The Evolution of Sikh Secessionist Movement in Western Liberal Democracies

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This paper focuses on the evolution of Sikh secessionist movement in Western democracies. It explains how and why a segment of émigré Sikh community turned against the Indian state? The paper has divided this separatist movement in three distinct periods: (i) The politics of ‘Sikh Home Rule’ movement from 1960’s to 1978; (ii) Terrorist Movement for Khalistan from 1978 to 1993, and (iii) the politics of ‘grievance’, from 1994 to present. The first period witnessed the rise of a small group of Sikh separatists in Britain and the United States, as minor pawns of Cold War politics in the South Asian context. The second period witnessed the emergence of a major terrorist network of Sikh militants armed, trained and, to certain extent, financed by Pakistan, as battle-lines were drawn between two superpowers in Afghan war theatre. The third period has witnessed the decline of militancy and violence associated with Sikh secessionist movement, and the adoption of a new strategy cloaked in the language of justice and human rights.

In the post war period, most Western societies had very little population of Sikh immigrants, and, with the exception of the United Kingdom (UK) and the United States (US), many had very little interest in South Asia. Sikh soldiers serving with the British army were the first to settle in Canada, the UK and the US. In 1897, after participating in the golden jubilee function of Queen Victoria’s coronation, Sikh soldiers first came to the west coast of Canada. As a result, most Sikhs in the early 20th century were settled on the Pacific West Coast of North America. Many had found a route through Hong Kong and Shanghai ports, where they worked in the security apparatus of the British colonial administration. The educated strata of the Sikhs came to study in the universities of both the UK and the US. While most of the educated Sikhs went back to newly independent India, Sikh soldiers came in large numbers to settle in England after World War II, as the British government opened its immigration doors. In late 1950s and early 1960s a limited number of trained and educated Sikh professionals started westward journey as new opportunities opened in expanding western economies. The larger migration patterns started after the success of ‘green revolution’ technologies in the Punjab. In the early 1970s, a large number of unemployed and semi-employed youth came and settled mostly in Canada, but also in England and the US. They were followed by one of largest waves of Sikhs immigrants in history in the 1980s and 1990s. While most of them came to traditional Sikh destinations like Canada, the UK and the US, many settled in other western countries like Germany, Austria, France, Italy etc.

Sikh Home Rule

While earlier Sikh émigrés joined anti-British colonial movements in the UK and in North America, the politics of post-independent India witnessed a new trend. Although Sikh Diaspora’s numbers were too small to make any impact on the post-1947 political developments, the seeds of a secessionist movement were sown. A small segment of Sikh émigré community started turning the wheel of patriotic movement in the opposite direction. As a result, in the early 1960s, the Sikh Home Rule movement started under the leadership of a London based Sikh émigré, Sardar Charan Singh Panchi. A discussion paper on de-classified operations of Pakistan’s Inter-Service-Intelligence (ISI) agency states that the agency supported this Panchi led movement against India, but it was later transformed into Khalistan movement under the leadership of Dr. Jagjit Singh Chohan. It had the imprint of classical Cold War proxy war against India, and its non-aligned foreign policy. Apart from ISI’s involvement in Sikh secessionism, a tacit approval came from the United States and its cold war allies like Britain, where Jagjit Singh Chohan and other Khalistani protagonists had resided.
US-Sikh relations came under radar for the first time when Dr. Chohan, a former Akali minister from Punjab, published a half-page advertisement in the *New York Times*, on 11 October 1971, making a case for Khalistan. 

After India’s independence and partition, the US had shown no deep understanding of country’s new journey after two centuries of colonial rule. Policy makers in Washington were consumed by new cold war with the Soviets. Unable to comprehend the realities of South Asian geo-politics, the US began searching for allies to ‘contain communism.’ For Indian leadership, the real issue was to deal with economic backwardness, task of nation-building, and strengthening secular and democratic system. India was willing to deal on friendly basis with any small, middle or superpower to develop its economic and political system. Prime Minister Nehru wrote that after independence “we appeared to have no inherited problems and conflicts with any country.” 

Apart from Pakistan, the statement seems to be accurate as India tried to develop friendly relations with not only Western democracies, but also socialist China and USSR. For the US, India was “a land of mystery, exotic and inscrutable.” In a hurried manner, the US concluded a security agreement with Pakistan in 1954 to deal with Soviet security threat to Middle East. Robert McMahon comments that in a rather strange fashion, the security partnership with Pakistan was forged by the US based not on American “interests in South Asia, but about strategic calculations about Middle East.”

While the US administration remained largely unhappy with India’s non-aligned and pro-Soviet foreign policy, it was still not ready to abandon India for Pakistan. During 1962 Sino-Indian war, the US showed huge interest in supporting India against Chinese military adventure. In 1971 Bangladesh war, however, the US tilt toward Pakistan did not please India; and India’s decision to conclude a ‘Friendship Treaty’ with Soviet Union did not please the US. Further, as the Sino-American relations witnessed détente, Pakistan’s position as a strategic partner against Soviet threat increased. It was further cemented by Soviet invasion of Afghanistan in December 1979. For the next ten years, Pakistan became a frontline state to “contain communism.” All Western countries supported Pakistan with economic and political aid, as Afghanistan became a hot spot for cold war.

While India did not have cordial relations with many western capitals in the first three decades after independence, there is no evidence to suggest that Sikh secessionist movement received any official backing from London, Ottawa or Washington. There is no doubt that certain elements in the British or the US governments may have been friendly with secessionist leaders, but, unlike the Kashmiri separatists, the Sikhs did not receive direct or indirect official sympathy. Many western governments continued to turn a blind eye to Sikh secessionists, as they were not seen posing any real internal threat. Separatist leadership, however, did not abandon its efforts to lobby western capitals. London based secessionists were particularly active to influence the British government to do “historic justice” by supporting a Sikh state, as the British had ended the Sikh raj.

One of the biggest myths propagated by Sikh secessionists is about the British proposal for a separate Sikh state during partition discussions in 1947. The Akali and Sikh leadership of the time is blamed for rejection of this proposal, and blamed for trusting Indian leadership of Mahatma Gandhi and Pandit Nehru. In fact, no such proposal was ever made to any Sikh delegation by the British. However, there is no doubt that Sikh leaders were vigorously opposed to the creation of Pakistan by bifurcating Punjab, as they feared they would be the biggest losers. History proved them right as millions of Sikhs and Hindus had to leave their properties and prosperous lives to migrate to eastern Punjab, just as millions of Muslims had to leave their homes in India.

After bloody partition, Sikh leadership threw its lot with the Congress party, as Akali Dal was formally disbanded. This decision did not please many migrant Sikh leaders from trading classes, including Master Tara Singh, who were struggling to settle in new markets of Punjab and Delhi. A new cause to unite the Sikhs under the command of Akali leadership was provided by States Re-Organization Commission, as it refused to bifurcate the sensitive border state on the basis of linguistic formula. It reasoned that

> Where border areas are not under the direct control of the Centre, it would be safer to have relatively large and resourceful states….It is neither possible nor desirable to reorganize States on the basis of a single test of either language or culture; a balanced approach, which takes all relevant factors into account, is necessary.

Akali leadership launched a state-wide agitation to demand the bifurcation of Punjab on the basis of language formula, which had been used to divide southern states of India.
This was turned into a new cry for a Sikh dominated state in the northwest of India. Émigré Sikh leaders like Sardar Panchi used this just demand for a Punjabi speaking state to convince Sikh Diaspora to support Sikh rule movement. Meantime, in the intense atmosphere of cold war politics, especially after the Cuba Missile Crisis, the United States could not ignore any anti-India card it could possess as a foreign policy tool. After losing the 1965 war, Pakistan also intensified its activities to weaken India by supporting Sikh home rule along with its support for Kashmiri separatists. Thus, it was not surprising that Pakistani backed Khalistani leader, Dr. Chohan, had declared his intention to set-up a parallel government in Nankana Sahib, the birth place of Guru Nanak, in Pakistan.

After losing Bangladesh in 1971, the Pakistani regime re-invigorated its policy of playing Sikh card against India. General Niazi had surrendered to a Sikh army commander, Lieutenant-General Arora. Meantime, some right wing politicians in Washington were not pleased with India’s growing ties with Soviet Union, especially after the conclusion of Indo-USSR Treaty of Friendship. Contacts and meetings with London based Jagjit Singh Chohan and US based Ganga Singh Dhillon increased under the watchful eyes of British and US officials. The new impetus for secessionist activities was provided by demands included in Akali Dal’s Anandpur Sahib Resolutions. While this resolution demanded a highly decentralized federation in India, Indra Gandhi and her Congress party dubbed this as a secessionist document.

The decade of 1970s witnessed the success of ‘Green Revolution’ technologies, on the one hand, and the elimination of small and medium land holders, on the other. It was also a decade in which educated and semi-educated youth belonging to increasingly pauperised Sikh farming families started migrating abroad, especially to Canada and the United States. While majority of these youth belonged to Naxalite and other left wing student and youth groups, there were many who belonged to All India Sikh Student Federation (AISSF). It was the latter that became easy target for Khalistani propaganda. Unable to return home because of brutal economic reality, and faced with open racism in Western societies, these youth were receptive to anti-India feelings. The Khalistani leaders preached that Punjab was a victim of colonization process of Delhi government, and Sikhs would not be able to live and prosper in a Hindu majority state of India.

Towards the end of 1970s, a series of local, regional and international events gave an impetus to Sikh secessionist movement. First and foremost, after losing both state and central elections, the Congress leaders like Giani Zail Singh and Sanjay Gandhi started playing ‘Sikh’ card to weaken their opponents in Akali Dal and Jan Sangh. The bloody skirmishes between the Nirankaris and the activists of Akhand Kirtani Jatha in Amritsar in April 1978 were part and parcel of such Machiavellian manoeuvres. Secondly, various factions of Akali Dal became more radicalized in the politics of one-up-man ship. Thirdly, after Iranian revolution and the Soviet invasion of Afghanistan, the South-Western Asia became a center for Cold War rivalry. The stage was set for the beginning of Sikh terrorist movement.

**Terrorist Movement for Khalistan**

While Sikh secessionists in all major Western capitals played a vital role in propagating and supporting terrorist movement in the state of Punjab, Sikh Diaspora of Canada, however, played a central role in this barbaric violence. The most prominent figure in this cycle of violence among émigré Sikhs was Talwinder Singh Parmar. He, along with Sukhdev Singh Babbar, founded a terrorist organization called Babbar Khalsa in 1978. Seizing upon anti-Nirankari sentiments among Sikh masses, the Babbar Khalsa first directed its activities against the followers of Nirankari movement and its leadership. In 1981, Parmar organized Babbar Khalsa in Canada with its headquarters in Vancouver. Its leaders and followers collected money to support violent politics of assassination in Punjab. The following year, Indian government requested Canadian government to extradite Parmar but Canada refused.

Meantime, the traditional leaders of Khalistani movement in the UK and the US continued to lobby for official support from Western capitals. As Dr. Jagjit Singh Chohan became a frequent guest in Washington DC, Indian government launched a formal complaint with state department. As a result, the US refused to grant any visa to Dr. Chohan in 1984, as he was a permanent resident in Britain. However, Senator Jesse Helms found a way to circumvent this ban by inviting Chohan to testify before the United States Senate Agriculture Committee. While some politicians in the US and other Western capitals remained friendly toward Sikh secessionists, the officials of these countries did not make any public pronouncements in favour of Khalistan.
During his May 1984 visit to India, Vice-president George Bush ‘apparently informed the Indian government that the CIA was not conspiring with Sikh terrorists against India. This marked one of only a few departures from US policy against confirming or denying reported CIA activities.’

The situation on Pakistani front, however, was different. As a frontline state, Pakistan had become the darling of the Western world. The money and weapons from Western and Saudi/Arab sources to ‘liberate’ Afghanistan landed in the hands of ISI. Its long-standing ambition to foment internal problems in Kashmir and Punjab were finally being realized. Pakistani diplomats established regular contacts with Sikh secessionists in Western capitals, and made their travels to Pakistan regular and fruitful. Khalistani organizations, such as Babbar Khalsa and International Sikh Youth Federation (ISYF), established camps to train terrorists with the help and guidance of ISI. General Zia-Ul-Haq, born in Jalandhar (Punjab), regularly met with Sikh guests to encourage them to fight. However, a former Zia advisor, M.P. Bhandara, denied that the General ever wanted a Khalistani state. Apparently, Zia-Ul-Haq was irritated at the inclusion of Pakistan territory in Khalistani map issued by the Council of Khalistan. The map basically suggested same territory as Maharaja Ranjit Singh’s state borders in addition to a corridor through Rajasthan and Gujarat for a sea-port. Thus, the General had a standing order to keep Khalistanis “under strict surveillance.”

This, however, did not mean that support for Sikh terrorist movement was on the back burner of ISI. While Pakistani officials knew Khalistan was a tall order, they continued to support terrorist activities in Punjab to create problems for Indian security forces. The problem in Punjab would mean less force in Kashmir- the real target of Pakistani foreign policy. It would also mean the supply lines would be disrupted to Jammu and Kashmir region, which cleared the way for Kashmiri separatists to launch coordinated attacks against India, and intensify the struggle to separate and join Pakistan. Pakistani help alone could not have continued to foment trouble in Punjab. Two major events in 1984- Army’s entry in the Golden Temple and the massacres of Sikh men and women in the aftermath of Prime Minister Indira Gandhi’s assassination- forced even ordinary Sikhs to question the real motives of Indian government, and be more sympathetic to secessionist propaganda. Sikhs turned out in thousands in all western capitals to protest army’s action in Amritsar. Government’s rational did not convince ordinary Sikhs that it was necessary to remove terrorists from the Golden Temple. In addition, the massacres of Sikhs in Delhi and other cities across India in the aftermath of Mrs. Gandhi’s assassination created feelings of alienation among Sikh Diaspora.

As secessionists capitalized on this growing alienation, the violent aspect of the movement took over previously peaceful protests in Western countries. Sikh temples were captured by the extremist elements, which gave them ready made platforms for secessionist propaganda and enormous amount of wealth to fund terrorist activities. While all western countries witnessed an upsurge of violence in Sikh Diaspora, Canada became the hub of extremism. Sikh separatists planted two bombs in Air India flights in June 1985. While one exploded at Narita Airport in Tokyo, as the bags were being transferred to Air India flight killing two baggage handlers; the other exploded over the Atlantic killing all 329 passengers in Air India flight 182.

Air India bombing was the biggest terrorist mass murder in the history of Canada. It shocked everyone including Sikh Diaspora, as many Sikh families lost their loved ones in this bombing. While a number of other violent incidents took place in Canada and other western countries, the mass murder of 329 people alerted the governments of Western capitals. What was hitherto considered a distance problem of India suddenly became a domestic issue. The security forces started taking this threat more seriously. It also split the movement as various segments of the secessionist movement questioned the barbarity of such terrorist tactics. Two leading propagandists and insiders of Khalistan movement (Tarsem Singh Purewal, editor, Des Pardes based in London and Tara Singh Hayer, editor, Indo-Canadian Times based in Vancouver) turned away from this violent movement, and started urging Sikh masses to disassociate themselves from terrorist elements in the community. Since they were also witnesses in the Air India trial, the Khalistani elements assassinated both editors.

The secessionist movement abroad was being fuelled by an influx of a large number of ‘refugees’ and immigrants from Punjab. Many youngsters involved in terrorist activities managed to flee abroad and claimed ‘refugee’ status. Western countries’ liberal refugee policies became a haven for secessionist elements to avoid punishments for their deeds in Punjab. As a result, every Sikh militant group from Bhindrawale Tigers Force to Khalistan Commando Force, from Khalistan Liberation Force to Khalistan Zindabad Force established its branch plants in Western countries.
In addition, the old established groups such as Babbar Khalsa International (BKI), International Sikh Youth Federation (ISYF), Dal Khalsa and Akhand Kirti Jatha continued to function. For official lobbying in Western capitals, the old ‘Council of Khalistan’ continued to function in the US and the UK. Its pattern was copied by World Sikh Organization (WSO) established in Canada in 1984. Terrorist organizations were directly involved in violence, the Khalistan Council and WSO became their official apologists, and main anti-India lobbyists. While the world was focused on Afghanistan and nuclear race between two superpowers, the Khalistani elements continued to use every possible mean available to support terrorist movement in Punjab. There were calls, however, from various political circles to pay close attention to the activities of Sikh elements, albeit very limited. Canada’s foreign minister, Joe Clark, had warned Canadians in mid-1980’s not to deal with ISYF, BKI and WSO. Unfortunately not all politicians paid much attention to such warnings. Canada’s main governing party, federal Liberals, continued to enjoy support from Sikh militants. During its major leadership race in 1990, the two main contenders, Jean Chretien and Paul Martin, received the support of WSO and ISYF respectively. Various Congressmen and Senators, like Dan Burton and Jesse Helms, were the recipient of such support in the US.

As senseless killings, rapes and kidnappings continued in the Punjab, the victims of such violence started opposing secessionists. Migrants and refugees of 1980s and 1990s from Punjab also included victims of both terrorist and police violence in Punjab. They educated people living in western societies about the true nature of the so-called liberation movement for Khalistan. Gun totting individuals belonging to more than a dozen terrorist organizations were heavily involved in intimidation, robberies, rapes, kidnappings and loot of ordinary villagers. The police and para-military forces also took advantage of this lawlessness to commit heinous crimes, and fill their coffers with bribes and lootxx. This violent period finally came to an end in 1993. The newly elected government of Chief Minister Beant Singh took decisive measures under its police chief, KPS Gill, to eliminate all terrorist organizations, and restore normalcy in Punjab. As Sikh masses had started questioning the barbarity of tactics pursued by the terrorists in Punjab and abroad, the secessionists had to find a new strategy to continue the movement to create an independent state of Khalistan. It came in the name of human rights and the politics of grievance.

**The Politics of Grievance**

The stories of true nature of terrorists that emerged after 1993 did not please the protagonists of Khalistan abroad. Instead of a liberation movement, it had turned into a camp of robbers and rapists. The sympathy that emerged among Sikhs toward secessionists in 1984 turned into anger. Individuals involved in the militant movement abroad had become enormously rich by looting Sikh temples and collected funds in the name of fighting liberation struggle. Sikh image had suffered enormously as a result of terrorist activities. Return of normalcy in the Punjab demoralized all secessionists in various Western societies, where Sikhs were seen with suspicion.

In the meantime, the collapse of Soviet Union not only meant an end of Cold War but also an end of Afghan war. Western attention turned away from South-West Asia, and focused on new hot spots like the Balkans and former eastern European states. India was no longer in the ‘wrong’ cold war camp. Liberalization of Indian economy was viewed as a positive step away from old Soviet style command economy. This presented enormous opportunities for western companies eager for fresh markets. This does not, however, mean that western countries had any better understanding of threats of terrorism India faced in Kashmir, and had faced in the Punjab. It came after September 2001 bombings of twin towers in the US.

New dawn of awareness brought a sharp focus on all forms of terrorism. As a result, western capitals started the process of banning terrorist organizations. Canada, the UK and the US banned Babbar Khalsa and International Sikh Youth Federation. Although, individuals associated with these associations remained free, the new situation made it difficult to re-group and carry out same old politics. In this new situation, the umbrella groups like Khalistan Council and WSO started playing important role in the politics of Sikh secessionism. New strategy focused on highlighting ‘human rights’ violations in India, in general, and the Punjab, in particular. A ready made propaganda offensive was handed to the secessionists by the Congress Party. It continued to offer various posts to people who were involved in the Sikh massacres of 1984.

Important remembrance days like the Operation Bluestar in June and the Sikh massacres in November became the main focal points of new strategy. All secessionist organizations, and separatist controlled Sikh temples are heavily involved in highlighting the issues of injustice and human rights.
It is ironic; however, that they present these demands for justice and rights in halls and temples filled with pictures of terrorists, who were involved in murders, rapes and plunder. Ordinary Sikhs, in general, and the second generation of Sikh Diaspora, in particular, find this anti-India propaganda attractive and convincing. If a country could not punish the guilty of 1984 massacres, then what kind of democracy and rule of law exists in India?

As international community is waging a war against terrorism, it is difficult for Sikh secessionist to promote and defend violent methods, as was the case in the past. Further, the new pro-India approach of various western countries has made it difficult for Sikhs to use these countries for anti-India activities. The old cold war mentality has disappeared, and a new era of strategic partnership with India has begun. Despite domestic and international opposition, President Bush was able to push a nuclear deal with India despite being a non-signatory to Non-Proliferation-Treaty. Washington now views India as a sister secular democracy with rule of law, which faces many similar problems faced by open western societies. Canadian government has not only signed its own nuclear deal with India but it is ready to sign a free trade agreement with the South Asian giant. Similar strategic partnerships are emerging between India and Western European capitals.

The changed strategy of Khalistani elements only reflects new ground reality. They no longer enjoy the kind of support level in Sikh Diaspora, which existed in the 1980s, and the tolerance level of western societies toward violence has reached its zenith. However, as many roads of modern terrorism lead to Pakistan, Islamabad has not abandoned its key strategy of fighting proxy wars in India through terrorist networks. Sikh terrorists are part and parcel of ISI’s efforts to revive terrorism in Punjab. In fact, Pakistani government did not hide its strategy of using the ‘Sikh card’ against India. When all Sikh gurdwaras in Pakistan were organized into Pakistan Gurdwara Prabandhak Committee (PGPC), Islamabad government appointed a former ISI chief, Lieutenant-General Javed Nisar, as its chairman. Upon his appointment, General Nisar “reiterated his resolve to revive militancy in Punjab saying he stood by the goal of Khalistan and would work to that end as PGPC chair.”

**Conclusion**

As Sikh militancy disappeared in India in mid-1990s, it continued to exist in Sikh Diaspora. In the changed environment of post 9/11 world in western capitals, however, the secessionist elements are unable to advocate open violence against India. This does not mean the project is abandoned. From the time it started as a minor movement for ‘Sikh Home Rule’ in 1960s to present, the movement has witnessed various ups and downs among émigré Sikhs. In the past, most secessionist ranks were filled by recent Sikh migrants from India. At present, it has established some presence in the second generation of Sikhs in the UK, the US and Canada. Alarmed by the continuing presence of Sikh secessionists in Sikh Diaspora, Prime Minister Dr. Manmohan Singh, during his trip to attend G-20 Summit in Toronto, appealed to the Canadian government to curb separatists’ activities. Dr. Singh stated:

> Sikh extremism, separatism and militancy were a problem in India more than two decades ago. Today, Punjab is at peace and there is growth and prosperity. There are, however, some elements outside India, including in Canada, who try to keep this issue alive for their own purposes. In many cases, such elements have links to or are themselves wedded to terrorism.

Indian government’s concern is understandable as Sikh Diaspora represents a large portion of vibrant Sikh community in India. Nearly two million Sikhs, out of a total population of 22 million, reside abroad. Four million Sikhs reside in other parts of India, while 16 million live in the state of Punjab. A Sikh Diaspora that represents nearly ten per cent of total Sikh population has a strong voice, especially with its presence in western liberal democracies. Notwithstanding its strength, only small portions of Sikh émigré population support the secessionist movement. However, modern means of communication, along with guaranteed liberties and freedoms in western societies, have provided the secessionists with a louder voice.

Despite this loud voice and occasional success in lobbying some western law makers with money and votes, the official response to Sikh secessionism from western capitals in the post-cold war period has been largely negative. More recently, the focus on terrorism has brought western countries more closer to India. Emerging India is now seen as a strategic partner. In this context, the movement for Khalistan has no official sympathy anywhere except in Islamabad. This Pakistani support stems from the core of its official national ideology. In the words of Najum Mushtaq:

112
The ‘ideology of Pakistan’ as defined to students at every school and college in the country is nothing except anti-Indianism. In every walk of life in Pakistan—from academia to journalism, from sports to bureaucracy—a vast majority of people have been inculcated with fantastic anti-India notions.\textsuperscript{xx}

These anti-India sentiments are shared by Khalistani protagonists abroad. At every opportune moment, the secessionist Sikhs do not fail to praise Pakistan and its anti-India activities. In fact, the establishment of the state of Pakistan on the basis of religion had provided basic rational for a separate Sikh state. This convergence of interests between the Pakistani state and the secessionist Sikhs will continue to fuel the fires of separatism.

\textbf{Notes}

\textsuperscript{i} \url{http://Forum.PakistanDefence.com}


\textsuperscript{iii} Jawaharlal Nehru. “Changing India.” \textit{Foreign Affairs}, April 1963.


\textsuperscript{vi} Sardar Baldev Singh, former defence minister of India, and Master Tara Singh, former president of Akali Dal, are blamed for not ‘seizing’ this historic moment.

\textsuperscript{vii} My personal conversations with eminent Sikh historians, Dr. Indu Banga and Dr. J.S. Grewal, were enlightening on this subject, as this myth of ‘British proposal’ is so much a part of folk lore history. (Chandigarh: November 15, 1996)


\textsuperscript{ix} It had no connection with Babar Khalsa founded in 1920 as a patriotic anti-British movement.

\textsuperscript{x} India and Canada did not have any extradition treaty at that time. Two years after the Kanishka bombing, Canada and India concluded an extradition treaty in 1987.


\textsuperscript{xii} Varinder Walia and Ashok Sethi, “Zia Never Supported Khalistan”. \url{www.tribuneindia.com/2003/20030509/main4.htm#2}.

\textsuperscript{xiii} \textit{Ibid}.

\textsuperscript{xiv} How unprepared were western authorities to deal with Sikh terrorism is highlighted by the fact that it took more than twenty years for Canadian government to book two individuals for this mass murder- Ripudaman Singh Malik and Ajaib Singh Bagri. While both Malik and Bagri were found “not guilty”, the bomb maker Inderjit Singh Reyat was found guilty and sentenced. As a result of major investigative bungling, security and investigative agencies destroyed evidence, and proved to be ineffective in dealing with a major disaster of such proportions. Noting the serious nature of this mass murder, Prime Minister Harper appointed a commission of Inquiry into the “Investigation of the Bombing of Air India Flight 182” by the former Supreme Court Justice John Major. Justice Major submitted his report on June 16, 2010. For details on Air-India story, see Kim Bolan (2005). \textit{Loss of Faith: How the Air India Bombers Got Away with Murder?} Toronto: McClelland and Stewart.


\textsuperscript{xvi} In 2010, a petition alleging India had committed genocide against Sikhs was presented to Canadian parliament by a pro-Khalistan Liberal Member of Parliament. Compared with the UK and the US, the Khalistani elements have been more successful in Canada to elect MLAs and MPs, including members of cabinet, from their own families.


\textsuperscript{xviii} \textit{Times of India}, April 27, 1999.

\textsuperscript{xix} \textit{The Hindu}, June 27, 2010

For secession, the balance of rights, despite a shift towards a more ‘liberal’ international law in recent years, should remain in the favour of (just) sovereign states. If secessionist movements seek to readjust the balance of rights from states to sub-state groups, the ICJ advisory opinion is simply not fit for purpose. More informed theoretical conclusions could be drawn from the ICJ opinion had it not reformulated the question in a way that concentrates on violations of ‘general international law or the lex specialis created by the Security Council Resolution 1244’. In doing this, the Court chose to ignore a remedial right to secession. The Court’s imbalanced opinion cannot therefore be used to support claims that international law is starting to...