RESPONSIBILITY TO PROTECT: REVISITING GURU NANAK’S TEACHINGS

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ABSTRACT

Sikhism has made immense contributions to societies beyond boundaries. The lives and writings of all the ten Gurus of Sikh religion and the holy book of Guru Granth Sahib has been a great source of social, political and scientific knowledge which is highly relevant. In fact, more than being relevant, Sikhism is a guiding light to solve the problems of the world. Human rights concerns and humanitarian crisis is one such problem that the world is facing and the teachings of Sikh Gurus have addressed it. Since human rights and humanitarian crises have direct involvement of States, therefore, the United Nations has recently adopted a principle of Responsibility to Protect (R2P) in order to fix accountability of States and rulers towards its people or any people. Interestingly Guru Nanak, the first Guru of Sikh religion, had already talked about this concept in his teachings as he was witness to the atrocities of the Mughal rulers during his times. This paper is an attempt to present a connection of Guru Nanak’s writings of fifteenth century to the modern principle of R2P of twentieth century, as we as international community are again trying to re-discover the role of religion in State affairs. This will also be explored in this paper by way of recent developments. The paper will proceed from the modern day trajectory of the concept of R2P and then to connect the idea with the times of Guru Nanak. The paper again will get back to modern day efforts to realize the importance of religious sensitivity in order to promote this concept. Hence the paper presents a revisiting of ideas revolving around R2P. This paper is also dedicated to the celebration of 550th birth anniversary of Guru Nanak.

Introduction

The modern day idea of R2P is largely attributed to the emphasis on dire situation of the internally displaced people (IDP). Francis Deng, a Sudanese diplomat was appointed as Special Representative on IDPs in 1993. The situation of these IDPs was very well understood by him. It
was due to his efforts that it was articulated that the IDPs are under constant threat and live deplorably. This was primarily due to a very peculiar legal position. Since they were well within their political boundaries, they could not be offered any international protections. However, the IDPs did remain vulnerable to the threat of political nature as well as fear of diseases due to poor living conditions and poverty and above all loss of dignity which could not be protected by their own State. Deng’s summary explains the complexity of the problems faced by the IDPs: “The internally displaced are paradoxically assumed to be under the care of their own governments despite the fact that their displacement is often caused by the same state authorities” Deng also forcefully put forth the idea of “State sovereignty as a responsibility” and affirmed the notion that sovereignty is not just protection from outside interference, rather is a matter of States having positive responsibilities for their population’s welfare, and to assist each other. Consequently, the primary responsibility for the protection of its people rested first and foremost with the State itself. However, a ‘residual responsibility’ also lied with the broader community of states, which was ‘activated when a particular state is clearly either unwilling or unable to fulfill its responsibility to protect or is itself the actual perpetrator of crimes or atrocities’

The world has witnessed several unfortunate incidents in modern times in which people were victimized at the hands of the States. This raised concerns of the international community, more particularly, the United Nations. In one such incident; involving Rwanda; the U.N. Secretary-General Boutros Boutros-Ghali said “The failure of Rwanda is ten times greater than the failure of Yugoslavia. Because in Yugoslavia the international community was interested, was involved. In Rwanda nobody was interested.”

In October 1994, the International Criminal Tribunal for Rwanda (ICTR), located in Tanzania, was established as an extension of the International Criminal Tribunal for the former Yugoslavia (ICTY) at The Hague, the first international tribunal since the Nuremburg Trials of 1945-46, and the first with the mandate to prosecute the crime of genocide. In 1995, the ICTR began indicting and trying a number of higher-ranking people for their role in the Rwandan genocide; the process was made more difficult because the whereabouts of many suspects were unknown. The trials continued over the next decade and a half, including the 2008 conviction of three former senior Rwandan defense and military officials for organizing the genocide.¹

In another such case the Balkan wars started in Croatia in 1991 and the conflict spilled over into Bosnia in 1992. There were human rights abuses on all sides, but Serbian security forces and Serbian irregulars took the lead in horrific massacres, ethnic cleansing, torture, rapes and the use of concentration camps. The death toll in Bosnia and Herzegovina alone was 100,000, according to the Research and Documentation Center in Sarajevo. Of those, 65 per cent were Bosniaks (Bosnian Muslims), 25 per cent ethnic Serbs and eight per cent ethnic Croats.

In April 1992, the government of the Yugoslav republic of Bosnia-Herzegovina declared its independence from Yugoslavia. Over the next several years, Bosnian Serb forces, with the backing of the Serb-dominated Yugoslav army, perpetrated atrocious crimes against Bosniak (Bosnian Muslim) and Croatian civilians, resulting in the deaths of some 100,000 people (80 percent of them Bosniak) by 1995. Though the international community could do little to prevent the systematic atrocities committed against Bosniaks and Croats in Bosnia while they were occurring, however, it did actively seek justice against those who committed them.

In May 1993, the U.N. Security Council created the International Criminal Tribunal for the Former Yugoslavia (ICTY) at The Hague, Netherlands. It was the first international tribunal since the Nuremberg Trials in 1945-46, and the first to prosecute genocide, among other war crimes. Radovan Karadzic and the Bosnian Serb military commander, General Ratko Mladic, were among those indicted by the ICTY for genocide and other crimes against humanity. It was a proof of State committing atrocities on its own people.

Not only States but international organizations have also been found getting involved in attacking other territories/States. Such intervention by NATO was highly criticised for its military intervention in the Kosovo conflict, in 1999. The 11-week bombing campaign conducted by NATO in spring 1999 against the Federal Republic of Yugoslavia (FRY) has many claims to uniqueness. It was the first sustained use of armed force by the NATO alliance; the first time a major use of destructive armed force had been undertaken with the stated purpose of implementing UN Security Council resolutions, but without Security Council authorization; the

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ii According to the Humanitarian Law Center in Belgrade, Serbia has handed over 47 suspects to be prosecuted by the ICTY, and processed 383 people in local courts, of whom 143 were indicted and 68 sentenced. Available at: https://Balkaninsight.Com/2011/11/16/Uncomfortable-Truths-War-Crimes-In-The-Balkans/. Accessed on 15 January 2018.

first major bombing campaign intended to bring a halt to crimes against humanity being committed by a state within its own borders; and the first bombing campaign of which it could be claimed that it had on its own, and without sustained land operations, brought about a major change of policy by the target government, which was justified in the name humanitarian intervention. According to Aleksander Jokic, NATO’s humanitarian bombs killed between 500 and 1800 civilians and wounded thousands more. They hit not only military forces and facilities, but also destroyed Yugoslavia’s entire public infrastructure, inflicting an estimated $4 billion of damage on bridges, civilian airports, hospitals, schools, oil refineries, media centers, apartment buildings, houses, buses, and hundreds of acres of forest.”

A question mark on the validity of international law and the United Nations was also raised.

Responsibility to Protect (R2P) Summit:

Following the atrocities committed in the 1990s, which the international community failed to prevent, and the NATO military intervention in Kosovo, which was criticized by many as a violation of the prohibition of the use of force, the international community engaged in a serious debate on how to react to gross and systematic violations of human rights.

As mentioned earlier, the UN’s Special Representative for the IDPs had already brought the focus on the plight of these citizens being denied human rights within their own country, in September 1999, in his annual report presented to the UN General Assembly, Kofi Annan reflected upon “the prospects for human security and intervention in the next century” and challenged the Member States to “find common ground in upholding the principles of the Charter, and acting in defence of common humanity”.

He repeated the challenge in his 2000 Millennium Report, saying that: “if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a


Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity?"

The conceptual idea of changing the westphalian idea of sovereignty and to change the barbaric nature of use of force in the name of humanitarian intervention, was taken further by the International Commission on Intervention and State Sovereignty (ICISS), an initiative of the Canadian Government. By the end of 2001 the Commission issued a report entitled ‘The Responsibility to Protect’. The concept of the responsibility to protect drew inspiration of

The subsequent report of the High Level Panel on Threats, Challenges and Change, entitled ‘A More Secure World: Our Shared Responsibility’ (A/59/565) and the Secretary-General’s 2005 report ‘In Larger Freedom: Towards Development, Security and Human Rights for All’ (A/59/2005) endorsed the principle that State sovereignty carried with it the obligation of the State to protect its own people, and that if the State was unwilling or unable to do so, the responsibility shifted to the international community to use diplomatic, humanitarian and other means to protect them.

At the 2005 high-level UN World Summit meeting, Member States finally committed to the principle of the responsibility to protect by including it into the outcome document of that meeting (A/RES/60/1). Though it omitted some of the aspects proposed initially by the ICISS, however, it retains its fundamental aspects in relation to prevention of and response to the most serious violations of international human rights and humanitarian law.

Paragraphs on Responsibility to Protect in 2005 Summit read:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in
cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

Responsibility to Protect (R2P) and the United Nations

During a historic gathering of world leaders in New York for the High-level Plenary Meeting of the General Assembly (World Summit) in 2005, heads of state and government agreed to a R2P populations from genocide, war crimes, crimes against humanity and ethnic cleansing. This commitment is included in paragraphs 138 and 139 of the 2005 World Summit Outcome Document (WSOD), and explains that the primary Responsibility to Protect populations from the four aforementioned crimes lies with each individual state, but that the international community also has a responsibility to assist states in reaching their capacity to do so. Should a State “manifestly fail” to uphold this commitment, the international community has a Responsibility to Protect those affected by the consequences of this failure. Importantly, the WSOD – including the paragraphs that define the R2P was unanimously adopted by all UN member states at the 2005 World Summit.

Beginning in 2009, Secretary-General Ban Ki-Moon released an annual report exploring the full range of how to view the operationalization of the Responsibility to Protect. After the release of the report each year, the General Assembly then meets at an informal dialogue to discuss its

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findings and recommendations. The discussion surrounding R2P at these debates have evolved significantly over the past six years. No longer do states argue whether a Responsibility to Protect exists, but mainly discuss how best to implement the norm. Importantly, there has been a steady increase in the amount of participation at the GA dialogue.

UN Secretary-General Ban Ki Moon’s report ‘Implementing the Responsibility to Protect’, was released on 12 January 2009, the very first comprehensive UN document on RtoP, outlines measures and actors involved in operationalizing the norm.

**General Assembly Resolution 308 on the Responsibility to Protect**

The first General Assembly Resolution on the Responsibility to Protect was adopted on 14 September 2009. The Resolution (A/RES/63/308) was introduced on 14 September 2009 by the delegation of Guatemala, and was co-sponsored by 67 Member States. The General Assembly Resolution took note of both the Secretary-General’s Report and the debate, and decided to continue the Assembly’s consideration of RtoP. On 14 June 2010, Secretary-General Ban Ki-moon released his second report on R2P, entitled ‘Early Warning, Assessment and the Responsibility to Protect’. This Report identified the capacities and gaps of early warning mechanisms, and noted the insufficient level of information and analysis sharing as well as the fact that existing mechanisms do not always conduct early warning through an “R2P lens,” but rather focus more specifically on the prevention of armed conflict. The publication of the Report was followed by a General Assembly informal, interactive dialogue on 9 August 2010. A year later Secretary-General Ban Ki-Moon released a Report on 7 July 2011 entitled, ‘The Role of Regional and Sub-Regional Arrangements on Implementing the Responsibility to Protect.’ This third Report on R2P emphasizes that the Security Council and regional and sub-regional organizations lend legitimacy to each other, frames the role of such arrangements using the norm’s three pillar approach, and offers ideas for areas of collaboration. The third General Assembly informal, interactive dialogue was held on 12 July 2011 to discuss the role that regional and sub-regional organizations play in protecting populations from mass atrocities.\(^{ix}\)

The modern day concern over atrocities towards innocent people by the State has its roots in Guru Nanak’s teachings and writings of fifteenth century. So much so that Guru Nanak was more elaborate and firm on what a ruler/State cannot do to its people even if they are of other religion or race. This paper is an ode to Guru Nanak’s vision which is still relevant and works as a guiding light.

\(^{ix}\) ibid.
Guru Nanak and his teachings on Responsibility to Protect

The time when Guru Nanak lived (1469-1539) may be considered as the "dark period" of Indian history. The social, religious and economic condition of the people had deteriorated beyond recognition. To crown, all the Emperors at Delhi and other political authorities, far from doing anything for peoples' welfare indulged in political lawlessness and sought to prosper at the expense of their subjects. It was in such socio-political environment that Guru Nanak wrote, “No one shall coerce another; no one shall exploit another. Everyone, each individual, has the inalienable birth right to seek and pursue happiness and self-fulfillment. Love and persuasion is the only law of social coherence.”

In Guru Nanak’s bani or teachings, the subjects have been made conscious of their rights to raise their voice against the oppression of the ruler, who fails to serve the people. They are not to bear oppression under any circumstance. Guru Nanak condemned the brutalities of the rulers of his time. He stood against the rulers without any fear and hesitation. He spoke against the injustice being done by the rulers of his time. In the Guru Granth Sahib there are several hymns of Guru Nanak, which show the sorrowful and deplorable pictures of those times, where the administrative officials exploit their citizens and violate their human rights like: In Kali-Yuga have mankind turned dog-like, carrion its food false hood it barks out gone is righteous thinking those that in life had no faith, in death too foul is their repute. In the words of Guru Nanak he denounced with extreme passion, the cruelty, the bigotry and the extortionist ways of the kings and their courtiers. Nanak calls kings ‘Tigers’ and their courtiers ‘Running dogs’ who wake people out of their beds. The king’s servants tear their nails into the bodies of the subjects and suck their blood. In his writings recorded in Guru Granth Sahib, he condemned in very harsh words the corrupt rulers and dishonest people, who violate the right of the other people. They have been called dogs, butchers, mischief monger, hypocrite and ungrateful.

He enjoined his followers to stand up for their rights as well as for the rights of others. He passionately argued that principles as laid down is his new creed should be defended at all costs,

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xi Guru Granth Sahib, p. 74.

xii Guru Granth Sahib, p.1242.
even at the cost of one’s life, which are infact, the basic human rights. His clarion call the defense of basic human rights is crystal clear when he says: \textsuperscript{xiii}

‘If you desire to join me in this game of love, in defending the principles as I have down in my new creed, then ever remain ready even to sacrifice your life for that causes.’ \textsuperscript{xiv}

Guru Nanak’s condemnation of oppression, inefficiency and corruption was tantamount to revolt against the authority. Guru Nanak uses strong words against such a corrupt political authority. He says: Kings are butchers, cruelty their knife, sense of duty has taken wings and vanished. Falsity prevails like the darkness of darkest night, The moon of truth is visible nowhere. I have tired myself in search, but, in the darkness of the age, no path of righteousness is visible as mentioned in Guru Granth Sahib.

According to Guru Nanak, if the ruler’s orders were against justice and equity, it was not obligatory on the people to honor them. And we have witnessed the creation of International Criminal Court which has the power to bring to trial even a sitting ruler against atrocities done to his subjects. Guru Nanak often came into contact and conflict with the political order of his times.

\textbf{Political Slaughter in the times of Guru Nanak:}

In the beginning of the paper I mentioned the estimated number of hundreds of victims in Kosovo, Bosnia etc. The same victimization was much higher in number and even in intensity of barbarianism at the time of Guru Nanak. Just to present an idea of the magnitude of the oppression at the time of Guru Nanak I have views of some leading experts:

Dr. Koenraad Elst in his book, Negation in India, writes, “The Muslim conquests, down to the 16th century, were for the Hindus a pure struggle of life and death. Entire cities were burnt down and the populations massacred, with hundreds of thousands killed in every campaign, and similar numbers deported as slaves. Every new invader made (often literally) his hills of Hindus skulls.


\textsuperscript{xiv} Guru Granth Sahib, p.1412.
Thus, the conquest of Afghanistan in the year 1000 was followed by the annihilation of the Hindu population; the region is still called the Hindu Kush, i.e. Hindu slaughter."\(^{xv}\)

Famous part of Guru Nanak’s writing also mentioned the slaughter in Afghanistan:

**Khurasan Khasmana Kiya Hindustan Draya.**

*Apey Dos Na Deyi Karta Jum Kar Mugal Chareya.*

*Eyti Mar Pyee Kurlanney Tain Ki Dard Na Aiya.\(^{xvi}\)*

Francois Gautier in his book ‘Rewriting Indian History’ (1996) wrote:

“The massacres perpetuated by Muslims in India are unparalleled in history, bigger than the Holocaust of the Jews by the Nazis; or the massacre of the Armenians by the Turks; more extensive even than the slaughter of the South American native populations by the invading Spanish and Portuguese.”\(^{xvii}\)

Babur was a Muslim Emperor from Central Asia who founded the Mughal dynasty of India. In 1504, he made himself master of Kabul and so came in touch with India whose reported wealth was a standing temptation. In 1517 and again in 1519, he swept down the Afghan plateau into the plains of India. He entered the Punjab in 1520 on the invitation of Daulat Khan Lodhi, the governor of the province, and 'Alam Khan’, an uncle of Ibrahim Lodhi, then Delhi Sultan who were seeking help in checking the growing strength of Khan Lodhi. Clearly those responsible to protect were indulged in planning attacks instead. He first devastated Punjab, the traditional gateway to India. Guru Nanak in his "Babarban" describes the atrocities of Babar and his man in Punjab. Babarban has the four hymns alluding to the invasions by Babar (1483-1530), are collectively known in Sikh literature. The title is derived from third a hymn which says:"Babarbaniphiri gal kuiruna rot khai -Babar's command or sway has spread; even the

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\(^{xvii}\) *ibid.*
princes go without food" (GG, 417). Three of these hymns are in *Asa raag* of the standard recension of Guru Granth Sahib and the fourth is in Tilangraag.

In his first invasion, Babar came as far as Peshawar. The following year he crossed the Indus and, conquering Sialkot without resistance, marched on Saidpur (now Eminabad, 15 km southeast of Gujranwala in Pakistan) which suffered the worst fury of the invading host. The town was taken by assault, the garrison was put to the sword and the inhabitants carried into captivity. During his next invasion in 1524, Babar ransacked Lahore. His final invasion was launched during the winter of 1525-26 and he became master of Delhi after his Victory at Panipat on 21 April 1526.

Guru Nanak was an eyewitness to the havoc created during these invasions. He then became a supporter of the concept of individual and human responsibility to be directly concerned with oppression and tyranny on this earth, and to resist it instead of either remaining unconcerned about it, or hoping for extra-terrestrial intervention to destroy it. He explicitly holds that under such circumstances it becomes the duty of an enlightened and spiritually committed person to come forward and to organize with those who are similarly cultured to resist evil in hope and faith that God will give success. But never to sit in the corner, leaving everything to God alone, nor to retreat and live like an ascetic away from society. The implication is clear: God helps those who help themselves. \^viii

The fight against social and political injustice has historically been an integral part of Sikhism. As a religious leader Guru Nanak did not turn a blind eye to political suppression or consider it outside the realm of religion, but undertook political protest through his writings, speaking out

\^viii There are many examples of Sikh Gurus like fifth Guru Arjan Dev ji, ninth Guru Tegh Bhadur ji, tenth Guru Gobind Singh ji who stood against unjust rule and devoted their life in fighting against the oppression. Even the use of arms is asked for the resistance against tyranny and injustice. Guru Nanak revolted against exploiters and advised to serve the cause of the weak and helpless, it is justice. Similar views regarding the rulers have been expressed by the western political thinkers. According to Saint Thomas Aquinas, “if he becomes tyrant and pursues his personal interests, it becomes the duty of the subjects to resist. It is for this reason that the resistance of tyranny is not only a right but a duty”. Like Saint Thomas Aquinas, T.H. Green also expressed similar views. According to him, “When the laws of the state are tyrannical and the state fails to promote the common good, resistance under these circumstances is not merely a right but it becomes a duty”. Thus we can say that it is the duty of the people to resist against tyranny. John Locke was a great defender of the Glorious Revolution (in England) of 1688. He was firmly of the opinion that the people must resist oppression.
against the cruelty of rulers. Guru Nanak wrote a number of passages about the Mughal invasion of India by Babur and the brutalities that he eye witnessed firsthand (Babur Bānī). Guru Nanak also spoke out about the suffering of people at the hands of unscrupulous rulers and government officials.

Babarbānī hymns are the outpourings of a compassionate soul touched by scenes of human misery and by the cruelty perpetrated by the invaders. The sufferings of the people are rendered here in accents of intense power and protest. The events are placed in the larger social and historical perspective where a decline in moral standards must lead to chaos. A corrupt political system must end in dissolution. Lure of power divides men and violence un-resisted tends to flourish. So acute was his realization of the distress of the people that he could not resist making the complaint: "When there was such suffering, such killing, such shrieking in pain, did not Thou, O God, feel pity? Creator, Thou art the same for all!"xx

xix Thus, speaking of right of the people to be protected in all circumstances, which for Guru Nanak should be a priority for even Almighty.

Recognizing the Role of Religion in Protecting Rights

Co-relating the times and teachings of Guru Nanak, I strongly opine that in modern world we may have forgotten the larger role a religion may play in our societies. It is an international awakening to the fact that religion is the one of the oldest power humans have experienced or obeyed, and it still retains its stature. The only difference is that today we are not aware enough to see the relevance of religion in an advantageous way. The modern day concept of responsibility to protect has bridged this gap to some extent.

The Beirut Declaration on “Faith for Rights”xx, adopted on 29 March 2017, reaches out to persons belonging to religions and beliefs in all regions of the world, with a view to enhancing cohesive, peaceful and respectful societies on the basis of a common action-oriented platform agreed by all concerned and open to all actors that share its objectives. In continuation of the new


idea of ‘Faith for Rights’, the declaration refers to Guru Granth Sahib and particularly Guru Nanak’s teaching. Such is the relevance of Guru Nanak’s ideas!

This declaration is a continuation of the Rabat Plan of Action, both conceived and conducted under the auspices and with the support of the United Nations. The 2012 Rabat Plan of Action articulates three specific core responsibilities of religious leaders: (a) Religious leaders should refrain from using messages of intolerance or expressions which may incite violence, hostility or discrimination; (b) Religious leaders also have a crucial role to play in speaking out firmly and promptly against intolerance, discriminatory stereotyping and instances of hate speech; and (c) Religious leaders should be clear that violence can never be tolerated as a response to incitement to hatred (e.g. violence cannot be justified by prior provocation).xxi

Conclusion

It seems like our society is yet to rediscover the role and importance of religion or faith in our world. And Guru Nanak’s bani is surely a way to look forward to a beautiful world.

At its core, the move from humanitarian intervention to R2P contains the need to shift the focus away from the unrestricted sovereign powers of the State, to establish higher purposes of helping people of another State rather than promoting vested political interests, to bring the focus back on the welfare of the individual and above all to establish a political life free from threat and promised by peace.

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xxi ibid.


