

Contemporary Foundations of unequivocal Foreign Policy Initiatives: A Context-based Critical Appraisal of Indian Foreign Policy

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Abstract

The foreign policy of contemporary India has inescapably influenced by the legacy of British India's imperious regime. The independent India has striven hard during the preceding seven decades or so to triumph over the captivating influence of neo-colonial tendencies of the prosperous West. The overall assessment of India's foreign policy since Independence unfolds the prevailing ambiguities in India's foreign policy foundations and consequential initiatives. The very unresolved fishing dispute between India and Sri Lanka in Pak-Strait is an obvious case in point for India's ambiguous foreign policy initiatives with Sri Lanka. India's recent decision to fence the entire border between India and Bangladesh over ongoing movement of Bangladeshi immigrants is another similar case in India's failure to build cordial relations with her neighbor. There are persistent plural disputes with China and Pakistan. The current situation is suggestive of the fact that there is not so congeniality and precision in India's foreign policy making process.

This research paper overhauls Contemporary India's prevailing foreign policy initiatives in the contextual backdrop of India-Sri Lanka dispute over the fishing regimentation in the PaK Strait. Structural and Deconstructionist historiography has been contextually applied in the preparation of this research paper.

- Foundations of India's Foreign Policy Since Independence
- Ambiguities in Foreign Policy Doctrines and Initiatives of India
- Geo-Political Factors in India-Sri Lanka Foreign Policy Framework
- Pak-Strait Dispute Resolution Policy between India and Sri Lanka
- The Long Road Ahead : Towards A Strategic and Bilateral Harmony

Glossory

Contemporary India, Doctrine of Harmony, Pak-Strait, Plural Disputes, Structural and Deconstructionist Historiography

Disharmony between lofty policy and low politics has been the cause of volatility in the day-to-day conduct of foreign relations in every part of the contemporary world. Agreements between states on controversial territorial and sovereignty issues often fall through the gap between the two. “Legalistic approaches and institutional perspectives proposed at regional and national levels do not always resolve issues around people’s rights to resources, spaces and identities which are intrinsically tied to specific ally defined local livelihoods and the overlap of contending political economies rather than to broader visions of state-to-state relations and regional stability” (Madhu Bhalla, 2018: vii,viii) Moreover, attempts to run a new course in foreign policy also indicate the problem of the levels of interaction which policies need to address if they are to deliver successes in the long term. This points-out the potential for realism as an analytical, problem-solving and critical approach to *foreign policy* analysis. ... “the relationship between the nature and *clarity* of the *international* environment and the likely influence of specific domestic factors on national *foreign policy*” (Ripsman et al, 2016:21). In this regard, dispute between Sri Lanka and India over fishing rights in the Palk Bay which couch the issues in terms of ‘legal pluralism’ and India’s decision to obstruct the illegal immigration from Bangladesh and to prevent the cross-border illegal and antisocial activities are typical sub-continental issues in focus. “ Like every aspiring Great Power, India too finds itself at present in a position to address both its national security strategy and co-operating with other countries in an effort to address international security to enhance its diplomatic prestige among other nations in the 21st century.”(Balaji Chandra Mohan, 2017:6) The situation in South Asia and the Indian Ocean is intricate, as these areas are believed to be under the sphere of influence of India. “Whereas there is no country that efficiently challenges China in the Asia-Pacific (except perhaps Japan), in South Asia and the Indian Ocean, China must take on India directly in a struggle for dominance. Towards that end, China has enjoyed good relations with Pakistan, Sri Lanka, Bangladesh, and Nepal in order to contain Indian political, economic, and military influences in the region.”(Pant H.V.2011(a):119) On the other hand the United States has been detrimental to India’s emergence as remarkable power in South Asia is evident from the its apprehensions about a budding Indo-Iranian relationship by arguing Iran was a problem for the United States and the world with its nuclear weapons programme and support for various terrorist organizations. It has also been opposed to India Iran gas pipeline deal and pressurized India to stall it. The emergence of India-Iran energy relationship had to be taken seriously by the US because of its potential to not only revitalizing the Iranian energy sector but also opening up new possibilities for the export of oil and gas from the wider Caspian region. This would undermine the US policy of isolating the Iranian regime in the global polity and economy” (Pant H.V.2007(b):374-75)

Historians have an objective exercise in studying the foreign policy of India. They draw attention to how the present conflicts have been the preceding occurrences too and in how many ways they were the

resultant outcome of the historical incidents. These historians emphasize “...how solutions to the subcontinent’s security dilemma are best understood with a rigorous grasp on the past. There fore this easy will engage with the following question: How does the discipline of history add to a more complex understanding of international relations and how does a historicized approach lead to differentiated conclusions about the international status of a nation state?”(Pallavi Raghavan, 2017:16)

Foundations of India’s Foreign Policy since Independence: Unpleasant Imperious Inheritance

India's foreign policy is framed out of “a country's factors, basic principles, objectives, goals and the personality factors of national leaders. The main aim of any country's foreign policy is to protect the national interest. The historical development is revealed by the continuous existence of two 'Indian' traditions. These have dominated Indian thinking and Indian history for several thousand years. The first Indian tradition is called the pursuit of synthesis.” (Aurthor Lall,1981:1) The expansion of British rule in India and the subsequent economic underdevelopment has been emphasized by several authors such as Frank (1978)* and Bagchi (1982)*.The literature has accentuated factors such as “...excessive exploitation of colonies, drain of resources or the growth of a ‘dependency’ complex.”(Iyer Lakshmi 2002: 12) India’s colonial exercise profoundly shaped post-independence India and its foreign policy “breeding lasting suspicion of western hegemony and predisposing her leaders towards a model import-substituting industrialization in a public sector dominated mixed economy ” (Mohan et.al. 2015:5)

The Indian National Movement officially declared in 1921 that the present government of

*Frank Andre Gunder: *Dependent Accumulation and Underdevelopment* Macmillan, London, 1978, p.42 *Bagchi Amiya Kumar: *The Political Economy of Underdevelopment*, Cambridge University Press, Cambridge, 1982, p.69

India in no way represents Indian opinion. This was the first significant declaration on the part of nationalist India that “its interests in the field of foreign policy were diametrically opposed to those of Britain. It further laid down basis of an independent India’s foreign policy” (Palmer Norman,1969:22) Subsequently, in 1924, the Indian National Movement announced its solidarity with Egypt towards its organizational efforts to launch an anti-imperial front against Britain. It also demanded the withdrawal of Indian troops from Mesopotamia and alike English colonies. It was at Madras in 1927 the National Movement resolved emphatically to carry out on its own the external relations of India with the rest of the world without the interference of the British government. “...It also decided to open a Foreign Department in its office to develop such contacts” (Bimala Prasad, 1960(a):85) Having observed the clouds of the Second World War floating across the horizon, the Indian National Movement ” reaffirmed its determination to oppose all attempts to involve India in a war or to use Indian resources in such a war without the consent of the Indian people... It also advised the Congress Ministries in the provinces not to assist in any way the war preparations of the British Government and to remain prepared to give up office if the Congress policy led to this contingency”(Bimala Prasad, 1960(b):157) In this sense, as Vineet Thakur argues “the institutional history of the foreign office in India is as old as the colonial project. The First World War was a major tipping point in Indian diplomatic history

as the country gained a quasi-international status. While internationally it meant that India's status was closer to that of a dominion than a colony, domestically it catapulted more and more Indians into positions of influence in foreign policymaking. On major strategic issues Indian foreign policy was still conducted from the India Office in London. However, on a number of other important, even if normative, issues, Indians increasingly determined the agenda." (Vineet Thakur, 2014:49) He further states how in its post-Independence foreign policy, India projected itself as an uninterrupted international entity rather than a new one, thus choosing to continue rather than close the colonial legacy of foreign policy.

Ambiguities in Indian Foreign Policy Doctrines and Initiatives

Fundamentally India's approach towards its neighbors' is envisaged upon the need to develop mutually advantageous relationships to make certain a calm, secure and unwavering neighbourhood. It is India's belief that its growth should have a favorable impact on the region. Equally, it seeks to build closer connectivity in physical and communication infrastructure to make easy trade and communication links and enhance people-to-people interaction within the countries of the region. It is a historic moment where anticipations of the peoples of South Asia have risen to a new high and fulfilling them is vital, which only an effervescent regional cooperation can meet. "...The creation of the South Asia Forum, the first meeting of which was hosted by India in September 2011 on the theme 'Integration in South Asia' was a step in the direction of moving towards a South Asian Economic Union. It enabled the engagement, for the first time, of representatives of governments, academics, civil society and business-persons on the same platform to discuss the future of SAARC. This initiative would contribute significantly to charting the future direction of SAARC." (Bhasin A.S, 2012: XII)

However, the anomalies and missing elements of India's foreign policy, which sometimes create a sense of vagueness and incoherence about her intentions on, and likely reactions to, issues affecting her vital interests. This argument on the basis of an analysis of some core concerns of India's foreign policy, such as nuclearisation, terrorism and India's position in South Asia. (Mitra S.K. and Jeevantha Schottli, 2007:19) The conclusion of the Cold War and of the Soviet experiment splintered the long-cherished assumptions of India's foreign policy establishment and forced a drastic realignment of its foreign policy. "During much of the Cold War, India had professed a nonaligned foreign policy. Contrary to popular belief, this did not mean that it would steer a course equidistant from the two superpowers. Rather, it meant that New Delhi asserted the right to pursue its own interests, free from external domination. This policy enabled India to stand back from the ideological fray between the two superpowers and to play a global role disproportionate to its military might and economic prowess. India's ostensible strength lay in the power of moral suasion. It spoke for the recently decolonized world, most of which was composed of non-industrialized countries. It sought to promote global disarmament, the peaceful resolution of disputes, and economic development." (Ganguly Sumeet, 2003(a):41)

However, India did not follow its policy of nonalignment in complete good conviction. In practice, New Delhi rarely followed an independent foreign policy. The principal architect of India's foreign policy, Jawaharlal Nehru, who was prime minister from independence in 1947 until 1964, "...was far more prone to criticize the shortcomings

of the United States and the Atlantic Alliance than the malfeasances of the Soviet bloc. Nehru's propensity to overlook the many shortcomings of the Soviet Union stemmed from his strong anti-colonial sentiments. And the Soviets, in his view, were sympathetic to the aspirations of the Third World." (Ganguly Sumeet,2003(b):41) The succeeding men in power while still professing non-alignment overtly cooperate with the Soviet Union on several global issues. "They were reluctant to criticize the Soviet invasions of Czechoslovakia and Afghanistan, allowed Cuba to become a member of the nonaligned movement, even though it was firmly in Moscow's embrace, and were unwilling to admit that the Soviet military presence in Eastern Europe posed a real threat to the West." (Ganguly Sumeet, 2003(c):41) Though the present government has the advantage of being in power during non-bipolarized world, its real programmatic strength can only surface by building economic ties with South Asian countries in terms of transforming South Asia in to a free trade agreement zone quite similar to North American Free Trade Agreement (NAFTA). This could reduce if not solve the pre-existing plural disputes with Pakistan and China due to commercial tie-ups. In doing so, the present administration "...has to build on work on agency in ideational change, and specifically on the notion of pragmatism as 'bricolage' or the selection and fusion of different—and at times competing—ideas* and ideological commitments in order to improvise new policy positions."(Carstensen Martin , 2011:p. 147)

Geo-Political Factors in India-Shri Lanka Foreign Policy Framework

The earliest "ruminations of independent India's policymakers suggest that they were conscious of the hybrid geopolitical setting, that is, the vast continental space enveloping India's north and north-west and a massive oceanic expanse around India's peninsular south. An early glimpse into India's maritime worldview can be gleaned from Nehru's speeches and telegrams."(Singh Z.D.,2017:22) In an April 1955 Nehru had addressed the question of defence: "You think in terms of army in the north. In terms of defence in the south...more immediately of the sea you think about...There is the land consciousness in the north and the sea consciousness in the south, and we have to be equally conscious of both land and sea apart from the air, which is common to both the whole conquest of India by the British, and the French and the Portuguese and all that came because we lost on the sea...it is lack of this conception of sea power that has been our undoing often in the past...for a country like India the sea is most important from the defence point of view and obviously from the trade point of view"(SWJN-SS,2001:525-26) Actually Indian interests were redefined in very contracted territorial and domestic terms in that India was saying that "economic growth required a very compassionate geopolitical role and avoidance of entanglements and interventions on the sub continental periphery. And in doing so, India also redefined the way it perceived the external environment. Rather than an area to project influence and establish a geopolitical order, the periphery became truly peripheral for statecraft. Mehta described this posture as a policy with 'only one leg'. It was based on the hope that 'India's growth engine would somehow become attractive enough for our neighbours to want to join the party...our neighbours do not have to worry about norms. They do not have to worry about India's capacity to pressure them." (Mehta P.B. 'A Region without Norms', Penguin Books, New Delhi, 2013,p.12)

*Ideas are not as stable as political scientists want them to be: Theory of Incremental ideational Change', Political Studies 59: 3, 2011, pp. 596–615

Pak-Strait Dispute Resolution Policy between India and Sri Lanka

The Palk Bay, a narrow strip of water separates the state of Tamil Nadu of India from the Northern Province of Sri Lanka. The strait has provided rich fishing grounds for both countries since time immemorial. However, the region has become an extremely contested one in recent decades, with the conflict taking on a new dimension since the end of the Sri Lankan Civil War in 2009. Numerous issues have compounded to bring tensions to a near crisis point, with serious consequences for internal and bilateral relations. These issues include ongoing disagreement over the territorial rights to the island of Kachchatheevu, frequent poaching by Indian fisherman in Sri Lankan waters, and the damaging economic and environmental effects of trawling. However, with the governments of both countries recently affirming their commitment to find a permanent solution to the fisherman issue, there is an opportunity to create a win-win scenario, in which the bay becomes a common heritage of mutual advantage. "The bay, which is 137 kilometers in length and varies from 64 to 137 kilometers in width, is divided by the International Maritime Boundary Line (IMBL). Bordering it are five Indian districts and three Sri Lankan districts. In 2004, there were approximately 262,562 fishermen on the Indian side and 119,000 on the Sri Lankan side." (Suryanarayan V, 2005: 10) In olden times, "the shallow waters of the Palk Bay and geographical contiguity between India and Sri Lanka facilitated the movement of ideas, goods, and men. Sri Lanka, according to many well-known historians, is essentially an extension of the Indian subcontinent, and its rich cultural heritage is the product of benign cross-cultural interaction." (Sudarshan Seneviratne, 2007: Speech) This relationship is evident from the intimate ties and commonality of culture." In the nineteenth and twentieth centuries, thousands of Indian Tamil laborers were ferried across to provide much needed labor for the development of tea plantations. When ethnic conflict in Sri Lanka escalated in July 1983, thousands of refugees came to Tamil Nadu through the Palk Bay." (Suryanarayan V. and Sudarsen V., 2000: 43)

Fishing is more important economically for the Northern Province of Sri Lanka. According to Sri Lankan academic Ahilan Kadiragamar, the province "contributed to over a third of the total catch of the country" when normalcy prevailed in Sri Lanka. Fish production dipped markedly during the protracted ethnic conflict. According to the Government Agent in Jaffna, the Jaffna District went from producing 48,776 metric tons of fish in 1983 to 2,211 metric tons in 2000. In the Mannar District, production went from 11,798 metric tons in 1983 to 3,614 metric tons in 2002. During the height of the civil war, as a security measure, the Government of Sri Lanka banned fishing on the Sri Lankan side of the IMBL. Fearing persecution, Tamil militants and Tamil fishermen took refuge in India. The Sri Lankan Navy occasionally harassed Tamil fishermen, dumped their catch into the sea, detained some fishermen, and targeted others in incidents of firing. The vacuum was filled by the Indian Tamil fishermen. During this period, there was perfect camaraderie among Indian Tamil and Sri Lankan Tamil fishermen. Sri Lankan Tamil fishermen who came to India as refugees were often employed by Indian trawler (mechanized boat) owners. However, since the conflict's end in 2009, tensions have risen around the livelihood of Sri Lankan Tamil fishermen. They want to resume fishing,

but the Sri Lankan Navy has expanded and become more vigilant. Many fishing villages, converted into high security zones during the civil war, continue to be under army control. Further, while Tamil fishermen find the current presence of Indian trawlers to be a major hindrance, the navy has not handled the poaching consistently, causing significant frustration. For a few weeks, during the presidency of Mahinda Rajapaksa, the navy detained the trawlers but released the Indian fishermen. The current government, to avoid tensions in bilateral relations, releases the fishermen first and then later the trawlers. The trawlers are back in Sri Lankan waters the very next day. In India, the fisheries dispute chiefly began with an internal debate about sovereignty related to ceding of the island of Kachchatheevu to Sri Lanka—a situation that proceeded to exacerbate the tension between fishermen practicing traditional fishing and those using trawlers. To prevent conflicts between the two, the Government of Tamil Nadu enacted the Tamil Nadu Marine Fisheries Regulation Act in 1983, which stipulated that mechanized fishing boats should not fish within three nautical miles from the coast; the area was exclusively reserved for artisanal fishermen. However, artisanal fishermen claim that the government has made no effort to enforce the three nautical mile stipulation. Internal relations and perspectives in both countries are having a marked impact on bilateral relations. The livelihoods of their populations and the bay's marine ecology are being threatened, evident by the ongoing disagreement over Kachchatheevu and the economic and environmental effects of increased trawling on both sides of the IMBL

The maritime boundary agreements of 1974 and 1976— which delimited international boundaries in the Palk Bay and the Gulf of Mannar and Bay of Bengal, respectively—were concluded by the two governments in the name of good neighborly relations, but they did not reflect realities on the ground because the people concerned, namely fishermen, were not consulted.⁹ The principle of national sovereignty underpinned both agreements. A close personal relationship between both prime ministers, Indira Gandhi and Sirimavo Bandaranaike, facilitated the successful conclusion. However, from the perspective of Tamil Nadu, the ceding of the island of Kachchatheevu in Palk Bay to Sri Lanka was a grave mistake. With the island previously falling under the Zamindari system of land tenure established by the British government, New Delhi and Tamil Nadu are still debating the question of sovereignty. At the time of ceding, New Delhi did not consider Kachchatheevu to be part of India, but rather a disputed territory. The Government of India deemed the boundary agreement necessary to promote bilateral relations with Sri Lanka. There was strong opposition in Tamil Nadu, cutting across party lines, but New Delhi brushed it aside. It is notable that if New Delhi's view on sovereignty is accepted, the very unity of India could be at stake; under the British Raj, the majority of land holdings in British India were under Zamindari, Ryotwari, and Mahalwari systems of land tenure. According to the then foreign minister, Swaran Singh, though the island was ceded to Sri Lanka, the Indian fishermen continued to enjoy their traditional rights of fishing in and around Kachchatheevu and also participated in the St. Anthony's festival (held annually at the end of March) without obtaining visas. This statement aside, those opposing the decision later argued that the 1976 boundary agreement further impeded the traditional rights of fishing. The state government of Tamil Nadu claims that it has pursued proactive policies for the "retrieval" of Kachchatheevu and the restoration of traditional fishing rights of Indian fishermen since May 2011. On June 9, 2011, Tamil Nadu's Legislative Assembly passed a unanimous resolution to

implead the revenue department based on the writ petition filed by Chief Minister Jayaram Jayalalitha in 2008, challenging the maritime boundary agreements. The case is still pending before the Supreme Court. Implications The ongoing dispute has escalated tensions between those fishermen using traditional methods and those using mechanized methods, as well as increased the infringement of territorial boundaries. According to the government of Tamil Nadu, the sufferings of Indian Tamil fishermen is a direct consequence of ceding Kachchatheevu to Sri Lanka and sacrificing the traditional fishing rights enjoyed by Indian fishermen. In a defiant speech on August 15, 1991, Jayalalitha called on the people of Tamil Nadu to retrieve the island. For the past twenty-five years, Jayalalitha had repeated the call at regular intervals. At the same time, the leaders of two Dravidian political parties, All India Anna Dravida Munnetra Kazhagam and Dravida Munnetra Kazhagam (DMK), have never admitted that Indian Tamil fishermen go deep into Sri Lankan waters and that their fishing practices have adversely affected the livelihood of their Tamil brethren across the Palk Bay. Proposed Solutions It can be argued that the unilateral abrogation of the maritime boundary agreement on India's part would cause irreparable damage to India's image in the comity of nations. Two courses of action exist: (1) get back the island of Kachchatheevu on "lease in perpetuity" or (2) permit licensed Indian fishermen to fish within a designated area of Sri Lankan waters and vice versa. The first action would let Sri Lanka maintain ownership of Kachchatheevu but give back the island on lease in perpetuity, so that Indian fishermen could continue to fish in and around Kachchatheevu. The Tin Bigha case is a good example to emulate; the 1974 India-Banladesh boundary agreement gave India sovereignty over Tin Bigha, but a lease in perpetuity later enabled the Bangladeshis to use it for civilian purposes. Both Jayalalitha and Muthuvel Karunanidhi, former chief minister of Tamil Nadu and head of the DMK party, have suggested this option to New Delhi repeatedly but have been unable to persuade New Delhi to reopen the issue. The second course of action would persuade Colombo to permit licensed Indian fishermen to fish in Sri Lankan waters for five nautical miles from the IMBL. There is precedent in the 1976 boundary agreement, which allowed licensed Sri Lankan fishermen to fish in the Wadge Bank (a fertile fishing ground located near Kanyakumari) for a period of three years. In return, Sri Lankan fishermen could be permitted to fish in the Indian Exclusive Economic Zone under the same terms and conditions applicable to Indian fishermen. Successive governments in Tamil Nadu have supported this action, but for a long time, New Delhi has turned a blind eye to the option. A window of opportunity opened at the end of India-Sri Lanka foreign secretary consultations in July 2003, when the Sri Lankan government agreed for the first time to consider proposals for licensed fishing. This was a missed opportunity, because neither the government of Tamil Nadu nor New Delhi submitted reasonable proposals to Colombo.

The Long Road Ahead: Towards A Strategic and Bilateral Harmony

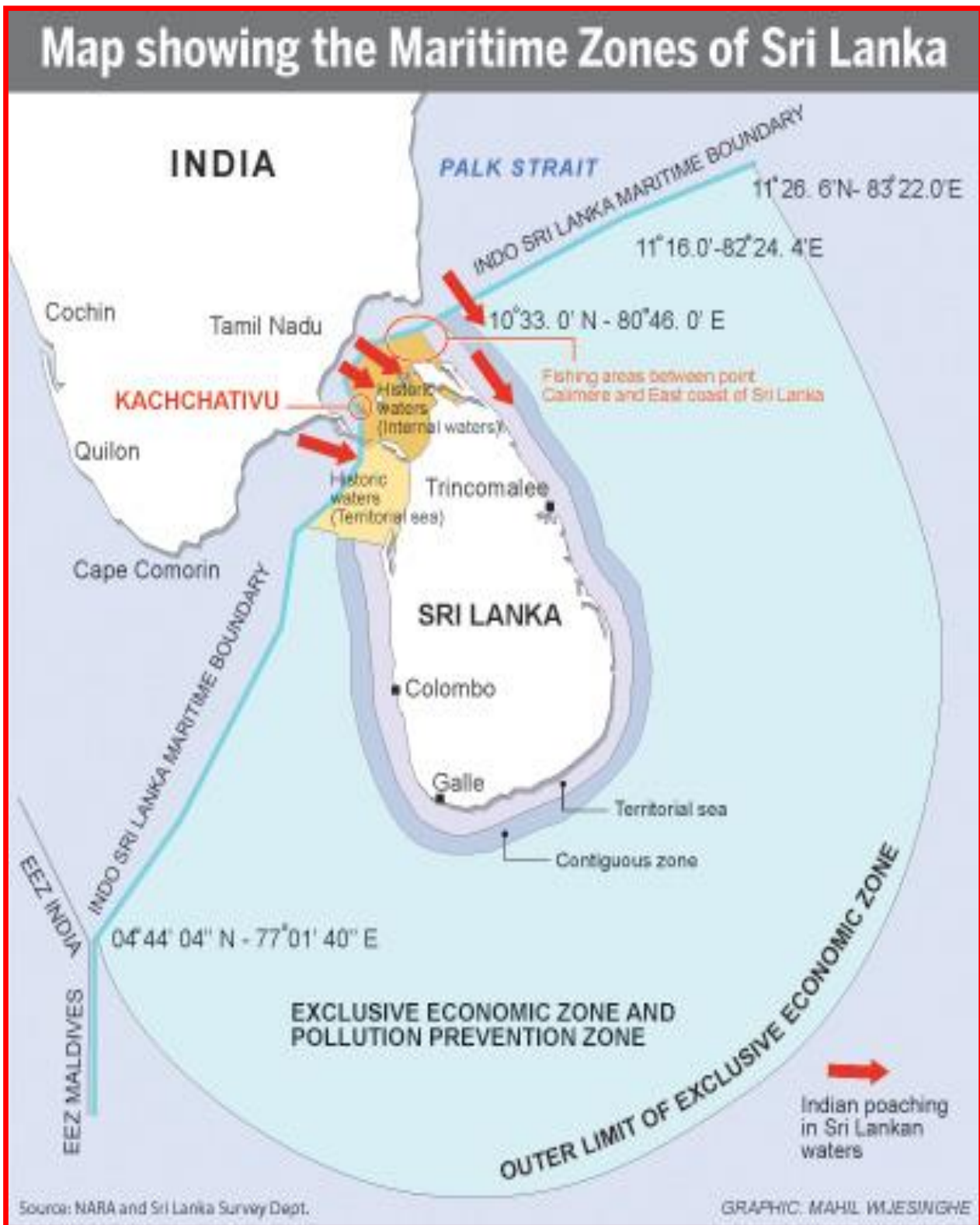
Fueling the dispute over Kachchatheevu are the overuse of mechanized trawlers in Palk Bay, the damaging environmental and economic effects of trawling, and the detention of fishermen. To increase productivity and boost exports, the Government of India embarked on a radical transformation of fishing techniques. The result was the introduction of trawlers. It was a case of "penny wise, pound foolish." Quick returns from prawns attracted many from nonfishing communities to invest in this profitable venture. As a result, numerous fishermen became wage

laborers. The period coincided with a growing demand for prawns in the United States, Japan, and Western Europe. According to statistics published by the Indian fisheries department, the number of registered trawlers in three districts of Palk Bay (Thanjavur, Pudukkottai, and Ramanathapuram) increased from 1,568 in 1986 to 3,339 in 2000. Both fish catch and exports experienced a sharp increase. Indian exports of marine products shot up from 15,762 metric tons in 1961 to 862,021 metric tons in 2012, an increase of 5,400 percent. Implications A severe side effect has been the untold damage to marine ecology and, specifically, fish stocks. Trawlers have since been referred to as the “hoovers of the shelf bottom” and “bulldozers mowing down fish and other benthic species.” After their introduction, the Indian side of Palk Bay quickly became devoid of fish. While there was poaching from all fishing harbors, it was fishermen from Rameshwaram who reaped maximum benefit. Rameshwaram had approximately 1,000 mechanized trawlers and a few hundred country boats, many of them motorized. The distance between Dhanushkodi, located in the eastern tip of Pamban Island, and the IMBL is only 8 kilometers. On the three days when fishing was permitted, Indian fishermen entered Sri Lanka like a flotilla. They moved deep inside Sri Lanka near the coast. Professor Oscar Amarasinghe of the University of Ruhuna has pointed out that Indian trawlers even entered the northeastern side of Sri Lanka. Fishermen in Neduntheevu (Delft Island) lamented that they dare not fish on those three days for fear of having their nets cut. Sri Lankan fishermen were particularly bothered because bottom trawling and pair trawling, which the Indian fishermen resorted to, was principally banned in Sri Lanka. Sri Lankan fishermen complained, with justification that, if these practices continued, fish stocks would soon be depleted on the Sri Lankan side as well. A bill to effectively ban all bottom trawling, including the granting of licenses, was introduced in Parliament in 2015; voting has yet to take place. In terms of the economic effects, it is extremely difficult to estimate the loss suffered by the Northern Province in Sri Lanka. However, Amarasinghe concluded that the total loss of income to Sri Lanka from poaching by Indian trawlers could amount to Rs. 80 lakhs to Rs. 200 lakhs per day and Rs. 300 crores to Rs. 700 crores per year. Proposed Solutions Proposed solutions, through increased dialogue, have included further limiting the days, timeframe, and location for fishing and an immediate end to bottom trawling. Progressive forces within Sri Lanka and India, eager to arrive at an amicable settlement and ensure the livelihood of fishermen, maximized the opportunity provided by the 2002 Norway-brokered cease-fire between the Sri Lankan government and Tamil Tiger guerilla. India’s Alliance for Release of Innocent Fishermen (ARIF) took the initiative. V. Vivekanandan, ARIF’s convener, believed that a solution should be worked out directly among stakeholders. In May 2004, a goodwill mission comprising 21 Indian fishermen held discussions with their Sri Lankan counterparts. The official response of both governments to the fishermen’s dialogue was lukewarm, occasionally even negative. However, for the first time, due to persistent pleas by Sri Lankan fishermen, the Indian delegation accepted the reality that the use of bottom trawling must be discontinued. They also reluctantly agreed to (1) reduce the number of fishing days to two per week, (2) maintain a distance of three nautical miles from the shore so that the livelihoods of Sri Lankan fishermen were not affected, (3) reduce the fishing time to twelve hours per trip, and (4) introduce a monitoring and enforcement mechanism. However, the next planned dialogue could not be held in India because the tsunami intervened and many Sri Lankan fishermen were internally displaced. The Indian government did not follow through on the agreement, and poaching in Sri Lankan waters continued. Sri Lankan

fishermen began to lose patience and, on occasion, took the law into their hands. In mid-May 2010, Sri Lankan fishermen sunk two Indian trawlers off Mannar coast. In August 2010, negotiations resumed, and a reciprocal visit by Sri Lankan fishermen took place. This time, the Sri Lankan minister for fisheries supported the visit, and the Government of Tamil Nadu agreed to send observers to the meeting. Tamil Nadu fishermen reported being harassed and intimidated by the Sri Lankan Navy, expressing their desire to revive the 2004 agreement; while Sri Lankan fishermen lamented the damage caused by bottom trawling, requesting an immediate end to the practice. Indian delegates pointed out that unless their government introduced concrete steps to buy back trawlers, it would not be possible to stop trawling operations. While conclusions of the dialogue were submitted to government representatives, the dispute remained unresolved. However, one positive development must be highlighted. A healthy debate about buy-back arrangements of trawlers commenced among nongovernmental organizations and fishermen in Tamil Nadu. In addition, while the Government of Tamil Nadu did not make any official announcement on the subject, in 2005, the governments in New Delhi and Colombo formed a joint working group to explore the option. In subsequent meetings, New Delhi raised the question of allowing licensed Indian fishermen to fish in Sri Lankan waters, but so far there is no consensus.



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