# The Opening of Kartarpur Corridor for Promoting Peace

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The partition of India in 1947 also sketched the inferential dividing line segregating the religious places of worship between the Indian and Pakistani side of Punjab. The people of Punjab, and the Sikh community in particular of India have, for long, wanted an easy access to their religious shrines in Pakistan. A number of attempts were made previously, finally leading to the recent success of the opening of Kartarpur Corridor. When dialogue to open the Corridor had just begun, analysts and politicians were sceptical about reaching any positive conclusion due to the problematic relations between India and Pakistan. It can be said that perhaps it is the teachings of Guru Nanak that showed the light for the success of this project. The opening of Kartarpur Corridor between India and Pakistan is not only a great example of accommodating Punjabi people in general, and Sikhs in particular by Pakistan, but can be considered also as a stepping stone for the establishment of long-term peace between India and Pakistan. The corridor, between India and Pakistan, is of great importance for the people of India and also for establishing peace in the SAARC Region as a whole. In light of these developments, this paper explores the idea that the opening of Kartarpur Corridor will strengthen the peace process between India and Pakistan, and also, the harmonious resolution of issues between the two nations can promote social, economic, and political growth in the SAARC Region.

Key Words: Guru Nanak, Kartarpur, Dera Baba Nanak, SAARC Region

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#### I. Introduction

Rarely political, religious, and social events do happen of the nature that can create long-lasting impact in the political environment and relationship between the neighbouring countries. Such can be the resonance of impact, that it can further change the course of prevailing line of political thinking in bilateral or multilateral relationships. The

opening of Kartarpur Corridor beyond its religious significance can be perceived as a gateway to a new approach for a peace process between India and Pakistan, the two neighbours who most of the time remain engaged in border dispute. The Kartarpur Corridor, situated in the Pakistani side of Punjab, connects the Gurudwara Kartarpur Sahib in the Pakistani side of Punjab to the border with India. The newly constructed corridor was formally opened on the 550th birth anniversary of Guru Nanak, on 12th November, 2019, allowing a visa-free border crossing. Since this event is directly linked to Punjab, referring briefly here, is its background.

Explaining here about Punjab in the historical context, the word Punjab is a combination of two words "Punj" and "Aab" meaning land of "five" "water bodies." (Muhammad and Garcia, Phonemic Comparison, 2019, p. 347-350.) The region of Punjab that was divided at the time of partition of India in the year 1947, stretches to both Pakistan and India. The partition of India also affected the Sikh community. Sikhs were in minority, in comparison to Hindus and Muslims, even during the time when Punjab existed as United Punjab. Partition also effected the culture and traditions of the communities, as their places of worship were divided between the two nations. In the context of such historical prologue, the opening of Kartarpur Corridor generated an added euphoria to the people of Punjab, because the corridor, which is a stretch of less than five kilometres across the borders, connects Dera Baba Nanak in the Indian side of Punjab, with Kartarpur Gurudwara in Pakistan, (Sevea, 'The Kartarpur Corridor, 2018, p. 1-3), the place of great reverence for the Sikh population. The distance between Dera Baba Nanak and Kartarpur Sahib is 6.3 kilometers and the length of Kartarpur Corridor is 4.7 kilometers.

# II. Memorandum of Understanding: a Framework of Understanding for the Corridor

The inauguration of the much awaited Kartarpur Corridor also attained distinction in the diplomatic circles, as political leaders from both Indian and Pakistani sides walked extra miles, leaving aside political preoccupations for giving shape to this event. For a while, it seemed both the nations had left the controversial issues on the backburner. As a part of preliminary conditions, before the agreement was formally ratified, the 14-point draft Memorandum of Understanding (MoU) was sent by the Pakistani government to the government of India regarding opening of

the Kartarpur Corridor, which was later agreed by both the parties. This agreement has special significance for the pilgrims interested in visiting Gurudwara Kartarpur Sahib as it primarily allows visa-free entry for the devotees aspiring to visit Gurudwara Kartarpur Sahib, (mentioned in the features of MoU). However, for practically enabling visa-free entry, both the parties are supposed to maintain facilities for security check-up (in Clause ii). This clause for security check-up compliments clause enabling visa-free entry. Clauses covering security checks are included in the MoU with the objective that both the nations respect the sovereign status of each other and also that trust is evolved between the nations. Furthermore, for strengthening the security concerns, special clause is added, that obliges the pilgrims to respect the law and rules of Pakistan (in clause ix).

The key objective of this agreement is to facilitate a visa-free travel of the pilgrims from India to Kartarpur Sahib. However, this agreement does not affect the respective existing commitments concerning border security by both the parties (in clause x). The clause allowing visa-free entry became the reason for rejoice even for a common man in the Indian side of Punjab. The reason for including this clause goes back to the past historical developments. Following the Partition of India in 1947, people living in the Punjab state of India and Pakistan, tragically got disconnected from their religious institutions of historical significance. The Sikh population in particular were separated from key religious institutions as several of those are situated in West Punjab. One among those is the Kartarpur Sahib Gurudwara, built on the site where Guru Nanak, the founder of Sikhism, lived the last 18 years of his life. After partition, a treaty based arrangement was made, by which the pilgrims across the borders visit the places of their religious significance as per the rules set by bilateral treaties between India and Pakistan. Pilgrims from both sides apply for 'pilgrim's visitor visa,' the conditions and modalities for which are regulated by Protocol of 1974 as signed by both India and Pakistan (Protocol between India and Pakistan). Based on the Protocol of 1974, pilgrims visiting Kartarpur Sahib need to fulfil stricter formalities as per the visa requirements, whereas opening of the Kartarpur Corridor to the convenience of pilgrims, has reduced the travel formalities to a bare minimum.

# III. Valuing the Rights of "We the People"

The relevance of opening Kartarpur Corridor for a visa-free entry to Kartarpur Sahib Gurudwara can be perceived from various perspectives. The entire event reflects the objectivity, how the individual's freedom for good sense prevailed over partisan politics. Allowing visa-free entry to Kartarpur Gurudwara also creates debates from legal perspectives as religious and cultural freedoms are a matter of Individual's right recognised by all the democratic societies. (Finnis, Natural Law, 2011.)

The opening of Kartarpur Corridor, apart from its religious significance also revolves around the values pertaining to the rights of Individuals as acknowledged by the Constitutions. The point for deliberation is how the concept of "we the people," which is based on the theory of General Will, can influence political thinking and evidently can give directions to the relations between neighbouring states.

Setting the stage for right's based discussion, we take Rousseau's view point on the rights of individuals. Regarding a natural person Rousseau said, "man was born free but he is everywhere in chains." (Patrice, Rousseau's Concept, p. 393-412.)

He was of the belief that man is basically good. It was the social institutions, civilisations, customs, and political choices that spoiled man's life. He also advocated that man should return to the state of nature. According to Rousseau's state of nature, it means not to be governed by the political interests. Rousseau was the person who deprioritised human reasoning and denied that human life is regulated by reason. Rousseau attempted to establish the relationship between human conscience and reasoning. Further he added that conscience guided by reason distinguishes what is right from what is wrong. According to him the primitive instincts unified man, and reason divided them. He believed in direct democracy in which everyone voted to express the general will of the land. All political power must reside with the people, exercising their general will, as he strongly believed in the idea of General Will. (Qvortrup, Political Philosophy of Rousseau, 2004.) Rousseau's General Will was later incorporated as the words, "We the people," the initial words of the US Constitution. (Preamble U.S, Constitution.) We the people as a concept of polity is not confined to the US Constitution solely, rather constitutions of many countries have embedded it in their preamble. Referring here in the context of opening of Kartarpur Corridor, the relevant lines from the preamble of the Constitution of Pakistan,

"...Whereas it is the will of the people of Pakistan to establish an order....

There in shall be guaranteed fundamental rights, including equality of status, of opportunity before law, social, economic and political justice, and freedom of thought, expression, belief, faith worship and association,..."

The preamble of the present Constitution of Pakistan giving due recognition to the will of the people expresses the ideas of democracy as a method to govern its political system. (Mukhtar, Transformation of Pakistan, 2016.) The constitution making body that is the Constituent Assembly of Pakistan passed the objective Resolution in the year 1949 and that became the foundational source of the preamble for the Constitution of Pakistan.

"The first Constitution of Pakistan was enforced in 1956 and was abrogated in 1958, and the second Constitution of Pakistan promulgated in 1962 and abrogated in 1969. The current Constitution of Pakistan was enacted and promulgated in 1973."

Remarkably, the preamble has been framed and adopted bearing in mind that Pakistani society belongs to people from different cultures, traditions, faith and beliefs, although demographically the majority of the people in Pakistan follow Islam. In line with the preamble of the constitution, the fundamental rights as mentioned in the Constitution of Pakistan theoretically safeguards the cultural and religious freedoms of both the majority and minority. (Article 20, Constitution of Pakistan.)

Acknowledging the fact that the will of the people of both nations acted as an imperative for opening the corridor, we refer here also to the preamble of the Indian Constitution, establishing the connecting link of the Constitution's acknowledgement of people's right with the opening of the corridor. The preamble of the Indian Constitution which states, "We the people of India solemnly resolve... unity and integrity of the nation," (Preamble, Constitution of India), is based on the idea that sovereignty lies with the will of the people of this country. The constitution has emerged from the sovereign will of the people and it is the will of the people that has been kept at the highest pedestal for defining sovereignty. Referring further about the preamble, it also reflects fundamentals of the Constitution and gives direction and purpose to the Constitution. (Jain, Constitutional Law, 2009.) A parallel can be drawn between opening of the corridor and its basis in General Will of the people. It was the will of

the people of Punjab and unrelenting perusal which finally effectuated the opening of Kartarpur Corridor in the midst of tension between the two neighbours. The previous attitude of political bargains was overwhelmed by the age of social, cultural, and traditional values that existed prior to the partition of India. This event in particular also seems to encourage out-of-box thinking in diplomacy and inspires to follow cultural and social lines while resolving crisis.

### IV. Religious, Cultural, Social, and Political Similarities

The historical fact that both India and Pakistan were part of United India, also culturally and traditionally, supports the underlying idea of fundamental freedom for the people practicing different beliefs, faiths, and religions. The United India consisted of people from different faith, culture, beliefs and ethnicity, and acceptance of cultural diversity was a norm in many parts of India. The question of political governance and equations for power sharing, finally took over the communal harmony that was existing at many places in India during the time of freedom struggle. However, the opening of Kartarpur Corridor has once again highlighted the significance of unwritten, but age-old cultural, social, and traditional practices.

#### a. Cultural Similarities as a Stage-Setting Instrument

Talking about religious and cultural significance that underlies in the opening of a corridor, primarily the Kartarpur Corridor, will enable Sikhs and other devotees from India to pay respects at the holy shrine of Darbar Sahib in Kartarpur, situated in Pakistan, without requiring a visa. Before partition, both India and Pakistan, and mainly united Punjab, shared common history. It is relevant to note, that cultural similarities in the united Punjab existed even before the advent of Islam. The influence of different ideologies has affected the culture of both the sides of Punjab. Cultural practices often get influenced by practices of power centres. From historical times, with the change in political systems in India, the appealing part of cultural ethos became less vibrant and faded gradually. Talking about the impact of cultural bonds, these bonds became weaker, and to date, struggle to survive. (Thapar, Early India, 2003.) The harmony-based culture of Punjab suffered a lot at the time of India's independence movement because of the struggle for power and internal tensions leading

to religious and sectarian clashes. However, the existing remnants of Punjabi culture can still be felt in rural lifestyle at both sides of Punjab. (Muhammad and Garcia, 2019, p, 347-350.) When talking about common features in the culture, the use of Punjabi as spoken language is an obvious example, although infractions of Urdu can be felt in West Punjab. (Campbell, World's Languages, 1994.)

India and Pakistan had been involved in armed conflict several times, and they have gone through stalemate-like political situations. For breaking through the impasse, the common cultural background has been taken as a supportive pillar, or as preliminaries to initiate the dialogue.

For this occasion also, narratives used by the Prime Ministers of both nations had strong cultural references, and that set the stage for positive development in the relationship between the two countries. Pakistani Prime Minister Imran Khan, drawing the connection of this event and its impact on other longstanding issues, stated that the corridor, apart from being of religious significance, could mark the first step towards greater economic ties between the two countries. (Hussain, Kartarpur, 2019.) These words attributes the multifaceted significance of the opening corridor.

# b. Religious Reasons and Constitutional Provisions

Delving into the religious reasons for opening the corridor, one finds they mainly revolved around the life of Guru Nanak, the founder of Sikh faith. Guru Nanak founded the city of Kartarpur which is on the west bank of river Ravi. He completed his last days of a worldly journey at Kartarpur, now this place is in Pakistan. Across the border, almost 6 km from Kartarpur sahib, in the Indian side of Punjab is a place called Dera Baba Nanak, in Gurdaspur district. The Indian side of Kartarpur corridor covers 4.1 k.m lane from Dera Baba Nanak shrine to the state of art Terminal building at the international border. (Ministry of Home Affairs, <a href="https://prakashpurb550.mha.gov.in/kpr/">https://prakashpurb550.mha.gov.in/kpr/</a>.) The total length of Kartarpur Corridor is 4.7 km.

Traditionally, people belonging to Punjab, whether from East or West, have shown respect for Guru Nanak and followed his teachings irrespective of their religious beliefs. Key to his teaching is about "Truth," which is eternal, as truth is the same everywhere and at all times and in all religions. His teaching of brotherhood and humanity overarchingly influences people from both sides. (Dr.Chauhan and Dr. Rajan, Shri Guru

Nanak Life, 2012.) Many have imbibed the teachings of Guru Nanak as practices to live their daily life.

The constructive interpretation of constitutional provisions also creates incidental support to visa-free entry for visiting Kartarpur Gurudwara. The recognition of religious freedoms as part of fundamental rights in the constitution of both India (Indian Constitution: Article 25), and Pakistan (Article 20, Freedom religion and religious institutions).

Within the Indian Constitution, scope of this freedom is wide as it is available to any person, which covers both citizens and non-citizens. In the case of Pakistan, the scope of religious freedom gets accommodative, if Article 20 of the Pakistani Constitution is read in the context of the lines of the Preamble that is, "Whereas sovereignty over the entire Universe belongs to Almighty Allah alone, and the authority to be exercised by the people of Pakistan within the limits prescribed by Him is a sacred trust and whereas it is the will of the people of Pakistan to establish an order....". The scope of freedom, mentioned in Article 20 of the Constitution is confined to citizens. However, as part of a wider debate, where people across borders are apparently affected and searching the reasons introspectively for allowing visa-free entry, Article 20, read with the initiating line of the Preamble as mentioned in above lines, widens the scope to accommodate people across borders for visiting the places of their religious beliefs, nevertheless contingent to the will of the people of Pakistan. Acknowledging the status of religious freedoms as fundamental rights creates a reason in support of easy access to the religious places and decoupling them from the other political objectives of the nations. Currently, this might sound a utopian thought, but the opening of Kartarpur corridor can be said as a stepping stone.

The opening of this corridor gives a popular impression that people of both East and West Punjab, including Sikhs, Hindus, and Muslims, believe that leaders of this generation have understood the meaning of the teachings of Guru Nanak, which eventually helped to permit a visa-free visit for Sikh pilgrims through Kartarpur Corridor. Discussing here the significance of Kartarpur Corridor, the influencing sociological factors at its background that prevailed during the period when Punjab existed as United Punjab, also need some reference for historical identities of various aspects.

#### c. Common Social Norms

The opening of Kartarpur Corridor also carries value-forming characteristics, and has been attributed as a historical milestone in the relationship between the two neighbouring states. Those who frequently follow the diplomatic dialogues between the two countries often conclude that during bilateral negotiations, one side tries to bargain from the other, and in contrast do have this occasion to judge this event distanced from political bargain and symbolising more from cultural and social perspective.

The question here arises, whether historically the common social values between the two Punjabs, traced in the roots of social norms and behaviour of cultural harmony existing between the people of two sides, though eclipsed by political views, got priority over political bargains. This spectacular event captured wide attention, since apart from being of political significance, it also reflected the underlying impact of social norms while redefining the political relations across the border.

Relating the event with community-based harmony as it existed at the time of United Punjab, it indeed reflected the characteristics of past, non-partisan, cultural harmony, succeeding present day partisan politics, the partisan politics which eventually lead to the unfortunate partition of the country. For healing those wounds and for creating new inroads to harmony between the two neighbours, this event in its cultural perspective, also carries its significance. Undeniably, the values in the context of pluralistic social order, for establishing a bond between the two nations, and more specifically between East and West Punjab, also requires rethinking on the lines of teachings of Guru Nanak.

Despite the fact that Pakistan is created as a new nation, people from both sides of Punjab follow similar occupation and follow likewise means of livelihood. The Indian side of Punjab, i.e. East Punjab, includes largely Sikh population, and also a sizeable number of Hindu population. West Punjab, i.e. part of Pakistan, has mainly people of Islamic faith, and Sikhs and Hindus are sparsely populated there. The majority of the people of this region, irrespective of their religious beliefs, are involved in agrarian activities, and also follow rural life styles. Social and cultural norms, to an extent, continue to remain the same as both East and West Punjab has common historical and sociological basis. The common rural style of living and similarity in colloquial use of language brought the people from both sides closer, and this added special joy to this occasion.

Evidently, the common social system and lifestyle that existed between both sides of Punjab has also been the reason to influence the dynamics of this positive development.

# IV. A New Road to Regional Peace

The efforts made by combing these factors got concrete shape because of the political will from both sides. It was the combination of political will and new dynamics that changed the focus of issues during the political shaping for this event. Valuing the event from political proportions, it seems the predominant religious, cultural, and social features which worked as the background to set the stage for this event, coincidentally also gave a new dimension to the political relations between the two neighbours.

The corridor was inaugurated on 9 November 2019 by Prime Minister of India, Narendra Modi and Prime Minister of Pakistan, Imran Khan, which was also well-captured by media. Recently, the media and those dealing with international relations in South Asia, and even beyond, have closely followed developments between India and Pakistan pertaining to the Kartarpur Corridor. (Hussain, Beyond Kartarpur, 2019.)

The opening of the corridor and allowing visa-free entry to Kartarpur Sahib Gurudwara can be attributed as an approach followed out of the conventional paradigms of diplomacy. Measuring the event in political terms, it has given a new dimension to the politics of peace in the SAARC region. Prior to this, the idea of constructing the Kartarpur Corridor had been on the agenda for decades. Efforts to deescalate tension between two nations and to initiate dialogues in the direction of cordial relationships started during the prime ministership of Atal Bihari Vajpayee, in his vision programme for SAARC. In 1999, former Indian Prime Minister Atal Bihari Vajpayee called on his Pakistani counterpart to work together, for developing a border crossing at Kartarpur, but it could not gain shape due to Kargil War. Recently, this idea gained momentum when Navjot Singh Sidhu, minister in the Punjab government (Punjab province is referred to in the Indian side of Punjab), visited Pakistan in his personal capacity to attend Khan's office, joining ceremony as the Prime Minister in August 2018.

It was a pleasant surprise when Sidhu, returning from the ceremony, declared that Prime Minister Khan and Pakistani military chief General Bajwa, had shown keen interest to open the Kartarpur border during the 550th birth anniversary of Guru Nanak in 2019. In pursuance to it, the foundation stone on the Indian side was laid on 26<sup>th</sup> November 2018, and on 28<sup>th</sup> November 2018, Pakistani Prime Minister Imran Khan laid the stone on his side, and both the sides got engaged to prepare for inauguration.

The opening of the corridor has significant impact in the politics of the SAARC region. India and Pakistan both are members of SAARC. The odds and evens in the relationship between the two countries started right from the time when Pakistan was created out of India. Often the two nations remain occupied with Kashmir issue. The uneven equation between India and Pakistan has regressed the trade, development, and other progressive multilateral agendas of SAARC. However, any peaceful attempt by both nations to resolve their issues does have positive impact in the entire region. History has well-taught that peace across the sub-continent, and eventually the global peace, should be maintained and the common challenges with which humanity is struggling should be resolved on a priority basis. Every milestone in such direction is a great contribution to world peace.

This event, in addition to getting political support, also had cultural support, where cultural, social, and religious dimension influenced the political will. Undoubtedly, the event gives a message, that applying local and cultural support at the forefront to resolve the political issues can foster the political commitments for the enduring peace.

In the present scenario, when the outbreak of the COVID-19 pandemic has affected both within the state boundaries and cross-border movement of the people, on March 16, 2020, the government of India temporarily suspended registration and pilgrim travel to Pakistan. However, Pakistani government has reopened Kartarpur Corridor on June 29, 2020. Government of India in response to it reacted that it will take a decision on the matter after consulting the health authorities and other concerned people. We hope that the Indian side will consider to reopen the passage from its side once the health crisis due to COVID-19 is over. (Economic Times, June 29, 2020.)

#### **Conclusions**

The opening of the Kartarpur Corridor generated an overwhelming level of emotional and positive response among the people of East and West Punjab. The Kartarpur Corridor has religious significance for the Sikh

community, for the people of Punjab, and also has far reaching influence in bilateral relationships between the two concerned countries. This event opens a new passage for developing an environment of peace between the two neighbours, diverging the attention from controversial issues. Despite border issues with Pakistan, the Kartarpur Corridor was opened, and various social, cultural, political, and legal factors were harmoniously orchestrated for the success of this event. The objective of visa-free entry to Kartarpur Sahib Gurudwara was achieved because of the relentless perusal by the people of Punjab. What seems to form the basis for the opening of the corridor is the will of people.

Formally, the Memorandum of Understanding has been signed by the two nations, but for sustainability of the MoU, the fundamental freedoms of beliefs and faiths as recognised by the Constitutions of both nations, will act as a pillar of this mainframe agreement. Visa-free entry through Kartarpur Corridor also sets an example, that in the future many other unsettled issues between the two neighbours can be resolved through negotiations.

The question here arises as to why United India was divided into two nations given the fact that cultural diversity was an accepted norm. Answering this question will initiate a big debate from historical perspective and will lead to deviation from the main theme. However, reasons for it can be mentioned in brief, such as the division of United India into two nations was mainly on political lines. The political power and the governance could neither be adjusted between the two communities nor resolved by any political mechanism. The influence of the will of the people was not existing at that time. Evidence of this argument lies in the fact that both India and Pakistan framed their Constitutions several years after the Independence when the preamble of the Constitution became the source of guiding principles. It was in this preamble that the term "We the people", was enshrined after long debates in the Constituent Assembly.

The opening of the Kartarpur Corridor invited various interpretations, and it would be paradoxical to see this as another point of bargain between the two neighbouring countries, leaving aside Guru Nanak's teaching about humanity which showed light to this project.

Valuing the opening of the corridor from a religious perspective, the prospective pilgrims planning to visit Karatrpur Gurudwara, for them it seems, Guru Nanak's teachings have found a new geopolitical stage. Allowing visa-free entry to Kartarpur Gurudwara is also a symbolic

example of His message, to live free of greed, to live with feeling for others humans, and these core values finally triumphed the politics of bargain.

As the citizens from both sides made immense contribution for developing this corridor, they deserve profound gratitude. Simultaneously, the opening of the corridor also gives a message that following a new approach to create trust between the two countries has yielded results. The leaders from both India and Pakistan deserve special appreciation for the magnanimity of heart and farsightedness they have shown in allowing the easy movement of pilgrims.

The construction of the corridor has been widely appreciated both in India and Pakistan, and even by the world over. This has opened a new chapter in the relations between the two countries. Many believe that the goodwill generated by opening the corridor will increase people-to-people contact, which eventually can set a new platform for better diplomatic relations between India and Pakistan.

# **Bibliography**

Campbell, George L. (1994). *Compendium of World's Languages*, UK: Routledge, 1<sup>st</sup> ed.

Canivez, Patrice. (2004). "Jean Jacques Rousseau's Concept of People," *Philosophy and Social Criticism*, 30, no.4: 393-412. http://psc.sagepub.com/.

Chauhan, G.S. & Rajan, Meenakshi. (2020). *Shri Guru Nanak Dev, Life, Travels and Teachings,* Amritsar: All India Pingalwara Charitable Society, 2012. accessed 3<sup>rd</sup> June.

http://www.sadgurus-saints-sages.com/books/GuruNanak/life,travelsandTeachingsofGuruNanakDev.pdf.

Chohan, Muhammad Nadeem & Maldonado Garcia, Maria Isabel. (2019). "Phonemic Comparison of English and Punjabi, *International Journal of English Linguistics*, 9, no.4: 347-350.

Finnis, John. (2011). *Natural Law and Natural Rights*, U.K: Oxford University.

Hussain, Zahid. (2019). Beyond Kartarpur, November 13. <a href="https://www.dawn.com/news/1516380">https://www.dawn.com/news/1516380</a>

Jain, M.P. (2009) *Indian Constitutional Law*, India: Lexis Nexis Butterworths,  $5^{th}$  ed, Reprint.

Mukhtar, Sohaib. (2020). "Social Transformation of Pakistan under Constitution of 1973," *Social Transformations in Contemporary Society*, (4) (2016).

https://www.researchgate.net/publication/314157040 Social Transformation\_of\_Pakistan\_under\_the\_Constitution\_of\_1973.

Qvortrup, Mads. (2004). The Political Philosophy of Jean Jacques Rousseau: The Impossibility of reason, Manchester University Press, (ist ed.): ISBN 0719065801.

Sevea, Iqbal Singh. (2018). "The Kartarpur Corridor: Symbolism, Politics and Impact on India-Pakistan Relations," *National University of Singapore*, Insights no.525: (Dec), 1-3.

Thapar, Romila. *The Penguin History of Early India: From Origins to AD 1300*, India: Penguin Publishers, 1st ed, 2003.

# Notes

The key feature of the MoU is as follows:

'Whereas the Government of the Islamic Republic of Pakistan and the Republic of India (herein after referred to individually as a 'Party' and collectively as the Parties) are desirous to provide easy access to the Sikh pilgrims, who are citizens and permanent resident of India, (thereinafter referred to as pilgrims), to the Gurudwara, Darbar Sahib, Narowal, Pakistan (hereinafter referred to as Kartarpur Sahib), through a permitbased entry to the Pilgrims through Kartarpur Corridor'.

Parties Agree as follows:

Cl(i) The objective of this agreement is to facilitate a visa-free travel of the pilgrims from India to Kartarpur Sahib.

- Cl(ii) In order to implement this agreement, the parties shall establish infrastructure in their respective territories, including facilitation centers and counters for running security checks and issuance of permits for the facilitation of pilgrims.
- Cl(iii) A database of the pilgrims shall be created by the parties having names, travel history and other relevant information of the pilgrims.
- Cl(ix) The agreement shall not exempt the pilgrims from the obligation to respect the laws and regulations of Pakistan when entering into its territory, including but not limited to the laws and regulations concerning their entry, stay and exist.
- Cl(x) This Agreement does not affect the existing commitments under the agreements between the parties concerning border security.

Protocol Constituting an Agreement between, The Government of India and The Government of The Islamic Republic of Pakistan on Visit to Religious Shrines.

About the Protocol "The Government of India and The Government of Pakistan, Taking note of the sentiments of the various communities in two countries for the historic and sacred in the other, Have agreed on the following principles facilitating visits to such shrines,

- i) Such visits from one country to the other shall be allowed without discrimination as to the religion or sect,
- ii) Up to 20 parties may be allowed to visit from one country to the other every year. This number may be revised from time to time,
- iii) Every effort should continue to be made to ensure that places of religious worship mentioned in the agreed list are properly maintained and their sanctity preserved.
- iv) Such visitors shall be given visitor's category visa." <a href="https://mea.gov.in/bilateraldocuments.htm?dtl/6199/Protocol+on+visits+to+Religious+Shrines">https://mea.gov.in/bilateraldocuments.htm?dtl/6199/Protocol+on+visits+to+Religious+Shrines</a>

Preamble, US Constitution, We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic Tranquility, provide for the common defense, promote the general welfare, and secure the Blessing of liberty to ourselves and our Posterity do ordain and establish this Constitution for the United States of America.

Preamble, Constitution of Pakistan, Whereas sovereignty over the entire Universe belongs to Almighty Allah alone, and the authority to be exercised by the people of Pakistan within the limits prescribed by Him is a Sacred trust; And whereas it is the will of the people of Pakistan to establish an order; Wherein the state shall exercise its power and authority through the chosen representatives of the people; Wherein the principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam, shall be fully observed; Wherein the Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set out in Holy Quran and Sunnah; Wherein adequate provisions shall be made for the minorities freely to profess and practice their religions and develop their cultures; ......Therein shall be guaranteed fundamental rights, including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship and association, subject to law and public morality....."

Preamble, Indian Constitution, We The People of India, having solemnly resolved to constitute India into a Sovereign Socialist Secular Democratic Republic and to secure to all its citizens: Justice, social economic political; Liberty of thought, expression, belief, faith and worship: Equality of status and of opportunity; and to promote among them all Fraternity assuring the dignity of the individual and the unity and integrity of the nation:

Indian Constitution: Article 25 (1) guarantees to every person, and not only to the citizens of India, the "freedom of conscience" and "the right freely to profess, practice and propagate religion." This, however is subject to public order, health, morality, and other provisions relating to Fundamental Rights. However, this right is subject to restrictions.

Constitution of Pakistan: Article 20 Freedom to profess religion and to manage religious institutions: Subject to law, public order and morality:

- a) Every citizen shall have the right to profess, practice and propagate his religion; and
- b) Every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.

Punjab province is referred to in Indian side of Punjab SAARC: South Asian Association of Regional cooperation.

The Economic Times Politics. (June 29, 2020). English Edition, <a href="https://economictimes.indiatimes.com">https://economictimes.indiatimes.com</a>

Ministry of Home Affairs Government of India, Pilgrimage to Sri Kartarpur Sahib, <a href="https://prakashpurb550.mha.gov.in/kpr/">https://prakashpurb550.mha.gov.in/kpr/</a>