



Heidelberg Papers
in South Asian
and Comparative Politics

The Punjab Crisis
A disastrous case of failed negotiations

by

Marie Walter

Working Paper No. 39

June 2008

South Asia Institute
Department of Political Science
University of Heidelberg



**HEIDELBERG PAPERS IN SOUTH ASIAN AND
COMPARATIVE POLITICS**

ISSN: 1617-5069

About HPSACP

This occasional paper series is run by the Department of Political Science of the South Asia Institute at the University of Heidelberg. The main objective of the series is to publicise ongoing research on South Asian politics in the form of research papers, made accessible to the international community, policy makers and the general public. HPSACP is published only on the Internet. The papers are available in the electronic pdf-format and are designed to be downloaded at no cost to the user.

The series draws on the research projects being conducted at the South Asia Institute in Heidelberg, senior seminars by visiting scholars and the world-wide network of South Asia scholarship. The opinions expressed in the series are those of the authors, and do not represent the views of the University of Heidelberg or the Editorial Staff.

Potential authors should consult the style sheet and list of already published papers at the end of this article before making a submission.

| | |
|--------------------------|--|
| Editor | Subrata K. Mitra |
| Deputy Editors | Clemens Spiess Malte Pehl Jivanta Schöttli Siegfried Wolf Anja Kluge |
| Managing Editor | Florian Britsch |
| Editorial Assistant | Sergio Mukherjee |
| Editorial Advisory Board | Katharine Adeney Barnita Bagchi Harihar Bhattacharyya Mike Enskat Alexander Fischer Karsten Frey Julia Hegewald Evelin Hust Karl-Heinz Krämer Apurba Kundu Peter Lehr Kenneth McPherson Marie-Thérèse O'Toole Christian Wagner Wolfgang-Peter Zingel |

The Punjab Crisis

A disastrous case of failed negotiations¹

MARIE WALTER²

INTRODUCTION

India poses a challenge to Western political science. Its cultural, linguistic and ethnic diversity have been often seen as contradictory to the homogeneous nation-state idea that forms the basis of western liberal democratic states. India's complex cleavage structure makes the prospect of democracy appear even more problematic. It has often been forecasted that divisive elements would in the long run put an end to the Indian experience as a democratic federal union. But it seems that the Republic of India survives her various gravediggers. As suggested in the often referred to federal motto "Unity in Diversity", the key to India's success is its ability to manage diversity, and to nurture a national culture based neither on homogeneity, nor on mono-culturalism, but on the contrary on "pluralism and syncretism as the valid, stable and desirable bases for cultural efflorescence in a mixed society like India"³. The history of India is however marked by recurring episodes of collective violence, assassinations, riots, terrorism and often their brutal repression, during which people fight, kill and die according to their cultural and religious identity. Amongst the most appalling of these outbreaks stands the tragedy of Punjab and its consequences for the Sikh minority.

The status of Punjab and of the Sikh nation have since Independence engendered many talks, produced much resentment, and caused a large amount of unrest and agitation in northern India and beyond. When she came into office as Prime Minister of India, Indira Gandhi compromised with the demands for a Punjabi-speaking State that had been voiced since the Partition by the Akali Dal, a

¹ My special gratitude goes to Subrata K. Mitra for supporting me in this project and for his useful advice. I would also like to thank the anonymous referee, Jivanta Schöttli, Clemens Spiess and Florian Britsch for their comments.

² The author (email: marie.walter@sciences-po.org) studies social and human sciences in Sciences Po (Paris, France) and is specializing in European affairs and identity politics.

³ Rasheeduddin Kahn (1987)

theocratic-oriented political party that considered itself the advocate of the Sikhs. The unilingual state of Punjab was created in 1996, but every party remained unsatisfied. A long and thorny process of negotiations then started between the Central Government and the Akali Dal. It gradually engendered a spiral of agitation, terrorism and repression, and led to a bitter ending. The army was sent to the Golden Temple, the holiest sanctuary of the Sikh, which was gravely damaged, and where many pilgrims died along with the targeted terrorists led by Sant Jarnail Singh Bhindranwale. This wound to the Sikh psyche brought about many painful repercussions, including the assassination of the Prime Minister, and Hindu mob violence against Sikhs.

Why did things have to end in such a dreadful manner? Why – in spite of many settlement opportunities – did negotiations fail in Punjab? That is the question I propose to examine in the present article.

I will first present the major theories of negotiation and the models they propose to reach successful outcomes. I will then depict the negotiation process that took place in Punjab, and finally, I will try and explain the facts, using theory to compare what actually happened to what might have been.

THE THEORISTS' STAND: EVERYTHING IS NEGOTIABLE

Negotiation theorists share a primary finding: negotiation is part of our everyday life. They demonstrate that this natural technique of trying to reach one's ends within a social and competitive context is usually used less efficiently than it could be. They therefore developed conceptual models to try and improve the chances of success in negotiations.

In 1981, Roger Fisher, William Ury and Bruce M. Patton published the bestseller "*Getting to Yes, Negotiating Agreement without Giving in*", a concise handbook leading to a negotiation strategy aimed at achieving mutually acceptable solutions. In opposition to the usual Manichean negotiating attitudes – either hard or soft, i.e. uncompromising or weak, that lead to a non-effective bargaining of positions – they conceptualize an alternative: "principled negotiations". This third way avoids the other two's three major defects: lack of ability to get to a reasonable and durable agreement, lack of efficiency, and probability of damaging the relationships between the negotiating partners. It can be condensed to four major principles: first, people and issues should be handled separately; second, negotiating partners have to concentrate on interests, not on positions; third, diverse choice alternatives should be developed before a decision is taken; and finally, the agreement should be constructed on objective criteria, independently from subjective positions. These principles are neither simple nor easy to follow, but the book explores them in depth and supports them with concrete examples. Principled negotiations thus offer a clear but not too simplifying analysis of how to lead successful talks. This theory is helpful in two ways. Normatively, it allows for improving one's chances of success in the praxis. Critically, it can be used as an ideal-type to analyze the behavior, decisions and actions of negotiators.

The theory of principled negotiations, despite its outstanding qualities, remains problematic when applied to a non-liberal environment: to a certain extent, it rests on non-universal principles. Attempting to remedy this drawback, Raymond Cohen looked into the issue of negotiating in a cultural context in "*Negotiating across Cultures – International Communication in an Interdependent World*" in which he attempts to overrule the "liberal bias": the assumption that cross-national differences and identity issues are irrelevant to the single universal paradigm of negotiations.

Cohen asserts “Cultural factors may hinder relations in general, and on occasions complicate, prolong, and even frustrate particular negotiations where there otherwise exists an identifiable, basis for cooperation”⁴. He is interested in international relations between the western and the non-western world, but his arguments can very well be applied to Indian domestic issues, considering that its cultural diversity makes it necessary to optimize communication between the different culture groups and to minimize the chances of conflict. Cohen defines culture as the “outward expression of a unifying and consistent vision brought by a particular community to its confrontation with core issues.”⁵ As such, culture has three key aspects. First, it is a quality not of individuals, but of the society of which individuals are a part; second, it is acquired by individuals from their respective societies; and third, culture is a unique complex of attributes subsuming every area of social life, including material, intellectual and organizational dimensions⁶. Culture is “fundamentally a property of information, a grammar for organizing reality, for imparting meaning to the world”, which renders communication and coordination possible⁷. Cohen agrees with Fisher’s thesis that “the more pronounced the cultural contrast between the negotiating parties, the greater the ‘potential for misunderstanding’ and the more time they will lose ‘talking past each other’”⁸. He further highlights that culture impinges on negotiations in “four crucial ways”: by conditioning one’s perception of reality, by blocking out what is inconsistent or unfamiliar with cultural grounding assumptions, by projecting meaning onto the other party’s words and action, and by possibly impelling the ethnocentric observer to an incorrect attribution of motive⁹.

To the extent that culture can hinder inter-cultural communication, it must obstruct the negotiating process, considered negotiations are defined as a “process of communication between (parties) seeking to arrive at a mutually acceptable outcome on some issues of shared concern”. So Cohen argues that successful negotiations require from the participants that they attempt as much as possible to bridge the cultural gap, be very considerate of their words and actions, and endeavor as much as possible to ensure that their message is properly understood. He states to that end the “ten golden rules of successful negotiations”. (See annex 1). Cohen’s main contribution to negotiation theory is thus to point out that culture matters.

In his book “*Negotiating Political Conflicts*” Frank R. Pfetsch synthesizes the previous approaches, and tries to unite their conclusions in order to produce an “integrated theory of negotiations”. He firstly recalls: “negotiations are based on divergent interests and serve to satisfy them”¹⁰. Amongst the various modalities of conflict management – which are not mutually exclusive – negotiations stand out as “a way of non-violent interest accommodation”¹¹. Pfetsch then highlights the difference between negotiations on private economic issues, which relate to conflicts of interests, and negotiations on public political issues, which mostly refer to conflicts of values, and are way harder to bargain and settle durably. He draws from these assertions the argument that “the process of negotiation is far too

⁴ Cohen (1997), Chapter 1, « Prelude », p.8

⁵ Cohen (1997), Chapter 2, « The Nature of Culture », p.11

⁶ Cohen (1997), Chapter 2, « The Nature of Culture », p.11

⁷ Cohen (1997), Chapter 2, « The Nature of Culture », p.11

⁸ Cohen (1997), Chapter 2, « Problems of intercultural Relations », p.14

⁹ Cohen (1997), Chapter 2, « Problems of intercultural Relations », p.14

¹⁰ Pfetsch (2007), 1.1 « What is negotiation? », p.4

¹¹ Pfetsch (2007), 1.1 « What is negotiation? », p.5

complex for one single approach to suffice.”¹² According to Pfetsch, the various theoretical approaches to negotiations must be all considered and combined to obtain a clear understanding of the negotiating process. He states however, that they can be put in relation with the major paradigms of the theory of international relations. Those that “rely on rational choice are in line with the tradition of political realism, requiring that the benefit from negotiations (constitutes) a zero-sum game”¹³ whereas those closer to the liberal paradigm and based on free choice, consider with closer attention the possibility of a win-win outcome through strategies of cooperation¹⁴.

Pfetsch gives an operative definition of negotiations: “Negotiation is a social process in which two or more partners search for an acceptable position with regard to their differences and concerning the same issue of conflict.”¹⁵ He then combines the finding of previous research to outline the characteristics of all political negotiations. Mainly: negotiations have a beginning and an end, involve individual and collective participants who have different positions in the international system, and occasion an interplay of different styles of negotiation, cultures and civilizations. Throughout his work, Pfetsch makes it clear that the rational choice and free choice approaches must be enlarged to include patterns of perceptions and memories, considering their importance for individual and group identities, and their relationships. His personal contribution is a new combination of the various theoretical conclusions, tips and tools that theorists previously came up with into a temporal framework that separates the process of negotiations into three phases, namely the pre-negotiation phase, the main phase and the post-negotiation phase or implementation phase¹⁶. This method allows these theories to function in a synergic manner, instead of being opposed to each other in the understanding of the specific.

What these theories teach us, is that everything is negotiable, if negotiations are properly led. They do not deny the variation in the difficulty level to achieve a negotiated settlement: cultural and political problems that relate to issues of identity are way harder to settle, but it is not impossible, if the actors involved follow the right methods.

Now this paper does not explore an example of international negotiation, but the specific case of the negotiations over the status of Punjab in the 1980s. To be fully able to analyze this particular case, it is necessary to comprehend the particular domestic context of India. To do so, I will rely on Subatra K. Mitra’s “*The Puzzle of India’s Governance*”. He argues: “the relatively benign elasticity of India’s institutions is the result of effective governance”. Governance, that is orderly rule, is his key concept to explain India’s durable success, and is defined as the result of “strategic thinking on the part of the elites”. To him, “individual rationality bounded by local context and embedded values, based on the perception of sanctions, welfare and identity as well as general trust, is the main motor for innovative, orderly change.”¹⁷ What specifically interests us is the answer henceforth given to the following question: “why do people follow rules in some situations and not in others, and why do people in similar contexts behave

¹² Pfetsch (2007), 1.2 « What characterizes negotiations? », p. 6-7

¹³ Pfetsch (2007), 1.2 « What characterizes negotiations? », p. 7

¹⁴ Pfetsch (2007), p.3 & p.7

¹⁵ Pfetsch (2007), 1.3, « The specific characteristics of international negotiations » p.9

¹⁶ Pfetsch (2007), 1.4, « the three phases of the negotiation process »

¹⁷ Mitra (2006), 1- Introduction, A comparative theory of governance, p.1

differently with regard to specific rules?" In India, "actors see the decision to abide by the rule as a political choice in its own right, guided, like all political choices, by their perception (of potential reward and risk) and strategic calculations (the comparison of likely outcomes)."¹⁸ Following this reasoning, "Neither culture nor context is sufficient to generate governance. The normative basis of orderly rule is secured only when the decision-making elites are able to take cognizance of the raw stuff of interests, perceptions, identities and anxieties, shape them into negotiable packages, and devise methods of transaction that are both effective and legitimate"¹⁹. Governance is therefore a variable to measure the degree of success of public policies in maintaining order by accommodating "embedded values and undertake strategic reforms"²⁰, so that actors would see their interests in abiding by the rule.

So the specific meaning of "unity in diversity" in the case of India can be thus understood: the state is to accommodate divergent interests and positions so as to make the political choices of every Indian citizen converge towards abiding by the rule. To what extent was this enterprise achieved in the case of Punjab?

FAILED NEGOTIATIONS SANCTIONED WITH A MILITARY SOLUTION

*Punjab in India, the Sikh and the Hindus, the Akali Dal and the Congress: a complex power constellation, and a history loaded with latent conflicts*²¹

The Sikhs were the *oubliés* of the Partition. The English, the Congress and Jinnah ignored the demands raised by the Akali Dal – a political party created in the 1920s after the formation of the religious assembly SGPC (Shiromani Gurdwara Prabandhak Committee) that, because of its religious-political nature, considers itself a representative of Sikhs – for an independent state in case Pakistan should be created, or otherwise a province of their own within India. To gain their support, Nehru said on August 7, 1946: "The brave Sikhs of the Punjab are entitled to special considerations. I see nothing wrong in an area and a set up in the North where the Sikhs can also freely experience the glow of freedom."²² But nothing else than the Partition of Punjab came, along with emigration, communal violence, and riots. The complex power game of the post-Independence period produced alliances and oppositions between the Congress and the Akali Dal, both deeply internally divided. The Akalis never successfully made their claims heard in the Constituent Assembly and Sikhs remained a minority community both in India and Punjab, so the Akali Dal rejected the Constitution Act unless the Sikh should be granted a Punjabi-speaking state to protect their culture. This only mobilized the Congress against the idea of Punjabi Suba, thereafter considered a communal demand and "directly opposed to the conception of a secular state."²³ The following elections proved that it did not mobilize the Sikh electorate, and the 1953-created State Reorganization Commission rejected the Akali demand for Punjabi Suba, considering the population was not supporting it and that frictions

¹⁸ Mitra (2006), 1- Introduction, A comparative theory of governance, p.2

¹⁹ Mitra (2006), 1- Introduction, A comparative theory of governance, p.3

²⁰ Mitra (2006), 1- Introduction, A comparative theory of governance, p.6

²¹ See Mitra (2006), p. 88 to 96 and Sharma (1992), p. 67 to 96

²² Sharma (1992), p.72

²³ Sharma (1992), p.78

were only raised by the Akali Party to gain political power. The Sikh Congress leader in Punjab, Kairon, also strongly opposed this idea. He was firm with the Akalis who tried to launch agitations. A negotiation process started with Prime Minister Nehru resulting in the “Regional Formula” (1956), which divided Punjab into Hindi-speaking and Punjabi-speaking areas. Following this settlement, the Akali Dal merged with the Congress. Only the SGPC was maintained. But the growing dissatisfaction of Punjab Hindu leaders against the Akalis’ successes resulted in the launching in April 1957 of the “Save Hindi Agitation” against the Regional Formula, which could thence not be implemented.

The Akali Dal left the Congress and the demand for Punjabi Suba was reopened. Agitation and passive resistance were launched with growing success among the Sikhs. The opposition between Akali and Hindu leaders grew in Punjab, but the hostilities with Pakistan urged unification behind the government. This permitted the talks to start afresh. Under the direction of Prime Minister Indira Gandhi, and despite Hindu resentment, the Punjab reorganization Bill was passed in the Lok Sabha on September 3, 1966: the existing Punjab was separated into the new states of Punjab and Haryana. But none of the parties were satisfied: the Hindus became a minority in Punjab and denounced the Center’s weakness facing communal demands, while the Sikh regretted that the capital, Chandigarh should be converted into a Union territory, that Punjab should be reduced to a small state without control over mineral wealth, water or power, and that many institutions remained common to both new states. Each took a tough stand. One of the main Akali leaders, Sant Fateh Singh went on fast unto death to foster their demands while Master Tara Singh started talking of autonomy. Tensions escalated until the appointed day of Sant Fateh Singh’s self-immolation, when the Center proposed the establishment of a Committee to examine the disputes.

In the 1967 elections, the Congress failed for the first time to win a majority. The Akali Dal formed a government with other parties and independents: the United Front. But these alliances proved very unstable. Concerned with remaining in power and due to the inertia of the Center, which paralyzed their action, the Akali leaders did not realize their promises, causing the democratic institutions to lose credibility in the eyes of the Sikh population. They lost the 1972 elections. To regain reliability, they enacted a new political program: the *Anandpur Sahib Resolution* in October 1973, in which the Akali Dal, defining itself as the sole representative of the Sikh community, declared its intentions to propagate and promote Sikhism and its code of conduct and denunciation of atheism, and to preserve the concept of a distinct and independent identity of the Panth and create a religious, political and economic environment in which national sentiments and aspirations of Sikh Panth would find full expression, satisfaction and growth.

Akalis strongly resisted the Congress during the emergency rule and regained much popularity by suffering from political persecution. The Party joined the Janata Coalition after the 1977 elections. But the proximity of power and the handling of the Sikh-Nirankari armed clash in April 13, 1978 revived the conflicts between its leaders. This event is generally considered as having “triggered off the entire sequence of events leading to Operation Blue Star”²⁴. The Akali infighting were encouraged by the defeated Punjab Congress: as Sharma puts it, the party “adopted the strategy of embarrassing the Akali-Janata coalition by activating their erstwhile allies and friends who would take impossible stands on religious-cum-political issues. They tried to wreck the Akali Dal from within as well as outside.”²⁵ The Congress supported the Sikh revivalists within the SGPC led by

²⁴ Malik (1985), « The Politics of Alienation », p.36

²⁵ Sharma (1992), p.96

Sant Jarnail Singh Bhindranwale – who had been the investigator of the violence against the Nirankaris – as well as the pro-Khalistan Dal Khalsa. In return, Bhindranwale officially supported the Congress in the 1980 Assembly elections, which were a victory. Harji Malik asserts in *Punjab, the fatal miscalculation*, that Sanjay Gandhi, Indira's eldest son and political heir, imagined this strategy of putting up "a 'Sant Sikh' leader – another instance of deliberate communalization – to challenge the Akalis". From this day on, things got out of hand.

THE NEGOTIATION PROCESS, THE CHRONOLOGY OF A MARCH TO DISASTER

Having described their historical background, I will now turn to the negotiations themselves as they took place between 1981 and the Blue Star operation. These negotiations involved mainly the Congress Union government and the Akali Dal party, but to understand their progress, it is necessary to mention the deeds of other central actors who, though they were not necessarily involved at the negotiation table, strongly influenced it. I will therefore present each round by first contextualizing it and then exploring the negotiations themselves.

First round, October 16th 1981: negotiations under pressure

Following the appointment of Darbara Singh as Chief Minister in June 1980, the situation rapidly worsened: the Congress experienced bitter infighting, while the different fractions of the Akali Dal were trying and outbidding each other to capture Sikh public opinion. A breakaway group led by Talwandi, one of the Akali leaders, enacted its own version of the Anandpur Sahib Resolution which demanded that a Sikh Autonomous Region be conceded immediately, and threatened an agitation. Meanwhile, the All India Sikh Student Federation (AISSF), a revivalist organization close to Bhindranwale was inflaming Sikh feelings on the banning of Tobacco from Amritsar. Bhindranwale, still protected by the Congress, supported the AISSF's campaign with processions and terrorist activities, which resulted in police brutality against the Sikh population, who started feeling more and more discriminated against. Not to be eclipsed by their competitors, the mainstream Akalis under the leadership of Sant Harchant Singh Longowal decided to come back to a more traditional style, combining religion with politics, and radicalizing their party's position by addressing a list of 45 demands to the government, which, based on the Anandpur Sahib Resolution, were to be accepted at the earliest. The Government started panicking. At this point, Bhindranwale, suspect in the murders of Lala Jagat Narain and Nirankari leader Gurbachan Singh, orchestrated his own spectacular arrest with the Punjab police. Following his incarceration, his followers launched a terror campaign to impose his liberation, including riots, murders, bombings, railway sabotages, and plane hijacking. The use of force being non conclusive to curb violence, Indira Gandhi invited Longowal to negotiate appeasement in Chandigarh.

In the pre-negotiation phase, the Akali Dal addressed to the central government a revised list of 15 demands (see annex 2). These demands were clear, but were poorly interpreted by some advisers of Indira Gandhi. The release of Bhindranwale, first on the list, was not as essential as it seemed: it had been introduced to satisfy the extremists within the Akali Dal. This was however not openly stated. On her part, Indira Gandhi was receiving adverse advice: on the one hand, her bureaucrat advisers, who better understood the Akali Dal, were opposed to releasing Bhindranwale: they considered that the release of a murder suspect

would demoralize and further weaken the State administration, the Judiciary and the Police. On the other hand, Rajiv Gandhi, Indira Gandhi's second son, had been propelled after the death of Sanjay into politics – of which he had but limited knowledge – to become the new heir of the dynasty, and had become an important support to his mother in her mourning and her office. He and his advisers, influenced by anti-Darbara Singh Congress elements, considered Bhindranwale as an *antidote to the Akali Dal* as former member of the Jatana coalition, and opponent during emergency. The main negotiation phase was then reduced to the first demand. Indira Gandhi accepted the release of Bhindranwale and postponed the discussion of other demands to November 1981. The implementation of this agreement, i.e. the triumphant liberation of Bhindranwale dramatically added to the political stature of he who until then was but a preacher.

Second round, November 29th 1981: inconclusive discussions

Bhindranwale now incarnated the triumphant hope of the Sikh. With the support of the Congress, he started a campaign for the unification of all Sikh organizations, which aimed at weakening Longowal. Due to complicities within the administration and to conflicts of authority between the State and the Center, the police was unable to curb disorders in Punjab that went on despite the release of Bhindranwale. Moderate Akalis were attacked indiscriminately, while extremists were free to go on with terror activities.

The scheduled meeting between the Akalis and Indira Gandhi took place. But negotiations came under increasing pressure due to the delicate situation of both actors: the moderate Akalis were beginning to be overwhelmed by Bhindranwale while the Central Government was in conflict with the State Government. Discussions were inconclusive. Each party left the table dissatisfied with the other's reactions: as Sharma sums up, "the Akalis blamed that the Prime Minister wanted to prolong the discussion to keep issue pending, the government blamed the Akalis for adding more and more demands"²⁶.

Instead of continuing bipartite negotiations, the Center took up unilateral action, alleging that the regional situation required immediate intervention, considered the rising agitation in neighboring Indian states, the intelligence reports on the finalization of the "operation Gibraltar", a CIA and Pakistani plan for Punjab, and the ruling disorder in Punjab: Bhindranwale had at the time intensified the terror campaign, while the Akali Dal and the Punjab government were completely beset by the revivalist popular movement, gradually moving towards secessionism. Indira Gandhi unilaterally declared Ravi-Beas Award on December 31, 1981. Though the demand of reorganizing the water distribution was an old demand of the Akalis, this "gift to Punjab" was considered insufficient because of the context of ideological excitement and violence, and because it was presented as a favor rather than a concession. The Akalis continued to call for the acceptance of the *Anandpur Sahib Resolution's* principles. Following this failure, secret meetings are said to having been maintaining contact between Akali and Center officials, but without any results.

Third round, April 5th 1982: agreements and blockings

During the winter 1981-1982, Bhindranwale, who had joined the Akali leadership, sabotaged any possibilities of settlement by threat, murder or by encouraging communal tensions. For instance, under his pressure, Longowal and his moderate fraction had to postpone the scheduled meeting with central officials

²⁶ Sharma (1992), p.98

to settle the question of river waters. They ultimately refused it, for radicals had gained such influence in the party, that the necessity to maintain a degree of consensus and unity in the party leadership constrained them to adopt more rigid positions. A short time later, to put an end to successful negotiations between moderate Akalis and the Nirankari Baba, who were close to solving the major religious divisions between the communities, Bhindranwale organized a bombing against his own Gurdwara and accused the Nirankaris. Negotiations were further paralyzed by the widening dissensions within the Akali Dal, divided into three factions led respectively by Longowal, Thora and Talwandi, each striving to prevent the other two from communicating with the Center. Through the opposition between Home Minister Zail Singh, future president of India, and Punjab Chief Minister Darbara Singh, Bhindranwale continued to secure the protection of the Center against the State willingness to put an end to his activities. The role played by Congress officials remains unclear, but the Central government was playing a double game that was hindering the negotiation process. Longowal attempted several times to restore his interpretation of the Akali's demands: he criticized Bhindranwale, repeating that the Akalis only wanted more autonomy, but he was unable to counter Bhindranwale's influence. Finally, a meeting was organized.

On the 5th of April, Indira Gandhi met Longowal and Thora in Delhi. Simultaneously, Bhindranwale was doing his best to discredit them, arguing that a larger number of Sikh officials should participate in the negotiations for them to have any kind of representative value. Despite his interventions, negotiations went well: the main issues were being discussed – which was already a big improvement to the negotiation process – namely: the Ravi-Beas water Award, the transfer of Chandigarh as the capital of Punjab and of Punjabi-speaking areas to Punjab, the declaration of Amristar, city of the Golden Temple, a “holy city”, the second language official status for Punjabi in neighboring states, the allowance to wear kirpans, and the enactment of an *All India Gurdwaras Act*. At first, it seemed that an agreement could be reached: Indira Gandhi agreed to concede the religious demands, but she remained more prudent on territorial issues: she suggested that they should be discussed between the concerned states and the Akalis, considered that she could not give in without endangering the Congress's chances for the 1982 elections in Haryana. Because of this reluctance on the part of Indira Gandhi to take a real stand on central issues in the context of electoral politics, the negotiations broke down.

Very awkward attempts to resume negotiations were made in the spring, but without success. Governor Chenna Reddy first invited a minority splinter group from the Akali Dal to negotiate, showing a great ignorance of the situation. Indira Gandhi then met a discredited Mahant, Sewa Dann Singh who confused her with nonsensical explanations for the agitations. Eventually, the Center's offers were not sent directly to Longowal, but through Balwant Singh, a protégée of his competitors Tohra and Talwandi, which constituted an assault on the Sikh polity and demonstrated a thorough lack of understanding of the situation.

Following these disappointments, the Akali Dal launched on August 4, 1982 the Dharma Yudh Morcha, a campaign of agitation whose leadership they had to share with Bhindranwale, though they had achieved to unite all the Akali factions under the authority of Longowal. It triggered a spiral of violence and repression during which the police treated the Sikh population with extreme severity as a response to the multiple terrorist assassinations. As Sharma underlines, Longowal made everything possible to prevent a misunderstanding of the Akali Dal's claims. On October 11, 1982, he stated: “Let me make it clear once and for all that the Sikhs have no design to get apart from India in any manner. What they simply want is that they should be allowed to live within India as Sikhs free from all direct and

indirect interference, and tempering with their religious way of life”²⁷, which meant that their political aim was a State where the Sikh majority would be in power. But police violence created a growing sense of discrimination among the population, which perpetuated the general unrest and pushed the young into religious extremism.

Last round, November 1982: breaking to word, the center condemns the negotiations

In September, the situation in Punjab grew out of control. Secret meetings were held and compromise proposals traveled between Amritsar and Delhi, but Bhindranwale’s newfound argument was now the full implementation of the Anandpur Sahib Resolution. He was threatening against any compromise. Indira Gandhi’s advisers who affirmed that the Akali’s agitation campaign had no popular support were proven wrong by massive involvement: 70 000 Sikh volunteers courted arrest in the summer, while demonstrations and riots, and acts of professional sabotage, and many murders continued. When she realized that she had been mistakenly informed, Indira Gandhi immediately called for reconciliation. She asked for the release of the volunteer prisoners in October 1982, appeared determined to reach a negotiated settlement, in order to win over the Akalis who were now certain of consistent support in the population. She saw now the problem as a problem of the Sikhs and not of Punjab. At this point, the issue of Punjab was caught within the conceptual pattern of “communal politics”: the demands of the Akali Dal for more regional autonomy were interpreted as communal, that is conflicting with the secular conception of the State, essential to the survival of Indian Democracy, to national integration, and to Indian pluralistic society. Though at this point, the sense of discrimination had resulted in greater support from Sikhs to the community representatives who adopted a religious rhetoric, Sikh separatism remained extremely marginal: Sikhs were fighting for their identity, which they sensed to be in danger.

Sardar Swaran Singh, former foreign minister, was appointed to conduct the negotiations. But talks were crippled: unable to take decisions, he always had to refer to the government, who remained uncompromising. The first obstacle was the *Anandpur Sahib Resolution*: the Center understood it as secessionist and considered its withdrawal as a precondition for negotiations. On the other hand, the Akali leaders were under the pressure of the extremists who demanded a total implementation of the resolution. When compromises were announced, Bhindranwale heavily criticized Longowal and started to support the Khalistan project. It was then extremely difficult for moderate Akalis to continue the negotiations, which officially broke down.

Tensions escalated when the Akalis announced they would disturb the Asiad on November 4, 1982. In *The Politics of Alienation*, Harji Malik describes the situation of the Sikhs during this period: “The government seemed to be bent on doing everything to alienate the Sikhs. All Sikhs traveling through Haryana to the Asian Games in Delhi in the winter of 1982 were humiliated by the Haryana police. No one was spared, not even women, or VIPs. For the first time, Sikhs felt they were suspects just because they were Sikh. Few non-Sikhs protested, newspapers were silent, neither members of the government or of the ruling party uttered a word of criticism, even though Congress MPs had been deliberately insulted. Not unnaturally, the majority of Sikhs took this silence as tacit approval of police behavior. It was the beginning of the community’s isolation.”²⁸ Malik

²⁷ Sharma, (1992), p.98

²⁸ Malik (1985), « The Politics of Alienation », p.38

underlines how the feeling gradually grew among the Sikhs that they were suffering from unfair and discriminatory treatment because of their belonging to a religious community.

The negotiations secretly continued between the government and the moderate Akalis, until an agreement was finally reached on 16-17th November 1982. All the religious demands were conceded, Chandigarh was to be transferred to Punjab immediately, the status of the Punjabi-speaking areas were to be defined by linguistic commissions, and the question of water was to be referred to the Supreme Court. The Akalis were extremely happy with this outcome and returned to Amritsar to prepare for the announcement of this final success, but after the negotiations were over, Indira Gandhi was convinced by Bhanjan Lal, Chief Minister of Haryana and by the “take a tough stand”-lobby that strongly influenced on Rajiv Gandhi, to modify the agreement: except religious demands, everything was left to her discretion. Therefore, the text published on the following day had nothing to do with the original agreement: bare concession to a religious minority, it neglected the whole economic, political, and territorial imbroglio that was symbolically loaded, especially the question of Chandigarh. Facing that betrayal, Longowal had no choice but to refuse the new copy and start open confrontation by burning the Article 25 (2) section (b) of the Constitution. Despite this symbolic move, Longowal had lost all credibility and was completely marginalized within the party, while extremists and terrorists gradually monopolized the front scene, initiating an important campaign of violence and terrorism, in the course of 1983.

The agony of the negotiations over Punjab:

Longowal’s repeated attempts to resume negotiations faced governmental indifference, refusal to recognize on the gravity of Punjab’s situation, and tough severity. The only governmental responses were the violent repression of protests and ordering the Akalis and the State to put an end to the agitation without offering compromising proposals. Moreover, the center kept protecting Bhindranwale, who had left the Akali circle in the winter 1983 and concentrated on the terror campaign and the expansion of his influence. The central government was convinced that Akalis were responsible for the daily violence. Their attempts to act and clear the Golden temple complex from criminals and terrorists who had settled there were prevented. Every serious State intervention against the terrorist groups were as well checked, weakening the State government in the eyes of the population.

Alarming intelligence reports and interventions of Muslims leaders and opposition parties finally led the government to try and resume talks but it stuck to its strategy of weakening the Akali Dal: it presented unacceptable conditions to the renewal of negotiations, made hostile moves against moderate Akali leaders, several of whom were made scapegoats in the national media or even arrested, and an extremely violent counter-terror campaign was launched, which further strengthened the extremists’ influence over the Sikh public opinion. The government invited the Akalis for talks in January 1983, but they proved abortive. As A.G. Noorani records, much progress was at first made: “the Akalis were agreeable to the transfer of 17 Hindi-speaking areas. At this point, the decade-old ghost was invited to join the banquet. Surjeet records, ‘but the government did not budge an inch from its earlier stand of accepting the 1970 award in toto which meant that Chandigarh would go to Punjab only if Fazilka-Abohar went to Haryana. The responsibility for breaking these talks lies with the government, not with the Akalis’”²⁹ Several other meetings took place without results: Negotiations failed again on February 20, 1983 because though a new agreement had been

²⁹ A.G. Noorani (1984), p.158

reached on the reference of the water dispute to a tribunal, the parties could not agree on the interim use of water. Then Indira Gandhi announced on February 27, that she accepted the three religious demands: the ban of liquor, meat and tobacco from Sikh temples at Amritsar, the direct relay of Gurbani by AIR (All India Radio), and the permission to carry Kirpans on IA (Indian Airlines) flights. A third agreement was then found on April 20, 1983, but the talks broke down on the working out of the implementation.

As Noorani records, "The issues were crystallized by mid-1983. All were agreed that Chandigarh should go to Punjab and its contiguous Hindi areas should go to Haryana. The Akalis were agreeable to refer to a tribunal the demarcation of these areas. They refused to include Fazilka-Aboar in the reference because they were not contiguous to Haryana anyway. Mrs. Gandhi on her part insisted that the future of Chandigarh be included also. 'The delinking of the Chandigarh issue from issue will not be possible', she said on October 29, 1983, adding, that if the Opposition had not been associated in the talks, 'things would have been different and easier to resolve.' Mrs. Gandhi's ire was due to the fact that on June 30, 1983, a meeting of the Opposition parties in New Delhi, including the Akalis, had evolved a consensus on a Punjab solution. (...) In her own mind, she had resolved that Haryana was in any event entitled to Fazilka and Aboar. (...) As Gujral remarked as late as May 6, 1984, 'it is ironically but true that each time the final approval was denied in the name of the Prime Minister.'³⁰ The Center never really clarified its positions and aims, thwarting any success. It is now clear that it had engaged a strategy to manipulate communal politics in order to mobilize the Hindu electorate in view of the 1985 general elections.

After a series of acts of terror against Hindus in June 1983, the shooting of Deputy Inspector General, A.S. Atwal on September 24, 1983 at the gate of the Golden Temple, and the killing of 6 Hindu bus passengers on November 6, 1983, the Darbara Singh ministry resigned and President's rule was imposed on Punjab. The publication of all local newspaper was suspended, foreigners were expelled and journalists were banned from Punjab. Curfews were imposed in the cities, rail and bus services were cancelled, and all non-military vehicles banned from the roads.³¹ Unable to curb the disorder, the government decided to free all Akali leaders arrested in connection with the Constitution burning. Released, Longowal responded to Center's the appeal to calm the agitation, but under the pressure of the extremists had to add to his program the demand for a specific Sikh personal law. A meeting took place between Gurcharan Singh Thora and the government on May 17, 1984, in which Thora put forward this new plea. He faced unconditional opposition. The moderates' attempts to discuss governmental offers resulted in an upsurge of extremists' violence. Moreover, not to be overshadowed by Thora, Longowal announced the launching of a Civil Disobedience campaign for June 4, 1984. Negotiations could not be resumed because of the context of extreme violence, and because each part posed unacceptable conditions: Longowal demanded a specific Sikh personal law, while the government required that the Gurdwaras were cleared from criminals. To counter terrorism, the Center and the State intensified the repression, which was directed indiscriminately against all Sikh officials.

Antagonized by state violence and overwhelmed by extremists, Akalis were reluctant to go back to negotiate. They finally secretly conceded to the arrest of Bhindranwale on condition that security forces would not enter the Golden Temple, but the agreement was leaked and the confrontation between Bhindranwale and the

³⁰ A.G. Noorani (1984), p.159

³¹ The New Yorker, June 25, 1984

moderate Akalis only resulted in his moving to the Akal Takht, supreme temporal seat of the Sikhs. He continued organizing terrorist actions from there. Discussions between the government and the Akalis were now locked in a fruitless debate on negotiation conditions and demands now irrelevant to the state of disorder, for Bhindranwale was out of control of both Akalis and his Congress supporters. Finally, the alleged discovery of an international conspiracy against India led to the launch of the Blue Star operation on June 3, 1984.

Epilogue of a tragedy: from operation Blue Star to November 1984's massacres

The army action in Punjab and especially the siege of the Golden Temple Complex generated wide resentment among Sikhs: The army had used heavy weapons to empty the temple of terrorists, instead of forcing them out by cutting their food, fuel or electricity supplies. This first full military action undertaken against fellow Indian citizens resulted in the partial destruction of the Golden Temple, the Akal Takht, the death of hundreds of pilgrims – men, women, children, who were present on this Sikh holy day to commemorate the martyrdom of the 5th Guru – and the burning of the Sikh sacred library, as well as of all the archives of the SGPC and the Akali Dal. This shock completed the sense of alienation that the Sikh community had been feeling since the beginning of the negotiation process. Following Blue Star, the army was kept in Punjab to prevent further disorder, over 6 000 civilians were illegally detained, and hundreds were reported missing. Detainees were tortured, raped, often killed. All this did not end terrorism but achieved to fully discredit the army in the eyes of the Sikhs and increase militancy.

The dramatic result of this shock and the following disinformation campaign aimed at capitalizing on the action taken in Punjab to mobilize the Hindus for the 1985 General Elections. They directly caused massive desertion of Sikhs from the army as well as resignation of almost all Sikh officials, while the agitation for autonomy in Punjab escalated into a clearly secessionist movement. The *White Paper* published in July on the Punjab events clearly designated Akalis and Sikhs as responsible for the failure to reach a negotiated settlement. The Hindu majority was convinced that the Sikhs had received a lesson they deserved. On 31st October 1984, two Sikh bodyguards assassinated Indira Gandhi. This murder triggered massive Anti-Sikh riots, especially in the northern big cities, especially New Delhi during which numerous men were burned alive – estimates, however vary extremely from 4 000 to 150 000 – women raped, men's hair and beard cut, Gurdwaras set on fire, entire families lost all their belongings – over 200 000. Congress officials including MPs were reported to have taken an active part, organizing the violence logistically, providing mobs with information, weapons, and fuel. The Police remained passive for many days. The Indian media remained silent and broadcasted only Indira Gandhi's funeral. In the following months, over 50 000 Sikhs were parked in refugee camps in the greatest destitution, their pain only healed by the kindness of Hindu volunteers who tried to help and to mobilize the authorities to assist them, without great success. It is only in the summer 1985 that Rajiv Gandhi, despite his anti-Sikh campaign, undertook the much talked of "healing touch" by signing a peace agreement with Longowal. It did not put an end to Punjab disorders: the spiral of civil unrest, terrorism and police repression continued into the mid-nineties.

HOW CAN THE THEORY OF NEGOTIATIONS ACCOUNT FOR THE FAILURE OF PUNJAB'S NEGOTIATION PROCESS?

After decades of communication on Sikh issues, five years of intense talks with the Central Government and three aborted agreements, the negotiations definitely failed. How can the theory of negotiations presented above account for this fiasco?

Were negotiations conducted properly in Punjab?

The first question to answer is whether the negotiating parties abided by the criteria of negotiation theory in the Punjab case. Following Fisher, it can be firstly observed that the participants were trapped in an inefficient “bargaining on positions”, characterized by a lack of ability to get to a reasonable and durable agreement, a lack of efficiency, and the probability of damaging the relationships between the negotiating partners. Further, as fully detailed above, the parties never managed to reach a durable agreement: none of those that were worked out could be implemented, because not one was truly satisfactory, or at least this was how it was perceived. Efficiency was also crucially absent: a huge amount of time and energy was required to get to discuss the issues, and even more to reach a settlement. As to the relationships between the negotiating partners, they worsened with time, due to the repeated failure to settle the matters, to second agendas – especially on the part of the government – to misunderstandings, to the communalization of the issues, and also to the context of electoral politics. Both actors also added gradually more demands or requirements that seemed increasingly incompatible.

The attitude of the participants can be analyzed relying on the Hard/Soft grammar presented in “*Getting to Yes*”. On the one hand, the Indian Government – i.e. Indira Gandhi and other governmental actors and decision-makers who played a major role in the negotiations – adopted a double position: soft on matters of religion and hard on every other. Though they remained severe during the negotiations, the government representatives gradually gave in to all religious demands, not always in an intelligent or subtle manner, but they never compromised on territorial and political issues. An excuse, a *fin de non-recevoir*, or an authoritarian solution was always laid down regarding the question of the Haryana Punjabi-speaking areas, the river and the power issues, or the transfer of Chandigarh to Punjab. No truly negotiated settlement was apparently thinkable for the Government, because such concessions would have been either a loss of face, or would have discredited them in the eye of an important category of the electorate, mainly the Hindus that saw the Sikh claims as separatist, or threatening India's secularism. On the other hand, the Akalis were at first ready to compromise: they merged with the Congress when the Regional Formula was negotiated with Nehru's government. But facing the intransigence of Indira Gandhi as to the reorganization of the new Punjab and pressurized by the extremists who enjoyed growing support in the population with the increase in police violence, their style of negotiations grew harder and harder. From the start negotiations suffered anyway from an asymmetrical configuration, as they were taking place between a regional opposition party and a national ruling party.

Fisher, Ury and Patton would further argue that negotiations could have succeeded if they had followed the recommendations attached to the concept of “principled negotiations”, i.e. handle people and issues separately; concentrate on interests, not on positions; develop diverse choice alternatives before a decision is taken; and build the agreement on objective criteria, independent from the subjective positions of each party involved. It is clear that these theoretical requirements were not respected. We can first allege that there was from the first a

certain personal animosity, because of the memory of the emergency period during which Indira Gandhi and the Akali leaders were fierce opponents. She resented their boldness whereas they had suffered from detention and police violence for which the Indian government was to blame. Another problem was that except for Longowal, Indira Gandhi and certain others like Surjeet who were present during most of the main negotiation sessions, the participants to the overall negotiating process varied a lot. Talks were confused by interruptions, divisions among the negotiating parties, and lack of clarity on the part of the Akali Dal as to who was to be the interlocutor at the table, which prevented the creation of solid relationships between the participants to ease negotiations. Further, considering the amount of misunderstandings that took place, the parties did not manage well the "*Problem Mensch*". They hardly ever achieved to reach an accurate view of each other's perceptions, emotions, and to communicate effectively.

As to the problem of interests and values, the confusion was throughout overwhelming. Further, negotiable interests were made nonnegotiable values. Proof of this lies in the fact that despite their religious-political methods, the Akali leaders always made a distinction between their religious demands and their economic and political demands, and never – a least the moderates – truly questioned their identity as Indian citizens who respected the principles of state secularism. They only wanted to enjoy the same rights as the Indian Muslim minority and to have a State where their culture could survive and prosper, that is, where they would be a majority. Of course, their politico-territorial demands rested on symbols and ideas which internally to the Sikh community had a religious meaning, but they could be handled in the public and secular sphere as a set of interests. It was up to the government to figure that out. The Congress leadership maybe did, but chose to turn things into communal politics, which prevented these interests from being understood as such and threw them back into the realm of competing values. The government also had certain values to defend, mainly the territorial integrity of India (that rejected separatism), the authority of the Center over States and minorities, the secular nature of the Indian state formula, and the keeping of order in Punjab. But such values actually rest on negotiable State interests.

As they kept feeling that they were giving in too much or were pressurized into thinking they were by the extremists of their respective camps, both parties were led to adopt unreasonable positions, that were contradictory to their interests – or at least, to a certain range of interests. For instance, they were unable to agree on the status of the regions of Fazilka and Abohar. On the part of the Akalis, integrating them to Haryana was nonsensical, as they were not contiguous with this State, but they did not consider their linguistic composition. Indira Gandhi on her side was convinced that this counterbalance to the transfer of Chandigarh to Punjab was necessary, and refused to consider her opponents' arguments. Both parties kept to an ideologically loaded position, unable to resume talks on a reasonable basis, because giving in would have been for each an electoral loss of face. What indeed blurred everything is the fact that the negotiating actors were actually representatives of competing political parties. As such, they melted party interests with the interests of India, the Indian nation, or the Sikh nation. As explained earlier, negotiations sunk into communal politics because of electorate calculations on the part of the Congress.

Obviously, the negotiations did not reach the stage of developing various solutions to choose the best one, as the parties strictly restricted their negotiating style to pure bargaining and severe uncompromising position-setting, without really unveiling the basic interests on which they built this attitude. As to the definition of objective criteria, this question was not quite considered, rather they

mostly reduced their exchanges to a *Willenskampf* in which reason, or mutual understanding was hardly ever present. They sometimes did agree on certain principles, but not deeply enough to solve other issues. For instance both parties agreed on secularism, i.e. the necessary religious neutrality of the state. But positions diverged here on the interpretation and the use made of this principle. Secularism served the Government to refuse the “communal demands” that required that the State compromised with its neutrality by granting privileges to a particular minority. The Akalis on their side reproached the Center with discriminating the Sikhs on the basis of religion by relinquishing their just claim to equality with other religious and linguistic minorities. Positions here were diverging interpretations of the very same principle in the context of Punjab.

This analysis of the negotiations already proves that negotiations were not done properly. They never reached the best negotiating style of “principled negotiations”, and were so far from its requirements, and so close to all the drawbacks of simple bargaining, that one may think they were doomed to fail. However, the theory of principled negotiations does not explain the main point: why were the parties unable to put themselves into each other shoes? Because they were not inclined to do so? Or was there a deeper source of misunderstanding that separated them? Reviewing now the whole negotiating process using Cohen’s perspective, we find that though we deal with domestic issues, not international ones, it is possible to define the situation as cross-cultural negotiations. The arguments supporting this interpretation are the following: we are dealing here with a minority community defining itself by language (Punjabi), and more specifically according to religion, and to customs related to religious beliefs and practices (Sikhism). This minority also differs in terms of religion from the majority community, the Hindus, and to protect its culture, it asks for more political independence and recognition. The religious-political Akali Dal party – that considers itself specifically as a representative of the Sikhs, though its decisions may not identify with the aspirations of every Sikh – represents these claims at the negotiation table. We are clearly within the framework of Cohen’s a cross-cultural negotiations, and can consequently analyze it with the help of his 10 golden rules that should be followed in such cases (see annex 1).

First, both partners were badly prepared to negotiate. The Center especially had a rather defective understanding of the Punjabi situation, of the cultural and historical background of the Akali Dal, and of the State power-play. They often mistook the Akalis leaders’ statements with the wishes of the Sikhs in general, not always taking into account the influence of the party infightings, of extremists and revivalists, or of the party’s electoral situation, on the discourse that was led. They also persevered in encouraging the worst elements of the nationalist movement in order to weaken the Akali party, thereby supporting their own enemy: separatist extremism, and going against the interests of India and the Indian People, if not against their party’s electoral interests.

Second, the negotiations seriously lacked stability and efficiency. The personnel involved rotated a lot, and the decisive advisers or decision takers were not necessarily present. It was therefore quite difficult to maintain good relationships to ameliorate the chances of success. The negotiations were also extremely conflictual and both parties were prejudiced against one another because of painful memories that went back to the period of Independence.

Third, both parties were unable to communicate efficiently. For instance, the *Anandpur Sahib Resolution* was intended by moderate Akalis to express demands of further autonomy for the Sikhs, but was never secessionist. They required that the Sikhs be recognized as a nation, which did not mean that they wanted a distinct sovereign state. *Khalistan*, before operation Blue Star, always remained a very

marginal movement. Despite repeated statements that cleared this matter, the Center officials understood it as secessionist because Bhindranwale, the activist they supported, used it as an instrument to increase his influence, manipulating the sense of alienation felt by the Sikhs in this time of affliction. The Government therefore asked for its withdrawal as a necessary precondition to resuming talks, which served the interests of the extremists.

Fourth, communication was rather defective on both parts. Participants were public officials belonging to political bodies who had to debrief to their parties and electorates. This led to contradictory discourse at the negotiating table and in front of voters. For instance, the radicalization of the Akalis' discourse, necessary to contain the extremists, did not wholly modify their moderate goals, but changed the vision the government and the Hindu majority had of them. This damaged the relationship between negotiators. Likewise, the changing attitude of the government and its frequent shift of positions – induced by the influence of exterior actors (lobbies, Haryana state government, or Rajiv's advisors) and by conflicting interests between the party, the national and the state levels – were felt as betrayals by moderate Akalis and caused them to lose face, which benefited to the radical wing, critical against the democratic and peaceful methods, and to extremists, revivalists and terrorists.

Fifth, because they faced the other's unmoved countenance after displaying all resources of advocacy, both participants were led to pressurize the other. The overuse of pressure and stubborn will damaged the relationships between the negotiating partners. Both sides used threats of violence and violence as a tool, which further antagonized the other. This effect was worsened because the Akalis especially had very little or no control over those who implemented the threats of violence, and the situation was henceforth quite unstable.

Sixth, the parties did not manage to discuss each other's fundamental principles. True they understood each other to a certain extent, though not wholly, and so could agree on religious issues: the Center soon understood the benefit of yielding to demands as the allowance to wear kirpans in planes, and how little cost it would bring. But some political-territorial issues were also related to 'inviolable principles', mainly the status of Chandigarh and the redefining of Punjab and Haryana's borders according to language: they were linked to Sikh identity and idea of the coherence of a Punjab state. There, the Akalis and the Center did not manage to durably agree. The Akalis would not compromise, and the Center would not give in, nor bargain intelligently.

Seventh, Cohen argues that "flexibility is not a virtue against intransigent opponents. If they are concerned to discover your real bottom line, repeated concessions will confuse rather than clarify the issue. Nor is there merit in innovation for its own sake. Avoid the temptation to compromise with yourself." In the case of Punjab, both parties remained evasive regarding their true positions. The Center's "Bhindranwale strategy" was truly wicked, and Indira Gandhi's shifting positions truly inept. On their part, Longowal and the moderates hardly ever manage to establish a stable list of demands, considered they constantly had to strengthen their standpoints in order to keep in line with extremists. The succession of concessions and rigor truly confused the negotiation process.

Eighth, both parties were constantly negotiating under the urgency to solve concrete problems, for nothing but violence or threats of agitation could bring them together to negotiate. For the Akalis as well as the Government, patience was most of the time not available. Short-term strategies therefore prevailed, preventing the finding of a long-term solution.

Ninth, The Indian government specifically did whatever possible to make its opponent lose face, nourishing bitterness and extremism: they encouraged the

extremist trends, weakening them and forcing them to fight for influence within their own party, and never considered Longowal's credibility when withdrawing from negotiations without satisfactory outcomes, or betraying its word. On their part, the Akalis hardly considered the Government's possible loss of face if they gave in to what came to be defined as "communal demands".

Tenth, negotiations obviously did not ensure the implementation of any agreement, for none of those that were reached proved durable. The non-negotiated solutions that were carried out authoritatively by the State and the Center would have required negotiation with representative of the Sikhs in their implementation, to have a chance to satisfactorily solve the Punjab issue. It was however not the case and they did not put an end to the Punjab unrest; not until the negotiated settlement between Longowal and Rajiv Gandhi.

It is clear that considering the ten golden rules of cross-cultural negotiations would have profited to negotiation process, and might have avoided many failures and painful consequences. This was, however, not to be. It may be consequently assumed that negotiation theory accounts for the failure of Punjab's negotiations, by highlighting that they were not conducted properly and that they could have reached a solution if they had avoided all the stumbling blocks.

Were the issues non-negotiable?

A first line of explanation thus highlights that negotiations were not led as they ought to have been. Now the question rises: if it had been the case, would an agreement truly have been reached? This is uncertain, for both theorists quoted above affirm that conflicts of values are much more complicated to solve than conflicts of interests, and it seems that the conflict over Punjab was a conflict of identity. It is also the sense of ultimate threat to their identity that mobilized so many Sikh men and women to fight for their religion and community, and to occasionally get involved into violence or even terrorist activities. But as I have attempted to explain, I do not think that the matters involved were as non-negotiable as they seem. I believe that at first, many demands could have been negotiated as interests, though they were loaded with religious meaning on the part of the Sikhs, for they were not issues of values to the Center. There was thus not always a conflict of values in these negotiations.

If we review the list of 15 demands submitted by the Akali Dal to the government in 1981 one by one, it appears that they were negotiable. As said earlier, releasing Bhindranwale was no central demand, rather a concession to the radical wing of the Akali Dal. It certainly could be drawn to the field of interests and negotiated. The withdrawal from the Delhi Gurdwara posed no serious problem to the Center, but was extremely central to the Sikh as recognition of their religious freedom, and if the Government desired to keep an eye on them, it could have maintained intelligence agents anyway. The third demand was thornier: allowing the SGPC to send pilgrims to Pakistani Sikh shrines posed the problem of conflicting relations with Pakistan and revived the memory of Partition. However, interests were not necessarily contradictory: an arrangement could have been the fixing of strict rules of border control, or demanding systematic reports of the pilgrim movements. Here again interest conflicts were manageable, and there was no true conflict of values. What complicated the issue was, in fact, memories: it is hard to forbid an emigrant to come back to his birthplace out of devotion, even in the interest of national security. The demand for wearing kirpans in domestic and international flights was complicated too, for wearing kirpans is a religious obligation for Sikhs, while carrying bladed weapons in planes poses a security concern. A more value loaded aspect of the kirpan question was the envy it could raise among Hindus who were not allowed to wear trishulas but even then it may be

considered that the interests of Hindus and Sikhs were possibly compatible. Different possible accommodations could have been easily discussed as to kirpans, and security solutions worked out, such as authorizing them for domestic flights. Here, making concessions allows the state to satisfy him the other while preventing from asking too much. Further, the *All India Gurdwara Act* was a wish that a unique law should be applied to all Gurdwaras instead of the varying State legislations. Here again, it was no great sacrifice to the State – if rightly managed, for it might appear as a too big concession to a particular religion to pass an Act for all India, overlooking the States authorities. The grant of holy city status to Amritsar could be seen as but fair and would have raised much more thankfulness than disagreement. The creation of a Sikh radio station would have been feasible too: accepting the principle did not mean that the Government could not maintain control over it. Finally, renaming Flying Mail as the Harmandir Express was probably not so important to the Akali Dal as other demands. The suppression of that point was certainly negotiable if it gave too much uneasiness, though it does not seem to be a complicated issue to settle.

All the religious demands could thus be handled as issues of interests and might as such have been negotiated according to the principled negotiations model. Nothing seemed impossible to settle, though maybe, it would have been complicated to agree on the Pakistani pilgrimages, and on all the demands that could make Hindus or other religions feel that Sikhs were over-privileged. Indira Gandhi herself ended up agreeing with all these demands.

Political and economic demands could intuitively be considered easier to settle than religious one, but they were in this case much more delicate, because much closer to and much more conflicting with State interests. The first demand argues for more autonomy to the States, and for the Sikhs to enjoy special rights as a nation. This claim is indeed more difficult to negotiate, for it cannot be restricted to a dialogue between the Sikhs and the Center. It questions the very definition of Indian federalism and implies a modification of the Constitution. Therefore, the Center was not in a position to take a decision on the negotiating table without consulting the rest of the country. It would be authoritarian in a federal democracy to take such decisions in that manner. No firm engagement could anyway be made, for a modification of the constitution necessarily involves the legislative. But principles could have been discussed, and propositional bills worked out. Then, during the post-negotiation phase, Akalis could have been involved into a national reflection upon the matter. So even if no agreement could immediately be found, a discussion should have been led about federalism reform in the direction of more decentralization. Indira Gandhi was probably stern on the subject, for she conceived the Union State as strong and powerful. Contrary to increasing State autonomy, the status of the Sikhs as a nation might have been discussed and settled at the table. This would have lessened the possible disappointment of the Akalis at the necessary inconclusive discussion of federalism. Another delicate issue was the demand of merging Punjabi-speaking areas and Chandigarh into Punjab. Here again, other actors' interests were involved, mainly those of neighboring states. A solution would, according to principled negotiations, have been to prepare different possibilities of settlement (reference to linguistic expertise, agreement between the States, Union intervention in the redrawing of borders, Border reorganization Act...) and then to schedule ulterior meetings associating all other actors involved, to discuss and adapt solutions. Considering the high symbolic value attached to Chandigarh especially, launching such a process might have satisfied the Akalis, and in time, would have allowed to reach a good and durable agreement. The same may be said of the redistribution of river water between the concerned states. Considering the importance of agriculture in the regional economy, this matter had

to be settled. Using the same method as earlier, an agreement could be found between the parties involved. The status of Punjabi as second-language in neighboring states could have been easily settled too with a central bill, or referred to expertise or agreement between the states if ill-accepted.

What is meaningful here is that the Central Government should have organized a negotiation process between the concerned parties by fixing a reform calendar, instead of referring the issues to ulterior discussion, or promising a solution when other actors needed to be consulted. Indira Gandhi would have avoided betraying herself in 1982 (when she was persuaded by the Haryana Chief Minister to modify the agreement reached the previous day) by inviting the other States to the negotiations. As to the creation of a Sikh bank and the issue of agricultural prices, it is probable that an agreement could have been found in which Akali demands would have been moderated in consideration of the already favored economic situation of Punjab that raised much jealousy in India. Economic issues are important to Punjab, but are definitely negotiable conflicts of interests, if participants adopt the right attitude: not confounding the Sikh with the wealthy, concentrate on interests, develop various settlement possibilities to choose the best, and define objective and common criteria.

I consider that all Akali demands could have been discussed, negotiated and solved using the Harvard Concept apparatus, which would have been rendered easier if the parties had followed Cohen's recommendation to foster their mutual understanding. Political and economic demands would have been harder to settle, considering that they were related to Central interests and values: federalism, secularism, equal treatment of all minorities; and involved other States and communities. It would not have been easy, but certainly was possible. So what happened? I believe that negotiable issues were made nonnegotiable because negotiations were polluted by electoral politics and by the consideration of party interests. Further, the imperfection of the negotiation process itself additionally complicated the discussion, ruining many opportunities of settlement.

Seeking re-election by all means is a natural mechanism of the democratic game, but the consequences of the electoral-political choices must be measured a posteriori. More than anything, the strategy adopted by the Congress to "communalize" the Sikh claims, stigmatizing their demands as a threat to national integration, served them well to win the 1985 general elections thanks to Hindu mobilization, but marked all India's ulterior political life: it rendered any negotiation of minority group's demands likely to be judged as Governmental weakness to certain communities, thus rousing the hostility of others. The Akalis are not at all blameless in the failure of the negotiations over Punjab, but this Congress strategy certainly was the first responsible for ruining them. Moreover, the second tactic of using a 'Sant' against another proved also highly damaging: by helping Bhindranwale, protecting him from justice, police, and moderate Sikh officials, the Congress successfully weakened the Akali Dal, causing it to lose credibility but at the same time forced it to gradually give in to extremists and terrorists, and to radicalize claims, threats and attitudes. This favored an increasingly violent atmosphere in Punjab, where agitation and terrorism were combined with police repression and persecutions. In such a context, it was certainly far harder to negotiate a peaceful settlement. The mischief was done, and it is actually the escalation of violence that finally brought the Akali Dal and the Congress together to try and find a solution.

The actual willingness of Indira Gandhi to reach a negotiated settlement is regularly questioned by those who reflect on this pre-Blue Star period, or by witnesses – like Surjeet – who often consider that her severity and repeated withdrawals from reached agreements reveal she did not want or did not believe in

an accord, that she was determined to gain the submission of the Sikhs to the authority of the Union, and make them stick to what they had already been given. She is also reported to have remained resentful against the Akali Dal because of its steady opposition to her, despite her initial benevolence towards their claims. This matter is difficult to settle. I will use her own words, referring to “Her last and only autobiographical interview”³² of August, 1984 and leave the judgment of her sincerity to the reader. (I underline the main ideas in her following statements).

“Q: On the question of Punjab would you consider it to be the greatest danger that India has faced since independence?”

“PM: Today, I would say it is serious because never before was the integrity of the country challenged in this way. (...) Cry for a desperate state (...) is from outside (...) the Akali Dal feels that if (you are not with them, you are not a real Sikh). So these are very dangerous theories, because they take us towards fundamentalism which has the seeds of destruction in it (...) unfortunately, it is the first time when some opposition parties, maybe because the elections are coming, are encouraging this narrowness and fundamentalism (...) communalism and communal violence. (...) the Akalis were in Government for three years. They had two Ministers at the Center, they had allies in the Government, friendly Governments in Rajasthan, Haryana and Himachal, the three States which are most concerned. Why didn't they solve this problem then? (...) It was only when they lost the election (...) Sikhs supported us, that is why we won the election. Then the Akalis bring up this matter. Now some of the matters are Punjab matters applying to Hindus and Sikhs – more water and so on. But some are historic things. We can't go back on treaties made in 1955. (...)

“I don't think that the main thing was the demands. The main thing was political. But even as we were talking about the demands and there was some change of agreement, there was a group developing there (...): ‘we don't care whether the demands are accepted or not, we have our own policy’. And their policy was just to go and kill anybody they didn't agree with. (...) from the beginning there was this anti-national feeling and they have something much deeper in mind than just a question of water or Chandigarh (...). This is a very major danger. If we had not taken the action there, had there been an attack on India, we would have faced a very serious situation.”

“Q: Another thing that strikes me in this context is Center-State relations (...)

“PM: (...) we should not have much centralization as such, because people stand on their own feet, but not in such a way that they separate from the rest. (...) at all time we must feel we are part of India. (...)

“Q: But that the very concept is now being challenged.”

“PM: That is the great danger. (...)

“Without democratic functioning, I don't think India can hold together and for democratic functioning, there must be better relations between the Opposition and there must be acceptance. I may win or you may win, but we should tolerate that instead of saying that we are not going to tolerate so and so. This what had literally happened in Punjab and some other places. And of course that is why in political life in a country like India where people are so religious than it will be a very sad thing and it can't keep the country together.”

³² Bose (1987), p.72 to 80. Entire quote is to be found in Annexe 3.

CONCLUSION:

In Indira Gandhi's discourse, three main causal lines in the failure of the Punjab negotiations are identifiable. First, the issue of national integration and the perceptions of threat against it arose from either a defective understanding of the Sikh movement for State autonomy and minority rights, or its manipulation into a separatist movement; Second, the problem of electoral politics, and the Congress miscalculation in its dealings with the Akali Dal; And third, the communalization of politics in India, which stemmed from electoral calculations, and was excited by the failure to durably accommodate conflicts of identity, which caused a certain number of Sikhs to see their prior interest no longer in abiding by the law, but rather in resisting it.

What lessons can be drawn from the Punjab case? How can negotiations be successful in such a context? First, a remedy must be found to the problem of asymmetry between the negotiating partners. Possible solutions are to work out an institutional framework able to ensure the free expression of minority claims and their discussion on an equal footing, or to bring about enough understanding and trust to make negotiations successful. Second, the representative value of the participants must be rightly measured for them to really talk on behalf of the groups they stand for rather than speak for their own interests. At least, the parties must make a difference between the negotiators and the community they pretend to represent at the negotiation table as well as in the public statements they make about the ongoing negotiations. Eventually, the parties and their representatives should endeavor to consider objectively the issues, without passion and without an electoral or political agenda. They also should abandon their hard negotiating style to reach better efficiency. The tendency of each actor to try and weaken his adversary must be considered as a great obstacle to successful negotiations, because it threatens the very fragile but necessary element of trust. All of the above can be handled by the negotiation theory in both its analytical and normative dimensions.

The problem in negotiation theory is that it seems to refer to a static situation where negotiators talk over issues as if their positions and the related power-games were not evolving. What we can learn from Punjab is that certain contextual variables must be taken into account in conceptualizing effective negotiations. This does not come without difficulties. For instance, the necessary degree of honesty, good will and good faith from the parties, besides bare rationality, is quite difficult to resolve theoretically: it is a normative injunction and depends on the personality and situation of the negotiators. To reach an agreement, the parties must really want to and keep this resolution in time, for in the short run, in such contexts as that of the Punjab, it is far easier to fight than to reconcile one's interests and values.

What the theory can and should do, however, is to introduce the context as a fundamental variable, grounding its assertions in empirical studies, but also bridging the gap with other theoretical focuses. Especially in a domestic democratic context, negotiating group or minority conflicts is strongly related to party politics and electoral calendars, identity being one of the most powerful instrument of mass mobilization for political parties and other social and institutional bodies. Here, negotiation theory should build a bridge with the theories of democracy, democratic choice, and governance. It is also essential to take into account the non-negotiating actors, because they greatly influence the process of negotiation through the participants they are able to pressurize.

Negotiation theory in that regard should be put in relation with theories of multi-level, social-institutional interaction.

Finally, in cases similar to Punjab, negotiations are deeply intertwined with and determined by the politico-religious context, as well as the mutual perceptions between groups whose identities involve more or less painful collective memories. How to negotiate in a context of latent or open communal violence and further of religious terrorism? Negotiation theorists are most of the time unable to provide a satisfactory answer: stabilization and pacification are seen as preconditions to negotiations. But should not negotiations serve to end conflicts? Can a conflict be solved in the long run without a negotiated agreement that satisfy each party involved? To what extent does street or mob violence render negotiation impossible at the institutional level?

In the case of Punjab, the negotiating partners were not necessarily directly involved in popular daily violence and though they were under pressure, they might have found a common interest in securing communal peace and reconciliation, and gaining credit for it as institutional actors – political parties, community representatives, elites as Mitra would argue. One can hardly follow the requirements of principled negotiations while using or being facing the threat of violence, but negotiators should strive to get back to rational choice at the negotiating table: the opportunity costs of every decision and act of positioning should be calculated by each party – and by an eventual mediator. It is often, in the long run, more advantageous to try and settle the issues peacefully, though the temptation to answer violence with violence is strong indeed. And even when violence has erupted or is ongoing at the societal level, negotiations might be conducted at the institutional one, and a negotiated solution found and implemented from the top down.

Through its combination of western liberal institutions with a widely traditional and highly diverse and divided society, India offers interesting case studies to test the assumptions of Western social and political sciences. Negotiation theory in particular has a lot to learn from the way India manages its diversity. It appears that further theoretical developments should develop in a multidisciplinary direction to overcome the present limitations.

**ANNEX 1:
RAYMOND COHEN, *NEGOTIATION ACROSS CULTURES***

10 recommendations for the intercultural negotiator:

1- Prepare for a negotiation by studying your opponents' culture and history, and not just the issues at hand. Best of all, learn the language. Immerse yourself in the historical relationship between your two nations. It may explain more than you might expect.

2- Try to establish a warm, personal relationship with your interlocutors. If possible, get to know them even before negotiations get under way. Cultivating contacts and acquaintances is time well spent

3- Do not assume that what you mean by a message – verbal or non-verbal – is what representatives of the other side will understand by it. They will interpret it in the light of their cultural and linguistic backgrounds, not yours. By the same token, they may be unaware that things look different from your perspective.

4- Be alert to indirect formulations and non-verbal gestures. Traditional societies put a lot of weight on them. You may have to read between the lines to understand what your partners are hinting at. Do not assume that they will come right out with it. Be ultra-careful in your own words and body language. Your partners may read more into them than you can intend. Do not express criticism in public. Do not lose your temper. Anything that leads to the loss of face is likely to be counterproductive.

5- Do not overestimate the power of advocacy. Your interlocutors are unlikely to shift their positions simply in response to good arguments. Pressure may bring short-term results, but risks damaging the relationship. Facts and circumstances speak louder than words and are easier to comply with.

6- Adapt your strategy to your opponents' cultural needs. On matters of inviolable principle, attempt to accommodate their instinct for prior agreement with your preference for progress on practical matters. Where haggling is called for, leave yourself plenty of leeway. Start high, bargain doggedly, and hold back a trump card for the final round.

7- Flexibility is not a virtue against intransigent opponents. If they are concerned to discover your real bottom line, repeated concessions will confuse rather than clarify the issue. Nor is there merit in innovation for its own sake. Avoid the temptation to compromise with yourself.

8- Be patient. Haste will almost certainly mean unnecessary concessions. Resist the temptation to labor under artificial time constraints; they will work to your disadvantage. Allow your opponents to decide in their own good time. Their bureaucratic requirements cannot be short-circuited.

9- Be aware of the emphasis placed by your opponents on matters of status and face. Outward forms and appearances may be as important as substance. For face-conscious negotiators, an agreement must be presentable as an honorable outcome. On the other hand, symbolic gains may compensate them for substantive losses.

10- Do not be surprised if negotiation continues beyond the apparent conclusion of an agreement. Implementation is unlikely to be automatic and often requires continuing discussion. To assist compliance, it may help to build a system of graduated, performance-based incentives into the original contract.

ANNEX 2:

**REVISED LIST OF 15 DEMANDS SUBMITTED BY THE AKALI DAL TO
THE GOVERNMENT IN OCTOBER 1981**

Religious demands:

- 1) Unconditional release of Sant Jarnail Singh Bhindranwale and Judicial enquiry with regards to police action in connection with Delhi Rally (7 September), Chowk Mehta and Chando Kalan
- 2) Removal of alleged high-handedness in the management of Delhi gurdwaras, holding of democratic elections after the removal of forcible control by “one of Government’s stooges”.
- 3) Restoration of the SGPC’s right to send pilgrims parties to Pakistan and deploy sewadars for the maintenance of local Sikh shrines
- 4) Permission to Sikh traveling by air to wear kirpans in domestic and international flights
- 5) An All India Gurdwaras Act should be passed
- 6) Grant of holy city status to Amritsar on the pattern of Hardwar, Kurukshetra and Kashi
- 7) Installation of “Harmandir Radio” at Golden Temple, Amritsar, to relay kirtan.
- 8) Renaming Flying Mail as Harmandir Express.

Political and economic demands:

- 1) As per the Anandpur Sahib Resolution, the Shiromani Akali Dal is firmly convinced that progress of states would entail prosperity of the Center, for which suitable amendments should be made in the constitution to give more rights and provincial autonomy to states. The Centre should retain Foreign affairs, Defense, Currency and Communications (including means of transport), while the remaining portfolios should be with the state. Besides, the Sikhs should enjoy special rights as a nation.
- 2) Merger of Punjabi-speaking areas and Chandigarh into Punjab
- 3) Handing over of dams and head-works in the state to Punjab and redistribution of river waters as per national and international rules.
- 4) Second-language status to Punjabi language in Haryana, Delhi, Himachal Pradesh and Rajasthan
- 5) Stoppage to uprooting of Punjabi farmers from Terai area of U.P.
- 6) Setting of a dry port at Amritsar
- 7) A license should be granted for a New Bank in place of the Punjab and Sind Bank, which should be under Sikh control and remunerative price should be fixed for agricultural products by linking it to the index of industrial production.

**ANNEX 3:
EXCERPT OF AN INTERVIEW OF MRS. GANDHI BY NEMAI S. BOSE
(AUGUST 1984) – Bose. 1987. p.72 to 80**

“Q: On the question of Punjab would you consider it to be the greatest danger that India has faced since independence?”

“PM: Today, I would say it is serious because never before was the integrity of the country challenged in this way. And this has not come up in Punjab. It has come up outside. Cry for a desperate state is not from within our country. It is from outside. It raised in the USA, it is raised in Canada, it is raised in West Germany and UK on a much lesser scale. (...) There our people who went from our country who were of Indian origin – who became rich there – they don’t know with their money – they are not in touch with the situation here. I don’t know whether they are influenced by people here – or what is the force behind it or may be they feel they get importance out of it.

“The Punjab Situation itself is very complex, the caste element has come in, because within the Sikhs, the Jat Sikhs think they are superior to the others. Again it is a question that the Akali Dal feels that if you are not a Sikh, you may be very religious... and it is like in old days the Hindu Mahasabha may come up and say ‘well, if you are not with us you are not a real Hindu’ or the Muslim League saying, as they do say, that ‘if you are Muslim in the Congress you are not a real Muslim’. So these are very dangerous theories, because they take us towards fundamentalism which had the seeds of destruction in it, of the same religion even, if you get so narrow.

“Why has Hinduism persisted and grown? Because, it has this breadth of vision and power of assimilation, adaptation, absorption – that is why it has survived. If you get narrower and narrower then it is going to be more and more difficult. This is the first time, and unfortunately, it the first time when some opposition parties, maybe because the elections are coming, are encouraging this narrowness and fundamentalism.

“The other challenge we had was in Telengana. But it was not communalism and communal violence. There it was basically an economic problem and once we gave an economic solution, it was (solved). There are several aspects to the Punjab situation. One, the Akalis were in Government for three years. They had two Ministers at the Center, they had allies in the Government, friendly Governments in Rajasthan, Haryana and Himachal, the three States which are most concerned? Why didn’t they solve this problem then? I mean, nothing was said about them then, nobody knew it. It was only when they lost the election... we would not have won the elections if the majority of the Sikhs had not voted for us. We couldn’t have won on the Hindu votes alone. The Sikhs supported us, that is why we won the election. Then the Akalis bring up this matter. Now some of the matters are Punjab matters applying to Hindus and Sikhs – more water and so on. But some are historic things. We can’t go back on treaties made in 1955. Also we can’t say that Rajasthan will get no water and so on. But today science is so advanced that there was no need for Punjab to suffer in any way. I mean, a method could be found either for Rajasthan or for Punjab or Haryana. Today, the problem is water logging in Punjab, not water shortage. But they thought the problem might arise when Haryana uses more water which is going to be 10 years later. Now in 10 years, there can be a whole revolution in new ways of producing water – of Rajasthan of having cultivation without water and all kinds of things.

“I don’t think that the main thing was the demands. The main thing was political. But even as we were talking about the demands and there was some change of

agreement, there was a group developing there who did not want to be bothered about the demands: 'we don't care whether the demands are accepted or not, we have our own policy'. And their policy was just to go and kill anybody they didn't agree with. And initially they killed only Sikhs. Out of the people who were killed before any action, half were Sikhs – killed by the extremists. We call them extremists but I think it was a mixture, and we don't know who were the forces behind them, because now they are saying that they may take Pakistan's side. I mean that from the beginning there was this anti-national feeling and they have something much deeper in mind than just a question of water or Chandigarh or something like that. This is a very major danger. If we had not taken the action there, had there been an attack on India, we would have faced a very serious situation.

“Q: Another thing that strikes me in this context is Center-State relations (...) my feeling is that India is in such a situation that we cannot afford to have the kind of State's rights which a country like the United States afford.

“PM: In the United States when they want to intervene, they do intervene, they have intervened. The powers of the U.S. President are tremendous. We have nothing like that here.

“Q: Do you feel this is more a political slogan which gives encouragement to regionalism?

“PM: I wouldn't say that it is meant to give encouragement to regionalism.

“Q: What is the motivation?

“PM: No, I don't say it is a motivation. The motivation is that each State wants more power because each person who is there whether it is Chief Minister or anybody else feels that he wants more power. When you tell them that I am also for decentralization, but they must also decentralize and give the districts more power, they are not for that. My view is that we should not have much centralization as such, because people stand on their own feet, but not in such a way that they separate from the rest. I mean at all time we must feel we are part of India. We may wear different cloth, we may eat different food, we may have different religions but we are all one. We are all Indian citizens.

“Q: But that the very concept is now being challenged.

“PM: That is the great danger.

“Q: In such a situation, Madam, what alternative is there to a strong Center?

“PM: This is what I say. And the thing is that the same States who want more power now when they are in difficulty then they turn to the Center and say 'You must help us more'. And if a State like Assam says 'We will not give our oil to the rest of India', well, Bihar can say 'Why should you take our coal? You don't give us oil, why should we give you coal?'

“Madhya Pradesh can say 'Why do we give you steel?' The advantage of being a big country is that within the country itself the different States can help one another and I feel that the stronger state should help the weaker State to come up so that the general level goes up.

“Part of the difficulty is with democracy, of course. Because of the tremendous strain on the individual political person of getting votes. And he says, 'now how can I get more votes?' Therefore, he gives in to popular demands and something which may not be in the larger interests.

“Q: That brings me to a very current topic which is being debated in other parts of the country. This is the question of the proposed Comprehensive Education Bill, which is being misunderstood as a Central intervention, for the kind of education that you visualize, some directional trends have to be set up by the Center?

“**PM:** Well, yes, and you know, the minorities specially feel (this) because some States project religion in a particular way, and so the minorities are protesting. Also there must be some standard...

(...)

“For democracy to succeed you must have a dialogue with the Opposition (...) Without democratic functioning, I don't think India can hold together and for democratic functioning, there must be better relations between the Opposition and there must be acceptance. I may win or you may win, but we should tolerate that instead of saying that we are not going to tolerate so and so. This what had literally happened in Punjab and some other places. And of course that is why in political life in a country like India where people are so religious than it will be a very sad thing and it can't keep the country together.”

BIBLIOGRAPHY

- Joshi, Chand. 1984. *Bhindranwale: Myth and Reality*. New Delhi: Vikas publishing House.
- Panigrahi D. N (editor), under the Auspices of All India Congress Committee (I). 1985. *Indira Gandhi, An Apostle of National Integration*. Delhi: Vikas Publishing House PVT LTD.
- Singh, Patwant and Malik, Harji (editors). 1985. *Punjab, The fatal Miscalculation*. New Delhi: Patwant Singh.
- Singh, Patwant. 'The distorting Mirror'
- Malik, Harji. 'The Politics of Alienation'
- Kothari, Rajni. 'Electoral Politics and the Rise of Communalism'
- The New Yorker*, June 25, '1984, A Military Solution...'
- Singh, Khushwant. 'The Brink of the Abyss' (Speech in the Rajya Sabha, July 15, 1984)
- Lt. Gen. Aurora, J.S. 'If Khalistan comes – the Sikhs will be the Losers' (*Illustrated Weekly of India*, July 22, 1984)
- Noorani, A.G. 'A White Paper on a Black Record' (*The Globe and Mail*, March 11, 1985)
- Gupta, Dipankar. 'The Communalising of Punjab', 1980-1985 (Economic and Political Weekly, July 13, 1985)
- Kahn, Rasheeduddin. 1987. *Composite Culture of India and National Integration*. Indian Institute of Advanced Study, Allied Publishers Private Limited.
- Bose, Nemai Sadhan. 1987. *Indira Gandhi, on Herself and her Times, Her last and only autobiographical Interview with Nemai Sadhan Bose*. Calcutta: Ananda Publishers Pvt Ltd.
- Brass, Paul R. 1990. *The Politics of India since Independence*. In *The new Cambridge History of India*. IV-1, Cambridge: Cambridge University Press.
- Singh, Khushwant. 1992. *My Bleeding Punjab*. USB Publishers and Distributors Ltd.
- Sharma, Dr. Yog Raj. 1992. *State Autonomy and National Integration: Identity Crisis of the Sikhs*, Jalandhar: Vinod publishers and distributors.
- Cohen, Raymond. 1997. *Negotiating across Cultures – International Communication in an Interdependent World*, US institute of Peace Press.
- Fisher, Roger, Ury, William, and Patton, Bruce. 1991. *Getting to yes, Negotiating agreement without giving in*. German translation of Raith, Werner and Hof, Wilfried. 2000. *Das Harvard-Konzept: Sachgerecht verhandeln – erfolgreich verhandeln*, Campus Verlag GmbH.
- Mitra, Subatra K. 2006. *The Puzzle of India's Governance, Culture, context and comparative theory*. Routledge Advances in South Asian Studies
- Pfetsch Frank R. 2007. *Negotiating Political Conflicts*. Palgrave Macmillan
- http://www.youtube.com/watch?v=pS1lughRF_0&feature=related: Documentary. 1984 – Sikh Kristallnacht. sighted on Youtube in March 2000