

# Politico-Strategic Military Operations

**Lieutenant General VR Raghavan, PVSM, UYSM, AVSM (Retd)\***

The object of war, as Clausewitz writes, is defined by politics. War, he says, is the exercise of force for the attainment of a political object and hence his famous quote “War is the continuation of politics by other means”<sup>1</sup> There is therefore a close link between war and politics, but what is this link? How does this link operate and how is success measured? Military operations in insurgency situations have had a long history. Although the historic experience of such operations varies across countries and over different periods, one common element has been the need for the state to assert the requirement of protecting its territorial integrity and unity. Counter insurgency operations involve the twin objectives of defeating the insurgent and assimilating the populace into the nation’s mainstream. Hence, these operations have to be closely related to the political objectives of the state. The political factor in the military strategy of such operations, therefore, assumes greater importance.

It is an accepted reality today that military operations, without regard for the collateral damage to civilian population in conflict zones, are unacceptable. However, the fact that international response to such collateral consequences has not always been as strong as required, is another issue altogether. In the present global geopolitical context, states that are democratic, liberal and responsible to their populace, need international acceptance for such military operations more than others. The principle challenge for strategists and policy makers in such situations is to relate the intensity of military operations to the scope of political resolution.

War was always fought separately from society; there was a conscious attempt to fight it away from society. But warfare today is being fought and will increasingly be fought within the society. As Sir Lawrence Freedman has mentioned in his famous paper “Transformation in Strategic Affairs”, the political context of contemporary irregular wars require that the purpose and practice of military forces be governed by liberal values. “The integration of regular wars with civil society makes the application of liberal values challenging and this challenge becomes easier to meet when military operations are understood to contribute to the development of a compelling narrative about the likely course and consequence of a conflict, in which these values are shown to be respected”.<sup>2</sup> The contemporary militaries that do not recognise this are making a big mistake.

The US strategy in Iraq allows for analysing the politico-strategic aspects of military operations and the application of liberal values to such operations. The January 2007 “surge” in US troops in Iraq and the new emphasis on counter insurgency strategy were part of US efforts to turn around a deteriorating situation. The new strategy was also meant to set the stage for scaling down US ambitions in Iraq. Defence Secretary Robert Gates had been pressing for a strategy that would rest on a foundation of broad political consensus around the idea of impeding Iraq from becoming a haven of Islamic extremism. Conventional wisdom holds that the “surge” has paid off handsomely with US casualties down significantly in 2007. When hopes for top down political efforts faded, the new strategy also adopted a bottom-up approach which would help mend frayed relationships between tribal and religious groups. However, the approach has been criticised as exacerbating the dangers of tribalism. For the long term, analysts suggest that it is important to make it clear that the USA intends to withdraw as part of a comprehensive diplomatic strategy that is designed to limit risks from the drawdown in forces.<sup>3</sup> In Afghanistan, NATO has responded to the Taliban insurgency by bringing overwhelming force to bear which is said to underestimate the complexity of the enemy and reinforce the resentment Afghanistan’s Pashtun communities feel against foreign domination. In the recent times, NATO has recognised that while military force is important, security in the domestic sense is the critical issue facing Afghanistan. Greater stress on the civil aspects of the strategy such as focus on aid, development, governance, capacity building and building a new economic base has been called for.

Closer home, the Sri Lankan military operations in the North and East of the Country against the LTTE offer unique insights into the relationship between their political and military objectives and also a case study for future military officers, historians and strategists.

## Background

Sri Lanka’s military has grown in size and skills since the 1970s and its transformation from a small peace time entity to a professional fighting force, in three decades, has been watched with admiration. The expansion in numbers and skills is a significant achievement considering the largely indigenous content of this experiment. In fighting skills, organisational efficiency and leadership, the Sri Lankan Armed Forces have demonstrated remarkable levels of military attainments.

The Sri Lankan State has made strenuous attempts to obtain a political consensus on the ethnic insurgency in the Country. It has initiated political, economic, constitutional and social measures to find ways for resolving the conflict. Its military operations have been part of the coercion – negotiation matrix that has been underway for more than two decades. These efforts have been beset, on the one hand with political dissonance in Sri Lanka and with the intransigence of the LTTE on the other. Nevertheless, the Peace Process experience – involving foreign facilitators and aid from international donor states, and its collapse are in themselves an insightful case study in peace making and conflict resolution.

Given the background of the complex challenges to state making and nation building along with the failure of the LTTE to respond to political initiatives, it is not a surprise that Sri Lanka has embarked on a largely military enterprise of seeking to destroy the LTTE elements. The primacy now accorded to the military component in the

overall strategy over the political component is a major departure from the previous policies. Sri Lanka's political and military leadership have made it clear that the military defeat of the LTTE and destruction of its leadership would take precedence, over the political choices that are required to resolve the conflict.<sup>4</sup> It is believed, not without some justification, that the LTTE leadership and its military capabilities are a hindrance to the political resolution of the conflict.

## **Nature of Conflict and Military Response**

The conflict in Sri Lanka is unique in the nature of threat that faces the State. The phrases which have been used through history do not suffice to explain the Sri Lankan situation. The definitions of insurgency, low intensity conflict, operations other than war, which have been used to define or explain conflicts elsewhere do not meet the needs of the situation.

LTTE's demonstrated level of capabilities has accentuated the situation from a low intensity conflict. It has demonstrated the ability to negotiate and stall the negotiations at will despite international criticism of its actions. It has also reached the limits of its military capacity in terms of being able to capture and hold territory, or, of being able to mount large scale operations over sustained periods. On the other hand, the Sri Lankan forces have the capacity and leadership to do so over prolonged periods of time. Hence, the balance of military capability clearly rests with the Sri Lankan military. The military advantages notwithstanding, it is clear that a military defeat of the LTTE will take time. In the interim, the full scale ground and air operations have and will continue to impact collaterally on the populace in the combat zone. The net outcome of this would be an adverse international response where the onus of responsibility to protect the citizens will weigh heavily on the State.

The examples of campaigns in the last fifty years provide useful pointers for the future. A purely military response in such unique circumstances has of necessity led to a mismatch between the military and political purposes of campaigns. The strategic challenge has remained of combining military gains with political objectives. Military victories without a tangible and parallel political direction have resulted in outcomes that made a post conflict political settlement even more difficult to obtain. There have been three primary parameters of such campaigns in the past. They apply even to the Sri Lankan scenario.

The first parameter is of the time anticipated and required for the completion of such operations. Invariably, there has been a mismatch between the two. This has had serious political consequences, often resulting from the lack of clarity of what constitutes victory. The physical attrition of the insurgent capability has not led to the end of the conflict. The choice of low cost - high value terrorist attacks will always be available to the opponent. Thus, the political dispensation, which is intended to be put into effect after the end of military operations, has not been effective. The longer the operations take the greater are the difficulties of a political outcome. Indeed the longer the operations take, greater becomes the perception of military failure to subdue the opponent. This has serious consequences for the military and political leadership.

The second primary parameter is of the economic costs of full scale military operations. Such costs have never been easy to assess. The magnitude of hidden, opportunity, spill over and sunk costs are never easy to compute. They also have an insidious effect on the national economy whose consequences are felt over a longer period of time. The longer the time frame of sustained military operations, the higher would be such economic costs.

The third parameter of such operations is in the territorial dimension. The greater the area that has to be freed of insurgent forces, the greater would be the size of the armed forces needed for keeping it secure. The socio-political costs of such military presence have historically been considered as counterproductive to the political purposes of the military operations. The political purpose of military operations in insurgency situations is not victory but peace. Therefore, the challenge for the military high command is to find ways to harmonise the military and political purposes of the operations. The political challenge of the country's leadership will always be to retain a political and ethical high ground while military operations persist.

## **The Future**

Sri Lanka's military forces have demonstrated operational skills and determination of a high order. They are opposed by a determined insurgent group with meaningful military capability, which can be used to stretch the campaign over a long period. The insurgent forces do not seek a military victory but seek to make this a long campaign with indecisive outcomes, while raising the costs of the campaign in political and economic terms. The Sri Lankan State, therefore, has every right to choose its strategy. However, as the Indian Foreign Minister has stated, "Any country is free to choose its options, within its legal system" and the solution must take into consideration the legitimate aspirations of the affected people.

The conflict in Sri Lanka has reached a unique stage where the military option has been given primacy over political options and the outcome of the current strategy will be watched with great interest.

-----  
...\*Lieutenant General VR Raghavan, PVSM, UYSM, AVSM (Retd) is former Director General of Military Operations, Indian Army and is currently President, Centre for Security Analysis, Chennai and Director, Delhi Policy Group, New Delhi. He is also an elected Member of the Council of USI of India.

Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008.

# **Right to Information and Good Governance\***

## **An Assessment of Linkages**

**Professor MM Ansari\*\***

### **Introduction**

Until the implementation of Right to Information Act (RTI) 2005, an ordinary citizen had no access to information held by a public authority. He had no legal rights to know as to: what processes have been followed in designing the policies affecting them or how the programmes have been implemented. It was, therefore, difficult to question as to why the entitlements such as subsidised food grains, assured employment, etc. were not reaching the intended beneficiaries.

Lack of openness in the functioning of the Government, provided a fertile ground for breeding inefficiency and lack of accountability in the working of the public authorities, which, in turn, perpetuated all forms of poverty, including nutritional, health and educational. Therefore, the people in general and NGOs, in particular, demanded for a greater access to the information held by the public bodies, which were acceded to by the Government and the Act was passed by the National Parliament in 2005.

The major concern of the RTI Act is to allow for greater probity in the functioning of the government departments so as to, promote transparency and accountability in the working of the public bodies and contain the scourge of corruption, which are critical for ensuring good governance.

### **RTI: A Response to Paradigm Shift in Development Approach**

RTI has been envisaged as an instrument to effectively deal with the major forces that have brought about changes in the approach to development. These generally focus on :-

- (a)** Sharing of knowledge and communication strategies for dissemination of information
- (b)** Involvement of NGOs in designing of policies and implementation of schemes and
- (c)** Adoption of citizen centric approach to development.

### **Democratisation of Information and Knowledge**

Information and knowledge are critical for realising all the human aspirations, such as, improvement in quality of life. People who have access to information and who understand how to make use of the acquired information in the processes of exercising their political, economic and legal rights become empowered, which, in turn, enable them to build their strengths and assets. In view of this, the RTI seeks to set up the facilitation process for free flow of information, which forms the basis for a healthy debate on issues of vital importance to every section of the society.

### **Increasing Demand by NGOs for Participation in Development Activities**

The NGOs/self-help groups have demanded at various fora, for creating conditions for democratic governance, mainly because of unsatisfactory outcomes of public activities.

For instance, NGOs have exposed the inclusion of fictitious names in the list of beneficiaries. The NGOs have also conducted social audits of the schemes, particularly the poverty alleviation programmes, the outcomes of which have resulted in appropriate reforms in governance of the projects.

Therefore, the RTI Act has envisaged for providing a framework for promoting interface between the citizens and the Government.

### **Citizen-Centric Approach to Development**

As people live in diverse socio-economic and geographic conditions, the approach to fit for all sizes, particularly in respect of poverty alleviation programmes, has failed.

The RTI therefore empowers every citizen to take charge of his life and make proper choices on the basis of freely available information and knowledge, for effective participation in political and economic processes or activities.

### **Salient Features of Right to Information Act, 2005**

Right to information (RTI) is inherent in democratic functioning and a pre-condition to good governance and realisation of all other human rights,

The main objectives of the law on RTI are: to operationalise the fundamental right to information; to set up systems and mechanisms that facilitate people's easy access to information; to promote transparency and accountability in governance; to minimise corruption and inefficiency in public offices and to ensure people's

participation in governance and decision making.

RTI is based on the following key concepts:

- (a)** The right of the public to access the information and the corresponding duty of the Government to meet the request, unless specifically defined exemptions apply
- (b)** The duty of the Government to proactively provide certain key information even in absence of a request.

The scope of the Act extends to all authorities and bodies under the Constitution or any other law, and inter alia includes all authorities under the Central Government, State Governments and Local Bodies.

A citizen has to merely make a request to the concerned Public Information Officer (PIO) specifying the information sought by him. The fee payable is reasonable and information is to be provided free of cost to citizens living below the poverty line. The PIO is required to provide the information within 30 days. If the information requested concerns the life or liberty of a person, it has been made mandatory to provide it within 48 hours of the receipt of the request. The Act provides for penalties in case of failure to provide information in time, or for refusing to accept application for information.

The categories of information exempted from disclosure in this Act are kept to a bare minimum. Even the exemptions are not absolute if disclosure of the information outweighs the harm to the public authorities. Even in the case of security and intelligence agencies and organisations, which are exempted from the provisions of this Act, if there were cases of allegation of corruption and human rights violation, such exemption would not be available.

The Central/State Information Commission has a major role in enforcing the implementation of the provisions of the Act as well as for educating the parties, mainly information seekers and providers. For effective implementation of the Act, the Commission may impose penalty, recommend disciplinary action against the information provider and also award compensation to information seekers.

### **Assessing the Impact of RTI on the Elements of Good Governance**

The preamble of the Act states that :

"Democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the government."

There are thus four major elements of good governance :-

- (a)** Greater transparency in functioning of public authorities.
- (b)** Improvement in accountability and performance of the Government.
- (c)** Promotion of partnership between citizens and the Government in decision making process; and
- (d)** Reduction in corruption in the Government departments.

### **Greater Transparency**

Every public authority is mandated to 'maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under the Act'. The public authorities are also required to 'provide as much information suo moto' to the public at regular intervals through various means of communication.

A citizen has the right to observe as to what is going on inside an organisation. In effect, thus, there is greater transparency than before in the working of the public bodies. In a large number of cases, the Commission has ordered for providing the details of the decision-making processes, which include 'file notings, cabinet papers, records of recruitment, finalisation of tenders, allotment of petrol pumps and gas agencies lists of beneficiaries of subsidised goods and services.' The disclosure of information has effectively contributed to advocacy by the civil society.

### **Greater Accountability**

The RTI provides people with the mechanism to access information, which they can use to hold the government to account or to seek explanation as to why decisions have been taken, by whom and with what consequences or outcomes. Also, due to effective implementation of the flagship programmes for alleviation of wide-spread poverty, the mis-match between the planned targets and actual realisation has been minimised.

As a result of increased Government's accountability in delivery of services, rural to urban migration has, of late, decelerated, as widely reported in the media. The survey has revealed that in the opinion of 40 per cent of respondents (all below the poverty line), corruption and malpractices in implementation of poverty alleviation programmes have declined due to RTI induced accountability of the Government and its functionaries at various levels.

RTI route has generally been followed by a large number of people for resolving disputes between the parties on the issues pertaining to the decisions on administrative and commercial matters. These include redressal of grievances on account of settlement of pension and post-retirement benefits, insurance claims, income tax

refunds, payment of dues to contractors, etc.

In particular, the aspects of good governance are reflected from disclosure of information relating to the following :-

- (a) Attendance of staff in schools has helped in checking teachers' absenteeism and students' drop out;
- (b) Attendance of doctors and nurses at primary health centres has led to improvement in health care facilities in rural areas;
- (c) The details of supplies and distribution of food grains through ration shops has assured the reach of entitlements to the beneficiaries;
- (d) The supply and demand for petroleum products, such as, domestic gas has reduced black marketing;
- (e) Muster rolls and beneficiary of employment guarantee schemes has exposed corruption and ensured effective delivery of services to the poor; and
- (f) Allotment of retail outlets (petrol pumps) and agencies for distribution of LPG gas has ensured fair play and objective decisions, as reflected from substantial reduction in litigation cases in the matter.

### **Promotion of Citizen-Government Partnership**

The principle of partnership is derived from the fact that people are not only the ultimate beneficiaries of development, but also the agents of development and change. Under the RTI regime, citizens' participation has been promoted through the following:

- (a) Access to information and involvement of affected groups/communities in design and implementation of projects; and
- (b) Empowerment of local government bodies at village level through the involvement and cooperation with NGOs/self help groups.

RTI has instilled a wider sense of ownership in the development activities. For instance, information obtained under RTI, in respect of utilisation of funds allocated under rural employment guarantee scheme, MLA/MP local area development fund, etc. has been used by NGOs for campaign in favour of or against the political leaders during recent elections in some states, with a desirable impact on political process.

### **Reduction in Corruption**

Lack of transparency and accountability encourage the government officials to indulge in corrupt practices, which results in lower investments due to mis-use or diversion of funds for private purposes.

- (a) The Transparency International (TI) has consecutively reported in the last two years that perceived corruption in India (a score of 3.5 out of 10) has declined at the rate of about 15-20 per cent per year, due mainly to the implementation of the RTI Act.
- (b) The Centre for Media Studies in collaboration with TI has recently accomplished an all India survey study of the poor below the poverty line (forthcoming). The views of the poor have been elicited in respect of all the flagship programmes that have been implemented for alleviation of poverty. At least 40 per cent of the respondents have reported that corruption has declined.
- (c) It has also been observed that wherever NGOs are actively involved in the development activities, the perceived corruption is already lower.

### **Future of RTI: Tasks Ahead**

A major challenge is to develop capacities for access to information. The capacities of both the public authorities (i.e. the duty - bearers) and the citizens (i.e. the stake holders) may have to be enhanced, for which a two-pronged strategy would be needed. Firstly, a comprehensive information management system (IMS) should be developed by each public authority for storage and retrieval of data and information that may be shared with anyone who seeks to inspect and use the information for development purposes. Secondly, in order to properly manage the demand for information from the NGOs, in general, and the citizens, in particular, a concerted effort would be needed to create mass awareness among the people to promote information literacy. Awareness level among the poor is less than 10 per cent, which is a major obstacle in reaping the benefits of RTI.

A multimedia approach should be adopted to educate and train people as to how to decide and select what information should be sought for and that from where and how? Besides, they should be educated as to how to make best use of information for effective participation in economic and political processes. This alone can ensure cost-effective use of the provisions of the RTI Act.

### **Concluding Remarks**

The RTI has significant bearing on good governance and development. India's economy in the last three years has grown at unprecedented high rate of 8 - 9 per cent per annum, which also co-incides with the RTI induced good governance. The implementation of the law on 'right to know' for setting up information regime therefore, augurs well for strengthening the knowledge society as well as for increasing the accountability of public bodies.

The trend in improvement in delivery of services, due to the perceived good governance, provides sufficient indication for alleviation of poverty and liquidation of illiteracy in a much shorter duration than envisaged for the realisation of Millennium Development Goals (MDGs). RTI has enabled people to participate in the process of development, which has resulted in reduction of corruption. It has just begun to happen for the first time for

establishing an open and participatory governance system that protects and promotes the socio-economic interests of every citizen, particularly the poor, who are receiving the benefits of development as per their entitlements.

The stakeholders, namely, the Government, NGOs and media should therefore, make a concerted effort to create mass awareness among the people, particularly to educate them, as to how to seek information and how to make the best use of such information. The role of NGOs is critical in respects of both to constantly exert pressure for maximum disclosure of information relating to public activities and to participate in designing and implementation of socio-economic programmes. The task is critical and challenging as well, since less than 10 per cent of the poor have awareness about the RTI and the manner in which it could be used as a tool to assure the reach of their entitlements.

A little effort in the directions indicated above would lead to a strong multiplier effects to the advantage of the poor, of which all the stakeholders would be duly proud of. In view of diversity of situations in which people live, in different parts of the country, a multimedia approach should be adopted to promote information literacy and to democratise knowledge, which, in turn, are vital for empowerment of the people, ensuring the reach of entitlements to the beneficiaries and for equalising opportunities for sharing the benefits of development.

-----  
.\* Text of the Talk delivered at the USI on 28 May 2008.

\*\*Professor MM Ansari is an economist and education specialist of international repute. Presently, he is Information Commissioner of the Central Information Commission, which has been constituted for effective implementation of the Right to Information Act 2005.

Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008.

# Counter Terrorism Operations in Kashmir Valley Contest for Hearts and Minds of the People

Brigadier KA Muthanna\*

## INTRODUCTION

Soon after the partition in 1947, Pakistan launched its first war of aggression, under the garb of raiders, to annex the Kashmir Valley by force. Pakistan made a second unsuccessful attempt to seize Kashmir Valley through military means in 1965. Poor governance by J&K Government was duly exploited by Pakistan, leading to a situation whereby armed militancy made its appearance in the Valley in 1987. Calibrated stoking of the situation by Pakistan, coupled with inept and insensitive handling by the State and Central governments led to full blown militancy in 1989. Since then terrorism has hit two peaks of violence, first by indigenous terrorist groups like Jammu and Kashmir Liberation Front (JKLF), Muslim Zambaz Force (MJF) and Hizb-ul-Mujahideen (HM) etc in the early 1990s; and second by HM and foreign (Pakistani) terrorist groups from mid 1990s to 2004. By 2007, violence had subsided to slightly above normal levels. However, terrorist violence has left a deep impact on the minds of the people.

## KASHMIR'S TERROR CANVAS

### Details of Terror Incidents from 1989 till 2007 in Kashmir Valley (does not include other parts of J&K)

Terrorism in Kashmir commenced with independence seeking Pakistan supported indigenous JKLF which later eschewed violence. Pakistan continues to maintain that HM is not foreign sponsored; other prominent Pakistani terrorist groups are Lashkar-e-Toiba (LeT), Jaish-e-Mohamed (JeM), Al Badr, Harkat-ul-Mujahideen (HuM), Harkat-ul-Jihadi-e-Islami (HuJI) and Al Barq. Unarmed entities actively collude with terrorists to achieve their own goals such as freedom [APHC (M - Mirwaiz)], unification with Islamic Pakistan [APHC (G - Geelani)], and religious fundamentalism (Jamaat-e-Islami - Kashmir and Dukhtaran-e-Millat).

Societal and peer pressure, due to fear, ensures what seems to be popular support for terrorist/separatist actions. The result is a very cowed down Kashmiri society that has lost the voice of reason and sense of humanitarian justice. Alleged atrocities/unlawful actions by the Security Forces (SF)/government civil agencies are the focus of media reports and so called 'popular' protests, while even the most reprehensible actions of terrorists such as public beheading/slitting of throats/gang rapes of young teenagers and women are mutely endured and even at times condoned with the justification that the victims deserved it.

Terrorist initiated incidents (TII) include public executions, murders, kidnappings, bombings, violent attacks, religious fatwas, media statements and coverage, fanning of the self-determination passions, anti-government/SF bandh calls, public funerals of killed terrorists, etc. Analysis of incidents reported in website of South Asia Terrorism Portal<sup>1</sup> indicates that there were over 350 violent TII wherein civilians were in 'harm's way' resulting in civilian casualties. Summarised details of TII's from 1989 till 31 Dec 2007 in Kashmir are covered in subsequent paragraphs. (If details of other regions and attacks on/involving SF and terrorists are to be included the figure would probably cross some thousands).

**Killings.** There were over 100 incidents wherein civilians were targeted fatally. These include over 55 political persons, many moderate and prominent Kashmiri Muslims, over 20 prominent counter insurgents (Ikhwanis) and surrendered terrorists, three mass massacres of minorities (Hindus and Sikhs), two print media editors who commented on terrorist actions, and a senior police officer killed while exiting a mosque after prayers. As per available statistics, terrorists killed 1585 people, comprising 981 Muslims, 218 Hindus, 23 Sikhs and 363 SF personnel between June 1990 and October 1992.<sup>2</sup>

**Violent Attacks.** Over 55 incidents, 37 of which targeted political persons, two cases of attacks in holy places, over ten cases of attacks in/on public places resulting in civilian casualties, three attacks on women on religious grounds/non-compliance of Islamic way of female conduct.

**Bomb Blasts.** Over 90 blasts, 70 of which were in public places with civilians present, six targeted holy places - both Hindu and Muslim, seven political persons/events and one case targeting a cable network as non-Islamic.

**Kidnapping.** Over 40 terrorists were released in exchanges for kidnapped civilians till the Government adopted a policy of refusing to negotiate any exchanges in 1994; one exception being the case of hijacked Indian Airlines flight IC 814).

Refuge in Holy Places (Mosques)/ Public Places. There were over ten cases of terrorists taking refuge in holy places, specifically mosques; and in two cases they took civilian hostages too. These include the notorious sieges of Hazratbal Mosque in October 1993 and Charar-e-Sharif shrine in March 1995.

Suicide Attacks. Over 35 incidents - of which half were in public places, including the Srinagar Airport, Srinagar's Tourist Reception Centre and political persons/events. The other half of the suicide attacks targeted the SF in public places, both causing SF and collateral civilian casualties. (There were numerous suicide attacks on purely

SF targets not involving civilian areas which have not been included in these figures).

**Threats/Intimidation.** There have been over seven incidents wherein threats were issued in public by various terrorist organisations against participation in elections, broadcasting of cable TV, women joining police and for women to adhere to Islamic dress codes. Between 1986 and 1992, over 90 Hindu temples were destroyed/burnt and numerous Hindus raped/killed precipitating the Kashmiri Pandit exodus in 1990. In the early 1990s over 700 ‘secular’, mostly government, schools were destroyed denying thousands of children educational opportunities. An organisation calling itself Allah Tigers issued successful threats demanding closure of liquor bars, video parlours, cinema halls and enforcing dress codes forcing women to don burqas (hijab). Dukhtaran-e-Millat (Daughters of Islam) a womens’ organisation has also been active in trying to enforce its brand of ‘Islamic morality.’<sup>3</sup>

**Violence Against Women.** Terrorists directly targeted women in large numbers. In addition to the high profile kidnappings and subsequent safe releases there were three other cases targeting mainstream politicians. On May 12, 1994, in Nowhatta, Srinagar; terrorists attempted to abduct the daughter of former Minister Ali Mohd Sagar from her relative’s residence. Upon resistance from the inmates, the terrorists shot at her and inflicted serious injuries. On November 1, 1995, at Qazibad, Anantnag; terrorists abduct the daughter of senior politician Ghulam Nabi Sofi and two other inmates from his house and set the house ablaze. On August 17, 1996, at Pulwama; terrorists killed Congress-I leader Syed Shah’s daughter at their house. The South Asia Terrorism Portal (SATP) has collated incidents of terrorist violence against women and children. While the areas South of Pir Panjal have witnessed very high levels of terrorists’ violence towards women, the table below extracts data from the SATP website and summarises terrorist violence against women in Kashmir Valley only.

**TABLE FROM SATP WEBSITE**

<b>Terrorist Violence involving Women from 1990-2004 - Valley only</b>	
<b>Year</b>	<b>Number of Victims</b>
1990	17 women abducted/raped/killed
1991	18 women attacked/abducted/raped/killed
1992	35 incidents involving attacks on over 50 women - abducted/raped/injured/killed
1993	75 women - abducted/raped/killed
1994	56 women - abducted/raped/killed
1995	72 women - abducted/raped/killed
1996	74 women - abducted/raped/killed
1997	40 women - abducted/raped/killed
1998	28 women - abducted/raped/killed
1999	30 women - abducted/raped/killed
2000	40 women - abducted/raped/killed
2001	22 women - abducted/raped/killed
2002	20 women - abducted/raped/killed
2003	47 women - abducted/killed
2004(till 27 Feb)	Seven women - killed

**Violence against Democratic Institutions /Processes.** Democratic institutions/ processes were targets through suicide attacks on J&K State Assembly Complex on 01 October 2001 and National Parliament in New Delhi on 13 December 2001. The State Assembly Elections in September-October 2002, Parliamentary Elections in April-May 2004 and Municipal Elections in January-February 2005, witnessed high levels of TII’s ranging from attacks on Ministers, elected representatives, candidates, party workers and meetings. The direct visible impact was low voter turnout, resignation of elected municipal councillors and cowed down civil populace.

**Forced Migration.** While exodus of Kashmiri Pandits in 1990 is well documented, Balraj Puri reports that over 20,000 Muslim families also migrated from Kashmir Valley due to violence.<sup>4</sup>

**Impact of Media and Telecommunications.** There has been an explosion of media, especially electronic and telecommunications both mobile and internet. Commercial SMS alerts by media companies and TV coverage hit national and local TV screens with graphic images and statements by civilians, increasing public awareness and resultant mobilisation of civil population. The media is also under constant threat by the terrorists and their supporters. So much so, the media is either blatantly pro-terrorists/separatists or spineless (in the face of fear of fatal retribution) preferring to report issues without being completely objective.

**Over Ground Workers (OGWs)/Supporters of Terrorists.** OGWs and other supporters such as separatist activists, religious extremists, government servants including SF personnel sympathetic to the terrorists and the separatist/self determination movement are even more feared because they are not easily identifiable by the common man resulting in societal and peer pressure that is difficult to combat. Further, the power, influence and material wealth achieved by the OGWs and others is very evident and often the object of envy of many impressionable people.

**Finance for Proxy War.** Pakistan’s involvement ensures funding to terrorists, separatists and their supporters. Religious funding is also available for religiously affiliated separatists and religious entities. Collusion of some

inimically minded public officials and fear of reprisals combine to channelise government contracts/funds to families of terrorists or their proxies. Terrorists and separatists provide remuneration to families of killed terrorists and to people who suffer damage in encounters between SF and terrorists.

**Fuelling the Support for Self Determination/Merger with Pakistan.** Multiple forces spread over spectrum of Kashmiri Muslim society are engaged in fuelling and sustaining the desire for self determination/merger with Pakistan. Separatists have made a living out of separatism but have kept their children out of the movement. Many Non Resident Kashmiris (NRKs), especially those settled in Western democratic nations, provide considerable funding and international media coverage. Religious extremists seeking merger with Islamic Pakistan contribute by fundamentalising 'Sufi' Kashmiri Muslim society. Even mainstream politicians make emotive demands for autonomy or pre-1953 status or a separate Kashmiri currency.

**Overwhelming Obsession with Kashmir Valley.** The Muslim majority of Kashmir Valley and the fact that all the separatists and most terrorists hail from the Valley, makes Valley the main component of the 'Kashmir' issue. The regions of Ladakh, Jammu and POK are included as an afterthought. Kashmir Valley has 11 per cent of the state's territory and 53.99 per cent of the state's population with Kashmiri Muslims making up 78.33 per cent of the Muslim population of J&K and 52.46 per cent of the overall state's population<sup>5</sup>. The Valley dominates politics of the State as it accounts for 46 of effective 87 State Assembly seats or 52 per cent (after deducting the 24 seats set aside for POK out of grand total of 111 seats). All Chief Ministers, except for the present Chief Minister, Ghulam Nabi Azad, and most of the State Cabinet have been and are from the Valley.

### **Actions by Counter-Terrorism Forces - Government / SF**

Initial deployment on the Line of Control could not prevent mass movement to and from Pakistan Occupied Kashmir (POK) for budding terrorists. The onset of violence and public passion led to frenzy of pro-freedom and anti-India actions overwhelming State's internal security apparatus. The counter-terrorism forces have adopted the twin approach of 'stick and carrot'.

'Stick measures' include the military operations such as searches, arrests, restrictions on the movement of people and resources under the provisions of the Armed Forces Special Powers Act (AFSPA). Inability to prosecute terrorists under available legal processes has assisted terrorists and their supporters. In some unfortunate cases SF personnel have taken recourse to extra-judicial measures eroding public confidence in them.

'Carrot measures' include attempts to work out a political solution, conduct of people friendly military operations, various civic action programmes such as Operation Maitreyi (youth camps facilitating interaction between Kashmiri and non-Kashmiri youth from across the country), Operation Sadhbhavana (community oriented projects in the field of education, health, hygiene and sanitation, public utilities), participation in community events such as festivals, sports, etc; assistance in natural calamities, group tours outside Kashmir comprising students, Islamic teachers (Maulvis), elder citizens, etc.

### **Pre 1990**

- (a) Situation Obtaining.** Non-violent protests till December 1989 when Dr Rubaiya Sayyed, was kidnapped. The release of jailed JKLF terrorists, in exchange for Dr Rubaiya, led to massive public demonstrations celebrating the release of terrorists. Political killings and targeting of unarmed SF (Air Force) personnel by JKLF.
- (b) Actions/Response.** State machinery became virtually defunct. Governor's Rule declared. Central Police Organisations (CPOs) and Para Military Forces (PMF) deployed. Use of excessive force in many instances, resulting in a cycle of civil protests and violence.
- (c) Civilian Attitude/State of Mind.** Many people assumed that freedom was imminent fuelling public passions. Many families encouraged their youth to exfiltrate to POK for arms training, often as a hedge in case freedom/self determination was achieved. Most people and leaders were actually uncertain about the future – freedom or merger with Pakistan?

### **1990 to early 1990s**

- (a) Situation Obtaining.** All terrorists were local Kashmiris. Violence against Kashmiri Pandits and moderate Muslims.
- (b) Actions/Response.** Army initiated intense military operations with high degree of civil population and resource control under provisions AFSPA.
- (c) Civilian Attitude/State of Mind.** Many local Kashmiri terrorists killed or surrendered in large numbers. Civil population subjected to a life of controls and restrictions making them victims in the contest between SF and terrorists. Civil support for SF was minimal while resentment of restrictions and casualties was high. Large scale exodus of Kashmiri Pandits as they became the focus of terrorist violence while Kashmiri Muslim society preferred to remain passive bystanders. Hard line Islamisation of mainly 'Sufi' Kashmiri Muslim society commenced.

### **Early 1990s to mid 1990s**

- (a) Situation Obtaining.** Influx of Afghan terrorists after end of Soviet terrorist violence enlarged to South of Pir Panjal. High profile sieges in Hazratbal and Charar-e-Sharif.

- (b) Actions/Response.** CT operations continue. After initial deployment of regular Army units on CT operations; Rashtriya Rifles, police Special Operation Groups (SOG)/Special Task Forces (STF), surrendered/captured terrorists in special counter-insurgents groups (Ikhwanis) and PMF/CPOs were deployed. Violent public demonstrations against high profile sieges led to excessive use of force by SF, resulting in civilian casualties.
- (c) Civilian Attitude/State of Mind.** Anti-SF/anti-government stance of civil population continues fuelled by terrorist supporters and political entities. Kashmiri Muslim society chooses to ignore sexual exploitation of women by foreign terrorists in a 'conspiracy of silence'.

### Mid 1990s to late 2001

- (a) Situation Obtaining.** Kargil intrusions by Pakistan Army, bloodless coup by General Musharaff. Heightened and more focussed terrorist violence – suicide attacks on SF and civil targets. Hijacking of Indian Airlines flight IC 814 in December 1999. State Assembly elections Feb-Mar 1998, followed by Parliamentary Elections.
- (b) Actions/Response.** CT operations and restrictions on civilians continue. In November 2000, Army implemented 'Non-Initiation of Combat Operations' (NICO) for short periods as a goodwill measure in response to HM's unilateral declaration of ceasefire in August (till September) 2000. Terrorist supporters (separatist and media) fuel anti-SF sentiment through protests and media reports.
- (c) Civilian Attitude/State of Mind.** No interruptions occurred in rear area security during Operation VIJAY (eviction of Pakistan military from Kargil). Continued civilian support to terrorists and separatists, fitful participation in local governance, especially elections.

### Late 2001 to 2005

- (a) Situation Obtaining.** 9/11 and US declaration of Global War on Terror, invasions of Afghanistan and Iraq, Kashmiri terrorist attacks on J&K State Assembly and Indian Parliament and other areas of India. Indian military mobilises under Operation Parakram. Marked shift in origins of foreign terrorist from Afghans to Punjabi and Urdu speaking Pakistanis. Assembly, parliamentary and municipal elections. Ceasefire on Line of Control.
- (b) Actions/Response.** CT operations and restrictions on civilian personal freedoms continue. Terrorist supporters (separatist and media) fuel anti-SF sentiment. Heightened election violence mainly against political activists. State machinery more effective.
- (c) Civilian Attitude/State of Mind.** Civil resentment towards continued terrorist violence starts to show. Public shift from active collusion to passive acceptance and in some rare cases resistance to terrorists. Participation in democratic political processes increases. Anti-SF sentiment diluted but periodic adverse incidents sustains civil population resentment.

### 2006-07

- (a) Situation Obtaining.** Bye-elections in 2006 to three assembly seats conducted peacefully. Internal turmoil in Pakistan results in some loss of focus in conduct of proxy war in J&K and thereby some reduction in terrorist violence.
- (b) Actions/Response.** CT operations continue with increased focus on 'people friendly operations' and lifting of many restrictive measures. While 2007 records lowest level of violence most terrorist efforts to target SF in the form of blasts invariably result in civilian casualties. Terrorists continue to target suspected informers and anti-terrorists. Terrorists replace highhandedness against locals with lavish payments.
- (c) Civilian Attitude/State of Mind.** Adoption of people friendly CT operations results in lifting of many restrictions on civilians. Public requests for more relaxations exploited by political parties such as PDP's demand for 'demilitarisation' and revocation of AFSPA. Improving security situation reduces influence of separatists with little support for their strike calls. Scattered displays of support for self-determination/freedom mainly during emotionally charged situations such as funerals of terrorists. Civil concerns began shifting towards development and provision of essential facilities. In 2007, the number of civil protests for development and provision of essential facilities overwhelmingly outnumbered anti-SF protests. Civil communities support Army's Operation Sadhbhavana projects. People publicly comment on the fact about separatists' access to unlimited funds, material benefits, while keeping their own children out of the armed terrorist movement at the expense of the common man who is not only put to inconvenience but his children are misled and denied opportunities to improve their lot in an environment of peace and development.

### The Way Ahead

The common man must be protected from the predations of the terrorists and their supporters. The law of the land has to cater for the over-riding requirement of protecting the common man. Suitable laws, with appropriate checks and balance, must enable the prosecution of those who endanger the lives of innocent people. Application of law must be just, equal and timely. Soft-peddling action against high profile violators of the law sends wrong signals to the environment.

The civil population have shown that they are not willing to be subjected to any kind of harassment, actual or perceived, from the SF. CT forces are continuously refining conduct of military and Welfare Humanitarian Aid Measures (WHAM) operations to alleviate the problems of the common citizen. The individual awakening and gradual articulation acknowledging the great losses suffered by Kashmiri Muslim society due to the narrow

vested interests of the terrorists, separatists and Pakistani establishment would have to transform into a larger public movement to be effective. Media has to re-assert it's social responsibility by objective and balanced reporting. In the event of further reduction of violence levels and number of terrorists, Army units deployed on CT operations can be gradually replaced by PMF and CPO units thereby reducing visibility and presence of the Army.

At the time of writing this article, J&K State Assembly elections are due to be held in the second half of 2008. The terrorists and separatists will be under pressure to evolve a strategy that suits their narrow vested interests which clashes with the interests and well being of the common man. Syed Salahuddin, self-styled HM Supreme Commander and self-styled Chairman of terrorist United Jihad Council, recently issued a public statement that weapons would not be used to discourage participation in the elections, provided there was no state coercion on people to participate. This belies statements by people seeking protection from terrorists/separatists threats through external pressures to vote - a classic case of voluntary 'counter-terror'.

The Unified HQ has to optimise its functioning and coordination between various agencies involved with a comprehensive and holistic approach. Operational data collation has to be digitised and networked to be readily available to all concerned agencies.

## Conclusion

The battle for the minds of the people is an uneven one. Civilians fear terrorists, separatists and OGWs, specially the ones that they cannot identify. The terrorist and his Pakistani masters employ 'terror', lavish distribution of money and exploitation of collective Kashmiri Muslim memories to dominate the minds of the people.

The Government and SF have to combat this with their hands tied behind their backs, in the name of justice and democracy and often at the cost of blood and lives of the SF. Other pressures include high expectations from civilians, intense and often adverse media scrutiny, insidious and inimical actions by terrorists, separatists and OGWs to dominate minds of civilians. SF have to overcome their lack of adequate coordination, which fortunately, is surmounted through healthy personal relations at functional levels.

High sense of purpose and training, well supported by the legislative, executive and judiciary; along with greater and more effective interaction with civil populace will finally prevail in the long run. In this endeavour all efforts must be made to ensure that the common man is well protected and is the master of his own destiny.

-----  
..\***Brigadier KA Muthanna** of Garhwal Rifles was a USI Research Fellow. Presently, he is commanding a Rashtriya Rifles Sector in North Kashmir.

Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008.

# **Military Technology, Governance and Self-Reliance in Weapons Acquisition: Imperatives of National Security**

**Air Vice Marshal Samir K Sen (Retd)\*\***

## **Introduction**

If the most outstanding success of our policy-making post- Independence was in prioritising the build-up of our industrial base through the promotion of scientific education and research, a success which owes its origin largely to Prime Minister Nehru's breath-taking vision, the most debilitating feature of that policy-making was our failure to accord due recognition to the need for enhancing our national security infrastructure. That was, probably, the most unfortunate failure, especially for Nehru, the leader of a non-aligned Nation which needed a strong and self-reliant military, from the very beginning, in view of the unrelenting threat to our security and sovereignty by hostile elements in our immediate neighbourhood. And it had manifested itself, soon after Independence, in his inability to replace the colonial higher defence management structure with one that befits a sovereign Nation. The result: Both our military's war-fighting capability and the build-up of self-reliance in weapons and equipment that buttresses war-fighting had been adversely affected.<sup>1</sup>

While much has justifiably since then been said about one aspect of that failure, namely the one that concerns the military's war-fighting capability, e.g. the exclusion, until recently, of the Services Headquarters from our Ministry of Defence (MOD), non-integration of our command structure for conventional war-fighting and related issues of higher defence management, no attention has ever been paid by us, through the years, to our government's continuing failure to achieve, even, a semblance of self-reliance in conventional weapons and equipment, a failure which ought to have caused great concern - and, therefore, called for an overhaul of the management system for our Defence Technology and Industrial Base (DTIB) as a whole - but has, curiously, not. Our DTIB, as known, consists of two components, namely (a) our defence production units, comprising our ordnance factories and defence public sector units and (b) our laboratories and establishments for development of military technology. The occurrence of the failure to recognise the dire need for making our DTIB, as a whole, productive and in achieving, through that process, a reasonable degree of self-reliance in weapons was so unlike what each one of the developed countries of the World, as well as the former Soviet Union (FSU), had experienced in their early years and so unlike, even, what had happened in a newly 'liberated' communist country in our neighbourhood, namely new China, that one cannot but conclude that the founding fathers of our Republic had, for their own reasons, rejected conventional wisdom as regards maintaining a balance between the compulsions of economic Development and of national defence.<sup>2</sup>

They had, consequently, opted for giving a higher priority to the agenda for our socio-economic development and neglected the need for developing military technology by building an appropriately managed and funded DTIB on a high priority and, through it, establishing a self-reliant Indian military.<sup>3</sup> The purpose of this article is four-fold, i.e. (a) to briefly outline the kind of higher defence management structure which we had inherited from the British rulers and the implications of the changes that our Government had brought about on assuming power, (b) to discuss some of the issues concerning the role of governance in the attainment of self-reliance in weapons and equipment, (c) to attempt an analysis of the reasons why we have spectacularly failed to achieve self-reliance in conventional, high-technology weapons, while scoring a note-worthy success in strategic weapons, and (d) to suggest the kind of restructuring of our DTIB management that our Government ought to undertake, without further loss of time, to enable us to successfully 'make' our own high-technology, conventional weapon systems for meeting most of our military's requirements. As an aside, however, one cannot but mention in this connection that the sharp contrast which is now amply evident between our failure to 'make' conventional, high-technology weapons and our moderate success in 'making' strategic weapons has, fortunately for our country, yielded one exceptional benefit: Although we have failed to yet make a dent on making conventional high-technology weapons of our own, our moderate success in developing and producing strategic weapons has ensured that we now possess, at least, the minimum required level of deterrent weapons to ensure our security, weapons which, as known, we could not have 'imported' for love or money.

## **Post-Colonial Higher Defence Management**

Pre-Independence there was no department (or ministry) in the administration of the Viceroy of India, which had been empowered by the British Government in Whitehall in London to function as the colony's Ministry of Defence. That responsibility was given to the Commander-in-Chief (C-in-C), India, i.e. the (British) Chief of the British Indian Army who had his Headquarters in Delhi, in the form of the (British Indian) Army Headquarters. The C-in-C India, a four-star British Army General, was, thus, made responsible for both (a) managing the (British) Indian Armed Forces including their deployment in war-fighting in colonial India's borders and coastlines and (b) overseeing the administration of the British-built, if nominally-present, infrastructure for ordnance production. And, because he reported directly - for all matters pertaining to the British Indian Military and its war-fighting as well as the Indian ordnance factories - to the Chief of Imperial General Staff (CIGS), in London, whose Headquarters had, from its inception, been an integral part of the British Ministry of Defence (MOD), his headquarters, i.e. the British Indian Army's Headquarters in Delhi, had been an integral part of the British MOD. However, when overnight, on 15 Aug 1947, this British Indian Army had become new India's own National Army (and the colonial Royal Indian Air Force, the Royal Indian Navy and the colonial Indian Ordnance Factories

organisation had become our own national entities), our Government had, somewhat surprisingly, failed to comprehend the significance of that change. It had, therefore, failed to put in place an appropriate higher defence management structure for our newly independent Country and, consequently, had failed to integrate our Army, Naval and Air Headquarters and the headquarters of our Ordnance Factories organisation into our newly-formed Ministry of Defence. It had, in fact, gone further and – somewhat inexplicably but with deliberation - made those headquarters to function as subordinate offices of the Indian MOD, while simultaneously appointing a British General as the first Commander-in-Chief (C-in-C) of the newly designated Indian Army - and a British Admiral and a British Air Marshal as C-in-Cs of the newly designated Indian Navy and Indian Air Force, respectively.<sup>4</sup>

Although, in due course, the (British) C-in-C, Indian Army, was replaced by the senior-most Indian Army officer, then a Major General who got promoted to the next higher rank, and, soon thereafter, his post, namely the C-in-C Indian Army, got re-designated as the Chief of Army Staff (COAS), as did, later, the posts of the Chiefs of our other two Services. The position as regards the three Services Headquarters vis-à-vis our MOD had remained unchanged right up to 2005: The Army Headquarters – as well as the Air Headquarters and the Naval Headquarters, as, indeed, the Headquarters of our Ordnance Factories organisation – continued to function as subordinate offices of our Ministry of Defence. In short, a succession of the Chiefs of Staff of our three Services had discharged their duties in a situation where the Department of Defence of our MOD, headed by a Secretary to the Government, called the Secretary (Defence), had, in effect, ‘supervised’ the functioning of our Army, Navy and Air Headquarters. Similarly, the Department of Defence Production, headed by the Secretary (Defence Production & Supply), again an officer of the administrative cadre, continued to oversee the functioning of the Directorate General Ordnance Factories (DGOF).

As known, until recently (i.e. till 2006-2007, when the Army, Naval and Air Headquarters were integrated into our MOD) the Department of Defence routinely received all cases, put up by our military, which had financial and/or administrative import, and routinely exercised its prerogative of accepting/rejecting/recommending each one of those proposals, albeit, in compliance with procedures approved by our Government. And, that norm, practised by the Department of Defence, had set the tone of independent India’s higher defence management system, signalling that the non-military, defence organisations, too, e.g. the ordnance factories organisation and the defence science organisation, ought to follow suit. Thus it is that the Headquarters of the Director General Ordnance Factories (DGOF), now renamed Ordnance Factories Board (OFB), and – till 1971 - the Headquarters of the newly-formed Defence Science Organisation, later renamed the DRDO, functioned as the subordinate offices of the Department of Defence Production & Supply, headed by a Secretary (Defence Production & Supply). In short, as in the case of the Indian military’s three Headquarters, the twin Headquarters of our DTIB had, also, been made to function as subordinate offices of our MOD, i.e. of our MOD’s department of Defence Production. (The situation in respect of the DRDO, however, had changed in 1971, when the DG DRDO had been empowered to function as a Secretary to the Government, making it redundant for the Department of Defence Production to have to ‘oversee’ the functioning of the DRDO and to accord sanctions for expenditure of funds etc.<sup>5</sup> However, that was only one aspect of our higher defence management which severely affected the functioning of independent India’s DTIB. There was/is, yet, another aspect of governance which needs to be addressed, since it has proved to have been, probably, the most damaging, over the years, and imperilled the functioning of our DTIB.

### **Non-Integrated Management: The Unique Feature of India’s DTIB**

The British in India had established a miniature version of defence production organisation by setting up a handful of ordnance factories and had equipped those for the production of only a few varieties of British-developed, comparatively low-technology, guns and ammunition. Each of those ordnance factories (or a group of factories, in some cases) had, also, had attached to it an independently managed, development-cum-inspection unit, with its own chemical/explosives/metallurgical laboratory in some cases, which undertook, as its major task, the inspection of the products of that ordnance factory (or that group of factories) but, also, at times, carried out minor investigation of defects and/or minor ‘development’ tasks.<sup>6</sup> As mentioned earlier, the management of this defence production set-up of colonial India, consisting of the Ordnance Factories and the development-cum-inspection units, had been entrusted to the British Indian Army’s C-in-C, i.e. to the (British) Indian Army Headquarters. Back ‘home’, however, the British, with their self-reliant Army, Navy and Air Force, equipped with state-of-the-art, British-made, weapon systems, had a well-developed and, consequently, a very large, but integrated, development and production set-up, which developed and manufactured British-designed weapons and equipment. Further, that organisation was managed, in an integrated manner, by either their Ministry of Defence and/or their Ministry of Aviation and/or their Ministry of Technology etc.<sup>7</sup>

In colonial India, however, no attempt had ever been made by the British rulers, for understandable reason, to develop military technology (i.e. to develop and produce ‘indigenous’ weapons). Therefore, colonial India’s ordnance factories had only been engaged in the production of British-developed guns and ammunition, under conditions similar to today’s licensed manufacture, and the concept of an integrated management system had never, even, been mentioned in colonial India. In other words, the question of putting in place a system which was well established in the UK - for developing and manufacturing British-designed weapons - had never arisen in British India.<sup>8</sup> Therefore, during the transfer of power in 1947 our Government had not inherited, from the British rulers, any such integrated organisation for development and manufacture of indigenous weapons (or, even, thought of it, in all probability). The net result was that new India’s political masters had not been confronted, in 1947, with the necessity for decision-making in this area of higher defence management, too. And, it had ended up, once again, by opting for what it had envisaged as the ‘status quo’ of the colonial era, i.e. by retaining the same type of management system, for the inherited defence production organisation, as the British rulers had designed for colonial India, i.e. a type of management system which is suitable for ordnance factories geared to undertake ‘licensed production’ only, and, consequently, by opting, a little later, for setting up our Defence Science Organisation, as an independent entity.<sup>9</sup> That, in short, is the genesis of the formation of

independent India's Defence Production Organisation and Defence 'Development' Organisation as two separate entities, under separate management systems, and was the reason why our DTIB has remained a divided house. In short, the separate existence of a Department of Defence Production & Supply, headed by an administrator, designated as Secretary (Defence Production & Supply), and of a Department of the Defence R & D, headed by our Scientific Adviser, i.e. the DG DRDO-cum-Secretary (Defence R & D) had completely destroyed any scope for putting in place an integrated management system for the development-cum-manufacture of indigenous weapons. Further, as in the case of our military, no serious thinking was thereafter given to improve matters in the case of our DTIB, too. However, whereas, recently (in 2005), some efforts were initiated by our Government of the day to integrate the Service Headquarters into the Department of Defence of our MOD and, also, to bring about a nominal integration of our command structure for war-fighting, the overhauling of our DTIB management structure on the required lines has not yet been thought of.<sup>10</sup>

### **Need for Integration of our DTIB and its Management**

Establishing a reasonable degree of self-reliance in weapons and equipment is, admittedly, as important a factor in strengthening national security of a non-aligned nation as the maintenance of an efficient military. However, as mentioned, unlike the governments of both industrially developed countries and communist China and the Former Soviet Union (FSU), successive governments of our country and, even, our military at the highest level of its leadership – or, at least, most of it – had, till very recently, found nothing amiss in the position that each one of our major weapon systems for conventional war-fighting continued to be imported, i.e. outright purchased or both purchased and made under licences, obtained from foreign manufacturers. There were a few other reasons for this unusual occurrence, too. But, strangely enough and almost unbelievably, one reason for this had been that our decision-makers at the highest level had felt – especially, during the first three decades of our Independence – that our scientists and technologists were not capable of developing military technology and state-of-the-art weapon systems.<sup>11</sup> Therefore, there had been no efforts made by successive governments to invest in and overhaul our self-reliant weapons making enterprise, i.e. to develop military technology in the real sense. It was, therefore, only in 1971 that the then Prime Minister, Indira Gandhi, had taken matters into her own hands and had set the ball rolling for the making of moderate investments in the build-up of our DRDO and for empowering our Scientific Adviser/DG DRDO to overhaul our military technology development base.<sup>12</sup> The result had been a mixed fare, however: whereas we have made a remarkable success of getting adequate returns on our investments in the 'making' of strategic weapons, namely those weapons of deterrence which cannot be purchased by a non-aligned country from any source, our record in making conventional but high-technology weapon systems remains patchy, and self-reliance remains an unachieved goal. As known, we continue to drain our resources for acquiring from developed countries each one of the required items such as main battle tank, a state-of-the-art combat aircraft and sophisticated naval craft. The fact that we have scored a success in making strategic weapons, e.g. ballistic missiles and nuclear warheads, but yet fail in conventional weapon-making ought to be noted and make us inquire into its reasons. However, the reason is, probably, not far to seek. Whereas we had taken enough care to ensure that both the functions involved in the 'making' of our strategic weapons are undertaken under one roof, i.e. under an integrated management structure for both development and bulk production, we continue to live in a divided house where the 'making' of conventional weapons is concerned.<sup>13</sup> As known, in every industry in the world, be it the civil-use aerospace industry or a defence industry in a developed country, the development of any kind of equipment (or a special material or a chemical or a metal/alloy) and its eventual bulk production constitute one integral function which can only be discharged by one, unified management. In our case, in so far as indigenously developed conventional weapons are concerned, there are two organisations with the equivalents of two CEOs/Boards of Directors. Whereas the DG DRDO, who has full control over his establishments (but only limited access, through 'co-operation' window, to the defence production organisation), bears primary or total responsibility for 'developing' a weapon system, the responsibility for establishing the 'manufacture' of the developed equipment and for undertaking its bulk production lies, at the final count, with the chief of our defence production organisation, namely the Secretary (Defence Production & Supply). This separateness of management of Development and Manufacture functions is an unique feature which only exists in our country. That system has, however, failed, as known, despite our Government making moves from time to time, to 'superficially' change the system. And that failure occurs, primarily, because, as in the case of makers of ordinary equipment, the development-cum-manufacture of a weapon system, too, needs an efficient, single-point control of what amounts to a constant interflow of expertise, i.e. men and machinery, which are primarily dedicated to either 'development' or 'manufacture' activities but are capable of being utilised and have to be utilised, with total ease, in solving a host of inter-related, development and/or manufacturing problems. It is this feature of an integrated management system of an original equipment manufacturer (OEM) which makes it possible to solve a plethora of interface problems, inherent in developing any sophisticated (or, even, simple-design) prototypes and components, within a reasonable time-frame and in conformity with budgeted costs and, later, in making the transfer of technology by the 'developer' to the 'manufacturer' a success.

### **Other Issues Concerning DTIB Reform**

Before we proceed to examine, albeit in broad outlines, the basics of how such an integration of our DTIB management could be brought about, we must hasten to add that there are other issues, too, which need to be addressed in connection with any discussion on military technology and development of indigenous weapon systems by our country. Some of those issues concern the interface between the DRDO and the Services, e.g. the need for ensuring the reasonableness of Qualitative or Staff requirements (i.e. QR or ASR or NSQR), the need for consultation between the development agency (or the prime contractor) and the Services at all stages, the scope for making changes in the qualitative requirements mid-stream etc.<sup>14</sup>

### **Possible Method of Integration of DTIB Management: Near- Term Solution**

Every country in the World, which successfully makes weapon systems, has done so by setting up companies or

corporations or associations which allow them to both develop and manufacture weapons under an integrated management. And, there are both private and publicly owned companies which make weapon systems, and most of those companies are large institutions which, nevertheless, collaborate with other companies, if required, to develop a weapon system and largely outsource both development and manufacture of components and sub-systems. However, they assume full responsibility, as a prime contractor, for the integration of the weapon systems and for the performance of their products. In other words, those companies, singly or as joint ventures, remain accountable, as the prime contractor, to their customers, i.e. the governments or the military who acquire their products, at all time. Since we have no such armaments manufacturing company or companies yet in our private sector which have the required expertise and infrastructure, including personnel and facilities, to immediately undertake development and manufacture of sophisticated weapon systems and since our Government has invested heavily into the build-up of such infrastructure within our Government owned institutions, i.e. the DRDO laboratories and establishments and the ordnance factories (or, in the case of 'non-armament' systems such as electronics and aerospace products, a few defence public sector units, e.g. the Hindustan Aircraft Ltd, the Bharat Electronics Ltd, the Bharat Dynamics Ltd etc), in near term we need to make full use of those institutions while setting up corporations with integrated management for development and manufacture. In short, a few publicly owned corporations ought to be formed by combining one or more DRDO establishments, dealing with technologies of the same class, with the corresponding ordnance factories and/or defence public sector units. One good example, for us, is France where, in the past, a number of such government owned corporations successfully developed and manufactured explosives, armaments, missiles and aerospace systems (e.g. SNPE, SEP, Euromissile).<sup>15</sup>

One or two examples will illustrate our point. (a) We could constitute one public sector corporation for 'making' (i.e. developing and producing) combat vehicles by combining our Combat Vehicle R & D Establishment (CVRDE), a DRDO laboratory, with our Heavy Vehicle Factory (HVF), an Ordnance Factory, and (b) We could constitute another company for the development and manufacture of artillery, small arms, ammunition (and other explosive devices) by combining a cluster of our armament R & D laboratories, i.e. the Armament R & D establishment (ARDE), the Terminal Ballistics Research Laboratory (TBRL) and the erstwhile Explosives R & D Laboratory (now renamed) with such ordnance factories as the Gun & Shell Factory at Cossipore, the Rifle Factory at Ishapore and the ordnance factories at Kirkee, Bhandara etc which manufacture explosives and explosive devices). Further, each of these newly constituted PSUs ought to examine the possibility of forming joint ventures with reputed Indian private sector companies, e.g. Larsen & Toubro, Mahindra & Mahindra and the like, with a view to developing and manufacturing weapon systems in a more efficient manner and, also, explore the possibility of accessing new technologies through collaboration with foreign companies. Finally, once we accept, in principle, the necessity for integrating the management of the so-called 'development only' institutions with that of the 'manufacturing units' and merge selected DRDO laboratories with the appropriate ordnance factories (or defence public sector units) to constitute a few public sector companies, each dedicated to 'make' weapon systems of one class under an integrated management, we will have to do away with the department of defence production and supply, headed by a generalist administrator. In short, that department/organisation needs to be abolished, and, as in France (and the USA etc), an integrated department, headed by a trained and experienced 'technocrat', constituted.

That department would then be required to co-ordinate, at the policy level, the development-cum-production activities of the (newly constituted) weapons manufacturing companies and, also, assist those companies, if and when required, in their commercial operations, e.g. in promoting sales to other countries. In other words, the task of such a newly constituted department would be to provide assistance to the CEOs (and the Boards of Directors) of the weapon 'making' companies, wherever possible, in achieving their targets (and not to impinge on their autonomy).<sup>16</sup> Again, the example of France, which has, in its MOD, a technocrat, called the DGA (Direction General pour le Armement), for doing that job will be of interest to us. Once the contours of the functions of such a department are decided upon, it would be easy to see where some of the other functions, e.g. weapons acquisition for our military, would fit in. Incidentally, the USA where all military weapon systems are developed and manufactured by large, privately owned corporations, e.g. multinational companies, and the Department of Defence has scientists and technocrats to oversee research and development activities, undertaken by both the government owned laboratories and the private sector institutions including universities, have taken a leaf out of France.<sup>17</sup> Finally, in the changed circumstances which have been envisaged in the foregoing paragraphs, our DG DRDO-cum-SA would have the responsibility only for initiating and overseeing the advanced-technology research and development activities for futuristic weapons. Those activities would be funded by our Government and undertaken by both the research laboratories which remain within the DRDO and our universities and other research institutions.<sup>18</sup>

## **Recent Initiatives by our Government**

In the final days of the previous (BJP-led coalition) Government, a much-awaited attempt at restructuring our higher defence management had, for the first time, been made, starting with the setting up of the Kargil Inquiry Committee. Although the recommendations of that committee have not been published, the published contents of the main Report, an excellent document, clearly indicate that some of the ills of our higher defence management structure have been addressed by that Committee in their Recommendations. In fact, in all likelihood it is in the pursuance of some of those recommendations that both the previous Government and the present (Congress-led) coalition government had, during 2006 and 2007, instituted two more studies, one by the Kelkar Committee and another, in 2007, by the Rama Rao Committee, to make recommendations for restructuring with a view to rectifying what they perceived as the shortcomings in the functioning of the DRDO. As known, after receiving the Kelkar Committee's recommendations and, also, the comments of the Standing Committee of the Parliament in 2007, our Government did constitute a few Boards and Committees, some chaired by eminent, independent persons of knowledge and experience, and others, presided over by the SA/DG DRDO, with a view to making our DRDO and its establishments more productive and more accountable. But, it seems that, even, after taking those

initiatives our government is not satisfied and not confident that the performance of the DRDO would improve.

A study of the Kelkar Committee's findings, as reported by our press in 2006, would show that those findings have, also, altogether missed what we perceive as the real cause of the ills of our DTIB. Therefore, the implementation of that Committee's recommendations would, also, according to our logic, amount to undertaking cosmetic changes only and not serve the real purpose. In other words, as long as the present management structure of our DTIB, comprising two, separate organisations, continues and the development of prototypes of subsystems of conventional, high-technology weapons and the integration of the complete weapons are undertaken by the present DRDO laboratories in isolation, i.e. in the absence of an integrated management for development-cum-manufacture, we would fail to deliver goods.<sup>19</sup>

The Rama Rao committee's work is reported to have been completed, too, and the recommendations, as reported in the newspapers in April, 2008, call for making five clusters of 'like-minded' (e.g. Electronics, Armament etc) DRDO laboratories, each headed by a Director General, and, presumably, for each such cluster, as a whole, to undertake the development of one class of weapon. The report has, also, mentioned the need for accessing newly developed technologies from developed countries by entering into collaborations, but, apparently, this report, too, does not recommend the integration of DRDO laboratories with OFs or defence PSUs and the 'making' of indigenous weapons under an integrated management.<sup>20</sup> If the press report is correct, it would appear that the Rama Rao committee, too, has not acknowledged the need for integrating the managements of the concerned development agency and of the relevant production unit(s).

### **The New Acquisition Procedure for Weapons and Its Impact on Self-Reliance**

Prior to 2006 the Defence R & D Board had handled all cases for weapon acquisition which had been categorised as fit for 'making'. However, post-Kelkar Committee we have a new procedure for procurement, called DPP-2006, which has made distinctions between classes of weapons, based on complexity, security-sensitivity, order of technologies (high/low) etc, and, although high-technology, complex systems would fall under the so-called 'make' category, the new 'make' procedure, while apparently encouraging indigenous development, will tend to make the outcome of the step-by-step examination of feasibility studies etc un-favourable to our DTIB, i.e. a DRDO/Defence Production amalgam, under a non-integrated management.

The intention behind the framing of the new 'make' procedure is beyond reproach. But, it is so elaborate that its implementation will need putting in place a many-faceted organisation which it will not be possible for us to build in a hurry. There will, therefore, be taking of short-cuts in the course of that procedure being followed, and incompetence which, is likely to vitiate the implementation of that procedure.<sup>20</sup> However, we need not, for our purpose, endeavour to critique the new acquisition procedure and will not. But, the fact that there is now, on the ground, an acquisition organisation in our department of defence highlights the position that the status quo of the continuing failure of our DRDO, as it is constituted now, to deliver goods and yet exist as an organisation with its large body of scientists and infrastructure may not continue for long. In short, it is envisaged that our competitors, established military industrial corporations of developed countries, in their bid for acquiring billion-dollar worth Indian orders for supply of high-technology, conventional weapon systems, have all of the advantages of an integrated management for development-cum-manufacture of such weapon systems through outsourcing of both development and manufacture of subsystems and components etc etc, and, therefore, will have an unfair advantage, unless we provide our DTIB a level playing field, without loss of time, by integrating the managements of our DRDO and our Defence Production.

### **Conclusion**

As in the case of those who had, in the previous era, believed that the route of acquisition of weapons through import-cum-licensed-manufacture would assist us in developing weapons of our own; there could, now, well be those who would propose that by selecting foreign-made, high-quality conventional weapon systems to meet our present requirements and, simultaneously, making/encouraging those foreign weapon-makers to set up joint ventures with a few reputed Indian engineering hardware (or electronics) manufacturing companies, we will enable our private sector companies (which would enter into agreement with the foreign weapon-makers to form joint venture companies) to assimilate design/development expertise and be empowered to develop our own ability to 'make' (i.e. develop and manufacture) such advanced-technology weapon systems. Unfortunately, however, our private sector companies are not 'equipped' to absorb such weapon related technologies. That expertise including the required infrastructure is available only with the DRDO laboratories and ordnance factories (and, in some cases, defence PSUs). Therefore, our country, having invested heavily in building that expertise and infrastructure in government owned institutions, must ensure that we restructure our DTIB and give it a level playing field to compete with the foreign weapon-makers. After all, the NRI scientists who help foreign weapon-makers to develop high-technology weapons in the developed countries come from the same stock of highly skilled Indian scientists who form the core of experts in our own laboratories and production centres. All that we, primarily, need is that we provide the right kind of work place, i.e. the appropriate, integrated management system, which will enable our scientists and production engineers in our laboratories and production centres to successfully 'make' weapons to equip our military for conventional war-fighting.

---

. \*Based on the text of a talk delivered at the USI on 09th Apr 2008.

\*\***Air Vice Marshal Samir K Sen (Retd)** is a former Director of Terminal Ballistics Research Laboratory and was also a Member of Missile Programme Management Board.



# Flat World versus Free Tibet - An Unequal Contest

**Major Shailendra Singh Arya\***

## Introduction

In January 2006, much before the protests over Tibet threatened to overshadow the Olympics and focussed the world's attention on the roof of the world, in news was a major corporate decision taken at Googleplex in Mountain View, California by the founders Sergey Brin and Larry Page. Google, an internet giant with the innocuous credo "Don't Be Evil" had decided to go ahead with a China-based Google site.<sup>1</sup> In other words; the company which defines powerful and free internet search worldwide had allowed itself to be subjected to harsh Chinese censorship laws. Today, on Google China (www.google.cn) the search for key words like democracy or Free Tibet will return few or no results. Sergey and Larry need not be blamed – it was economics. Google could not stay away from the lucrative market of over 100 million (and growing) internet users of China. Its arch rival Microsoft, with over thousand employees, was already there doing attractive business on Chinese terms.

Tibet, which for generations has fascinated the West as a romantic, mysterious and remote mountain kingdom, has encountered a foe which its famed spirituality is unable to contain. Its uncertain future may be shaped by the powerful forces of free market economy and the criticality of anyhow doing business with the world's fastest growing economy. As the Tibetan unrest and catchy protests in support of the Tibetan cause dominate media headlines across the globe, the pivotal role of Chinese economic muscle in deciding the final outcome remains much understated. Quite paradoxically, while facing a communist China, it is the capitalism, the original proponent of liberty and free speech, which the Dalai Lama and his followers may find as the biggest stumbling block towards a genuinely autonomous Tibet. It's an unequal contest – between an increasingly flat world<sup>2</sup> unwillingly pitted against an ethnic community struggling to maintain its unique culture. In this contest, economics is not a footnote but the main protagonist of the story.

## The Rise of China

On 4 June 1989, the tanks rolled in Tiananmen Square to quell the students' pro-democracy protests. The repression left 2,600 protestors dead and changed China in ways more than one. Many in the Communist Party hierarchy saw the liberalisation reforms being pursued under Deng Xiaoping having gone too far while many others saw the protests a signal that the process of economic liberalisation needs to reach out to the left-out sections of the population.<sup>3</sup> Finally, Deng with his now famous philosophy 'Poverty is not socialism; to be rich is glorious' persisted and further reforms followed. The economy continued to be reformed from a Soviet-type centrally planned economy that was largely closed to international trade to a more market-oriented economy that has a rapidly growing private sector. Massive investments in infrastructure also continued, though the world only started to take note by late nineties when China became too big to ignore. The country has averaged 9.5 per cent growth in real terms since 1978 but even well in 1980s this growth rate was equivalent to only one-tenth of global economic growth.

Things dramatically changed in the new millennium. The dot.com bubble burst which severely affected the United States (US) economy, along with the negative fall-outs of 9/11. Over the period from 2001 to 2005, China accounted for as much as a third of global economic growth.<sup>4</sup> It also fitted in a gap vacated on the other side of the world by a slow-growing Europe. Consequently, as wrote Pam Woodall in the Economist, its contribution to global Gross Domestic Product (GDP) growth since 2000 has been almost twice as large as that of the next three biggest emerging economies, India, Brazil and Russia, combined. Uniquely, China combines a vast supply of cheap labour with an economy that is unusually open to the rest of the world, in terms of trade and foreign direct investments. The sum total of its total exports and imports of goods and services amounts to around 75 per cent of China's GDP; in Japan, India and Brazil the figure is 25-30 per cent.<sup>5</sup> Today, the economy of the People's Republic of China (PRC) is the second largest in the world after the US with a GDP of US \$10.21 trillion when measured on purchasing power parity (PPP) basis. It is the fourth largest in the world after the US, Japan and Germany, with a nominal GDP of US \$3.42 trillion (2007) when measured in exchange-rate terms.

## Beijing's Economic Clout

In the 19th century, as the Western leaders looked to China to buy their goods, it was said that if every "Chinaman" would only lengthen his shirt tail one inch, it would "save the mills of Manchester". By the turn of the century, even the US Bureau of Foreign Commerce was extolling China as "one of the most promising targets" for an "American invasion of the markets of the world".<sup>6</sup> The American firms were already on the trail. Wal-Mart had opened its first Chinese supermarket in Shenzhen in 1996. By 2006 it had fifty-six stores in mainland China and the number is rapidly growing. By the same year, French retailer Carrefour had over two hundred stores and the British chain Tesco also had a significant presence. According to the Retail Forward consulting group, China was the seventh largest retail market in the world in 2005 and it is poised to become much larger, overtaking Italy and France before 2010. This new "gold rush" cuts across market segments and sectors, from food to automobiles and luxury goods. In the beginning of 2007, McDonalds had over 700 restaurants in China. The McDonalds now faces stiff competition from unusual (or rather usual) quarters – they now require to compete with Taco Bell, Pizza Hut and Kentucky Fried Chicken (KFC) for the Chinese customers. In the smart confines of these Western food outlets crowded with eager Chinese customers and ringing cash counters, Tibet seems like, and indeed is, another world.

China is in process of building up 50,000 miles of inter-state freeways, north-south and east-west routes. It had private car sales of three million in 2005 which makes it the third largest car market in the world after America and Japan. However, these figures will soon look tiny. According to Goldman Sachs, by 2050 the Chinese car ownership could rise to about two-thirds of current American levels on a per capita basis. That will be over 500 million cars.<sup>7</sup> No wonder, car manufacturers like General Motors (GM), Volkswagen and BMW are lining up showrooms and plants in China with GM already having cornered the biggest share of the existing market. It's not only the foreign cars which the Chinese are lapping up. Their increasing disposable incomes are enabling them to purchase expensive luxury brands. International accountancy firm Ernst & Young, in a September 2005 report, 'China: The New Lap of Luxury', predicted that the luxury goods market in China would grow by 20 per cent annually over the period 2005-8, then increase by 10 per cent a year until 2015. By that time, it is projected that China would account for nearly a third of global demand for luxury goods, matching Japan and ahead of any other country.<sup>8</sup> Soon the Chinese shall be found elsewhere as well, from the pyramids of Egypt to the Eiffel Tower. It is predicted that by 2015, there will be 100 million Chinese tourists visiting other parts of the world, compared with less than 30 million in 2004. This huge clientele can only be ignored by the tourist economies at their own peril. This mostly indoctrinated clientele also avoids places where the "Dalai clique" is at work with "splittist banners."

A glimpse of this peril has already been experienced by Western corporate world. In the spring of 1998, the Apple Computer company launched a new advertisement campaign featuring large black-and-white photos of celebrities like Pablo Picasso, Rosa Parks, Amelia Earhart, Albert Einstein and the Dalai Lama under the caption "Think Different". However, the need to corner a pie of the growing Chinese market soon forced the Apple executives to think quite differently themselves and the Dalai Lama's visage was removed from its billboards.<sup>9</sup> Apple was doing nothing outrageous but surviving in a flat world. In the preceding year, Sony-Tri Star (it later became Columbia Tri Star) released the movie Seven Years in Tibet, starring Brad Pitt. The movie went on to become a mega-hit and grossed millions. However, China grew cold towards the Sony-Tri Star and the company paid a high price wherein their other films were virtually excluded from the entertainment market of over 1.3 billion people. An idea of the size and potential of this lucrative market is not difficult to guess. When The Lion King was shown in 1996 and Titanic in 1998, attendance records were shattered. These Hollywood releases then accounted for approximately half of all local box office yields, unofficially estimated at US \$ 300 million.<sup>10</sup>

The corporate world was quick to adapt. In fact, they were rather enthusiastic. After a deal was worked out with the US in November 1999 to let China into the World Trade Organisation (WTO), the chairman of the New York Life Insurance enthusiastically observed that a mere one per cent of China's market share would double the volume of his company's business. After the success of Toy Story and The Lion King in China, the Walt Disney Company was hoping to sell limitless amount of merchandise and toys to Chinese children through more than 130 "Mickey's Corner" stores and to open a large new Disneyland-like theme park in Shanghai. However, their next big venture, a US \$ 28 million Tibet film called Kundun got them in serious trouble with the Chinese. Kundun means 'the presence' in Tibetan and it's the 14th Dalai Lama's diminutive name used by his family members. The Chinese Ministry of Radio, Film and Television declared through its spokesman in Beijing, Kong Min, that because Kundun "intended to glorify the Dalai Lama," it constituted a form of "interference in China's internal affairs." The vice-director of the ministry, Yang Buting, came right to the point. Because, he said, Disney had "indicated a lack of respect for Chinese sovereignty," China was "thinking over our business with Disney."<sup>11</sup> Walt Disney quickly distanced itself from the film and even hired old China hand Henry Kissinger to placate the Party leaders in Beijing. The need for selling Mickey Mouse had won over an honest portrayal of Dalai Lama.

Time Warner's Cable News Network (CNN) is often synonymous with 24 hours news reporting and promoting liberal political positions. It brought 1991 Gulf War live to homes worldwide and was also the first channel to break the news of the American Airlines Flight 11 crashing into the North Tower of the World Trade Centre on 11 September 2001. But now its quick and accurate footage of Tibetan unrest has drawn considerable flak from Chinese officials. Recently, many demonstrations were held in Chinese cities against the media corporation for the supposedly biased coverage of the Tibetan unrest. A Chinese website called anti-cnn.com sprang up overnight and accused the CNN and western media in general of biased reporting against China, with the catch-phrase "Don't be so CNN", which meant "Don't be so biased". The CNN advertisement revenue from China and Hong Kong is the next likely casualty of free speech. They have some other worries too with two Chinese individuals suing CNN for US \$ 1.3 billion damages. The figure is familiar. They have sued US \$1 for per person in China.

Cheap Chinese goods have flooded the American as well as the Asian markets. Critics of China's business practices say that its size and economic power mean that it will soon be setting the global floor not only for low wages but also for lax labour laws and workplace standards. This is known in the business parlance as "the China price", as noted by Thomas L Friedman in his bestseller The World is Flat.<sup>12</sup> This business price also includes soft-peddling on the political issues inconvenient to Beijing. Tibet tops this dubious list of inconvenient issues.

## **America Discovers China**

The love-hate relationship of the USA with China has undergone a subtle change in the last few years. However, the relationship has always been founded on strong economic undertones. In 1784, a trader ship called Empress of China, arrived at Canton. It was the first contact between the post-revolutionary Americans and the Chinese, besides being a financial windfall for its American owners. Thus began the lucrative Sino-American relationship known as the Old China Trade. The end of the First Opium War in 1842 led to the Anglo-Chinese Treaty of Nanking, which forced open many Chinese ports to foreign trade. It was soon followed by the 1844 Treaty of Wangxia with the USA. There was a lull post the World War II wherein for 30 years after its founding, the USA did not formally recognise the PRC. The rapprochement process began in 1969 and finally in February 1972, President Nixon travelled to China. The likely economic benefits of normalisation soon convinced the USA to transfer the diplomatic recognition from Taipei to Beijing in 1979, while still continuing unofficial commercial and cultural relations with Taiwan under the Taiwan Relations Act. While some differences on political front remain,

post 9/11 the two countries developed further cosiness when the PRC offered strong public support for the war on terrorism and the coalition campaign in Afghanistan. The Chinese also contributed US \$150 million of bilateral assistance to Afghan reconstruction following the defeat of the Taliban. The Chinese have since learned that dollars make better gifts than pandas.

The USA's direct investment in mainland China covers a wide range of manufacturing sectors, several large hotel projects, restaurant chains, and petrochemicals. The American companies have entered agreements establishing more than 20,000 equity joint ventures and wholly foreign-owned enterprises in mainland China. More than 100 US-based multi nationals (MNCs) have projects in mainland China, some with multiple investments. As in 2007, the cumulative US investment in mainland China is valued at US \$ 48 billion. Total two-way trade between mainland China and the US has grown from US \$ 33 billion in 1992 to over US \$ 230 billion in 2004. These rising figures have also prompted the US State Department in March 2008 to drop China from its list of the world's worst human rights violators. The decision is possibly aided by a strong China lobby in America, whose clout is ascending since the early nineties. The primary goals of this lobby include the promotion of American policies favourable to the economic development of the PRC. Their financial muscle in Washington DC has effectively countered the domestic American interest groups which seek to bring pressure on China to move from a fixed currency to a floating currency. In the recent months, this lobby while playing up common interests with the USA in the war on terror is successfully working overtime to trivialise the Tibet unrest.

## **China Embraces Europe**

In September 2007, when the German Chancellor Angela Merkel received the Dalai Lama at her Berlin office in a rare gesture, German industry expressed fears that it would actually pay the price for the Chancellor's honest gesture. The views of the German industry are discreetly shared across the continent by the business houses and powerful lobbies. The reasons are not difficult to fathom. The European Union (EU) remains China's most important trading partner; European exports to China in 2006 were worth about US \$ 63.3 billion. Though there is resentment in Europe about the trade imbalance and lack of protection for intellectual property rights in China, the general trend has been one of major European leaders visiting China and signing huge trade deals and agreements to channel foreign direct investments into the fastest growing economy in the World.<sup>13</sup>

This perhaps explains that in spite of many pro-Tibet European leaders like French President Nicholas Sarkozy and German Chancellor Angela Merkel, the EU under the current Slovenian presidency unanimously adopted the Ljubljana Declaration and ruled out an Olympics boycott arguing that the Dalai Lama himself has not 'spoken out for a boycott'. The French President may also soon reconsider his stance. Post the disruptions of the Olympic torch relay in Paris, the Chinese took to streets in several cities to demand a boycott of French goods and targeted the French supermarket chain Carrefour. Matthias Nass, the Deputy Editor-in-Chief of Die Zeit, a major German weekly newspaper, wrote, "nobody wants to antagonise China" because of the need for its co-operation on a range of issues, including international terrorism, Iran and North Korea, as well as because of its mammoth foreign currency reserves.<sup>14</sup> These considerations have already led to few EU member states favouring the lifting of arms embargo on China, which was imposed by EU in response to its suppression of the Tiananmen Square protests of 1989.

## **The Yellow Peril**

The USA already has a massive trade imbalance with China. In 2005, the USA imported US \$ 240 billion of goods from China and exported back just US \$ 40 billion. The next year, the US trade deficit with mainland China exceeded US \$ 350 billion and was the USA's largest bilateral trade deficit. This trading deficit is likely to increase in the years to come. The only reason that it is sustainable is that China is happy to put its entire surplus into dollars.<sup>15</sup> The value of US dollar has sharply eroded in the recent months and the US economy is in mild recession due to a sub-prime crisis. In these circumstances, the imperative of financial stability precludes any US political action which may result in the Chinese having a rethink on the methods of storing their surplus.

The other fall-outs of these imbalances are also not hidden. According to estimates, in the US manufacturing sector, between 2000 and 2003, America lost nearly three million jobs in manufacturing, mostly to China. The next big fight is for oil. The oil consumption around the world is still climbing sharply. China leads this climb. In 2003, China shot past Japan to become the world's second largest oil consumer after the USA and has since accounted for 40 per cent of the total growth in global demand for oil. But it has avoided competing with USA for oil wherein it takes Iranian oil and is developing oil-fields away from the Middle East. These include Sudan and Angola in Africa and in South America. For reciprocation, the USA has turned a blind eye to the controversial regimes in Sudan and Zimbabwe being supported by China. The name of Tibet shall soon figure in this reciprocation list.

## **Olympic Sponsors In Dilemma**

The pro-Tibet protests across the globe are indeed a cause of concern for the Chinese leadership and may jeopardise their plans for a showcase Olympics. But their concerns pale in comparison to the financial worries facing many Olympics sponsors. They face a past history of protests and Olympic boycotts. Even in the post cold war era, during the 2000 Sydney Olympics, there were protests about the environment and Australian aboriginal rights which had alarmed the sponsors. Beijing Olympics sponsors like McDonald's, Coca-Cola, Samsung, Lenovo and other sponsors have paid tens of millions of dollars to link their names with the Beijing Olympics. The sponsors have called-off their press conferences lest they turn into a publicity disaster and are arguing to delink the games from politics. Chris Renner, president for China, of sports marketing consulting firm Helios Partners summed up their dilemma wherein he stated on 19 March 2008, "We all have to be careful about how we talk about this".<sup>16</sup> The clients of Helios Partners include sponsors Volkswagen AG, computer maker Lenovo Group

and mining giant BHP Billiton Ltd.

The sponsors are now instead trying to mollify activists pressing for change on Tibet, Darfur and other issues, without angering China. China is also banking on the economic clout of these huge corporations to pacify the pro-Tibet Western protestors. The name of Darfur often figures in many anti-China tirades. The inclusion was predicted, as the country is key diplomatic partner and Chinese oil supplier. Oil exports make up 70 per cent of Sudan's revenues and help fund weaponry that the Sudanese government uses against its citizens. It is no surprise that China is the major supplier of weaponry to the Sudanese government, which further worsens the Darfur conflict. The cycle is nicely completed with China as the prime consumer of Sudanese oil and the Chinese companies developing the largest oil fields in Sudan. The close economic and military ties of China with Myanmar are also under scrutiny by the protestors and human rights groups, including the Nobel Peace Prize laureate Desmond Tutu. All hope to put pressure by threats of an Olympic boycott. Unsure of the Chinese response, the protestors intend to pressurise China to make concessions through the Olympic sponsors.

### **Tibetans Join the Fray**

A very large number of Tibetans are living in the USA and other western countries amidst globalising influences. Their largest numbers outside Tibet are in the vibrant and democratic India, where the Dalai Lama has formed the government-in-exile, called the Central Tibetan Administration (CTA) of His Holiness the Dalai Lama. These exposures, in big cities far removed from their land of gold-roofed monasteries and vast desolate valleys, has taught them many ways of the modern world. Consequently, the Dalai Lama has become a global figure, symbolising spirituality and non-violence, as well as the star fund-raiser. The Tibetans have managed to raise significant funds through their various campaigns which have appealed to the Western public. Their well-espoused cause has attracted Hollywood celebrities and prominent world leaders. While the initial unrest in Lhasa was spontaneous, the subsequent well-organised world-wide protests during the torch relay display remarkable organisational skills and networking. They also have a visible presence on the internet with many pro-Tibet sites, hosted on servers located outside China. They recently scored a media coup wherein You Tube, the popular American video web site, was flooded with videos of Free Tibet flags being unfurled from Everest base camp in Nepal to Golden Gate Bridge in San Francisco.

The strategists of the Free Tibet Campaign have now adopted novel methods to register protests which financially hurt the Chinese. China had completed the five billion dollars and 1142 kilometers long Golmud - Lhasa railway ahead of schedule by July 2006. This massive project was the part of China's multi billion dollar "Great Western Development" scheme to close the economic gaps between China's prosperous eastern coastal area and its poor western inland regions. The Tibetan activists condemned the Western corporate involvement in this project and requested their withdrawal. These companies included Canada's Bombardier, Power Corporation, and Nortel, and US corporate giant General Electrics (GE). The International Campaign for Tibet (ICT) highlighted that by partnering the Chinese government on the construction of the railway, these businesses have made themselves partners in China's occupation of Tibet.<sup>17</sup> Among others, chubby Tibetan children of the Capital Area Tibetan Association in Falls Church, Virginia, USA had joined the protests against Bombardier, a manufacturer of airplanes, recreational vehicles and rail transportation equipment, which was leading the consortium.

Subsequently, the three major United Kingdom (UK) luxury travel agencies, GW Travel, Great Rail Journeys and Explore Worldwide which were marketing tours on the Gormud-Lhasa railway were approached by the Tibetan activists urging them to stop their involvement in such an unethical and immoral project and asking them to withdraw from marketing the Tibet railway. The poor response of the travel companies prompted the Free Tibet Campaign to recommended one ethical travel agency, The Himalayan Adventure Company, based in the UK.<sup>18</sup> The company has offered small group and tailor made travel in Tibet while not promoting the railway. The campaign now plans to encourage tourist boycott of the railway, making it difficult for Beijing to recover the money and make its operation financially unviable. In response, Beijing has granted permission to the American company Railpartners which will start running a US \$1000 a day luxury train service called 'Tangula Express' to Lhasa.

The Tibetans are now experimenting with more economic strategies. They have already set up non-profit organisations (NGOs) like The Tibet Fund to preserve their distinct cultural, religious and national identity. These NGOs have a political agenda and have been fairly successful in collecting funds and mobilising public opinion against China. On the other hand, many Tibetan activists now also suggest boycotting Chinese goods, discouraging retailers to store Chinese goods and to invest in ethical funds which do not invest in Chinese companies or in China. Though the Tibetans have joined the fray, their efforts pale in comparison to the overwhelming Chinese economic clout.

### **Conclusion**

As the Olympics draw close, more appeals to not to mix sports and politics shall be heard. By this same ideal yardstick, politics and economics should also not be mixed but the reality is anything but this. The growing trade with China and the promises of the untapped Chinese markets has severely undermined the genuine cause of grant of real autonomy to the Tibetan people. It's a curious situation in the Western world; while the sympathies of the common public lie with the Tibetans, their governments prefer making suitable noises without hampering their long-term trade interests and the MNCs plan their next product for the huge Chinese markets. The dynamics of a free market economy are too strong to be opposed by the Tibetan diaspora with limited economic resources. They do however hope, with help from a powerful media, to fight the wily Chinese by channelising the current sympathies into economic and political pressures on China to negotiate with the Dalai Lama.

The 2008 Summer Olympics emblem has been titled "Dancing Beijing" with distinctly athletic features. As per the

Chinese, the open arms of the calligraphic word symbolises the invitation of China to the World, to share in its culture. In many ways, the invitation for sharing the economic pie is implied. It's an invitation which few nations and corporations can choose to ignore with billions of dollars at stake. On the other end of the spectrum, the blue-and-red Free Tibet flag with snow lions promises only glimpses of an endangered culture and least of all, money. Clearly, it's an unequal contest on the roof of the world. The only hope of Tibetans lies in converting their superior ethical and historical stance into uncomfortable economic pressures on the Chinese. The time is opportune with a new China more than eager to showcase its massive sporting infrastructure, development and internal cohesion to a scrutinising world. In this new economic strategy, the Tibetans may lose their innocence but shall gain a homeland.

-----

.\***Major Shailender Singh Arya** is from the Regiment of Artillery and is presently serving with 30 Assam Rifles.

Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008..

# Red Star over Nepal : A Crucial Time for Indo-Nepalese Relations

**Brigadier Chandra B Khanduri (Retd)**

## Overview

The imposition of an emergency on 1 February 2005, by King Gyanendra after the dissolution of the Government headed by Sher Bahadur Deuba, was to most of the 'Nepal watchers', a very likely event.<sup>1</sup> It could have been avoided only if the squabbling politicians of Nepal had learnt to cooperate with each other in tackling the then regarded hydra-head of the Maoist movement. It has been clearly attempting to devour the Himalayan Kingdom of its peaceful environment and honourable way of life. Everyone from the King to the commoner was praying for something miraculous to happen. It happened but only after over 13,000 people had been killed in a decade long conflict and instability.

## Aim and Scope

This paper examines major developments leading to the rise of the Maoists and the raising of euphemistic 'Red Star' over the Kingdom of Nepal. The Maoists now in their euphoria of success, target at settling score with India – by dismantling our traditional and special relationship since time immemorial, but more specifically after Independence. The issues involved, in two important documents of that relationship, have been discussed at some length.

## Paving the Way for the Red Star

The Maoists took to arms since February 1996, after overthrow of the Communist Party of Nepal's brief stint in politics. It created its organisation principally in the undeveloped western region of Rolpa extending to the Kali, on the Kumaon region of the Uttarakhand Province of India. It built a capital at THABANG near Girigam, which became impenetrable to the Royal Nepalese Army (RNA). Built on the lines of the Chinese communist system of Mao Zedong's days, it had military commanders, political commissars and party functionaries-in the reverse order. A non-descript school teacher Pushpa Kamal Dahal, under the name of 'Prachanda', called it a 'party hierarchy' that would live even after his death. It 'graduated' in its equipment from home made rifles and 12 bore guns, to 'captured' 7.62 SLR and INSAS rifles with LMGs, and low calibre mortars. The same is the story of ammunition.

The RNA was put to severe test in combating the guerillas fight tactically or seize any strategic initiative. Operationally it needed a well-trained army, almost 20 times large, to control and 'contain' the Maoist guerillas and bring them to negotiating table that the King had hoped for. The result was that by September-October, Prachanda and not the King was dictating terms! And he announced a unilateral ceasefire for three months, stipulating that he would break it in the event the RNA resumed fighting. The Maoist canard spread their propaganda that they, the Maoists, had 'broken the 250 year old feudalism' in Nepal, as according to them, 'they controlled two third of rural Nepal'.

With their unexpected military success, the Maoist were aiming higher as evident from Prachanda's oft repeated 'Concept of revolution in Nepal that envisaged, the formation of a constituent assembly which allows people to draw their future'.

Simultaneously, the Maoist leaders were also asking India, the UK and the USA (carefully excluding China) 'to cease their military and other support to the King and the RNA' and instead extend moral and political support to the democratic (implying the Maoist) stir in Nepal. They were insisting on limiting the role of the monarchy to a 'constitutional' figurehead and nothing more.

The author was witness to the developments, as during his visit to Nepal in February 2007, it was Krishna Bahadur Mahara, the 'Number Three' in the Maoist hierarchy who told at meetings of Ex-Servicemen (ESM) at Butwal, Tansen Palpa, Dailekh, Pokhara, Gorkha, 4000 Parbat that the Maoists sought mukti or salvation from the monarchy. This very stand was taken by others including Prachanda.

The World was also watching developments in Nepal with alacrity. For, about this time a flurry of activities took place in Kathmandu overtly from the UN, EU and covertly by others including India. By 25 November 2005, a '12 POINT COMMON AGENDA' between major political parties and the Maoist rebels, endorsed by UN Secretary General Kofi Annan, was announced that emphasised the proviso that the 'Maoists would abjure violence' if they are to be taken seriously. The Agenda also did not seek abolition of monarchy but it wanted it to be 'constitutional and well defined'.

By the end of year 2005, it became clear that :-

- (a) The King was sticking obdurately to his stand of administering Nepal himself. However, the King was under full pressure to negotiate, pave the way for democracy and cancel his Emergency. So while the King was being confronted by the united front of the politicians including Maoists, he could emerge winner if he destabilised his opponents by better alliances.

- (b) And although the RNA has had very little of success in controlling the insurgency in the Maoist dominated Western Nepal, it had, nonetheless, continued to contain their expansion
- (c) January 2006 saw more trouble for Nepal as the Maoists 'upgraded' their attacks on targets in virtual concert with the agitation by the politicians and students.

Situation drifted from bad to worse, and by February-March 2006, things were turning into a revolution. The public, supported by politicians and students, took to the street. it was the King who had to bow down to their wishes for suspension of the Emergency. Alongwith came the release of some of the politicians held in detention; and a cease-fire offer from the Maoists was accepted. It turned into a mea culpa for King Gyanendra! By 30 April 2006, the new interim Government was announced under the 84 year old GP Koirala.

In a move that resembled the British Magna Carta,<sup>2</sup> that forced King John to give assent to chartering, in 1215, of the document of the fundamental guarantee of rights and privileges of the people on the one hand and ending the absolute monarchical powers of the King on the other, the Nepalese politicians led by Koirala enforced the following by mid-May 2006 :-

- (a) His Majesty's Government would turn into the Government of Republic of Nepal after elections;
- (b) The 'Republic' will replace 'Royal' and the Royal Nepal Army RNA, would delete the 'Royal' from its designation and while the King would no more be the sole supreme commander of the present RNA or future NA, its Chief of Staff would be selected by the Council of Ministers.
- (c) The NA would be asked to accept some cadres of the Maoists in its rank and file. The King shall no more summon and prorogue the parliament; besides the royal family will be subject to rules and obligations of citizens of the country.

### **The Maoists' Bargain with India**

Immediately after the April 2008 elections, that unexpectedly 'tossed' the Maoist to the top, Prachanda began to air his pent-up feelings, especially against India. Among some of the other issues he emphasised were firstly, to abrogate the 1950 India Nepal Treaty of Peace & Friendship and review other agreements and secondly, to suspend recruitment of Nepalese into the Gorkha Regiments of India and UK.

These and the connected issues are examined in subsequent paragraphs, high-lighting the rationale of arrangements so agreed, and the implications of abrogating them in the special light of long-term strategic Indo-Nepal relations. But it must also be said here that India shares several other vital issues with Nepal. These include: the water resources, trade and transit, open borders, enclaves of disputes, citizenship of the Indians settled in Nepal, technical and academic cooperation et al. These show a total mosaic of our past mutual relationship and will, therefore, require to be examined separately.

### **The 1950 Treaty of Peace and Friendship**

The Treaty embodied the quintessential spirit of the Indo-Nepal relations, that existed between the British Raj and Nepal from the time they signed a similar-in fact ditto- treaty in 1923. It signified a pragmatic and generous spirit on part of India and the then Ranas ruling Nepal to give a fresh lease of life to the old Treaty. Ironically however, it became a cause celebre for what was often called by the Kings and the politicians as an 'unjust and unequal arrangement' thrust by India on Nepal. It was said that the Treaty having been signed by the last Rana Prime Minister before the 'Ranacracy' disappeared, had no or little consideration for the welfare, equality and sovereignty of Nepal. It was branded as 'highly objectionable' by the India-baiters in Nepal.<sup>3</sup> The Treaty, sometimes called the root of our Special relationship, signed on 31 July 1950, has ten articles with letters that amplify the contents. Of these, Articles II, V, VI and VII are of larger significance and warrant further elaboration.

**Article II** appeals to "both the Governments to inform each other of any friction or misunderstanding with any neighbouring state likely to cause any breach in the friendly relations." It highlights the importance of keeping each other informed of developments, as, for example, India did in the worsening climate of Sino-Indian relations preceding the 1962 War. Similar gestures, it is believed were made during the other conflicts that India faced in 1971 and subsequent years. It epitomised the spirit of give and take between two close neighbours with age-old relationship, truly called 'Special Relationship'.

**Article V** raises 'taller hackles' especially the stipulations, the accompanying letter contains. The Article states: "The Government of Nepal shall be free to import from or through the Territory of India, arms ammunition or war-like material and equipment necessary for the security of Nepal..." In clarification, the letter-and the Nepalese consider it as a bone of contention- says, " Neither Government shall tolerate any threat to the security of the other by foreign aggressor...arms or warlike material for security of Nepal shall be imported with the assistance of and agreement of the Government of India..."

The Treaty was much welcome as an instrument of our 'Special relationship' as seen in correct perspective by the earlier leadership. For example, commenting on Pandit Nehru's statement on the significance of the Treaty which he gave out in the Indian Parliament on 27 November 1959, BP Koirala, the first Prime Minister of Nepal had said: "Nepal is a fully sovereign independent nation; it decides on its external policy and home policy according to its own judgment and its own liking without even referring to any outside authority. Our treaty of Peace & Friendship with India affirms this."

There has, nonetheless, been a keen desire of the Indian Government to control the transit, through its territory,

of any war like material to Nepal. Seen from the Indian standpoint, it has been a legitimate requirement for India, which has equipped and armed the RNA continuously. But viewed from the Nepalese perspective, it tends to ignore two aspects: the extra-sensitiveness of some of the Nepalese to such a restriction which is called as 'India's big-brotherly attitude' to small neighbours; and the China factor- a factor that has been demanding ever increasing attention over the years. While the former is unequivocally clear and needs to be appreciated well, the latter has assumed larger proportions and significance.

With the Chinese occupation of Tibet and associated developments, the perspective of some of the Nepalese governments and politicians, as seen by New Delhi, has apparently been changing to 'pro-Chinese'. Undoubtedly, it is indicative of the confirmed influence of the Chinese that keeps agitating the Nepalese mind. They, therefore, keep saying that the proviso of the Indo-Nepal 1950 Treaty of Peace and Friendship should apply only to transactions with India and not to others including China. Others see the Treaty as imposing unilateral restriction on other neighbours and friends of Nepal as 'irreverent', if not 'illogical'.

From the Indian point of view, the issue assumes larger strategic significance as the Chinese continue to add mind boggling strategic dimensions to improving their communications in Tibet Autonomous Region (TAR). It includes extension of railway line to Lhasa (that is being expanded to the Nepalese border at Khasa by 2013-14). It has, in addition to Road Kathmandu-Kodari-Lhasa and another stretch from Trishuli to Dhunche-Rasuwagarhi-Langtang, a link road on the Chinese side at Kerang (Keyrang) leading to Lhasa through Kyakaru. Similar roads open up at north of Bhutias inhabited Mustang at Phungphung La. While earlier traditional trade routes through Tatopani, Yari, Lanchugo La, Kimanthanka, and Lizi already exist. All these have road-outlets across the TAR border.

Seeing the development of Chinese border roads in Tibet opposite India and Nepal, it can easily be surmised that they would lay more railway lines to the border posts (including opposite Ladakh, Sikkim, Bhutan and Arunachal) besides upgrading them as 'military communications'. With their industry and strategic vision that goes beyond the ordinary, TAR would soon serve the Chinese not only as a fortress of their defences and a spring-board for their operations but a trading centre of the fabled 'Silk Route' by 2050. Whether or not Nepal sees the increased threat to its own security, is often concealed; it certainly has strategic challenges for India-through Nepal.

The problem is not only India's but also of Nepal. Sandwiched between the two large countries, namely China and India, it seeks to 'equidistant' itself professing to be 'friendly' with both.<sup>4</sup> It is also reflective of the general Nepalese attitude of drawing best benefits from its neighbours who, they feel, could be tempted by the 'one-up-man-ship' in their relations with their country. It is, after all, what military leader and statesman, Prithvi Narayan Shah, the maker of modern Nepal (1750-1774) used to chuckle, "Nepal is like a tarul (root) between two solid rocks." The tarul could not grow liberally but had to modulate its own growth in the space available between China and India. Today with Tibet 'dragonised' it is really in a very tight position which calls for adroit management of two neighbours often termed as 'giants'.

But the 'giant India', if at all the cliché could be used for it, has its personal 'interests' that are guided by own strategic reasons - of defence and security, trade and economics, and the need for peace and security on its own border. The geo-strategic asymmetry and economic disparity do cause misunderstanding - a fact the Chinese conceal but democratic India sometimes indicates.

**Article VI** asks both the Governments to "Give the nationals of each other in its territory rational treatment with regard to participation in industrial and economic developments of such territory and to the grant of concessions and contracts relating to such development." But India recognised that it may be necessary 'for sometime' protection from 'unrestricted competition', extended it to the Nepalese only. Unfortunately, it was a one-sided provision.

**Article VII** "Grants, on reciprocal basis to the nationals of one country in territories of the other, the privileges in matter of residence, ownership of property, participation in trade, and commerce" This ipso facto became a one sided privilege to the Nepalese, as successive governments in Kathmandu refused to reciprocate while Nepalese in India were never denied it.

In the context of the above arguments the Nepalese have often equated Indian concerns manifesting in 'imagined fears, and the clauses in Article V tantamount to 'infringement of Nepalese sovereignty by the Indian Government'. Time and again it is said, both at the governmental level and public fora and private discussions that Nepal being an independent country shall not tolerate such a 'humiliating binding' even though the original drafters might have included them with fine and noble spirits. It does call on the Indian Government to respect such Nepalese sensitivity-a sensitivity arisen from its pride in, what BP Koirala, told the UN General Assembly in 1959, "We have, through our long and chequered history, always been independent and it is our birth right."

Overall, the Treaty needs revision to not only cater for the Nepalese sensitivities, promotion of our unencumbered diplomacy but also safeguard the rights and privileges of the Indians settled in Nepal who are constantly denied citizenship. The Nepalese 'clamour' to both the Governments, as Rishikesh Shah called, "to transform their bilateral relationship from dependence to inter-dependence with projects for power, industries, irrigation and transport" becomes valid.<sup>5</sup> That, the subject has drawn some attention even earlier is no surprise. There have been discussions, on retention and abrogation of this Treaty from almost the beginning especially so whenever, for various reasons, tensions arose between the two countries. According to the MEA, New Delhi, the exercise was attempted even as late as 2001 when a Secretary level meeting examined its contents and relevance.<sup>6</sup>

## **The Gorkhas of the Indian Army**

The Gorkhas of the Indian Army have a long history of valour and soldierly virtues. Suffice to say that they have continued their service with and as part of the Indian Army as a result of the Tripartite Treaty signed in 1947 between and among the Government of Nepal, India and Great Britain. Immediately after World War II when the British were handing over power to the Indians, negotiations for the retention of the Gorkhas in the new Indian Army in April 1947 were carried out by Sir Girija Shankar Bajpai, the Secretary General, Foreign Ministry along with Lieutenant Colonel AA Rudra with the Nepalese Prime Minister, Maharaja Padam Bahadur Shamsheer Jang Bahadur Rana at Kathmandu. It was then agreed that India would retain maximum number of the twenty Gurkha Battalions available. In addition, the Nepalese PM announced, "If the terms and conditions at the final stage do not prove detrimental to the dignity and interests of the Nepalese people my Government will be happy in maintaining connection with both (including British) armies-provided men of the Gurkha Regiments are willing to serve and if they will not be regarded as mercenaries."

Added to it was another proviso that 'India would consider granting regular Commission to eligible Gorkhas'- and more importantly still - 'there would be no discrimination whatsoever, between the Indian soldier and a Gorkha soldier'.<sup>7</sup> So a Referendum was held to ascertain the individual wish of the Gorkha Officers (the JCOs) and men to join either of the two armies or even proceed on discharge. Interestingly, of then available 70,000 Gorkhas less than 5,000 opted to serve the British Army and the rest readily opted for the new Indian Army. The end result of the Referendum was that the British managed to take with them four Gorkha regiments - the 2nd, 6th, 7th and the 10th whereas six regiments joined the Indian Army comprising not only the 1st, 3rd, 4th, 5th, 8th and the 9th Gorkha Regiments but also raised another Regiment, the 11th Gorkhas.

It was, as Pandit Nehru called, "a floodgate of spontaneous show of trust by our friends for the country and its famous Army". It also showed the ground swell in respect, the Gorkhas in uniform showed to the common bonds of our history, culture and religion on the one hand and pragmatism to the changing atlas and perspective of Asia, on the other. For, most chose to serve in an army whose leadership - both military and political - had built their confidence in the future. In addition they knew India, a close and trusted neighbour, would cater for their future concerns.

Future events also vindicated their instinct and trust. Having moved with eight Gorkha battalions as part of their four regiments the British Gorkhas (which grew up to 20 in number during the Malayan insurgency), have been compelled to reduce them to three including one at Brunei. The Indian Army on the other hand, have, as of now in 2008, 40 Gorkha battalions - with a large number of them spread into the Rashtriya Rifles, Assam Rifles, the two other Services besides the other Para Military and Central Police Forces. They stand at a staggering figure of some 85,000 Gorkhas Servicemen along with over 2,00,000 ESM.

India can thus proudly assert that it has honoured each and every commitment it gave to Nepal in 1950 most punctiliously and religiously. To add to them, large sets of infrastructures exist for their recruitment, training, rehabilitation, and welfare of the ESM in Nepal and in India.<sup>8</sup> It must be noted with pride that if the Indian Government has placed the Gorkhas in its desired gloire et honneur - the place of honour - the Gorkhas have also paid back with their services and sacrifices, blood and bravery since 1947 and continue to do so. They have played unique role in defending the country's borders, maintaining internal security through upheavals the country has continued to suffer with the devastations of partition, wars, natural calamities besides fighting for and preserving the international peace in areas of conflict in foreign lands. Their role and place in the Indian combat arms should be clear from the fact that among ten Infantry combatants there is one Gorkha soldier.

The Gorkha soldier is not only adding to India's honour but, in more than one way, cementing our relationship; he is a symbol of our unique relationship. On our part the Gorkhas of Nepal are treated as own citizens and some of them are officers in our Armed forces. They can - and do - buy property in India as Indian citizens. By virtue of our 'Open Border', they walk into India to work, treating it as their euphemistic 'second home'.

It is this unique relationship that the newly elected Maoist former guerilla leadership needs to view in larger strategic perspective. And if the Nepalese are refrained from joining the Indian Army, or Armed Forces, the loss would be Nepal's in forfeiting the prodigious amount of money they carry home, the unparalleled other advantages they enjoy both as a serving and retired gentry. Adequate consideration need also to be attached to the fact that India with teeming employable and willing youth will fill the vacancies that Gorkhas of Nepal hold now - in record time.

## Conclusion

Nepal in its long history has seldom seen such instability thrust on its people and their debilitating effect on the administration. This epoch has also been marked with unimaginable general inertia and resignation within its leadership. Yet, the common Nepalese endured his sufferings with characteristic fortitude and élan. So also has remained the love and loyalty of the Nepalese ESM for the Indian Army. In the din of these developments the common people of Nepal have exhibited an enduring friendship with India. It has been the test of our relationship.

People now have large expectations from the government (Maoists included) despite instability, bad economy, lack of resources, rising prices of food- stuff, oil and gas in the open market. It is only right, therefore, to visualise the manifold difficulties any Nepalese government would face in translating the aspirations of the people into reality. The Maoists, if they, by some miracle succeed, in this venture, would emerge victorious. And, if India through its adroit diplomacy and generous help re-establishes a state of status quo ante, we would have paved the way for still better relationship. It is imperative, therefore, that India should allay the fears of the new leadership even by introducing new models of agreements, treaties, MOUs and so on. But it must not sacrifice its strategic interests in Nepal nor, forsake our long-term commitment to the Nepalese people and the 'Gorkhas of the Indian Army'.

-----  
**.Brigadier CB Khanduri (Retd)** was commissioned into 3/1 GR in Dec 1959 and retired as Deputy Director (Psychological Operations) at the army HQ in Jul 1994. He is a Fellow of the Indian Council of historical Research and the American Biographical Research.

Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008.

# An Appellate Tribunal for the Armed Forces\*

Wing Commander U C Jha (Retd)\*\*

## Introduction

The Government has issued notification for the setting up of the Armed Forces Tribunal, first of its kind in any South Asian country, to deal exclusively on cases pertaining to armed forces personnel. The Armed Forces Tribunal Bill, 2007, passed by the Parliament, received the assent of the President on 25th December 2007. The Tribunal will start functioning with a Principal Bench in New Delhi. The Benches of the Tribunal are likely to be set up at Bangalore, Chandigarh, Cochin, Guwahati, Jodhpur, Kolkata, Lucknow and Mumbai. The Supreme Court of India, in 1982, while hearing the case of Lieutenant Colonel PP Singh Bedi had expressed the necessity for an independent appellate forum for the Armed Forces. As the Army Act, 1950, the Navy Act, 1957, and the Air Force Act, 1950 are generally identical; the term Army Act used in this paper represents all the three Acts.

## Composition

The Principal Bench of the Tribunal will be headed by the Chairperson, and will have judicial and administrative members. Only a former judge of the Supreme Court or a former Chief Justice of a High Court can be its chairperson. While judicial members will be serving or retired high court judges; the administrative members will be drawn from the Armed Forces, those who have served as a Judge Advocate General for at least a year, or other officers not below the rank of a Major General or equivalent. A Bench of the Tribunal shall consist of one judicial and one administrative Member. When a serving person is appointed as an Administrative Member, he shall have retired from service prior to assuming such appointment.

## Jurisdiction

**Original Jurisdiction.** The Armed Forces Tribunal will have original jurisdiction over service matters. The term 'service matters' as defined in section 3 of the Act, includes (i) remuneration allowances, pension and retirement benefits; (ii) tenure, including commission, appointment, enrolment, probation, confirmation, seniority, training, promotion, reversion, premature retirement, superannuation, termination of service and penal deductions; and (iii) summary disposal and trials where the punishment of dismissal is awarded. The punishment of dismissal in a summary trial can only be awarded by a Naval disciplinary court constituted during war or active service under the Navy Act.

A person aggrieved by an order pertaining to any service matter mentioned above, may make an application to the Tribunal accompanied by prescribed fee and necessary documents. The Tribunal shall not admit his application unless it is satisfied that the applicant had availed 'of the remedies available to him under the Army Act, Rules or Regulations.' In case where an individual has made an application and no final order has been made by the Central Government or other authority, or/and a period of six month has expired, his application will be admitted by the Tribunal. Retired Services personnel including their dependents and heirs will be authorised to approach the Tribunal in disputes relating to service matters.

**Appellate Jurisdiction.** The Tribunal has jurisdiction in relation to appeal against order, findings or sentence passed by a court-martial. The Tribunal shall allow an appeal against conviction by a court-martial where **(a)** the finding of the court-martial is legally not sustainable, or **(b)** the finding involves wrong decision on a question of law; or **(c)** there was a material irregularity in the trial resulting in miscarriage of justice. The Tribunal shall be empowered to dismiss the appeal where it considers that no miscarriage of justice is likely to be caused or has actually resulted to the applicant. While dismissing an appeal, the Tribunal shall give reasons in writing. The Tribunal shall not admit an appeal unless it is satisfied that the applicant had availed the remedies available under the Army Act.

## Powers of the Tribunal

The Tribunal, while disposing of an application relating to the service matter, may summon and enforce attendance of any person, require production of any document, and may receive evidence of affidavit. The tribunal shall be empowered to issue commission for the examination of witnesses or documents, or may requisition any public record or document from any office. However, this power shall be subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872. The Tribunal shall decide both questions of law and fact, and may dismiss an application, review its earlier decision or set aside any order of dismissal.

The Tribunal, while disposing an appeal against the decision of the court-martial, shall be deemed to be a criminal court. It shall be empowered to **(a)** substitute for the findings of the court-martial, a finding of guilty for any other offence for which the offender could have been lawfully found guilty by the court-martial and pass a fresh sentence; **(b)** if sentence is found to be excessive, illegal or unjust, the Tribunal may **(i)** remit the sentence, **(ii)** mitigate the punishment awarded, or **(iii)** commute such punishment to any lesser punishment mentioned in the Army Act; **(c)** enhance the sentence awarded by a court-martial; **(d)** release the appellant, if sentenced to imprisonment, on parole with or without conditions; **(e)** suspend a sentence of imprisonment; or **(f)** pass any other order as it may think appropriate.

## Re-trial

The Tribunal shall also have power to quash a conviction and order a re-trial by court-martial. The appellant shall not be retried for an offence other than the offence for which he was convicted by the original court-martial and in respect of which his appeal is allowed. He can also be retried for any offence charged in the alternative in respect of which the court-martial recorded no finding in consequence of convicting him of the first-mentioned offence.

The Tribunal shall be a court of record and shall have power to punish for contempt. The Tribunal shall not be bound by the procedure laid down in the Code of Civil Procedure, but shall be guided by the principles of natural justice. The tribunal is empowered to grant bail to a military accused. However, an accused shall not be released if he has been charged with an offence punishable with death or imprisonment for life. A person making an application or appeal to the Tribunal may either appear in person or take the assistance of a legal practitioner of his choice to present his case before the Tribunal.

The Armed Forces Tribunal Act does not provide any fixed time frame for deciding an application of appeal. Section 23 of the Tribunal Act provides that every application shall be decided “as expeditiously as possible”. The Act also provides for the transfer of pending cases. Every suit or other proceeding pending before any court including a High Court before the date of establishment of the Tribunal would stand transferred to the Tribunal.

### **Appeal to the Supreme Court**

With the leave of the Tribunal, an appeal against the final decision or order of the Tribunal may be filed in the Supreme Court within 90 days of the decision of the Tribunal. However, such leave shall not be granted unless it is certified by the Tribunal that a point of law of general public importance is involved in the decision, or it appears to the Supreme Court that the point is one which ought to be considered by that Court.

### **Tribunal - Critical Appraisal**

The Armed Forces Tribunal Bill was introduced in the Rajya Sabha/Lok Sabha on 20th December 2005 and was subsequently examined by the Parliamentary Standing Committee on Defence. The Standing Committee had made extensive analysis of the Bill and had recommended 15 amendments in the Bill. The Committee was of the view that military laws should be strict enough to deal with military offences firmly and effectively to enforce discipline, but at the same time the law should not be oppressive to the extent of having a demoralising affect on the defence personnel. The government, however, has not accepted most of the recommendations of the Standing Committee. Some of the important issues which may cause hardship to military personnel are as under.

**Service Matters.** The Tribunal will not have any jurisdiction in matters relating to (i) transfers and postings; (ii) leave; and (iii) summary court-martial except where the punishment is of dismissal or imprisonment for more than three months. This is a serious lacuna in Tribunal's original jurisdiction. The term 'leave' was included in the jurisdiction of the Bill. However, the Ministry of Defence approached the Committee with apprehension that military units may be burdened with excessive litigation arising out of leave, which may affect their operational preparedness and discipline, and recommended for the exclusion of leave from the jurisdiction of the Tribunal. The Ministry's view that units may be burdened with excessive litigations arising out of leave is baseless and not supported by any empirical study.

Transfers and postings is another important issue pertaining to the Armed Forces personnel, which is kept out of the purview of the Tribunal. The Committee was also of the view that transfer and posting should not be kept in the purview of the tribunal as it would affect the 'operational requirements and discipline' of the forces. However, the Committee has desired that a clear-cut transfer policy should be formulated by the Services. It appears that the Standing Committee erred in its conclusion on this issue. Available data reveal that out of 9365 pending cases of the Armed Forces personnel in various High Courts, only 74 cases (0.79 per cent) relate to postings/transfers. An apprehension that Armed Forces personnel would rush to tribunal for remedy against 'transfers and postings' is not true because they have to make use of the existing remedy.

The military commanders at various levels are empowered to award minor punishments summarily to the officers and personnel below the officer rank (PBOs). The Tribunal is not empowered to entertain any petition against the award of minor punishments like forfeiture of seniority or severe reprimand awarded to the officers or detention/imprisonment up to 42 days to the PBO. The 'Summary Disposals and Trials' were kept within the purview of the Tribunal in the Bill. The Ministry, however, subsequently proposed that summary disposals and trials be kept outside the purview of the Tribunal since the punishments awarded under this process are minor in nature. As punishments awarded under summary disposals and trials by the commanding officers have invariably and deeply affected the career prospects of the serving personnel, the Committee, recommended that summary disposals and trials must be in the purview of the Tribunal in order to ensure justice to the Armed Forces personnel. The apprehension of the Ministry that inclusion of matters relating to postings and transfers, leave and summary disposal/trial would lead to large number of personnel approaching the Tribunal, leads to the belief that the system of governance within the Services in matters of postings and transfers, leave and summary trials is not just and fair. This apprehension in the minds of military hierarchy as well as the Ministry needs expunction. The denial of the right to appeal to the tribunal in these matters, when viewed from a different perspective, mean empowering the military chain of command with the power and perception that their decisions relating to postings and transfers, leave and minor punishments, even if arbitrary could not be questioned. The aggrieved person would then be forced to seek remedy through the writ jurisdiction of the high courts or the Supreme Court. This would be in contrary to the aims and objectives of the Tribunal.

**The Summary Court-Martial (SCM).** The most extensively used military procedure against personnel below

the rank of junior commissioned officers has been excluded from the jurisdiction of the Tribunal, unless it awards imprisonment for more than three months, or dismissal. The SCM is peculiar to the Indian Army. During a period of six years, from 1999 to 2004, an average of 995 SCM were held every year. Trials held under the SCM have been criticised by the high courts and Supreme Court for awarding excessive and harsh punishments, denying procedural rights guaranteed under Article 14 of the Constitution, lack of evidence, arbitrariness, lack of justice, and non-compliance with the Army Rules. Such an arbitrary system of justice is not followed in any other democratic country. There is an urgent need to abolish this arbitrary system of trial carried over from the era of colonial rule.

**Enhancing the Punishment.** Section 15 (6) of the Act, giving power to the Tribunal to enhance the punishment awarded by a court-martial, is against the fundamental principles of natural justice. Such ‘coercive’ power to ‘enhance the punishment’ is not exercised by the military appellate courts in other democracies. The UK Court-Martial (Appeals) Act, 1968, provides that the sentence awarded during the disposal of an appeal shall not be a sentence of greater severity. The Defence Minister’s claim in the Rajya Sabha during the discussions that “the Bill is almost at par with the existing redressal machinery of the advanced countries such as UK, France, Canada, Australia and other countries”, may not be correct.

**Bail.** The tribunal is empowered to grant bail to a military accused. However, an accused shall not be released if he has been charged with an offence punishable with death or imprisonment for life. The power of the Tribunal in this regard is lower than that bestowed on the High Courts in India. The Committee’s recommendation that the Tribunal may have discretion to grant bail to personnel charged with offences punishable with death or imprisonment for life, as is being provided by the High Courts to accused person under section 437 of Cr.Pc, has been ignored by the Government. The Tribunal’s power in this regard should not be against the guidelines of the Supreme Court.

**Legal Aid.** The Armed Forces Tribunal Act does not make any provision for the legal aid. Insufficiency of legal aid would pose a serious handicap for the Armed Forces personnel approaching the Tribunal. The question of legal aid becomes more pertinent in the context of the armed Forces because the fundamental rights of those serving in the Forces have been abrogated by the constitution. The democratic provision of equality before law strongly warrants the provision of legal aid for the Armed Forces personnel, especially below the officer rank.

**Time Frame.** The Act does not provide any time frame within which the Tribunal should decide a petition. It makes a vague commitment in Section 23 (2) that every application shall be decided “as expeditiously as possible”. The Standing Committee’s recommendations that Tribunal should decide every case within six months have not been accepted by the Government. Since all the documentary evidence would be available with the Services HQs and appellant/witnesses could be summoned without undue delay, the Tribunal must have a fixed time frame to decide an appeal.

**Judicial Delay.** The Act also provides for the transfer of pending cases. Every suit or other proceeding pending before any court including a High Court before the date of establishment of the Tribunal would stand transferred to the Tribunal. The pending cases relating to the Armed Forces in various courts are over 100,000. The Tribunal will inherit this backlog and may take about 10 years to clear them. Besides, it will also cause inconvenience to litigants who may have to travel great distances for attending their cases. An Alternate Dispute Settlement mechanism must be worked out by the Tribunal to finalise the pending cases.

## Future Reforms

The Parliamentary Standing Committee, which examined the Bill had recommend that an expert committee be constituted to thoroughly review the three ‘Services’ Acts and make recommendations to bring them in tune with the norms being followed in other democratic countries. The Committee also desired that review of the above Acts be taken up urgently so that the revised Acts are in place before the establishment of the Tribunal. Since the Tribunal would deal with cases of all the three Services, the Committee desired that the common disciplinary code be created so as to bring uniformity in dispensation of justice to the Armed Forces personnel. The military justice system being followed in the UK, the USA, Australia and South Africa should also be examined.

During the discussion on the Bill in the Rajya Sabha on 3rd December 2007, the Defence Minister had stated: “.....I sincerely feel we are, actually, not fair to the Armed Forces. They need better care from the Nation, from the Government, and from all of us.” The Government, therefore, must appoint an expert committee to re-examine the Armed Forces Tribunal Act and also bring out systematic reforms in the three ‘Services’ Acts. A modern justice system based on the rule of law will be a moral assurance to the Armed Forces personnel that their constitutional rights would be protected.

---

.\*Based on the text of a talk delivered at the USI on 02 Apr 2008.

**\*\*Wing Commander U C Jha (Retd)** is a Ph.D scholar at the Centre for the Study of Law and Governance, Jawaharlal Nehru University, New Delhi.

# Japan and the Last Days of World War II

**Colonel Samir K Bose (Retd)\***

On 3 Nov 2007, The Hindu carried a news item that Japanese survivors of the World's first nuclear attack on Hiroshima voiced regret that Colonel Paul Tibbets Jr, the pilot of the B-29 bomber that dropped the first atom bomb, died without saying sorry. Nori Tohei, who survived that bombing, told AFP, "He was following orders as a military man, but I wanted him to recognise it (the bombing) was a mistake and apologise to those who were killed or were long suffering side effects". The survivors observed that the US never formally apologised for the attacks.

It is the normal human tendency to look for external causes for one's misfortunes. It has been common to blame the US for a massive overkill for dropping the two atom bombs, causing misery to the Japanese people. The fallacy of this impression has been brilliantly exposed by Major General D K Palit, VrC (Retd) in his article "The Atom Bombs That Saved Millions of Lives" (USI Journal Oct-Dec 2006). General Charles Willoughby, Chief of Intelligence to the Supreme Commander of the Southwest Pacific Command estimated that "American forces alone would suffer one million men by the autumn of 1946. As part of the defence plan of the home islands, codenamed "Ketsu-Go", the Japanese had planned for a huge number of suicide attacks by aircraft and rocket-propelled bombs, similar to the German V-1, but flown by suicide pilots. As General Palit has brought out, 28 million Japanese had been formed into a National Volunteer Force, armed with all sorts of weapons from rifles, Molotov cocktails, long bows and bamboo spears. The author observes that had these atom bombs not been dropped and the invasion launched as scheduled, combat and civilian casualties in Japan would have been in millions. Far worse would have been the fate of Japan as a nation and as a culture. The blood bath would have been the worst in the history of warfare.

The news items of 3 Nov 2007 mentioned earlier cites "a horrific price of 1,40,000 dead immediately and 80,000 other Japanese succumbing in an aftermath". A similar number may have perished in Nagasaki. Although large, the total number pales in comparison with the millions of lives that would have been lost had the invasion taken place. One fact, which is often lost sight of is that at the time of surrender, Japan had 2 million men under arms in the homeland. Had the invasion gone through, a great proportion of them would have perished and in addition there would have been hundreds of thousands of civilian casualties by conventional bombing. It is a strange paradox that people who accepted the national war time slogan "One hundred million will die for the Emperor and the Nation", still continue to bemoan the loss of a few hundred thousand lives lost in the atom bombs. Even these could have been avoided had Japan accepted the Potsdam declaration of United States, Britain and China released on 26 July 1945. It is also a myth that dropping of the two atom bombs immediately led to surrender by Japan. It was after several more days of dithering, negotiations, crassness and sheer stubbornness to see the writing on the wall and a failed coup attempt, that Japan surrendered on 15 Aug 1945.

The predicament that Japan created for itself was the culmination of a series of diplomatic and strategic miscalculations. In the First World War, Japan had joined the Allied powers but had played only a minor role in fighting German colonial forces in East Asia. Western arrogance and racial discrimination towards the Japanese had plagued the Japanese-Western relations in the period between the two World Wars. The Great Kanto Earthquake of 1923 and the great depression of 1929, adversely affected Japan's economy. During the 1930s, the military established almost complete control over the government. Many political enemies were assassinated and communists persecuted. Indoctrination and censorship in education and media were intensified. Navy and army officers soon occupied most of the important offices, including that of the prime minister.

Japan's influence over Manchuria had been growing since the end of the Russo-Japanese war of 1904-05. When the Chinese Nationalists raised the banner of revolt, the Kwantung Army (Japanese armed forces in Manchuria) retaliated by occupying Manchuria and setting up a puppet government. Japan followed the example of the Western nations and forced China into unequal economic and political treaties. Japan was heavily criticised for this and reacted by withdrawing from the League of Nations. In July 1937, the Second Sino-Japanese war broke out. The Japanese forces succeeded in occupying almost the whole coast of China and committed terrible atrocities on the Chinese population. The war continued on a reduced scale till the surrender of Japan on 15 Aug 1945. In 1940 Japan occupied French Indo-China (Vietnam) through an agreement with the French Vichy Government. The US and Britain retaliated with an oil boycott. The resulting oil shortage made Japan give the highest priority to capture the oil fields of Dutch East Indies (Indonesia). Japan had envisaged fighting a limited war, with a view to establishing a "Greater East Asia Co-Prosperity Sphere" under Japanese hegemony. To achieve this, the Japanese strategy was to neutralise the US Pacific Fleet at Pearl Harbour, before moving southward and eastward to occupy the Philippines, Indonesia, Malaya, Thailand, Burma and the various islands of South China Sea and the Solomon Sea. The coastal areas of China were already under Japanese control. The operational strategy of Japan to fight a limited war received a blow as the bombing of Pearl Harbour hardened the American resolve to fight a total war on its own terms. Japan lost the initiative. They had thought that the Allies would wear themselves out in fruitless frontal assaults against Japan's defensive perimeter and would settle for negotiated peace that would leave it in possession of most of its conquests. That did not happen. Allies began to seek means to strike back. Japan made a serious miscalculation in attacking Pearl Harbour. By mid-summer of 1945 most responsible leaders in Japan realised that the end was near.

Japan's leaders were divided, in the means to end the war. The "peace" camp, which favoured a diplomatic initiative to persuade Joseph Stalin to mediate a settlement between the Allies and Japan and the "hardliners" camp, which favoured fighting one last "decisive" battle to get the US to offer more lenient terms. Both

approaches, based on Japan's experience in the Russo- Japanese war, forty years earlier, were way off the mark. The peace settlement then, was mediated by President Teddy Roosevelt. This time they expected Stalin to play that role, but unknown to them as early as the Tehran conference in late 1943, Stalin had promised to enter the war against Japan and it was agreed at Yalta in February 1945 that USSR would do so three months after the defeat of Germany. Thus the diplomatic feeler to Stalin was doomed to failure and "One more decisive battle" remained elusive.

At the Potsdam Conference in July 1945, Stalin reaffirmed his agreement to attack Japan. Earlier in July 1944 General Tojo was replaced as Prime Minister by General Kuniaki Koiso, who believed that Philippines would be the site of the decisive battle and the Emperor expected that General Yamashita could defeat General Douglas Mac Arthur's invasion of Luzon. None of these hopes were borne out. The War Journal of the Imperial Headquarters recorded "We can no longer direct the war with any hope of success. The only course left is for Japan's one hundred million people to sacrifice their lives by charging the enemy to make them lose the will to fight". In February 1945 Prince Fumimaro submitted a memorandum to Emperor Hirohito about his analysis of the situation in which he stated plainly that if the war continued, the Imperial house might be in greater danger from our internal revolution than from defeat.

In April 1945, Admiral Kantaro Suzuki was chosen to replace General Koiso as the Prime Minister. The fundamental policy of the Suzuki Government was to fight on, and accept "honourable death of 100 million over surrender". At another level, despite Stalin's announcement that it would not renew its neutrality pact, Japan continued to make overtures to Soviet Union to at least maintain neutrality. On 9 June 1945, the Emperor's confidante, Marquis Koichi Kido, warned that by the end of the year Japan's ability to wage modern war would be extinguished and the Government would be unable to contain civil unrest. The Supreme Council, the Big Six, was a divided house. Togo supported Kido's proposal offering to end the war on "very generous terms". Admiral Suzuki and Admiral Yonai, the Navy Minister was cautiously supportive. General Anami, the Army Minister was ambivalent, still clinging to the dream of one more decisive gain. After the loss of Okinawa, Emperor Hirohito lost confidence in the ability of Japan to achieve a military victory. On 22 June the Emperor summoned the Big Six and told them that he desired that concrete plans be drafted to end the war. Overtures to the Soviet Union continued. Throughout July, efforts to win over Soviet Union continued. Allied cryptographers had broken most of Japan's codes, as a result the contents of messages between Naotake Sato, Japan's ambassador in Moscow and Foreign Minister Togo were known to Allied policy makers.

On 26 July 1945, the USA, Britain and China issued the Potsdam Declaration announcing the terms for Japan's surrender, with the clear warning " We will not deviate from them. There are no alternatives. We shall brook no delay". In view of subsequent controversy, here is the full declaration:-

- (1) The elimination "for all time [of] the authority and influence of those who have deceived and misled the people of Japan into embarking on world conquest".
- (2) The occupation of "points in Japanese territory to be designated by the Allies".
- (3) "Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine." As had been announced in the Cairo Declaration in 1943, Japan was to be stripped of her pre-war empire, including Korea and Taiwan, as well as all her recent conquests.
- (4) "The Japanese military forces shall be completely disarmed"
- (5) "Stern justice shall be meted out to all war criminals, including those who have visited cruelties upon our prisoners".
- (6) "We do not intend that the Japanese shall be enslaved as a race or destroyed as a nation, ... The Japanese Government shall remove all obstacles to the revival and strengthening of democratic tendencies among the Japanese people. Freedom of speech, of religion, and of thought, as well as respect for the fundamental human rights shall be established."
- (7) "Japan shall be permitted to maintain such industries as will sustain her economy and permit the exaction of just reparations in kind, ... Japanese participation in world trade relations shall be permitted."
- (8) "The occupying forces of the Allies shall be withdrawn from Japan as soon as these objectives have been accomplished and there has been established in accordance with the freely expressed will of the Japanese people a peacefully inclined and responsible government.
- (9) "We call upon the government of Japan to proclaim now the unconditional surrender of all Japanese armed forces, and to provide proper and adequate assurances of their good faith in such action. The alternative for Japan is prompt and utter destruction.

It will be readily seen that "Unconditional Surrender", only applied to the last clause. Sunichi Kase, Japan's ambassador to Switzerland observed that unconditional surrender applied only to the military and not to the Government or the people and he pleaded that it should be understood that the careful language of Potsdam appeared "to have occasioned a great deal of thought" on the part of the signatory governments - "they seem to have taken pains to save face for us on various points". The four military members of the Big Six rejected it outright and the other two soon fell in line. On 28 July 1945 Japan rejected the Potsdam Declaration and in doing so, sealed the fate of Hiroshima and Nagasaki. The ambivalence and dithering continued. On 30 July 1945, Ambassador Sato wrote from Moscow that "there is no alternative but immediate unconditional surrender if we are to prevent Russia's participation in the war. This advice, too, was ignored.

On the morning of 6 Aug 1945, confused reports reached Tokyo that the city of Hiroshima had been hit by an air raid that had levelled the city with a "blinding flash and violent blast". Later President Truman's broadcast confirmed that it had been an atom bomb and promising further action if the Potsdam ultimatum was not accepted. Two days passed before the government met to consider the changed situation.

At 0400 hrs on 9 Aug 1945, news reached Tokyo that the Soviet Union had launched an attack in Manchuria. The Japanese army leadership was not unduly perturbed, grossly underestimating the scale of attack. The Supreme Council met at 1030 hrs. Prime Minister Suzuki, who had just come following a meeting with the Emperor said, it was impossible to continue the war – yet the ambivalence continued. Togo proposed an additional clause to guarantee the Emperor’s position. During the meeting news arrived that Nagasaki had been hit by a second atom bomb. Yet the meeting ended with a 3-3 stalemate. Admiral Suzuki, Admiral Yonai and Togo favoured Togo’s stand while General Anami, General Umezu and Admiral Toyoda wanted three modifications to the Potsdam Declaration. Later that day the full cabinet met and likewise split. It is indeed amazing that this ambivalence continued even after two cities had been destroyed. However, the cabinet left it to the Emperor to choose between the two sides, who gave sanction to accept the Allied proclamation on the basis outlined by Foreign Minister Togo. The cabinet accepted the Emperor’s direction and conveyed it to the Allies, whose response was received on 12 Aug 1945. On the status of the Emperor it said, “From the moment of surrender the authority of the Emperor and the Japanese government to rule the state shall be subject to the Supreme Commander of the Allied powers.....The ultimate form of government of Japan shall, in accordance with the Potsdam Declaration, be established by the freely expressed will of the Japanese people”. At the following cabinet meeting Admiral Suzuki and General Anami stuck to their respective positions.

In a meeting with the Emperor, Admiral Yonai spoke of his concerns about growing civil interest. He said “The atom bombs and the Soviet entry into the war are, in a sense divine gifts. This way we don’t have to say that we have quit the war because of domestic circumstance”.

Late on the night of 12 Aug 1945 a minor drama took place. Major Hatanaka along with Lieutenant Colonels Ida, Takeshita, Masao and Colonel Arao began plans to pull off a coup and continue the war.

On 13 Aug 1945, the Big Six and the cabinet were still deadlocked. next day, the B-29's dropped leaflets describing the Japanese position and Allied response. The Emperor requested his military leaders to cooperate with him in ending the war. He asked them to, at once, prepare an imperial rescript for his broadcast to the nation.

Meanwhile Hatanaka spent much of 13 and 14 Aug, gathering support and at 2130 hrs by sheer bluff and bravado, he and the rebels occupied the Palace. Hatanka killed Lieutenant General Takeshi Mori, Commander of the 1st Imperial Guards Division, for opposing him. Lieutenant Colonel Shiraishi, staff officer of the 2nd General Army, was also killed. The rebels spent most of the night searching for the surrender speech, which they could not find. During the night they captured 18 people, including Ministry staff and Nippon Hoso Kyokai (NHK) (Japan Broadcasting Corporation) workers sent to record the surrender speech. By 0800 hrs on the morning of 15 Aug 1945, the rebellion fizzled out.

At the same time on the night of Aug 14/15, the final and largest bombing raid of the Pacific war was launched. Eight hundred bombers and two hundred fighter planes dropped over 6000 tons of explosives and incendiary weapons on eight Japanese cities inflicting significant damage to them.

At 1200 hrs on 15 Aug 1945 the Emperor’s Broadcast of surrender took place. An hour earlier, Major Hatanka had shot himself.

Japan’s forces were still at war against the Soviet and Chinese, so managing their surrender was difficult and took time. The Soviet forces continued to fight till early September and took the Kuril Islands. On 28 Aug 1945, the occupation of Japan began under the direction of General Douglas MacArthur, Supreme Commander of the Allied Powers. The formal surrender took place on 2 Sep 1945, aboard the USS Missouri.

There is no doubt that the two atom bombs hastened the end of the war. If the Japanese were prepared to sacrifice one hundred million lives, that was entirely their business. The pragmatic Americans saw no reason to sacrifice one million military men if the same result could be achieved without a single casualty. I leave it to the reader to judge who should apologise for the loss of lives in Hiroshima and Nagasaki.

-----  
**\*Colonel SK Bose (Retd)** served in the Corps of Engineers from June 1959 to May 1990. Presently, he is Trust Engineer with Sri Sathya Sai Central Trust Puttaparthi.

Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008.

# **The Strategic Environment in West Asia and its Impact on India's National Security and Foreign Policy**

**Ambassador CR Gharekhan, IFS (Retd)\*\***

I feel privileged to have been invited to deliver the Major General Samir Sinha Memorial Lecture for 2008. I returned to India after my service with the United Nations in 2001. I was, therefore, denied the opportunity and pleasure of knowing General Sinha personally. I have heard nothing but the highest praise for General Sinha. He had an exceptionally distinguished career in the Indian Army. He served with even more distinction, and dedication, the United Service Institution of India as its Director for 9 years from 1987-96. Indeed, his association with the USI went back to 1947 when he became a life member of the USI. As Director of Military Training, General Sinha was the Chairman of the USI Executive Committee from January 1977 to June 1979, and an elected member of the USI Council for many years. It is, therefore, with a sense of immense satisfaction and humility that I accepted the invitation to deliver the lecture dedicated to his memory.

To talk about the "The Strategic Environment in West Asia and its Impact on India's National Security and Foreign Policy", in front of a knowledgeable audience, such as you Ladies and Gentlemen, is a challenging task. If I accepted this challenge, it was largely in the expectation that I myself would benefit a great deal from my interaction with an enlightened audience, many of whose members follow the situation and developments in West Asia even more closely than I do.

West Asia is the proper geographical description for the region which is known the world over as "Middle East". The term "Middle East" may have originated in the 1850s in the British India Office and became more widely known, and gradually accepted, when the American Naval Strategist Admiral Alfred Thayer Mahan first used the term in his article 'The Persian Gulf and International Relations' published in September 1902 in the British journal National Review. During that time, the British and Russian Empires were vying for influence in Central Asia in what was known as the Great Game. Recognising the importance of Persian Gulf, Mahan labelled the area surrounding the Gulf as Middle East. In his article, Admiral Mahan said, inter alia: "the Middle East, if I may adopt a term which I have not seen, will some day need its Malta, as well as its Gibraltar; it does not follow that either will be in the Persian Gulf.....the British Navy should have the facility to concentrate in force if occasion arises, about Aden, India, and the Persian Gulf". It is interesting that Mahan, an American Naval Officer, was advising the British Navy. His article was reprinted in The Times and followed in October 1902 by a series of 20 articles entitled "The Middle East Question" written by Sir Ignatius Valentine Chirol. When this series of articles ended in 1903, The Times removed quotation marks from subsequent uses of the term.

As Hamid Ansari has pointed out in his book 'Travelling Through Conflict', the term "Middle East" is a misnomer and legacy of an era when points on the globe were identified with reference to the location of seats of European empire. The people of the region have adopted this geographically inaccurate description of their region. In recent years, however, there is a welcome tendency to use the more appropriate term, namely, West Asia. There is no precise definition of the countries covered by West Asian region. Generally speaking, it refers to the vast region between the western border of Pakistan to the western border of Egypt and the countries south of the former Soviet Union. Admiral Mahan had used the term to designate its strategic concept for the land bridge connecting the continents of Africa, Asia and Europe. There is, however, a general understanding that West Asia includes, in alphabetical order, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Palestinian territories, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, and Yemen. Some Foreign Ministries would include Sudan also in this definition. Generally speaking, the area includes the Arab world with the exception of Maghreb, save Egypt.

West Asia, to quote Hamid Ansari again, suffers from "the curse of centrality". It is the cradle of three of the world's major religions - Judaism, Christianity, and Islam. Three of its cities - Jerusalem, Bethlehem, and Mecca - are respectively the spiritual centres for each of these three faiths. It is useful to keep in mind two things :-

- (a)** Not all the countries of the region are Arabs - Iran and Israel are important exceptions
- (b)** Only a small part of the more than one billion Muslims of the world live in West Asia, although Mecca is the focus of spiritual belief for all of them.

The strategic importance of West Asia lies in its geography and an essential natural resource, namely, petroleum. The importance of petroleum for world's economy, and hence the importance of West Asia, has received extensive attention at the hands of analysts and scholars. Petroleum is the single most valuable commodity in world commerce, an indispensable item in time of peace and of critical strategic importance in time of war. Two-thirds of the proven crude oil reserves in the world are in West Asia. United States, Western Europe and Japan, particularly the latter two, are critically dependent upon imported oil, principally from West Asia. This will soon be true, if not already so, of emerging economic giants such as China, India, as well as of some countries which are at present self-sufficient for their energy needs. The reverse side is equally important, though not adequately recognised and commented upon. The oil producers in the region - and not all the countries produce oil - are almost entirely dependent on the export of oil for their revenue. A significant drop in the price of oil and/or development of reliable and sustainable sources of alternative energy would have a serious impact on the economies and lifestyles of the people in the region.

Not much is written or said about the importance of West Asia as the strategic crossroads for Eurasia, a concept which Admiral Mahan had recognised over a hundred years ago. The Mediterranean Sea together with the Turkish Straits and the Suez Canal have for many years been the most important waterways in the world. When the Suez Canal was completed in 1869, it immediately became a target for international diplomacy. President Nasser's nationalisation of the Suez Canal in 1956 precipitated a crisis that brought the major powers to the brink of another world war. Following the 1967 six-day war between Israel and the Arabs, the Suez Canal remained closed for over seven years, a fact almost forgotten. Even though the Canal again opened for shipping, it did not regain its former importance because of the development of supertankers which navigate instead around the Cape of Good Hope.

By far, the most critical West Asian waterways today are the Persian Gulf and the Straits of Hormuz. As much as 60 per cent of the world's oil flows through the Straits of Hormuz. It is for good strategic reason that the United States has kept a significant naval force in the Persian Gulf since the first Gulf War, and will certainly maintain that presence into the future. It may be pertinent, in this connection, to refer to the melting of the icecap in the Arctic which has opened up almost revolutionary and realistic possibilities of shortening transportation distances by 20-40 per cent. This development, which could become a reality in as little as a decade, would have strategic and economic implications for the whole world, including West Asia. There is no doubt that strategists of oil are furiously working on planning and mapping pipelines, and tankers which would feel free to reduce the usage of the politically turbulent and dangerous waters of the Gulf and the Straits of Hormuz. There is another strategic dimension which could be explored in the coming years and that is, the rail and land routes across West Asia. Mr Lyndon La Rouche Jr in a speech in Abu Dhabi in 2002 has developed the concept of Middle East as a strategic crossroad. The scholars interested in learning more about this concept would be well advised to refer to his speech which is available on the net.

While the history of oil goes back several centuries, for our purpose, it began with the British Navy's plan for the Great War of 1914-18. The British Empire intended to use petroleum extracted from West Asia to provide its Navy the crucial strategic advantage of a change from coal-burning to oil-burning warships. Since that time, the region has been dominated by the great power struggle over the control of the unique and strategically significant economic advantages of oil. But as has been mentioned earlier, it was not oil alone that shaped the fate of West Asia. With or without oil, the historic importance of West Asia would remain.

If the oil production, processing and distribution had remained in the control of private multinational companies, as was the case for several decades, the region would have remained relatively stable. There was, of course, the Arab-Israeli conflict which was an important battleground during the cold war era. Only a few years into the cold war, the democratically elected Prime Minister Mossadeq of Iran administered a rude shock to the calm waters of West Asia, when he nationalised the National Iranian Oil Company and vested full control over Iran's oil resources into the hands of the Iranian people. He, of course, paid a price for challenging Western domination over the oil resources. Soon after, Iraq followed suit and nationalised its oil industry. That factor, combined with Israel's growing strategic relationship with the United States, ensured that the region would get buffeted by conflicting forces. The blunders committed by Saddam Hussein accelerated the process. The priority of the governments of the industrialised countries has now shifted from retaining direct control to one of ensuring that the control remains in friendly hands.

Edward Luttwak, Senior Adviser at the Centre for Strategic and International Studies in Washington D C, challenges the notion of the strategic importance of West Asia. According to him, the Arab-Israeli conflict has been almost irrelevant since the end of the cold war. As for the impact of the conflict on oil prices, it was powerful in 1973 when Saudi Arabia declared embargo and cut production, but that was the first and last time that the "oil weapon" was wielded. He says that the largest Arab oil producers have publicly foresworn any linkages between politics and pricing, and an embargo would be a disaster for the oil revenue-dependent economies. He quotes an oil expert to show that between 1981 and 1999 – a period when a fundamentalist regime consolidated power in Iran, Iran and Iraq fought an eight-year war within view of oil and gas installations, the Gulf War came and went, and the first Palestinian intifada raged – oil prices, adjusted for inflation, actually fell. He further argues that global dependence on West Asian oil is declining – as of 2007 the region produced below 30 per cent of the world's crude oil, compared to almost 40 per cent in 1974-75. He goes on to argue that a settlement of the Israeli-Palestinian differences would do little or nothing to calm the other conflicts in the region or in other parts of the world such as in Indonesia, Philippines, Chechnya etc. While the international community is hugely apprehensive about the tanker traffic through the Gulf and the Straits of Hormuz in case of an attack on Iran's nuclear installations, Mr Luttwak is quite sanguine about it, pointing out that Iran and Iraq have both tried to attack the tanker flow many times without much success and this time the US Navy stands ready to destroy any airstrip or jetty from which attacks might be launched.

There might be some logic to Luttwak's argument. The rest of the world, however, is not convinced and would want to encourage all concerned to make every effort to ensure that the situation in the region does not get inflamed more than it already is at present. The price of oil has already touched \$ 120 and will easily reach \$ 150 or even \$ 200 a barrel in case of another war in the region, with calamitous consequences for global economy.

There is one other factor, a comparatively recent one, which makes West Asia even more crucial. I am referring to the emergence of the phenomenon of international terrorism and the strengthening of the forces of extremism. The two are different and distinct, but often feed on each other. The manner in which the nations around the world formulate their foreign policy responses to deal with this menace will have direct implications for their domestic peace and tranquility.

The situation in West Asia has changed, mostly for the worse, since the events of 11 September 2001. In their aftermath, the US administration had every right to take measures to ensure the safety of its citizens and the

security of its homeland. Most observers, including in the United States, have been questioning – and not only with the benefit of hindsight – the wisdom of the policies pursued by the administration to achieve those objectives. President Bush declared on 7 November 2003 that the establishment of a free Iraq at the heart of the Middle East would be a watershed event in the global democratic revolution. Secretary of State Dr Rice, in a statement made during the second Lebanon war in the summer of 2006 – a statement which she might have later regretted – said that pushing Israel to accept a ceasefire would not help because it would simply re-establish the status quo ante and not help create a new Middle East.

The West Asia of 2008 is indeed different from that of 2001. The war in Iraq has been the single most important factor behind this transformation. The Israeli-Palestinian conflict remains unresolved and its parameters have changed significantly with a deep split in the Palestinian national movement, and with questions even being asked whether a two-State solution can possibly be implemented. As for Lebanon, while direct Syrian military presence has been withdrawn, the country remains deeply divided and appears to be on the brink of another civil war. As for Iraq, it continues to be unstable, violent, and deeply divided. The damage to the infrastructure of the country can perhaps be repaired as and when Iraq returns to a state of reasonable stability and security. However, the scars in the form of hundreds of thousands of civilian lives lost and the bloody sectarian clashes would remain for generations. One must also feel sorry for the young American men and women, more than 4000 of whom have been killed in the war, with most of them not quite convinced of what they were sacrificing their lives for.

What Edward Luttwak said about a possible Israeli-Palestinian settlement doing little or nothing to calm other conflicts in the region was perhaps true at one time, but no more. Today, the conflicts have become interlinked as never before and the common factor in all of them is Iran. This knowledgeable audience is surely familiar with the historic antagonism between the Persians and the Arabs over the centuries. In a paper released earlier this year, the Carnegie Endowment for Peace, a respected think tank in Washington D C pointed out that with the demise of Saddam Hussein, the balance of power between Iran and Iraq has been broken, increasing the influence of Tehran in the Gulf and beyond. In my conversations with Ministers and members of strategic community in West Asia over the past few years, I was repeatedly reminded that a secular Iraq acted as a bulwark against Iran. By recalling this historical fact, it is nobody's intention, and certainly not mine, to hold any brief for Saddam Hussein, who was indeed a ruthless despot. While no tears be shed for him, no amount of tears would be adequate or compensate for the sufferings of the Iraqi people.

Democracy does not always produce the result that might be desired by the advocates of democracy. Hardly any country is consistent in the application of principles to the conduct of foreign policy. Double standards might be the rule rather than exception. National interest will always override principles. It was, therefore, not surprising when Israel and the United States of America refused to deal with the government which came to power in the Palestinian territory following the elections in January 2006. The net effect of that decision, however, might not have been the one desired or expected.

The region today is highly volatile. It remains to be seen if George Bush's visit to the region in mid-May would act as a spur to the Israelis and Palestinians to maximise efforts to reach enough common ground for them to agree on a document. Naturally, the more substantive the document, the more difficult it would be to agree on its contents, but a document which merely repeats platitudes would not have much practical meaning. The rift between Hamas and Fatah is not even close to being bridged, with the problem becoming more complicated because of Israel's warning to President Abbas to cut off all negotiations, if the latter agrees to anything with Hamas. If the efforts of the regional countries, especially Egypt, to broker a ceasefire deal between Hamas and Israel do not bear fruit in the next few weeks, I would not rule out the possibility of a major military action there.

Thus, given the continuing, unabated violence in Iraq, the simmering crisis in Lebanon and the looming dangers in the Israeli-Palestinian conflict, all in all, it could be a long, hot summer in West Asia.

The position today is that Iran, which until a short five years ago, had hardly any role in the various conflicts in the region, is now in a position to influence the course of events in all of them – Iraq, Lebanon, and Palestine. This perhaps is the most significant geo-political development in the region.

Once again I need not elaborate on this statement, since this well-informed audience surely knows what I am alluding to.

One area which should be of concern to the international community, particularly to us in India, is the growing tensions between the Shia and Sunni communities. A senior Arab personality told me a few weeks ago that Shia-Sunni antagonism is a historical fact and is centuries old. The relations between the two, however, have become particularly acute following the events of March 2003. The majority Shia community in Iraq, as also the Kurds, had been at the receiving end under successive Sunni regimes in Baghdad since the modern State of Iraq came into existence in 1932. It was inevitable that when democracy was introduced, the Shia, being in majority, would assume the reins of power. So far, however, they do not appear to have used their authority in the government apparatus to instill confidence, particularly among the Sunnis. Hopefully this will change in the months ahead. Whatever the scholars outside the region might say, the people in the region are seriously worried about the Shia-Sunni tensions and the destabilising effect that they can have on their societies.

India has a big stake in the region. Energy is the most obvious case in point. 70 per cent of our imported energy needs come from West Asia, and this dependence will only increase if our economy continues to grow at 8 per cent or more. The proposed pipeline with Iran thus makes enormous economic strategic sense as does the Turkmenistan-Afghanistan-Pakistan-India pipeline. There is a 4 to 5 million strong Indian community working in the Gulf, sending back to their families annually about US \$8 billion. We would certainly wish them to live there in conditions of dignity and self-respect, for which efforts continue to be made and in which the governments in the region are being more and more cooperative. India's non-oil economic relations with the region are also

expanding to mutual benefit. This is true also of Israel. Thus, when we say that India's national interests are directly linked to peace and stability in West Asia, it is much more than a platitude.

In addition to the Shia-Sunni tensions, we also need to keep a close watch on the emergence of the global network of international terrorism, which has come into existence in recent years. West Asia is one of the two epicentres of terrorism in the world today. Terrorists have been second to none in taking advantage of the technological advances of globalisation. As host to the second largest Muslim population in the world, India, an open and democratic society, has to keep a watchful eye on the situation in West Asia. As perhaps never before, foreign policy decisions in the coming years will have consequences for peace and harmony in our multi-cultural, multi-religious country. We should do what we can to support and strengthen forces of stability and moderation.

India has excellent relations with all the countries in the region, bar none. We must keep in regular touch with them; explain our approaches and policies to the governments and the people there. We need more, and more frequent, exchanges of high level visits, more visits by scholars, media persons, think tanks such as the USI. A 24-hour television news channel would be of considerable help in this process. While interacting with the region and its decision-makers and influencers, we must not at all be apologetic or on the defensive. We have a record as a functioning, pluralistic, democratic and fast developing society that, I assure you, is a subject of admiration and even envy. Let us, therefore, exude confidence, but not arrogance, in our foreign policy dealings with West Asia.

-----  
.\*Text of the Sixth Major General Sinha Memorial Lecture delivered at the USI on 30th April 2008.

**\*\*Ambassador CR Gharekhan, IFS (Retd)** was Permanent Representative of India to the United Nations (1986-1992), Senior Adviser to the UN Secretary General (1993-1997) and was UN's Special Coordinator in Occupied Palestinian Territory (UNSCO) (1997-1999). Presently, he is Special Envoy of the Prime Minister of India for West Asia and Middle East Peace Process and President of Indira Gandhi National Centre for the Arts. Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008..

# Operation Shakti: A Decade Later\*

**General V P Malik, PVSM, AVSM (Retd)\*\***

## Introduction

In the concluding decades of the 20th century, it became clear to most political and military leaders that the post World War II concepts of active war fighting in a nuclear conflict, developed mostly during the Cold War, were no longer relevant in the new geo-political context. Nuclear weapons are political instruments of deterrence. On rare occasions, they can be used for coercion.

But it is also clear that nuclear weapons are not mythological. They are real. They exist in the global, regional and bilateral security calculus and thus cannot be wished away. Therefore, it would be irresponsible on the part of any leader-civil or military-to sermonise that these are political assets only, never to be used in war. If in spite of all diplomatic efforts, a crisis escalates beyond the acceptable security threshold and the existence of the nation is at stake, nuclear weapons, if available, are likely to come into play.

After the 1974 peaceful nuclear explosion, when 'Buddha smiled', India's nuclear weapons programme was resumed by Rajiv Gandhi. Thereafter, India went through a 'Yes-No' period for over a decade. An effort was made to carry out a nuclear test in 1995 but was cancelled at the last moment. Meanwhile, the window for nuclear tests and weapon development continued to close slowly due to Non Proliferation Treaty (NPT), Comprehensive Test Ban Treaty (CTBT) and Fissile Material Cut-Off Treaty (FMCT) pressures. Three aspects stood out clearly during this period. These were:-

- (a) Lack of clarity, ambivalence and ambiguity at policy making level.
- (b) Extreme diplomatic and economic caution.
- (c) Military being kept out of the nuclear decision making loop and programme.

## Operation Shakti

Nearly seven months after I had taken over as Army Chief, Director General Military Operations informed me that although there was no official information, 58 Engineer Regiment supporting Defence Research and Development Organisation (DRDO) at Pokharan had intensified its activities. Both of us understood its significance. Earlier, 8 Engineer Regiment had maintained two deep shafts in the area dug in 1981-82, added some more shafts and had gone through similar activities in 1995. The newly installed National Democratic Alliance regime had already declared that it favoured India becoming a nuclear power state. So when a call came asking me to meet Prime Minister Vajpayee at his residence on a holiday morning without indicating any agenda I had some idea of the information and discussion that was likely to take place. Similar calls had gone to other two Service Chiefs. We met Mr Vajpayee, Principal Secretary Brajesh Mishra and Secretary, DRDO Dr APJ Kalam on a bare dining table in Prime Minister's residence, then 5 Safdarjang Road. A few days later, India conducted Operation Shakti on May 11-13, 1998 and became a nuclear weapon state!

Throughout this period, Engineer units of the Army were associated with DRDO and Atomic Energy Commission (AEC) scientists for field trials and support at Pokharan. It is very unlikely that any political leader or nuclear scientist would remember their contribution on the 10th anniversary of Operation Shakti. I must do that to acknowledge and compliment the Corps of Engineers, particularly its six regiments, 62, 113, 107, 267, 8 and 58 Engineer Regiments, which were deployed at Pokharan from 1973 onward till the success of the mission in May 1998.

The reaction in military circles after the successful nuclear tests was of 'great satisfaction'. Ever since 1979, when Mr K Subrahmanyam, Chairman of the Joint Intelligence Committee had informed the Chiefs of Staff Committee (COSC) about Pakistan's efforts to go nuclear (China had conducted nuclear weapons test in 1964), the COSC had recommended 'nuclear deterrence' as the best security option in the light of these strategic developments. On May 11, 1998 it was better late than never!

## International Reaction

Immediately after the tests, the international reaction led by the United States was immediate and severe. President Clinton imposed economic, military and technological sanctions and went out of his way to make China an ally against India's nuclear weapons requirement and aspirations. The Indo-US cooperation slate was wiped clean. Following the USA, similar sanctions were imposed by many other countries.

A decade later, all that is history. India and the USA are not open ended 'natural allies', but Washington is keen to develop and maintain strategic partnership with India now and is prepared to sign the Indo-US Nuclear Deal that would enhance India's nuclear energy, technological and strategic capabilities. Unfortunately, many of our political leaders have not learnt the basic lesson from this episode. National interest and security is the ultimate goal of any Government, which must be pursued relentlessly without fear or favour.

After the tests on May 11-13, 1998, Prime Minister Vajpayee made the following important policy statements outside and inside the Parliament:-

- (a) India seeks a credible minimum deterrence.
- (b) There will be no first use of its nuclear weapons.
- (c) Nuclear weapons will never be used against non nuclear countries, and
- (d) A unilateral moratorium on future nuclear weapons tests.

## India's Nuclear Doctrine

India's nuclear doctrine was drafted by the first National Security Advisory Board (NSAB) in August 1999. It was an extremely well crafted document. To their credit, the NSAB consulted the military establishment both inside and outside the Board. But then the Cabinet Committee on Security (CCS) did not give official clearance to the doctrine for nearly two years. No one knew whether it was an official policy or just a draft. The Prime Minister's Office and External Affairs Ministry kept it ambiguous and used its contents depending upon the occasion. As a result, there was no clarity on operational mechanism. Much later, the COSC, DRDO and the AEC were asked to prepare papers for operationalisation of the capability, including additional establishments and procedures required for this purpose.

Operationalisation of the nuclear doctrine was officially reviewed in January 2003. The CCS by then decided to share something with public. The press release had eight one line statements restating important contents of the doctrine. It made public the formation of the National Command Authority, the Political and the Executive Councils. According to the press release, the CCS reviewed existing command and control structures, state of readiness, targeting strategy for retaliation and operating procedures for various stages of alert and launch. The CCS approved the appointment of C-in-C, Strategic Forces Command and the arrangements for alternate chain of command.

Since this last review, publicly, we continue to remain silent on strategic and operational aspects of our nuclear doctrine except, the not so frequent missile tests. So whatever improvement may have taken place so far, it has made little impact on our nuclear capability, credibility, and deterrence. Some weaknesses of the 'Yes-No' period continue to bug the system. A major reason, I feel, is that the military, the end user, is neither consulted adequately nor given political directions and resources to progress the multiple issues for an assured and effective operationalisation.

## Credible Minimum Deterrent - How Credible Is It?

What are the challenges in our 'credible minimum deterrent' index that we face today? Some obvious doubts and weaknesses that need to be addressed are:

- (a) Technical claims of Pokharan II have been challenged by some scientists, which need to be allayed convincingly. We need not be worried about the challenges made in the Western media. But many of our own scientists including former chairman of the AEC have created doubts in the minds of the public and more importantly of the end users i.e. the Armed Forces. This doubt is compounded by the fact that our DRDO scientists are well known for tall claims and over optimistic public statements.
- (b) Our long term policy on fissile weapons and thermo nuclear weapons is not yet clear. What progress has been made in this regard? Do we have adequate fissile material for war heads to be made for the ever dynamic strategic environment?
- (c) How long are we going to take to develop the triad i.e. land, air and naval based launch systems? The Intermediate Range Ballistic Missile Agni 3 was successfully tested some months ago. It is yet to be inducted into India's strategic arsenal. The time taken to develop Agni system shows that the current progress is far too slow. Why is the Government unable to push this programme? Is it a political or technological problem?
- (d) The nuclear doctrine calls for greater integration of security and foreign policy elements and policies. Has this been achieved?
- (e) Do our political leaders have any idea, and the will, to employ nuclear weapons in times of crisis? The present lack of consensus on serious foreign policy and strategic issues like the Indo-US Nuclear Deal and our policy towards the USA and China do not inspire confidence.
- (f) We have the Strategic Forces Command, an inter-Services entity for strategic command and control. Have the Services developed a joint operational doctrine on the employment of nuclear weapons? Why have we not been able to interface the nuclear capability with conventional capabilities and plans in our military strategy and force structuring so far?
- (g) Has the Strategic Forces Command been able to interact and interlock with multiple other agencies involved in the operationalisation? Having confidence is no assurance. Have they done adequate training and rehearsals? The nuclear doctrine calls for multiple agencies involved with storage, movement and assembly of devices. Will these agencies be able to achieve tasks in various contingencies in the 'shortest possible time frame'?

## Need for Politico-Diplomatic-Military Synergy

In any future conflict scenario on the subcontinent, politico-diplomatic-military factors will play an important role. A careful and calibrated orchestration of military operations, diplomacy, and domestic political environment would be essential for its successful outcome. Continuous control of the 'escalatory ladder' would require much closer political oversight and politico- civil- military interaction. During a conflict situation, all participants must

remain in constant touch with political leadership. It is, therefore, essential to keep the military leadership in the security/strategic decision-making loop and having a direct politico-military interface.

Then there is also the psychological aspect of the nuclear deterrence. We should remember that if a nation speaks too much about its nuclear arsenal/deterrence (political rhetoric) it is not appreciated by the international community. But if it does not speak, or conveys too little, its nuclear deterrence does not become credible.

There is a general impression that due to poor strategic and operational understanding at political levels and as a result of turf war between civil, science, technical and military bureaucracies, the military tends to be excluded from the nuclear decision making loop. In the new environment, military advice is needed at the highest level during all grand-strategy considerations because finally, when the military is called upon to act, the time for preparation and decision making would be at a premium. For this reason, amongst many others, India needs a Chief of Defence Staff at the earliest.

## Conclusion

There is no doubt that Operation Shakti created political, economic and technological difficulties for India initially. But before long, political and strategic advantages began to accrue. Besides enhanced security, we have also achieved enhanced status in the international community. There is a feeling amongst many strategists that the gains that we made soon after Operation Shakti have been frittered away because we have succumbed to foreign pressures and lack of political consensus within the country. We have not been able to pursue a clearly laid nuclear deterrent policy with determination. This must be done in the interest of national security; political differences notwithstanding.

And when India's political parties are fighting over the 10th anniversary celebrations of Operation Shakti, I am reminded of Ernest Renan's quote "What constitutes a nation is not speaking the same tongue or belonging to the same ethnic group but having accomplished great things in common in the past and the wish to accomplish them in the future."

-----  
.\*Operation Shakti was the code name for nuclear tests conducted by India from 11-13 May 1998.

**\*\*General VP Malik, PVSM, AVSM (Retd)** was the Chief of Army Staff from Oct 1997 to Sep 2000. He is President of the Observer Research Foundation Institution of Security Studies (ORFISS).  
Journal of the United Service Institution of India, Vol. CXXXVIII, No. 572, April-June 2008.