demand to part with sensitive information based upon the doctrines of military necessity and 'need to know'. Any insistence to supply the information would be countered by citing the privilege available under the Indian Evidence Act. Significantly, an option for such a denial may not be available anymore in view of Section 43F.

The Preamble - UAPA Act 2008

The UAPA was first enacted in 1967. It underwent major amendments in 1969 (Act 24 of 1969), 2004 (Act 29 of 2004) and 2008 (Act 35 of 2008). The preamble of any Act is its heart and soul. The preamble in the case of UAPA Act, 2008 is indicative of the very need for new legislation. Significantly, the text of preamble spread over 19 lines makes seven references to the United Nations or the Security Council without referring even once to the Mumbai attacks. Perhaps the law-makers were more concerned with India's obligations under international instruments or wanted to underplay the domestic compulsions which necessitated introduction of the amending Act. The object of the UAPA Act 2008 as revealed by its preamble is "to make special provisions for the prevention of, and for coping with terrorist activities."

Analysis - UAPA Act 2008

The new Act is quite harsh in its approach. It has created new offences with strict punishments. A mere placing of demand for procurement of radio-active substances or for lethal weapons with the intention of abetting a terrorist Act, attracts upto 10 years imprisonment, even if the demand did not materialise.

The term 'terrorism' has not been defined in the Act. Consequently, what action would constitute 'training in terrorism' would remain obscure. Hence, the new clause carrying maximum penalty of life imprisonment for one who has organised a camp for such a purpose is pregnant with frightful consequences; more so, when the training may not have resulted in any actual terrorist act.

The new Act exhibits lack of clarity as regards its jurisdiction. Section 1(2) declares that it extends to the whole of India besides being applicable to citizens of India outside India and Government servants wherever they may be. At the same time, the definition of an 'unlawful association' as incorporated in Section 2(p)(ii) in the area of offences pertaining to promoting enmity or against national integration 4 within the State of Jammu and Kashmir have been left out.

There are several areas in which the UAPA affects the functioning of the soldiers deployed on counter-terrorist tasks in a major way. By introducing the notion of a 'terrorist gang', the Act has facilitated operations against a group of terrorists who may not be known to belong to any of the known terrorist organisations. Secondly, any evidence pertaining to collection and raising of funds for terrorist acts may be used to prosecute an offender under Section 17, even if the funds collected were not actually used for commission of a terrorist act. Thirdly, the efforts of law-enforcement agencies have been boosted up by inserting two new sections, namely, 18A and 18B that make organising of terrorist camps and recruitment of persons for commissioning of a terrorist act, culpable offences. The troops would need to carefully gather information where an apprehendee is not an Indian citizen and has entered the country unauthorisedly or illegally so that the same can be mentioned in the report to be furnished to the Police authorities, which would be a major ground to deny bail to the offender.⁵

The UAPA has introduced the role of a Designated Authority vested with the powers to arrest and search etc. (Section 43A). The Act also states that nothing contained in UAPA shall affect the jurisdiction exercisable by any authority under any law relating to the Army etc. (For example AFSPA). However, it is not clear whether the powers of arrest, search and seizure enumerated under AFSPA are to be exercised with the clearance or in conjunction with the Designated Authority.

By virtue of Section 69 of the Army Act, the trial of an offender subject to the Army Act for an offence triable by any Criminal Court can be held in any place in India or beyond. However, a trial for an offence under the UAPA can only be held in India.⁶ Therefore, an Army person can only be tried by a Court Martial held in India, in the event he is to be proceeded against for committing an offence under the UAPA, despite the provisions of the new

Act applying to him, “wherever he may be”. The reach of a Court Martial thus stands constricted to proceed against an offender.

Legal confusion may be encountered in the employment of military personnel. AFSPA provides for deployment of Armed Forces in an area declared as disturbed or dangerous by the Governor of a State or by the Central Government. Once a State or part of a State is notified to be disturbed or dangerous, then Armed Forces personnel of the rank of an NCO and above operating in that area come to be vested with powers to search, seize, destroy and use force. Such powers are available to them without any reference whatsoever to an unlawful activity or a terrorist act. On the other hand, empowerment for search, seizure and arrest under the UAPA may only be issued by a Designated Authority. It would, therefore be argued that while Armed Forces personnel employed in operations under UAPA would need to be empowered by a Designated Authority to undertake search, seizure etc., while they do not need any such authorisation under the AFSPA while using force to the extent of even causing death.

CrPC Amendment Bill, 2006 also carries a few major changes that would have an unmistakable bearing on the Army’s standard operating procedures for units deployed on anti-terrorism missions. In the changed scenario, an accused is entitled to retain his counsel at the time of his interrogation. Such a provision will be applicable in the case of suspects captured by the security forces. Medical examination of an accused is also obligatory soon after he is taken into custody. Monetary compensation to a victim is similarly a new concept.

Conclusion

So far, legality of the new legislations remains untested in the form of case laws settled by the higher judiciary. Their text could do with a revision to avoid conflict of laws and the apprehension of Human Rights activists. Further, the framing of requisite rules needs to be taken up with care. The gaps in Statutory Laws would require to be filled by using relevant judicial precedents. Standard operating procedures will need to conform to the new laws. As regards its criticism by the fundamentalists’ lobby it may be recalled that the Supreme Court of India had once remarked:-

“...it must be remembered that merely because power may sometimes be abused, it is no ground for denying the existence of power. The wisdom of man has not been able to conceive of a government with power sufficient to answer all its legitimate needs and at the same time incapable of mischief.” 7

*Text of the talk delivered at USI on 04 February 2009.

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Visit of USI Delegation to Vietnam - A Report

Brigadier Arun Sahgal (Retd)*

Background

A four member USI Delegation visited Vietnam from 01 – 06 Dec 2008 at the invitation of the Institute of Defence International Relations (IDIR), Ministry of National Defence, Vietnam. This visit was part of an ongoing dialogue with the strategic community of Vietnam, initiated in May 2006.

The aim of the visit was to discuss issues of mutual concern to gain an understanding on contemporary issues as also to share Indian perceptions related to its 'Look East Policy'. The Vietnamese interlocutors were from the IDIR, set-up in 2003. The IDIR complements the work of 'Military Strategy Institute' which is involved in transformation of the Vietnamese Armed Forces. Due to recent 'redefining of turf' between the Ministry of Foreign Affairs and the Ministry of National Defence, the IDIR's primary responsibilities now relate to 'defence and military diplomacy'.

The IDIR has made an impressive beginning in terms of dialogues with South Korea, Japan, Australia, and now India. It interacts with Australia, the USA, Japan, South Korea, Malaysia, and Singapore, amongst others. The Institute provides inputs to their Ministry of National Defence (MND) on the outcome of these interactions. In addition, they also attend Asian Regional Forum (ARF), Council for Security Cooperation in the Asia Pacific (CSCAP) and other security related meetings and seminars, in the context of the ASEAN. It is manned by serving Vietnamese Armed Forces officers primarily from the intelligence branch. Most of the senior officers are former defence attachés or deputy defence attachés. Many have side-stepped from the General Staff Department-II. The Institute, an autonomous "think-tank", in reality is an institutionalised body providing researched inputs to the MND. It is one of the very few defence organisations that have been permitted to interact with foreign institutions and foreigners, independent of the 'External Relations Department'.

The IDIR, its Director and staff went out of their way to provide all courtesies alongwith impeccable arrangements to make the visit a success. Simultaneously, personal interest taken in facilitating USI Delegation's visit by the Indian Ambassador to Vietnam and the Defence Attaché, were also commendable.

The USI delegation was led by Vice Admiral SP Govil, PVSM, AVSM (Retd), member USI Executive Council and comprised Air Marshal S Inamdar, PVSM, VSM (Retd), Lt Gen VK Jetley, PVSM, UYSM (Retd) and Brig Arun Sahgal (Retd), Deputy Director (Research), USI Centre for Strategic Studies and Simulation. The Vietnamese Delegation comprised Senior Colonel Nguyen Duc Thinh, Director IDIR, Senior Colonel Phung Quang Tao, Deputy Director, Senior Colonel Le Nhan Cam, Deputy Director, Sub Lt Chu Xuan Tuan, Researcher and Sub Lt Dao Trong Thien, Researcher.

Deliberations

Three main topics discussed in the formal interaction on 2 Dec 2008 included: "Asian Political and Security Environment post Olympics and post Bush Administration", "India and Vietnam's Role in Evolving ARF Strategy and Cooperation between India and Vietnam" and "The Political Situation in Thailand and Myanmar, Its Impact on Regional Security and the View of Vietnam".

The dialogue on security issues was followed by a courtesy call on the Vice Minister National Defence, Nguyen Huy Hieu. He was effusive in his remarks about warm and close relationship highlighting the fact that both were old civilisations. He mentioned that he was looking forward to his forthcoming visit to India in later part of 2009, to sign Memorandum of Understanding on Indo-Vietnam Strategic Partnership.

Interaction on Security Issues - Major Aspects

There was agreement that the globalisation trend is likely to continue; resulting in intensification of inter-dependence among nations. Secondly, mutual relationships between major nations such as the USA, China and Russia have the characteristics of co-operation and rivalry; but unlikely to result in direct confrontation. The US-Russia relationship continues to be tense post declaration of Independence by Kosovo, South Ossetia conflict and American attempt to undermine Russian natural sphere of influence through deployment of Ballistic missile defences in the former East European republics, as also NATO's eastward expansion.

Besides traditional security issues, the Vietnamese side laid greater focus on non-traditional security challenges such as terrorism, drug trafficking and piracy. They also highlighted the issues of climate change, global warming, and food and energy security as more pressing problems.

A point reiterated was that whereas Northeast Asia, Taiwan Strait and Southeast Asia remained relatively stable and peaceful, Central Asia and South Asia (Afghanistan, Pakistan, Bangladesh and Sri Lanka) remained unstable due to terrorist and separatist activities. The Vietnam delegation asserted that their country was free from any terrorist or separatist violence.

On global financial crisis, the Vietnamese opined that despite its serious consequences for the world, the Asian economies are likely to remain dynamic. In short, despite turbulence in the geopolitical landscape, marked by

historical legacies and disputes, growing threat of terrorism, ethnic and religious conflicts; stability, peace and dynamic development constitute mainstream trends in Asia. The Asian order is making a great impact on the political security environment in the region.

The US Factor. The Vietnamese viewpoint on major actors impacting regional dynamics in Asia, was that Asia has gained more importance in the US global strategy. Rising Asian nations, especially China and Russia, remain primary concerns of the USA. In their view Obama administration was unlikely to make many adjustments to the US Asian strategy and their main goal would remain that of “maintain(ing) its influence and mastering the regional political and security issues”.

In order to achieve this, the USA will continue to maintain and strengthen good relations with its Asian allies. The US-Japan-Australia security forum is a new focus and it will be consolidated in the post Bush administration. The financial crisis may cause economic recession; however, the US military re-arrangement in the Pacific, Japan, South Korea and the US missile defence plans with Japan and Australia are likely to continue. In their view, the USA will play a decisive role in “burden sharing activities”. Obama administration will focus its efforts in dealing with global war on terror, particularly in Afghanistan and Pakistan besides Middle East. This region will continue to be a hot spot in the post Bush administration. In addition, the US will further deepen its anti-terrorism relations with Asian countries particularly Indonesia, Malaysia and the Philippines. They also highlighted that, typical Democratic Party concerns like trade and human rights, will continue in the Obama administration. An interesting point made was that, entanglement between the US and Asian developing countries related to above problems will increase and could be deepened by the US economic recession.

China. The Vietnamese are extremely diffident and careful while talking about China. An interesting point made was that, “despite problems in Tibet, China has gained its target of enhancing its image in this region and globally, by successful hosting of 2008 Olympic Games”. Acknowledging that China has suffered from global financial crisis, in terms of narrowed export markets for instance, they however, believed that China will probably still achieve a high economic growth rate in 2009, touching 7 to 8 per cent.

In contextualising China’s peripheral policy, China continues to influence the region through its bilateral and multilateral economic, political, cultural and security relations; and highlighted growing Chinese military capability through persistent military modernisation, particularly in naval, air and space assets development. They also pointed out that “China is shaping the operation mode of local war in high tech operation situation” and has increased the 2008 defence budget by 17.8 per cent. These military developments, are a major concern to its neighbours.

Russia. The Vietnamese see Russia reasserting its status in the international fora. Power competition with the USA has become fiercer, especially after the Caucasus event. Russia and China are also seen as promoting their bilateral co-operation, especially within the framework of Shanghai Co-operation Organisation, to balance the US policies particularly in Central and East Asia.

Japan is recognised as an economic superpower and perceived as a country enhancing its political role in the region and the world. The Vietnamese appeared concerned about their ambitions to become ‘a normally developed country’ particularly in terms of building strong military capability and laying legal foundations to develop into a major military power in Asia.

Similarly, India’s rapid economic development and enhanced political and economic role are recognised; as are its strides in science and technological advances such as Information Technology, Genetics, Biological and Space Research. The Vietnamese see India’s “Look East” policy as means to becoming an Asian and a global player.

ASEAN. The Vietnamese have put a lot at stake in the ASEAN, and see most political and economic issues from a multilateral perspective. They believe that establishment of an ASEAN Community by 2015, based on the ASEAN Charter, will become a close political-economic entity. The ASEAN was repeatedly mentioned as playing an important role in maintaining a stable and peaceful environment in the region.

In a broader framework, relationships between major nations have the characteristics of co-operation and competition. They take advantage of their opponents’ difficulties to gain greater influence in the region, but avoid confronting each other directly. They stressed that a number of global issues such as climate change, food and energy security, and non-traditional security issues cannot be solved by a nation alone. In the not so distant future, they would have to co-operate to overcome the harsh consequences of the global financial crisis.

The final prognosis from the Vietnamese was that Asia will remain diversified in both co-operation and competition, with basic stability being maintained. ARF was reflected upon as an important forum, which is used by many countries to settle a number of regional security issues.

India and Vietnam’s Role in Evolving ARF Strategy and Cooperation

Following India’s Look East Policy, India-ASEAN relationship has developed in many fields. In the Vietnamese perspective this was a strategic shift in Indian foreign policy and recognition of common interests in creating a peaceful and prosperous Asia - Pacific region. India became a partial dialogue partner of the ASEAN in 1992 and a full partner in 1995. An important mark in relations was India becoming a full dialogue member of ARF in 1996, which provided India with a political base to further promote relations with the ASEAN.

India and the ASEAN implemented the strategy of security cooperation at two levels. By participating in ARF, India signed the Treaty of Amity and Cooperation (TAC). At the 2nd Summit (2003), both sides signed a joint

statement on anti-terrorism. At the 3rd Summit, the two made a commitment to promote security and defence cooperation. India signed the Friendship and Cooperation Agreement, and the TAC; and supported the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), etc.

The trade relations between India and the ASEAN have been developing steadily. They have been negotiating to create the India-ASEAN Free Trade Area (AFTA) and have finalised the Goods Agreement - with the Services Agreement to be finalised soon. At the 5th India-ASEAN Summit in 2007, both sides agreed to speed up and finish AFTA negotiations at the earliest. In the frame of the Annual ASEAN Minister of Trade and Partner's Meeting (ASEAN plus 1) and ASEAN-India (Aug 2008), both sides completed documents at the Summit in Thailand in early 2009.

The economic cooperation between both sides is to create a stable environment to enhance their role in international arena and reaching their strategic goals. Trade turnover between India and ASEAN rapidly increased from \$18 billion in 2005 to \$ 23 billion in 2006 and \$ 38.37 billion in 2007. Bilateral trade is expected to reach \$ 50 billion by 2010. Besides trade relations with the ASEAN, India has also promoted bilateral trade with respective ASEAN members.

India has signed many cooperation agreements with Vietnam in fields such as trade, science and technology, agriculture, defence, visa exemption, information technology and culture. India has implemented big projects in education and information technology. In addition, the Mekong-Ganga cooperation project is seen as an engine for developing tourism, culture, education and communication.

On India's role in ARF, full membership is seen as an important voice that attracts more notice from regional nations. India's participation in the forum makes it more prestigious and influential. This in a manner is nuanced to mean that Indian presence is a political counterweight to growing Chinese influence. Vietnam on the other hand has participated in ARF since its inception in 1994. It has made significant contribution to fulfil its responsibility, actively contributing to the ASEAN development process in general and ARF in particular.

Vietnam was the ARF's chair during 2000-2001, the period when the ASEAN was seriously impacted by the Asian financial crisis in 1997 and faced unstable internal political situation in the region. Vietnam made efforts to maintain regional peace and stability through ARF, actively implemented forum's activities and contributed to ARF's solidarity and consensus. Vietnam believes that its recent efforts have significantly contributed to the ASEAN's role in the region and the world.

Hanoi Programme Action (HPA), approved by The 6th ASEAN Summit in December, 1998, was described by the Vietnamese side as an important landmark. Based on this, many projects and plans have been actively carried out. Important cooperation areas included working with other countries in resolving urgent social problems such as drug-addiction among the youth, tourism and culture. On security front, Vietnam took significant initiatives such as promotion of regional peace and cooperation through TAC and converting it into the "Code of Conduct"(COC) in the South China Sea, and boosting Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ).

Vietnam - India Cooperation.

On this important issue following perspectives emerged:-

- (a) Political Cooperation:** Traditionally good relations exist between Vietnam and India. Both signed an Agreement on comprehensive strategic partnership in July 2007. The Vietnamese side emphasised that in international relations, they support India to enhance its role in the ASEAN and ARF, and identifying its role and position in Pacific region. However, the Vietnamese also conveyed that there was a tendency to take Vietnamese political support for granted. Another impression gathered was that Vietnam will be hesitant on any action that ran the risk of antagonising China.
- (b) Economic Cooperation:** Trade relations between the two countries are developing firmly. Bilateral trade reached a figure of \$ 1.2 billion in 2007. Despite this there was lament that economic relations were not developing at the rate the Vietnamese desired. They have much higher expectations and believe that trade relations currently are at sub optimal level, even though India is one of the 10 biggest FDI investors in Vietnam. India's FDI into Vietnam reached \$ 583 million in 2006. 2007 saw a steep rise in Indian investment; with ESSAR establishing a joint venture with Vietnam Steel Company (VSC) and General Rubber Company (GERUCO) building a hot steel-rolling company in Ba Ria, Vung Tau province with total investment of \$ 527 million. There are good opportunities for India to invest in the fields of energy, oil supply and oil exploration. However, relations are being hampered by what Vietnam believes: Indian protectionist policies, lack of direct flight connections and general lack of information on business opportunities.
- (c) Defence Cooperation.** Good relations between India and Vietnam have been consolidated particularly in terms of defence cooperation. Both signed the Protocol on Defence Cooperation in September 1994, the Agreement on Vietnam-India Defence Cooperation in March 2000 and the Joint Statement on Strategic Partnership in July 2007. Over the years, Service establishments of two countries have exchanged high-ranking military visits and carried out annual "security dialogue" at Deputy Minister level. Further development of relations is constrained by geographical distance, availability of funds and Vietnamese sensitivity towards China. India will do well to engage more extensively with Vietnam both at strategic, and military to military levels.

In short, India's ASEAN policy through ARF is seen as aimed at seeking support of the multilateral organisation to strengthen its position in Asia-Pacific region. Within the above context, close Indo-Vietnam relationship is seen as a constructive enabling factor.

Political Situation in Thailand

Giving background to the current crisis, the Vietnamese side highlighted that political situation in Thailand remains unstable and unpredictable. Opposite factions are indulging in anti-government activities to force the current Prime Minister, from The Party of People Power (PPP), to resign, dissolve the House of Representatives and form a new national coalition government.

People's Alliance for Democracy (PAD) accused former PM Samak Sundaravej of violating the constitution and wanted the Parliament to hold a confidence vote against him. After Mr Samak's resignation, Deputy Chairman of PPP, Mr Somchai Wongsawat was voted to be the new PM. He has negotiated with the opposite faction to seek a solution to stabilise the situation in Thailand. Despite above political efforts, the situation has not improved.

Outlook on Thailand's Political Situation. In Vietnamese perception, political situation will remain complicated as long as Thailand does not have a Prime Minister from pro-Thaksin, PPP party. Concern was that, if the opposite faction was to overthrow the current government and hold an early election, the pro-Thaksin faction was likely to win. In the current scenario, Thailand is still to find an acceptable political leader who can resolve the difficulties. Meanwhile, Mr Thaksin who lives in exile continues to exercise strong influence on the Thai political arena. As a consequence of above developments, there is broad consensus that Thai politics will remain in a state of flux, in the short term.

Situation in Myanmar

Myanmar, a member of the ASEAN and India's important Eastern neighbour, is strategically located at the gateway to the Indian Ocean and South East Asia. Myanmar is considered a doorway for China and India to approach South East Asia. From Vietnam's viewpoint, political situation in Myanmar remains complicated due to West's sanctions. Consequently, political situation arising out of economic difficulties remains complicated, which the opposition Party, National Party for Democracy (NPD) and other internal and external forces have sought to exploit. The Administration's referendum on new draft constitution and negative consequences of hurricane 'Nargis' have resulted in increased anti-governmental activities.

The Vietnamese asserted that the situation remained complicated. People continue to face difficulties in the aftermath of hurricane 'Nargis'. In their belief, with assistance from international community, friendly countries and the ASEAN; the government in Myanmar will be able to overcome consequences of natural disaster, and deal with political and economic situation – allowing Myanmar Federation to continue the process of democracy and people's harmony. Overall, the view was that the situation in Myanmar continued to harbour elements of unpredictability. Interestingly, the Vietnamese did not comment on the growing Chinese political influence in the region and their likely consequences – nor did they comment on ASEAN's role in dealing with Myanmar.

Thailand and Myanmar's Influence on Regional Security. Vietnamese delegation highlighted that, although instabilities in Thailand and Myanmar were their internal affairs, the negative impact of these developments on regional security could not be ignored. The ASEAN's problem was that the group could merely give suggestions and advice, with no active arrangements either for intervention or support. Differing views among members and lack of consensus could lead to fissures among ASEAN partners. Vietnam always respected independence, sovereignty, integrity and non-interference in internal affairs and expected that these two countries would be able to deal successfully with their internal challenges.

General Observations on Strategic and Security Issues Based on Informal Interaction

An important perspective to take note of is that it would be wrong to view Vietnam's position on China from the Indian prism, given the fact that both are China's neighbours and have an acrimonious past. Vietnam, once a tributary of China, is much more circumspect and nuanced about their relationship. Interestingly, whereas the China factor looms large on their subconscious, they are careful not to make an overt expression of the same. Vietnam is conscious of China's regional role, and the fact that it is important for it to maintain cordial relations with China, during its current developmental phase. China is a major player in current economic and infrastructural development of Vietnam and they are keen to maintain steady relationship sans tensions.

However, problems with regard to territorial dispute persist. Whereas they have resolved their land borders, including delineation of boundary, dispute persists with regard to maritime boundary in South China Sea. This is of serious concern given the fact that it is an important oil bearing area. Last year, Hanoi orchestrated street protests against China over placement of new boundary markers by China on the Spratley and Paracel islands. Similarly, there is disquiet in Vietnam over China pressurising oil majors for reaching oil exploration agreements with Vietnam.

The USA factor too becomes obvious, particularly in terms of balancing role it can play and also as an important alternate source of investment and markets. It is important to note that while the USA is recognised as a player of importance, China has the advantage of both geographical and to a limited extent ideological (both being communist systems) proximity.

There is an interesting tendency at play among Southeast Asian states, wherein given their size and strategic location, they are keen to invite wider presence in terms of cooperation with regional and extra regional players. This is seen in terms of regional leverage and flexibility. Yet, they are nervous about being embroiled in balance of power machinations of big players.

A significant perspective gleaned was the changing role of Asian players, which includes China, the USA, Japan

and India. China is clearly seen as a predominant Asian power with the strategic goal of being a leading political, economic and military power in Asia. Yet, it is seen as a ‘responsible stakeholder’ involved in establishing comprehensive, cooperative relationship with all countries in the region. The USA on the other hand is seen as strategically overstretched, although continuing to remain relevant – the word used was “inattentive power”.

Another perspective is the relevance of the ASEAN as a dominating identity for Southeast Asia. Given the fact that the Southeast Asian countries are small and do not carry much economic and political clout on their own, except perhaps Indonesia, the ASEAN is seen as means for collective bargaining with major Asian actors, extra regional players and above all Northeast Asia. Importantly, South Asia does not easily come into their psyche, with the sole exception of India, which is gaining increasing salience on account of economic development and growing political stature. India is seen as a potential security counterweight, given its growing military power and strategic relationship with the USA. Nonetheless, there is a perception that India is performing much below par in terms of regional strategic engagement.

Observations on Bilateral Relations

Despite excellent political amity between Vietnam and India, relations remain relatively underdeveloped and are marked by sporadic exchanges, although 2008 was notable by the visit of President of India, among others.

The Indo-Vietnamese relations have undergone three phases of development; from mutual engagement during cold war , to relative neglect of the 1990’s and renewed energy from early 2000 to the present. Whereas, both sides maintain strong interest in enhancing economic and strategic ties, the expectations require better management, e.g. trade balance with Vietnam is in India’s favour by factor of five to one – an area of major frustration for the Vietnamese.

Although ‘strategic partnership’ agreement was signed in 2007, there is uncertainty in the Vietnamese mind as to what it actually means? Issues like defence supplies, joint projects and training, although mentioned, have not met expectations. Similarly, there is a nuanced belief that India is taking Vietnamese political support for granted, and frustration that India is not doing more on the economic front.

There is also greater expectation from the military to military relationship. Although much has been achieved, there is more scope in areas such as; English language training, information technology, net-centric warfare and training of Vietnamese Air Force, including maintenance assistance. Notwithstanding the above, there is a certain degree of diffidence on more open relationship with India, owing to extreme sensitivity to China and to some extent constraints of geographical distance.

Conclusion

On the whole, the visit was very productive and useful in providing insight into the Vietnamese security thinking and perceptions; and above all – how modern Vietnam is building itself. There were clear signs of both infrastructural development and economic boom dictated by market forces in this socialist economy. An interesting feature was the high degree of literacy and the spirit to excel, backed by strong sense of nationalism.

The IDIR Delegation as also the Vice Minister, National Defence evinced keen interest in continuation of the dialogue on aspects of mutual interest on a regular basis. There was also a proposal for mutual exchange of research scholars on a reciprocal basis. USI Delegation while thanking their Vietnamese hosts for their gracious hospitality and immaculate arrangements extended invitation to the IDIR to send a delegation to USI in 2009 at a mutually convenient date.

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