
AN ELABORATE STUDY ON ETHNIC CLEANSING WITH REFERENCE TO ASIAN COUNTRIES

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ABSTRACT

Minorities around the world have faced the atrocities of a plethora of issues, sourced from the majoritarian ideology. The Vulnerability shared by the marginalized group is encapsulated by means of studying various minority groups present in Asian Countries. Myanmar, China, India, and Azerbaijan are some countries, used to identify the common Catalysts of an Ethnic Wipe-out. The research paper draws a comparative study among the selected countries which experienced one of the biggest Ethnic Cleansing in the World History. Along with, a study of position of India, a south-Asian developing country, with respect to protection of minorities. The Paper establishes a close association between the historical events and the present-day status quo of the condition of ethnic minorities in Asia. Social Hierarchy, Cultural divisions and Statutory Provisions are elements that have been investigated in order to promulgate the ingredients of Ethnic Cleansing in the countries chosen for the Study.

SUSCEPTIBILITY OF CULTURAL MINORITIES IN ASIAN COUNTRIES

1. INTRODUCTION

In the 21st Century, it is believed that we live in a utopian world. Wherein, all individuals irrespective of their caste, creed religion, sex, place of birth, and other elements of background, can live freely. It is established by the eternal law, that every organism has the fundamental right to live where ever they want, however they want. With this, the principle is being followed or fought for since time immemorial. During the Vedic period, the inscriptions and ancient Hindu manuscripts put forward an ancient social structure, which emerged out of a rigid social hierarchy. The effect of this hierarchy was barbaric on those belonging to the lowest caste.

A constant need for discriminating the people and the communities that consist of the lowest caste or a particular caste is observed. With fleeting time, there have been many attempts to remove the existence of vulnerable minority groups. Hence, a new concept was born called 'Ethnic Cleansing'. Which is the displacement of people belonging to a particular, caste, race, religion, or any particular background. Usually, it is the minorities that comprise the 'target ethnic group'. The effect of States attempting to distort innocent people of a certain background is immeasurable. Hence the present research, that is 'Susceptibility of Cultural Minorities in Asian Countries' is essential to understand the aspects of this dangerous phenomenon. Asian countries are known to have the highest amount of diversity. And with this diversity, comes a high rate of discrimination, especially against the minorities. Sudan, Ethiopia, Myanmar, and China are some states that belong to Central and western-Asia, which have attempted to ethnically cleanse their population. In the present research, an analysis of Ethnic cleaning, with respect to international countries has been provided. The same scenario is Studied for India. The researcher aims to study the emergence, causes and most recent events of these discriminating practices.

2. RESEARCH QUESTIONS

The research paper aims to deliver the answers to the following set of questions:

- i) How is the practice of Ethnic Cleansing, affecting the minorities and the society as large?
- ii) What is the Status Quo of Minority ethnic groups in Other Countries?
- iii) What are the Constitutional Provisions, made for the Protection of Minority Culture

in India?

- iv) How does the Social Hierarchy, play a role in accelerating Ethnic Cleansing?

3. STATEMENT OF RESEARCH PROBLEM

It is observed that ancient history, consists of certain tragic events. Such as the ethnic cleansing of large regions, wherein the minority culture was heavily discriminated. This discrimination and marginalisation of certain groups, slowly led to the powerful communities to displace the other minority groups. Which was done by fostering inhuman activities by the State policy or military activities. Ethnic cleansing of this brutality, is still prevalent in parts of Asian countries. However, these atrocities are largely kept away from the eyes of the media. The present research paper aims to cultivate a sympathetic perspective for such diabolical inhuman acts.

4. FRAMING OF HYPOTHESIS

The Present research analysis of 'Ethnic Cleansing' and its implications in different Countries give birth to the following Hypothesis. The researcher has gathered the same, by means of prior knowledge.

"Ethnic Cleansing was prevalent in the ancient period and is still witnessed around the world, especially in Asian Countries"

5. OBJECTIVES OF RESEARCH STUDY

This Research Analysis not only aims to deliver an elaborate Study on Ethnic Cleansing, with reference to Asian Countries, epicenters' being; China, Myanmar, Armenia, and Ethiopia. Along with that provides a detailed interpretation of each and every aspect of an Ethnic Wipe-out. In the current study, the Researcher has also attempted to read the status of ethnic cleansing of Minorities in India. Hence, the research objectives that are to be delivered are as follows:

- i) To understand the nature, meaning, and roots of 'Ethnic Cleansing'.
- ii) To critically examine the factors playing a role in accelerating the ethnic cleansing of minorities.
- iii) To ascertain the effect of an ethnic wipe out on minorities and the world at large.
- iv) To interpret the Statutes or Provisions of Law, which are established for the protection of Minorities in India.

The research shall help, the readers to articulate the concept of an emerging but imperative topic of Ethnic Cleansing.

6. SIGNIFICANCE OF THE RESEARCH STUDY.

In the contemporary world, the demography of the globe stands divided. This division arose primarily due to the backgrounds inherited by people. The elements of the Background could include, caste, religion, profession, place of birth, faith, cultural practices, gender, race, and other essentials that comprise an ethnic framework of an individual. Hence, these divisions that exist among the populations across the world find their roots in the differences in ethnic backgrounds. Due to the co-existence of diverse groups, there tends to be a degree of discrimination. In most cases, the minorities are discriminated against by the people belonging to a community that exists in the majority. This discrimination can be in form of depriving them of the resources, such as education, monetary income, job opportunities, and shelter.

Every country has witnessed an attempt to ethnically cleanse itself of the unwanted minorities. This was done by distortion, rehabilitation, massacres, forced migration, etc. It is imperative to understand the plight of the people whose homeland is snatched from them, on the basis of their ethnicity. The present research study conjoins the various effects of wiping out an entire community on the world. As it is said that, in an absence of an organism the whole ecosystem shall struggle to survive. Hence, by means of the current analysis, the significance of having a sympathetic attitude towards all or any community irrespective of their background is cultivated into the minds of the readers.

7. SCOPE OF STUDY

The present research aims to deliver an elaborate examination of various factors involved in the ethnic cleansing of a particular community. The researcher holds the view that in order to do justice to the in-depth analysis of the topic, a wide perspective covering various aspects such as the stakeholders in government machinery for the current issue to the plight of the marginalized sections of society, ought to be covered. And since this phenomenon has a history of occurring in almost every country of the world, the area of study widens automatically.

The researcher after collecting and analyzing due knowledge primarily focuses on the epicenters of the most recent instance of an ethnic wipe out. Namely the Asian countries, that is China from central Asia, Myanmar from southeast Asia, Armenia and Azerbaijan, and

Ethiopia from west Asia. The state of vulnerable minorities in these countries is also compared to India, which is also located in Southeast Asia. Moreover, the Scope of the study is with respect to Asian Countries.

8. RESEARCH METHODOLOGY

The Researcher fosters a Doctrinal type of research. This enables the study to elaborately, explain the concept of 'Ethnic Cleansing', by means of its validity pursuant to Provisions established by Laws and statutes ex, provisions of the Indian Constitution and International Human Rights. The prime focus is the Laws or the State policy in the specific Asian countries, included in the study.

The researcher is of the view that the foundation of the research analysis lies within the peripheral boundary of qualitative research. As it refers to a plethora of literary works, such as journal articles, books, etc. Which make up the secondary empirical data for the further analysis of the topic taken up for research.

9. SOURCES OF DATA

The Researcher has used a variety of primary as well as secondary data to establish an unbiased study of the research topic. The sources, used as primary data involves Statutes of the Indian Penal code, Code of Criminal Procedure, the Fundamental Rights enshrined under Part- III of the Indian Constitution, Laws of other countries relevant to the research such as China, Myanmar, Ethiopia, Armenia, and the International Laws for Human rights. On the other hand, the secondary data used in the examination of the research includes Journal articles, Books, Interpretation works of Statutes, and other literary works available on the online databases. Hence, sufficient sources of data have been utilised to draw a conclusion from the present research.

10. LITERATURE REVIEW

The Researcher has utilized certain international and national published journal articles, reports and research papers written by scholars, in order to deliver an unprejudiced conclusion for the current research topic. The aforementioned literary works, emerge from secondary sources of data, such as the online knowledge-based platforms.

The information provided by the online databases, is used by the researcher to analyse the

concept of 'Ethnic cleansing' in terms of various factors and case studies of international countries. "***A Brief History of Ethnic Cleansing***"¹ is a journal article, which elucidates the ancient past and roots of ethnic cleansing, from which it emerged. The author, delivers the view of one of the first, yet prominent events of an ethnic wipe out. Which is the ancient Assyrian genocide, that took place in Mesopotamia. This is then linked to the forced migration of Bosnian Muslims by Serbians in the Balkan region. The researcher understands, the intricacies involved in the Balkan war, and how ethnic cleansing was done to unite and make the demographic profile homogeneous.

Another article '***The origins of Soviet Cleansing***'², talks about the research topic on similar lines, that is the early emergence of an ethnic wipe-out. However, it confines the view of such a phenomenon, to the regions of Soviet Union. The prime focus of this journal article, was Bosnian war. Which helps the researcher develop an understanding of the primary target groups of an Ethnic cleansing. To analyse and study the common catalysts for the issue of ethnic cleansing, the researcher subscribes to a well-written research report named, "***The Rohingya Predicament.: Why Myanmar's Army Gets Away with Ethnic Cleansing***"³. This report gives an insight of how various factors such as the state policy, military and social hierarchy, play a vital role in accelerating the removal of a particular community from a specific region. This is done with the help of a case study of Myanmar. "***Ethnic Cleansing as an Instrument of Nation-State Creation: Changing State Practices and Evolving Legal Norms***", a journal article, provides an outlook on the working of International Human Rights, which has been codified under Universal Declaration Human Rights, 1948. The paper covers national and regional Human rights organisations as well. A detailed policy analysis, and interpretation rules, and⁴ regulation established by Human Rights Quarterly has been delivered. The same has helped the researcher elucidate significant legal reforms, which deal with similar matter.

Another editorial article "***Confronting Ethnic Cleansing in the Twenty-first Century***"⁵, assists an articulation of the present day instances of ethnic cleansing. The author, gives a framework of not

¹ Andrew Bell-Fialkoff, *A brief history of ethnic cleansing*, 72 FOREIGN AFFAIRS 110 (1993).

² Terry Martin, *The origins of Soviet ethnic cleansing*, 70 THE JOURNAL OF MODERN HISTORY 813–861 (1998).

³ ZOLTAN BARANY, *THE ROHINGYA PREDICAMENT.: WHY MYANMAR'S ARMY GETS AWAY WITH ETHNIC CLEANSING* 1–27 (2019).

⁴ Jennifer Jackson Preece, *Ethnic Cleansing as an Instrument of Nation-State Creation: Changing State Practices and Evolving Legal Norms*, HUMAN RIGHTS QUARTERLY, pp 817-842, Vol 20 (1998).

⁵ D. H. Davis, *Editorial: Confronting ethnic cleansing in the twenty-first century*, 42 JOURNAL OF CHURCH AND STATE 693–707 (2000).

only the current causes of such a phenomenon, but also provides a solution or rather an action plan to drastically change the societal narrative of minorities. Which in turn, shall facilitate the protection of minorities from depriving them of their homes, done due to ethnic cleansing. ‘*Nationalism and French Visual Culture*’⁶ is a book authored by June Ellen. The researcher has found the content of the book relevant to the present topic of study, as it interprets the principles of Nationalism and its harshness towards the minority culture.

Hence, the aforementioned secondary sources of literary works, provide a clear understanding to the researcher of every aspect of ethnic cleansing especially with reference to Asian Countries.

PART- II

1. ETHNIC CLEANSING – It’s meaning and reflection in International Law.

Ethnic cleansing, is a forced yet systematic process by which several or a particular group of people based on their cultural, religious, or ethnic backgrounds are distorted from a region or a country. The Cambridge dictionary defines it as an organised and violent effort of a community, to make a state or a region completely homogeneous in terms of its culture and ethnicity. This is usually done by a powerful group of individuals, who comprise of the ‘majority’ in the demographic profile of the country. The annihilation of unwanted minorities, is done by means of genocide, distortion, forced migration, brutal torture, mass killings, illegal detention, rapes, massacres military attacks, robbery, open fires, assault, arbitrary arrests, public executions, displacement etc. However, despite the atrocities, which arise out of ethnic cleansing, it is not recognised as a distinct crime under the International Law of Human Rights. The only reference found to the definition of ethnic cleansing is found in a report delivered by the United Nations Commission⁷ comprising of various experts to study the ethnic cleansing that took place in Yugoslavia region, a country in present-day South east Europe.

Nevertheless, genocide, which is a part of ethnic cleansing was recognised as a crime, which has been clearly defined by the United Nations General Assembly in 1946. And subsequently, codified as a distinct wrong-doing under “*Convention on the Prevention and Punishment of the Crime of*

⁶ JUNE ELLEN HARGROVE & NEIL MCWILLIAM, NATIONALISM AND FRENCH VISUAL CULTURE, 1870-1914 (2005).

⁷ United Nations Commissions: a commission held to discuss the gross violation of International Humanitarian Law, the report was given by the third commission held.

Genocide" 1948⁸. (The Genocide Convention). It is provided that any activity against the humanity shall fall within the ambit of 'Genocide'. Therefore, the UN experts held the view, that there is no need to demarcate 'Ethnic Cleansing and Genocide'.

With the understanding of an ethnic wipe-out, the researcher can interpret the mishaps that have taken place in the ancient history and continue to take place today, as unlawful activities against the humanity. With its primary causes, being harsh state policies, arbitrary military acts and social hierarchy. Furthermore, the aforementioned factors have been deeply analysed in the due course of the research paper.

2. HISTORY OF ETHNIC CLEANSING

It is inevitable to overlook the tragic events of yesterday to understand the elements contributing to the present-day Atrocities. The first and the most prominent example of Ethnic Cleansing brutality, witnessed by the world was in 1933, during the reign of Adolf Hitler.

Adolf Hitler⁹, rose to power with the continuous electoral victories of the Nazi Party. As the government of Weimar Republic¹⁰, could no longer maintain stability in its reputation. Along with that, it lost drastically lost out on the majority electoral seats. This was beneficial to its opposition party, The Nazis. With this, in 1933 the German president Paul Hindenburg¹¹, appointed Adolf Hitler as the chancellor of the Political party of National Socialist German Worker's¹² or popularly known as the Nazi party. Which paved the path of a diabolical rule of Dictatorship under Hitler.

The futile background of great economic depression¹³ in 1991, and instability in the political spectrum, aided the rise of Hitler. He and the Nazi Party in an attempt to redeem the German identity, after the defeat of World War I, came to be known as 'Messiahs' for Germans. Accompanied with this, Hitler's outstanding oratory skills sparked a sense of Nationalism among the Germans. The extent to which German nationalism was ignited turned fatal for other ethnic groups living within the territory of Germany. A powerful Nazi propaganda, directed

⁸ *Convention on the Prevention and Punishment of the Crime of Genocide*" (1948): An International Treaty that criminalizes Genocide, and codifies it as a Punishable crime.

⁹ Adolf Hitler: Leader of Nazi Party, and Dictator of Europe from 1933 to 1945.

¹⁰ Weimar Republic: A federal Constitutional Form government that ruled from 1918 to 1933, in Germany.

¹¹ Paul von Hindenburg: President of Germany who rules from 1918 to 1925.

¹² Jay Hathaway, *The Pre-1920 Origins of the National Socialist German Workers' Party*, JOURNAL OF CONTEMPORARY HISTORY, pp 443-462 Vol 28 (1994).

¹³ Robert J. Samuelson, *Revisiting the Great Depression*, WILSON QUATERLY, pp 36-38, Vol:36 (1976).

the German population's dangerous nationalism towards internalising hatred against Jews, Communists and other groups responsible for the outcome of World War I. As a consequence, there was an increase of military attacks on the minorities. Their culture, language, identity and other elements of ethnic background seized to exist. Hence, these groups faced the atrocities of Holocaust. The Nazis are known to have killed around 6 million Jews and other people belonging to minority communities. The dangers that lied for anyone, who didn't belong to the German community forced them to either migrate and become refugees or turn themselves in for Genocide. To this day, the world has yet to witness an ethnic cleansing of such a large-scale.

Another historical instance of ethnic cleansing was in Yugoslavia, which unlike the German Holocaust not only has thousands on people kills, massacred and tortured but also had economic, social and geographical implications.

After the World war II, the Balkan¹⁴ region was transformed into a socialist state under the Germans. Therefore a region of Yugoslavia arose. It comprised of complicated set of ethnic groups. Such as the, Serbs, Bosnian Muslims¹⁵, Croats, Slovenes, and Albanians. These republics has distinct cultural and ethnic backgrounds, with which they were identified. As a consequence of this diversity, tensions emerged. In 1980, after the death of President Tito's¹⁶, a demand for homogeneous boundaries for each ethnic group was born. Each community, inherited an urge to get rid of any other minority groups in their region. In 1991, Croatia and Slovenia, declared independence. However, as a response to this the Serbian dominated Army barged in these two regions and opened fire on the public. Thousands of Croats and Slovenes were brutally killed and murdered due to their ethnic background. This did not stop another republic of Bosnia, to attempt to free itself from the umbrella of Yugoslavic Rule. However, Bosnia was a complex mix of various groups, that is Serbs, Croats and Muslims. Due to which, when a cry of independence was put forward, the Serbs of this region gained power by means of their comparatively large population in other republics. As a result, the Yugoslavic army now renamed as Bosnian Serb Army. The entire Yugoslavia was now Serbs dominated. The Military took undue advantage of this. Thousands of Bosnian Muslims, Croats and other minorities faced discrimination in terms of shelters and other resources. This was the first time,

¹⁴ Balkan region: located in South-east Europe.

¹⁵ Bosnian Muslims: Muslims that predominantly follow Sunni variation of Islam, they comprised of 46% percent population in the Yugoslavia Region.

¹⁶ President Tito: leader of League of Communists of Yugoslavia (1939-1980).

the world witnessed an ethnic cleansing of Muslims and Croats, as they were forcefully dragged out of their homes in this process. More than 100,000 people belonging to minority community died. In an attempt to foster peace between the ethnic groups, US divided Bosnia into 2 major parts, namely the Bosnian Serbs and Muslim-Croat republic.

Nevertheless, the Croat formed a strong Army and took revenge on the Serbs, for the brutality they has imposed on other groups. Hence, another phase of ethnic cleansing took place, but this time the Serbs were forcefully distorted. Again in 1999, another long due suppressed group of Albanians, took charge and courageously fought the Serbians. Therefore, the outcome of Yugoslavia series of war, were more than 2500,000 refugees as people from various ethnic groups attempted to escape the brutality of other communities.

Hence, the barbarity of such an ethnic cleansing, resulted in a peace-keeping treaty in 1995 and gave birth to 6 completely independent countries for the 6 ethnic groups. Namely, Kosovo, Croatians, Albanians, Macedonians, Serbs and Muslims. It was during this era, the term of 'Ethnic Cleansing' was first recognised as "*etnicko ciscenje*". Thus, giving birth to the concept of an Ethnic wipe out, popularly known as 'Ethnic cleansing'.

3. RECENT EVENTS OF ETHNIC CLEASING IN THE 21ST CENTURY

3.1: Rohingya Muslims of Myanmar

In unfortunate events, began in 2017, when Myanmar witnessed a series of Rohingya Aras untrained militant attacks on policemen, across the state. With this the Buddhist dominated Myanmar Army¹⁷ responded by killing, robbing and burning the houses of all or any Rohingya Muslim civilian. According to medical charity Médecins Sans Frontières (MSF)¹⁸, following this incident, over 7000 people belonging to Rohingya minority were killed and tortured brutally. Many women and girls were raped and assaulted, and the private property of minorities was either seized or tarnished.

The Rohingya community, which consisted of one million people at the start of 2017, constitutes the largest minority group of Muslims, who used to live in the Rakhine State. They had their own culture, language, and identity as they were descendants of Arabs. These Arabs

¹⁷ Myanmar Army is also called Tatmadaw.

¹⁸ medical charity Médecins Sans Frontières An independent and international organisation for Medical Humanitarian assistance.

has entered Myanmar in the ancient time to propagate trading. However, with time the state policies against the minorities became suppressive. And increase in poverty, forced few members of the Rohingya community to resort to violence for their sustenance.

As consequence of which, 288 villages of Rakhine State were burned down. The Satellite images showcase a deadly scene between 25th August to 25th September, 2017. As about 400 innocent civilians were killed in one go only because they inherited an identity with the Rohingya Muslims. The current scenario for the minority ethnic groups seemed so fatal that, a large number of them turned to Bangladesh as refugees. The brutality of such an Ethnic Cleansing grabbed the attention of International Media. Which posed a question to the then Country's leader, Aung Sang Sui ki. Her Responses was in sink with her tactful political game. As the Myanmar military and government till this day claim, that there acts are to protect the civilians from untrained Rohingya militants and not to hurt any minority group.

3.2 Uyghur Muslims in China

In Northwest China, there exists a province named Xinjiang¹⁹. China's largest minority, that is Uyghur Muslim are based in the Xinjiang province. The Muslims belonging to Uyghur Autonomous Region, also called Xinjiang are one of 55 ethnic minority groups recognised officially in China. The Uyghurs were historically ruled by the Turkish, Tibetans, Mongols and currently the Chinese government. They are said to have rooted their culture, religion and language from Islam. Due to which, they inherit a distinct identity unlike the other minorities of China. Along with this, they believe that their ancestors were permeant settlers of the Xinjiang region. On the Other hand, the Chinese government or also known as the Han government, firmly held the view that the said province is under their control since the existence of Han Dynasty²⁰ in 200 BC.

This conflict of territorial claims, accompanied with a well build division in ethnic background fuelled arbitrary Chinese State policies against the minorities of Uyghur Muslims. Since the year 2014, the Chinese government has aimed to tarnish the Uyghur Ethnicity. This was done by means of forced undignified labour, illegal detention of Uyghurs in camps made by the state, forced sterilisation²¹, openly suppressing and defaming the minority culture of Uyghurs,

¹⁹ Xinjiang: A region comprising of Uyghur Autonomous Regional People's Congress,

²⁰ Daniel Wilson, *Sculptured standing-stones*, PREHISTORIC ANNALS OF SCOTLAND 209–249.

²¹ Sterilisation: Includes the process of forcefully giving medication to person, such that they are unable to reproduce.

physical torture, political isolation, mass murders, rapes of Uyghur women, depriving them of their fundamental resources such education, shelter, healthy food, employment etc. All of such brutal inhuman practices fostered by the Chinese government to prove their ownership on the Province of Xinjiang, is termed as “Uyghur Genocide²²” by the International Media Platforms such as BBC News²³. Due to which, the Chinese government took the defence, under Xi Jinping’s administration stating that the detention camps serve the purpose of teaching Chinese ideology to the Muslims, which will in turn bring down terrorist activities and is harmless for the minority groups.

However, upon closer inspection by media reporters, it is well established that Uyghurs live under the dangers posed by the dominant Chinese leaders. They lack basic human rights, such right to religion, right to shelter, right to internet and ultimately the right to live.

3.3 Nagaro-Karabakh region of Azerbaijan

Aljazeera²⁴, recently covered the news of the accusations made by the two enemy countries, that is Armenia and Azerbaijan of ‘Ethnic Cleansing’ in the International Court of Justice.

It is known that Armenia²⁵ has transplanted minefields to kill a large number of citizens belonging to Azerbaijan²⁶. This incidence arises from a long-drawn war between the two Central Asian Countries. The first Nagaro-Karabakh war took place in 1994, and the most recent clashes between the ethnic Armenian and Azerbaijan communities arose in the year 2020. The primary cause of Nagaro Karabakh being an epicentre for ethnic conflict, is due to its complicated ethnic demographic structure. As despite, the region geographically falling within the ambit of Azerbaijan, it consists of the 95 percent of Armenians. Due to which, there exists a difference in their ethnic background. As Armenians in the region of conflict are mostly Christians, however Azerbaijan consists of a Muslim majority. Thereby, creating a demand by leader of Armenia to fight for the territory of Nagaro-Karabakh. As a consequence, the citizens of the both the countries have witnessed a long brutal struggle.

The war which has continued to grow since the 1990, has forced more than 230,000 Armenians from the several known regions of Azerbaijan to migrate to Armenia. And around 800,000

²² *Supra* Note 7.

²³ BBC: An international News Plateform.

²⁴ ID at 22.

²⁵ Armenia: Country in Western Part of Asia.

²⁶ ID at 24.

Azerbaijanis have been displaced in the regions of Armenia, as a result of the series of wars that took place. This essentially signifies that the rivalry between the two countries has led to a deadly large scale cleansing of the two ethnicities in regions of conflict.

4 COMMON CATALYSTS OF AN ETHNIC WIPE OUT

4.1: Role of State policy in Ethnic cleansing

Since the origination of a State, the four elements that play an integral role in its foundation have been clearly established. Those elements being, its citizens, demarcated territory, a government, or authority and Sovereignty both external and internal. In order to attain and maintain all the aforementioned vital elements of country, many political leaders tend to subscribe to tactful ideologies in their political game. More often than not, the political representatives of people introduce and advertise State laws, policies and regulation, which would benefit them by means of smooth governance and easy control over the population. In order to achieve this, a regressive policy or law which aims to tactfully yet viciously homogenise the region is proposed. In the case of Uyghur Muslims, in China, the homogenisation of the territory is only possible due to the state funding and the vague defences resorted by the Chinese Political Leaders. Because of which the ethnic cleansing of minority Muslims is drastically accelerated. During wars, and ethnic conflicts that arise between diverse groups, Political leaders and spokes person take undue advantage by manipulating the people as well as the Legislature to foster a diabolic mentality of hating the opposing minority ethnic community. This is primarily done, by means of mischaracterising the concept of 'Nationalism'²⁷.

Cultivating thoughts, ideas and actions into the public minds to annihilate the image of minority and marginalised groups of individuals, is only possible if the State policies are enforced in a stringent manner. Which is observed in cases of Myanmar, China, Armenia And Azerbaijan.

Hence, political leaders misused their power of law making to ethnically cleanse the territories they represent.

4.2 Role of Military in acceleration Ethnic Cleansing

The Military or the Army takes the Centre stage when, the harsh regressive State policies and

²⁷ *Supra* Note 6.

laws have to be implemented. An ethnic cleansing, can only be achieved by means of displacing the minorities groups, mass killings, illegal detention or arrest, Physical torture which forces them to migrate to other of safer locations, massacres, political distortion, and property destruction. All of which is powerful by the physical force, that the Military of State inherits. There is no doubt that, the army officials and soldiers enabling an ethnic wipe-out are the puppets of the Political leaders, that make up the government.

In the case of Myanmar, Rohingya Muslims face the brutality of the it's Army called 'Tatmadaw'²⁸. Whose primary goal is to preserve and protect the ideology of Burmese Politics. As a consequence of which, several houses of Rohingya community are burnt and there exists plethora of dangers to their existence. This has accelerated the ethnic cleansing of the Muslim Minority in the South-East Asian country of Myanmar. Similarly, the records of our historical past showcase that an Ethnic wipe out acts as military strategy. This arises out of the military's greed to over take the governance of country. Example, Aung sang sui ki was over thrown by her designation as the political leader by the powerful military officials. Therefore, the Military plays a fundamental role in distorting the demographic profile of a state.

4.3: Role of Social Hierarchy in displacing Minorities

An in-depth analysis of the population and economic structure of any or all countries, that have suffered due to ethnic cleansing, it is observed that the target minority communities belonged to below poverty line. Therefore, these minority groups automatically characterise as marginal sections of the society. With, the State snatching their fundamental rights, including right to practice their religions, right to livelihood, right to education, right to basic dignity and many other rights essential for a human being to live. It can be concluded that ethnic cleansing is not only the cause but also the effect of Social structure. In the case of Nazism, jews of belonging to lower strata of the society, were first to be targeted. Without money, these marginalised groups of minority are powerless and thus suffer the agony of upper classes.

Apart from the tangible sources, there exist a plethora of stereotypes due to there belonging to the poor social strata. Due to these pre-conceived notions set in the minds of rich and powerful, the ethnic marginalised communities face difficulty to live with their identity confidently. As they are subjected to discrimination and isolation from the common population in every aspect

²⁸ *Supra* Note 17.

of their lives, only on the ground of their cultural belonging. Hence, the effect of social hierarchy in accelerating ethnic cleansing of minority groups cannot be undermined.

5. POSITION OF VULNERABLE ETHNIC MINORITIES IN INDIA, with reference to:

5.1: Provisions of Indian Laws

India, a south-east Asian country, carries the title of being the 'second most populous country', it is observed, with great population comes a high degree of diversity. India, acts a home for the largest number of minority groups than any other country around the world. Prominent ethnic minorities include, Muslims, Christians, Adivasis, Dalits, Zoroastrians, Nagas, Sikhs, Buddhists etc. In order to protect these minorities, from getting illegally displaced from their homes, Indian Legislatures give due importance to their distinct ethnic culture. The Indian Constitution provides certain imperative laws which, cannot be breached.

There exists a plethora of laws, policies and regulations specifically established for the protection of minorities. Such as Article 29²⁹ of the Indian Constitution, mentions the groups of ethnic minorities shall have the right to preserve their distinct and unique language, and cultural identity. Along with this under Article 30³⁰, minorities are given the right to established educational institutions of their choice of language and script. Another Constitutional right significant for the protection of minority communities is Article 15³¹ of the Indian Constitution, which provides that no individual can be discriminated on grounds of caste, ethnicity, sex, gender creed, place of birth race, cultural and linguistic identity. Furthermore, Part III of Constitution³², which read the Fundamental Rights of a person, add to the protection and preservation of minorities and ensure they live a safe healthy life within the boundaries of India. The most imperative set of fundamental rights include, right to freedom of religion, right to livelihood, right to move to any part of the country, right to education, right to practice any profession, and ultimately the right to life³³.

It is due to the existence of these set of Laws that Indian has not faced any large-scale ethnic cleansing. However, during 1947 prior to the adoption and implementation of Indian Constitution, Indian and Pakistan partition forced millions of Muslims and Hindus to exchange

²⁹ Article 29 of the Indian Constitution.

³⁰ Article 30 of Indian Constitution.

³¹ Article 15 of the Indian Constitution.

³² Part III (Articles 12-35) of Indian Constitution

³³ Article 21: provides for Right to Life.

their homeland to maintain peace and harmony between the communities and the two rival countries. This was the only instance, where India witnessed a large-scale displacement of minorities.

5.2: Indian Society and its relationship with minority culture

With the onset of the 21st Century ideologies, Indians are well-aware of diversities that exist within its demographic structure. The ancient Indian history, that showcased the roots of each ethnic minority groups, leads to greater acceptance and cultivates a kind attitude among the different communities. With greater awareness about the intricacies of various ethnic cultures, Indian Society is known to be not only more tolerant but tend to enjoy the minority culture

It is solely due to the State Policies, that cultural difference that usually arise between the Hindu community and the Muslim minority community, are resolved by means of Judicial redressal system. Which has helped in avoiding a great degree of ethnic distortion. Every ethnic group is protected under the Indian Law, as result of which individuals belonging to a marginalised minority community do not face the brutal atrocities that discrimination brings with itself. And in a case, they do face ethnic marginalisation, there are stringent provisions of law that provide punishment for such crimes. Therefore, unlike other Asian Countries such as Myanmar, China, Ethiopia, Armenia and Azerbaijan, India is in a better position to protect and preserve the authentic cultural identities of its Ethnic groups.

PART- III

CONCLUSION AND SUGGESTIONS

Based on the fundamental principles of the present research analysis, the researcher holds the view, that the concept of Ethnic Cleansing has been prevalent since ancient history. However, the view of atrocities suffered by the minorities, have been kept in dark and away from the minds of public. This is done to save the reputation of political leaders, who aim to ethnically cleanse the regions they hold power over. In the historical past, the tragedies were covered by means of numerous channels of communication example, radio, newspaper, and Television news channel. On the contrary today, events of Ethnic cleansing taking place Asian countries, are uncovered by sting operations or media reporters that are live under cover.

This reflects, that the human mentality has faced a unique shift in thought and opinion about

ethnic minorities. Majority of individuals who belong to the countries which are currently witnessing the phenomenon of ethnic cleansing, believe the minority ethnic groups in their society are well accepted, on the face of it. But deeper analysis and study show that the age old belief and practice of discriminating marginalised sections is still prevalent. Another finding made by the researcher is that, all Asian countries, experience the issue of ethnic wipe out. Coincidentally, it is only those countries, who follow nationalism in strict and harsh sense force the displacement of minority communities existing in their country. China has targeted the Uyghur Muslims, Myanmar the Rohingya State, Armenia And Azerbaijan the ethnic minorities existing in cross-over border. All which is only possible due to the Stringent State policy established to ethnically cleanse the Asian Continent. The Military is powered by the political engine and is therefore a helping hand in an Ethnic Wipe out. Furthermore, the integral role played by Social Hierarchy cannot be over looked. The social profile of the demography that exist in the aforementioned countries, gives rise to social discrimination. The researcher at this juncture, conceives a set of suggestions, which shall be fostered by the States. As stated by third Unites commission, the term of ethnic cleansing should be defined and criminalised as a distinct crime. The rules and political elites are known to misuse the lacklustre international policies, as their actions are not considered as a crime in the first place. Media, that is constantly suppressed in every Asian country guilty of ethnic cleansing, should deliver their news directly to the International News platforms, and remain anonymous in terms of their identity. Such an act, shall benefit the transparency in state machinery and uncover the reality of hard nationalism practiced in Asian Countries.

Moreover, in a scenario where the Asian States discussed above, enact and implement laws established by the Indian Legislature, the conditions of ethnic minorities has the potential to improve.

STATUTES REFERRED FROM THE INDIAN CONSTITUTION

Statute	Page number
Article 29	XVII
Article 21	XVIII
Part III (Article 12-35)	XVIII
Article 30	XVIII
Article 15	XVIII

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