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IMPACT OF GLOBALIZATION ON SOVEREIGNTY OF STATE: AN ANALYSIS

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ABSTRACT

Globalization is something that gives any nation an international exposure and a chance to interact with all the other nations which can be considered very helpful as when there are other nations that are going to cooperate with each other, both the nation can get to learn many thing from each other. Globalization makes any nation future ready as they allow nations to learn the technologies and science from other nations that are more advanced to them. Globalization has many positives for any nation but there are some things that are concerning about the globalization and among that can be the threat to the sovereignty of nation and in this paper we are going to look into that only. In this paper we will try to understand the impact of globalization on the sovereignty of State in Indian Context where we will understand that how globalization impacted the Indian Sovereignty and how the Indian Government and other relevant authorities have reacted to such impact. In this paper we will also discuss about the history of the sovereignty in India to give the reader a clear idea about how time to time globalization has bought change in the concept of sovereignty in India.

Keywords – Globalization; International Exposure; Cooperate; Nations; Sovereignty; Impact; India.

CHAPTER 1 - INTRODUCTION

Sovereignty of any nation is very important for them as it help them to save their existence and also provide them sense of security against the external forces which can impact the peace and public order of the nation. If we understand the sovereignty as a concept, we can say that sovereignty is the supreme authority in any nation which has full control and power regarding the governing of particular territory or state without allowing any external force to interfere in the matter of governance. Sovereignty of any authority in any nation assures that any decisions regarding maintaining the relations with other nations does not bring any disadvantage to them. Sovereignty of any nation makes them capable to take decision on their own about any internal and external affairs and decides only considering the advantage of the people who are living in that nation but in the modern age due to globalization there are some instances by which we can say that globalization have impacted the sovereignty of the nations. Globalization makes the pathway for the different cultures, societies, economies and external authorities to enter into any nation as through globalization the nations connects with each other.

When the things related to other nation comes in connection with any particular nation it create changes in the nation at the root level that we will understand further in this paper which ultimately impacts the sovereignty of the nation. In this paper we will try to understand the impact of globalization on the sovereignty of State in Indian Context where we will understand that how globalization impacted the Indian Sovereignty and how the Indian Government and other relevant authorities have reacted to such impact. In this paper we will also try to analyse the dimensions of globalization and challenges to sovereignty in India. In this paper we will try to address the instances in the history of India which shows that how the globalization has bring up the change in the concept of sovereignty in India. In this paper we will also discuss about the history of the sovereignty in India to give the reader a clear idea about how time to time globalization has bought change in the concept of sovereignty in India. This paper will try to give complete idea about relation between sovereignty of any nation and globalization.

1.1 Research Objective

The objective of this research paper are the following –

- To examine the historical context of Sovereignty in India.

- To understand the various dimensions of globalization and its impact in Indian Sovereignty.
- To analyse the different instances in Indian history in which the globalization has impacted the Indian Sovereignty and how the Indian authorities have reacted to it.
- To identify potential solutions for balancing globalization and sovereignty in India.

1.2 Research Scope and Limitation

The scope of this research paper is limited to the impact of the globalization on the Indian sovereignty. This paper will look at how the economic, political, cultural, and technological facets of globalisation have affected the territorial integrity, political independence, economic self-reliance, and cultural identity of India, among other important facets of Indian sovereignty. This research paper will also try to address the role of government and other Indian authorities in tackling the challenges faced due to globalization by analysing their policies and strategies. Globalization is a multifaceted phenomenon with numerous interconnected factors but in this paper we will only focus India and will not delve deeply into global dynamics beyond their influence on India.

1.3 Research Methodology

This research paper will employ doctrinal method for research and use the secondary resources in which the paper will look into the instances in which the globalization had impacted the Indian Sovereignty over a period of time in Indian context and then what are the various dimensions of globalization. This paper will thoroughly examine the policies and strategies adopted by the Indian government and other authorities to handle the balance between the globalization and sovereignty. Primary data will be collected from legal databases, government reports, NGO publications, and archival sources documenting legal proceedings and research related to sovereignty as concept and practice in India and interplay between sovereignty and globalization in Indian political landscape.

1.4 Hypothesis

The hypothesis that this paper holds is that the Indian sovereignty has been impacted by globalisation in a complicated and multidimensional way, with both gains and losses in various areas of sovereignty but still India has been able to maintain a balance between sovereignty and globalization.

1.5 Statement of Purpose

Chapter 1 – Introduction

Under this Chapter this paper will basically include the basic overview of the paper, hypothesis, research objective, research scope and limitation, methodology and literature review of the paper.

Chapter 2 – Historical Context of Sovereignty in India

In this chapter paper will try to provide the historical development of sovereignty as a concept in India and how the authorities have implemented sovereignty in India. This paper will basically outline the complete timeline about how the sovereignty concept was introduced in India and how it changed over a period of time.

Chapter 3 – Dimensions of Globalization

In this chapter paper will discuss the various dimensions of globalization that took place in India and how the things have played out due to this in India.

Chapter 4 – Impact of globalization on Indian Sovereignty

In this chapter paper will cover instance in Indian History in which the impact of globalization can be observed in Indian Sovereignty. Further in this chapter the paper will discuss policy and strategies that are adopted by the Indian government and other authorities in reaction of the impact.

Chapter 5 – Conclusion and Suggestions

In this chapter this paper will try to conclude the paper by validating the hypothesis that this paper have employed in this research paper and try to analyse that whether we have reached to the research objective that we have earlier came up with. Further in this chapter the paper will try to provide the necessary suggestions regarding improving the balance between sovereignty and globalization in India.

1.6 Literature Review

1. Globalization, Labour Market and Inequality in India by Dipak Mazumdar and Sandip Sarkaar¹

¹ Dipak Mazumdar, Globalization, Labor Markets and Inequality in India 1-7 (1st ed. 2008).

This book delves deeply into various facets of India's post-reform landscape, identifying the shifts and patterns that these recent advancements have brought about. The authors present a unique study of unit-level data obtained from the Annual Surveys of Industries, the Quinquennial National Sample Surveys, and other fundamental data sources. They compare and evaluate the findings with previous studies in the literature. The book describes the general state of affairs in India, but it also focusses at regional variations and the main industrial sectors, including manufacturing, tertiary/services, and agriculture. This book contributed in understanding the impact of globalization in the Indian Economy and it contributed in this paper by giving the complete understanding of the economic impact of globalization.

2. Sovereignty after the Empire and the Search for a New Order: India's Attempt to Negotiate a Common Citizenship in the Commonwealth (1947–1949) by Raphaëlle Khan²

This research article discuss about the journey of how Indian leaders at the time of British India demanded sovereignty from the British Crown and how actually the power shift happened between the independent India and British Crown. This article also discusses about the concept of will of the nation and how the concept of sovereignty evolved during this power struggle. This article gives the reader complete idea about what was the position of sovereignty as a concept during the pre-independence era and in this paper this article helped in formulating the historical context of sovereignty in India.

3. Various Dimensions of Globalization and Their Implications for the Leadership and Management of Education by Irfan Rifai³

The numerous aspects of globalisation are presented in this article using a variety of sources, and it concludes with recommendations for how leaders in the education sector may meet the difficulties posed by a globalised world. This research article also talks about the dimensions of globalization and discussed about the Consequences for Education Management and Leadership. This article gives the reader complete idea about how the dimensions of globalization impacts the nation by giving the real life examples. This research article contributes in formulating the dimensions of

² Raphaëlle Khan, Sovereignty After the Empire and the Search for a New Order: India's Attempt to Negotiate a Common Citizenship in the Commonwealth (1947–1949), 49 *The Journal of Imperial and Commonwealth History* 1141-1174 (2021).

³ Irfan Rifai, Various Dimensions of Globalization and Their Implications for the Leadership and Management of Education, 7 *Jurnal LINGUA CULTURA* 87-91 (2013).

globalization chapter in this paper.

4. Globalisation and Its Impact on National Politics in India: An Overview of Different Dimensions by Ajit Pal Singh⁴

The author of this study examines the intricate relationship that exists between India's national politics and globalisation. The author offers a thorough analysis of the several ways that globalisation affects India's political environment, taking into account the legal, cultural, social, and economic facets. The author contends that although globalisation has created many chances for economic expansion and advancement, it has also presented serious obstacles for India's governance framework, political sovereignty, and policy-making procedures. This article gives the reader complete idea about how the globalization impacts the Indian political system by providing the instances in history. This research article contributes in formulating the opinion regarding the impact of globalization on the Indian Politics and its sovereignty.

CHAPTER 2 – HISTORICAL CONTEXT OF SOVEREIGNTY IN INDIA

Sovereignty in India was not something that India had in the history all the time and when the India got independence from the British Crown then they respected sovereignty with utmost care. In this chapter we will understand the history of sovereignty in India as to how in various time period the concept of sovereignty has changed in India but for that first we will have to understand the meaning of the sovereignty as a concept. In political theory, sovereignty refers to the ultimate overseer or authority in the state's decision-making process and maintenance of order. The concept of sovereignty is one of the most contentious issues in political science, and international law is inextricably linked to the challenging concepts of state and government, as well as independence and democracy.

If we talk about that who have introduced the concept of sovereignty in the world then it has to be Jean Bodin who was a French Political Philosopher and in the 16th century used the new notion of sovereignty to strengthen the French king's authority over the rebellious feudal lords, smoothing the transition from feudalism to nationalism. The English philosopher Thomas Hobbes (1588-1679) did the most to give the term its modern meaning, arguing that in every true state, some person or group of people must have the ultimate and absolute authority to declare the law; to divide this authority, he held, was to destroy the state's unity. The theories

⁴ Ajit Pal Singh, Globalisation and Its Impact on National Politics in India: AN OVERVIEW OF DIFFERENT DIMENSIONS, 13 World Affairs: The Journal of International Issues 66-85 (2009).

of the English philosopher John Locke (1632-1704) and the French philosopher Jean-Jacques Rousseau (1712-78)—that the state is based on a formal or informal compact of its citizens, a social contract in which they entrust such powers to a government as may be necessary for common protection led to the development of the doctrine of popular sovereignty, which was expressed in the American Declaration of Independence in 1776. In the nineteenth century, English jurist John Austin (1790-1859) expanded on the concept by studying who exercises sovereignty in the name of the people or the state, concluding that sovereignty is vested in a nation's parliament. A parliament, he reasoned, is a supreme entity that enacts laws that apply to everyone else but is not bound by them and can amend them at any time⁵.

2.1 Ancient and Medieval Period

In ancient India, the concept of sovereignty was strongly linked to the idea of a "Rajya" (kingdom) or "Maha Janapadas" (great kingdoms or republics). A king or a ruling assembly wielded the majority of sovereignty. The king, as a heavenly ruler, was regarded as the highest authority in his dominion. However, the notion was not absolute; it was frequently subject to religious and ethical limits articulated in books such as Kautilya's "Dharmashastras" and "Arthashastra". The ruler's responsibility was to uphold "Dharma" (justice) and ensure the well-being of the people. During the Mauryan (c. 322-185 BCE) and Gupta (c. 320-550 CE) empires, the concept of centralised sovereignty gained prominence. For example, the Mauryan Empire, led by Emperor Ashoka, developed a highly centralised administration with the king as the sovereign power, supported by a network of officials. The Gupta period followed this trend while allowing for some regional autonomy.

During the mediaeval period, with the advent of the Delhi Sultanate (1206-1526) and later the Mughal Empire (1526-1857), the concept of sovereignty in India became more centralised but complex. The Sultan or Mughal Emperor had the ultimate authority, although their sovereignty was frequently challenged by regional authorities, local chieftains, and other monarchs. Sovereignty at the time was viewed as layered or divided, with central authority coexisting with varied degrees of regional autonomy. The Mughal system of "Mansabdari" allowed for considerable decentralisation, but ultimately all authority rested with the Emperor. South Indian kingdoms such as the Cholas, Vijayanagara Empire, and others had their own ideas of sovereignty, just like the North Indian emperors did. These kingdoms preserved some degree

⁵ Sovereignty | Definition, Characteristics, Types, History, & Facts, Britannica (Apr. 3, 2023), <https://www.britannica.com/topic/sovereignty>.

of independence and exercised sovereign control over their territory. For example, the Chola Empire (c. 9th-13th centuries) had a sophisticated administration that combined centralised authority with local governance arrangements⁶.

2.2 Pre Independence Period

The entrance of the British East India Company signalled a dramatic shift in India's sense of sovereignty. Initially, the Company functioned under the pretext of trade, but after the Battle of Plassey in 1757, it began to exert political power. As the Company expanded its authority, Indian monarchs' understanding of sovereignty weakened. The "Doctrine of Lapse" and the policy of "Subsidiary Alliances" progressively weakened Indian state sovereignty. Following the uprising of 1857, the British Crown assumed direct control of India, ushering in a new era in which the concept of sovereignty was formally centralised in the British Parliament. The Indian states (princely states) were allowed to maintain internal autonomy under British suzerainty, although the British monarch had jurisdiction over the entire Indian realm. This time witnessed the introduction of Western legal notions, such as parliamentary sovereignty, although they were mostly used to consolidate British rule rather than empower Indians.

The Indian freedom struggle was essentially a fight for sovereignty from British colonial control. Leaders such as Mahatma Gandhi, Jawaharlal Nehru, B.R. Ambedkar, and Sardar Patel emphasised the importance of full independence (Purna Swaraj) over mere dominion status within the British Commonwealth. The movement aimed to construct a sovereign, democratic nation-state by drawing on both Western concepts of sovereignty and indigenous self-rule traditions. Various constitutional amendments (such as the Government of India Acts of 1919 and 1935) provided some degree of self-government but were deemed insufficient by Indian leaders. These measures were interpreted as attempts by the British to maintain ultimate sovereignty while providing limited autonomy⁷.

2.3 Post Independence Period

India gained independence in 1947 and adopted the Constitution in 1950, establishing itself as a sovereign, democratic republic. The Preamble to the Constitution states India to be a

⁶ Gautam, Discuss the Nature of State and Sovereignty in Ancient India, Vidyanju (June 26, 2024), <https://vidyanju.org/nature-of-state-and-sovereignty-in-ancient-india/>.

⁷ Raphaëlle Khan, Sovereignty After the Empire and the Search for a New Order: India's Attempt to Negotiate a Common Citizenship in the Commonwealth (1947–1949), 49 *The Journal of Imperial and Commonwealth History* 1141-1174 (2021).

"sovereign, socialist, secular, democratic republic." Sovereignty in this context signifies that India is free of external control, with all authority coming from its people. The Indian Constitution established a federalist framework in which central and state governments share sovereignty. While the Union of India retains primacy, states exercise sovereignty over the subjects listed in the State List. The judiciary, particularly the Supreme Court of India, is responsible for interpreting the Constitution and defending the nation's sovereignty. Key decisions, such as the Kesavananda Bharati case⁸ (1973), have emphasised the "basic structure doctrine," which states that certain essential values, including sovereignty, cannot be altered even by constitutional modifications.

The expression "the people of India" in the preamble of India refers to the Indian constitution and the nullification of other authorities' ability to establish Indian legislation. According to the preamble analysis, the Indian constitution was written with the goal of ensuring equality for all Indian citizens. It is clear that all governing rules are enforced by autonomous states inside India. The Indian government is free to take any action that benefits the country. It is not under the control of any external nation or society. The preamble adopts a resolution to ensure that all Indians have equal access to diverse political, economic, social, and other opportunities. All of these answers demonstrate that India is a sovereign country.

CHAPTER 3 – DIMENSIONS OF GLOBALIZATION

Globalization for any country comes in such a way that it changes the whole dynamics and setting of the nations and this change can be observed in various field and areas of the nation which can impact all the field and areas relevant for the development of any nation. In this chapter we will discuss such dimensions of globalization that have also impacted India over a long period of time.

3.1 Economic Dimension of Globalization

Globalisation is a complicated and multidimensional phenomenon. Although it has an impact on many aspects of human existence, the economic part of globalisation is more visible and far-reaching than the others. The most essential aspects of the current period of economic globalisation are the breakdown of national economic barriers, the international spread of trade, banking, and manufacturing activity, and the growing dominance of multinational firms

⁸ Kesavananda Bharati v. State of Kerala [AIR 1973 SUPREME COURT 1461]

and international financial institutions. The economic aspects of globalisation will be examined through the lenses of privatisation and liberalisation; free trade and services, encompassing the establishment and operation of the World Trade Organisation (WTO), multilateral trading systems, and the demise of national economies; foreign direct investment, encompassing the development of financial markets globally, transnational integrated production, and the operations of multinational and transnational corporations; investment liberalisation; the expansion of the global economy; infrastructure advancement; the emergence of information and communication technologies (ICTs); service outsourcing; and Trade Related Intellectual Property Rights (TRIPs). Growth can result from integration into the global economy by opening up new markets, drawing in foreign capital, and encouraging innovation and Access to new technology, funds, and resources that might not be available domestically is also made easier by globalisation but international financial organisations like the IMF and World Bank, multinational firms, and world markets may find themselves dictating a country's economic policies. For instance, in times of financial crisis, countries frequently have to abide by stringent requirements set by these organisations in order to get financial help and a country's increased reliance on international supply networks can leave it more susceptible to interruptions brought on by geopolitical tensions or external economic shocks like the financial crisis of 2008.

3.2 Cultural Dimension of Globalisation

Globalisation has a significant impact on all of our cultures and lifestyles. It has impacted the foods we eat and how we cook them, the clothes we wear and the materials they are made of, the music we listen to, the books we read, and even the language we use to one another. Some languages, like Latin, have become extinct or dying as a result of globalisation. Simultaneously, a greater number of individuals than ever before are bilingual or multilingual today. The number of people speaking English worldwide is rising quickly, and the language has become the universal language, despite its many dialects, such as British English, American English, and Indian English. The expansion and interchange of cultural components (ideas, values, conventions, customs, practices, languages, and symbols) around the world is known as cultural globalisation. The quick spread of cultural items, concepts, and values is made possible by the worldwide reach of media and communication technologies, including the internet, television, and social media. As civilisations mingle together, new forms, customs, and identities are created. Globalisation promotes the sharing of cultural beliefs, customs, and practices, strengthening national bonds and encouraging tolerance and

understanding. A feeling of global citizenship and solidarity can be reinforced by the adoption of international standards and principles (such as environmental awareness and human rights). To look into another prospective, conflict between cultural homogenisation and heterogenization is the main issue facing today's global relations. Concerns of cultural marginalisation and isolation have also been raised. There are numerous reasons why the national culture may be threatened by global flows of wealth, people, ideas, and things.

3.3 Political Dimension of Globalization

In order to discuss this specific type of globalisation, let's make a comparison between the political climates of the past and today. A few years prior to the onset of globalisation, governments dominated the international scene. The use of force, or the credible threat of it, is ultimately what drives international politics, and military security politics take precedence over social or economic politics. These days, international politics revolves around international organisations like the IMF, World Bank, WTO, NGOs, etc. rather than interstate relations. States are no longer the sole important actors, military issues are no longer the main focus, and the circumstances in which force is an effective tool have decreased. In addition to efforts to establish common guidelines, norms, and standards to address transnational issues like pandemics, climate change, terrorism, and migration, there have been networks of non-governmental organisations (NGOs), civil society organisations, and other stakeholders that work across borders to address global issues like social justice, environmental protection, and human rights. Globalisation can also result in the transnational actors, international organisations, and think tanks spreading policies, ideas, and practices from one country to another. By working together and taking collective action, membership in international organisations and treaties can improve a country's capacity to address global issues. Additionally, by international advocacy, agreements, and pressure from the world's civil society, this practice can advance democratic values and human rights⁹.

3.4 Legal Dimension of Globalization

The emergence and dissemination of international legal standards, treaties, institutions, and mechanisms that cut beyond national boundaries is referred to as the legal dimension of globalisation. This includes developing international legal norms and frameworks for global governance in a variety of fields, including intellectual property, trade, environmental

⁹ Irfan Rifai, Various Dimensions of Globalization and Their Implications for the Leadership and Management of Education, 7 Jurnal LINGUA CULTURA 87-91 (2013).

protection, and human rights. On a variety of topics, including commerce (e.g., World commerce Organisation agreements), climate change (e.g., Paris Agreement), human rights (e.g., International Covenants on Civil and Political Rights), and others, countries sign legally binding agreements. These agreements frequently mandate that countries align their local legal systems with global norms. International laws and regulations are created, monitored, and enforced by organisations such as the World Bank, the International Criminal Court (ICC), the World Trade Organisation (WTO), and the United Nations (UN). Enhanced collaboration between national legal systems for extradition, cross-border data exchange, mutual aid in criminal cases, and harmonisation of legal norms, including those found in the fight against international terrorism and anti-money laundering initiatives but there are some negative impact of this legal dimension of globalization on sovereignty of state as countries may be required to bring their domestic laws into compliance with international norms when they ratify treaties or join international organisations. This may limit their capacity to enact independent legislation on certain issues. For instance, a country's ability to impose tariffs or subsidies that are in violation of international trade regulations is restricted when it is a member of the World Trade Organisation. National laws or rulings may be overruled by international courts and tribunals, such as the International Criminal Court (ICC) or the International Court of Justice (ICJ), when they decide cases involving states. Since international decisions may force nations to alter their own legal systems, this may be seen as a violation of a country's judicial sovereignty. International accords often include commitments that restrict a country's ability to pursue its own policies. Environmental treaties such as the Paris Agreement impose particular emissions targets on member nations, so influencing their national energy policies and economic objectives. International financial organisations, such as the World Bank or the IMF, have the authority to place restrictions on loans or help, frequently calling for structural changes to a country's economy. This can curtail a country's ability to control its economic policies, including taxation, expenditure on welfare, and budgetary allocations.

CHAPTER 4 – IMPACT OF GLOBALIZATION ON INDIAN SOVEREIGNTY

As we discussed the dimensions of globalization in the previous chapter and by that discussion this can be observed that globalization have a huge impact in any nation's sovereignty and to understand this point in more detail we will look into the Indian history and present that how globalization have impacted the sovereignty of India.

4.1 History of Globalization in India

India's real globalisation movement did not start until 1991. India was mostly a state-run economy until 1991, with public sector enterprises (PSEs) holding the top positions. The controlled prices, currency values, and investments were determined by the targeted goals. Up until the 1970s and 1980s, macroeconomic policies adopted by India were seen as conventional and wise. The surplus that resulted from the central government's current income exceeding its current expenses was utilised to partially finance the capital account deficiency. Due to lax budgeting policies, current revenue surpluses turned into losses in the early 1980s. Growing budget deficits were caused by the widening gap between government revenue and spending, which had to be closed through domestic financing. In 1991, the Indian government brought forth several reforms aimed at liberalising and globalising the economy. The nation is becoming closer to globalisation and an economic system as a result of these economic shifts. The goal of the economic transformation initiatives was to link India's economic expansion to the world economy. India's trade barrier removal process started in 1991 as a result of globalisation, and the government has subsequently declared annual reductions in trade obstacles. It is proposed that this will enable more unrestricted movement of capital, technology, and commodities, and that as a result, globalisation will propel economic development. It also gives access to emerging markets and cutting-edge technology¹⁰.

4.2 Different Kinds of Impact

- **Impact on Indian Economy and its Sovereignty** - Since India started a series of economic reforms in 1991 to better integrate into the global economy, globalization has had a substantial impact on the Indian economy. Globalization has enhanced economic expansion, drawn foreign capital, and expedited technical progress; yet, it has also sparked apprehension regarding its potential effects on India's economic sovereignty – the capacity to formulate autonomous economic strategies that give precedence to domestic concerns. Over the past few decades, India's economy has grown rapidly, and this progress has been aided by globalization. GDP growth rates have increased as a result of liberalization measures that include lowering trade barriers, permitting foreign direct investment (FDI), etc. Significant FDI inflows have been made possible by globalization in a number of industries, including manufacturing, services, information technology, and telecommunications. This has

¹⁰ Ritik Agrawal, Globalisation and Its Impact on Indian Economy, Manupatra Articles (Dec. 30, 2022), <https://articles.manupatra.com/article-details/Globalisation-and-Its-Impact-on-Indian-Economy>.

aided in the building of infrastructure, the creation of jobs, and the country's overall economic growth by bringing money, technology, and managerial knowledge to India. India's export base has expanded to encompass software services, medicines, engineering goods, and more, surpassing traditional items like textiles and agricultural products because to global market integration. India's expansion has improved its position in international trade, stabilized its balance of payments, and brought in significant foreign exchange. India's creativity and technological progress have been fuelled by the globalization of technology and access to international markets. For instance, the IT and software services industry has emerged as a global leader as a result of both local expertise and increased demand elsewhere. Millions of jobs have been generated by this industry, which has also elevated India to a prominent role in the global knowledge economy. Now if we talk about how it has impacted the economic sovereignty this can be seen that India frequently needs to match its economic policies with the expectations of international investors in order to draw and keep foreign investment. Examples of this include upholding stable currency rates, creating an environment that is conducive to business, and passing laws that are favorable to investors. India's capacity to autonomously establish policies that meet domestic needs or objectives, including defending regional industries or labor rights, may occasionally be hampered by this alignment. Trade agreements frequently force India to align its laws with global norms, which can make it less able to defend its own sectors. For example, India's capacity to assist its farmers has been impacted by the WTO's restrictions on agricultural subsidies, which has sparked discussions about food security and rural lives¹¹.

- **Impact on Indian Politics and its Sovereignty** - India's political environment has changed as a result of globalization, which has an impact on how the nation runs its affairs, makes policies, and interacts with the outside world. India's political sovereignty, or its capacity to independently decide and uphold control over internal affairs, presents both opportunities and problems as it further integrates into the global system. India's importance on the world stage has grown as a result of globalization, but the nation is now more vulnerable to outside forces, necessitating a careful balancing act between preserving political autonomy and engaging in the global arena.

¹¹ Dipak Mazumdar, Globalization, Labor Markets and Inequality in India 1-7 (1st ed. 2008).

India has implemented a number of regulatory and governance changes as a result of globalization, with the goal of bringing trade, investment, and corporate governance into compliance with international norms and standards. Globalization had an impact on the Goods and Services Tax (GST) when it was implemented in 2017. In order to bring India's indirect tax system into line with international tax standards, the GST also made conducting business in the country easier. To combine national interests with local autonomy, it also required intricate talks with nations, illustrating the difficulties in preserving national sovereignty in a globalized economy. India must conform its policies to international trade regulations as part of its obligations to the World Trade Organization (WTO) and other trade agreements. This could have an impact on India's political sovereignty in economic governance by limiting its capacity to enact protectionist policies or give subsidies to specific home industries. India's foreign policy stance has changed as a result of globalization, favoring closer ties to regional alliances, international organizations, and bilateral partnerships. Political discourse in India has been impacted by globalization, with discussions on social justice, labor rights, economic liberalization, and environmental protection becoming more and more influenced by global narratives. Populist and protectionist views have become more prevalent in Indian politics as a result of the effects of globalization on economic inequality and job security. On the basis of these feelings, several political parties and figures have benefited by promoting harsher protectionist laws, increased government involvement, and opposition to foreign influence. Policy-making has become more polarized as a result of globalization, with opposing political parties calling for differing levels of participation in international organizations. There are those who advocate for increased prudence and the defense of indigenous industries and interests, while others are in favor of a stronger integration into the global economy¹².

4.3 Response of Indian Authorities for protection of Indian Sovereignty from Impact of Globalization

The authorities in India have acknowledged that although globalisation offers many advantages, it also presents threats to national sovereignty. The government of India has put in place a number of measures to preserve its economic, political, and cultural independence in the face of growing global integration. India has implemented a number of laws and

¹² Ajit Pal Singh, Globalisation and Its Impact on National Politics in India: AN OVERVIEW OF DIFFERENT DIMENSIONS, 13 World Affairs: The Journal of International Issues 66-85 (2009).

protections to strike a balance between the advantages of foreign investment and the requirement to uphold national interests. Sector-specific regulations, such as restrictions on foreign ownership in delicate industries like media and defence, have been implemented by the government to regulate foreign direct investment (FDI). For example, foreign direct investment (FDI) is permitted in certain areas, such as retail and telecommunications, but is strictly restricted in strategic industries. In order to examine and approve foreign investments while making sure they serve the interests of the country, the government set up institutions such as the Foreign Investment Promotion Board (FIPB), which has since been superseded by a new system of single-window clearances¹³. In order to defend its sectors from the possible negative impacts of globalisation, India has implemented a number of protectionist policies. To shield home industries from unfair competition, India has implemented anti-dumping taxes and increased tariffs on a number of imported items¹⁴. To promote local production, for instance, levies on electronics and other consumer items have been increased. Policies like the "Make in India" campaign encourage the use of indigenous materials in production processes. This helps local industries grow and lessens reliance on imported parts. India has managed its foreign policy while preserving its sovereignty by pursuing a policy of strategic autonomy. India approaches international affairs with balance, seeking multilateral collaboration and regional relationships while interacting with large countries such as the US, China, and Russia. India may take advantage of international prospects with this strategy without sacrificing its sovereignty. With the help of groups like the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) and the South Asian Association for Regional Cooperation (SAARC), India has improved regional ties. By establishing its influence in the area, India is able to address common difficulties with the aid of these regional alliances.

India has concentrated on bolstering its cyber security and data protection regulations in light of the growth of international digital platforms and data flows. The goal of the Personal Data Protection Bill, which is presently being discussed, is to create a thorough framework for privacy and data protection. By ensuring that data pertaining to Indian residents is managed in accordance with national norms, the bill aims to safeguard data sovereignty. To protect vital information infrastructure, India has improved its cyber security framework and implemented

¹³ Investing in India: An Overview of Legal Considerations, (Feb. 28, 2024), <https://www.snrlaw.in/investing-in-india-an-overview-of-legal-considerations/>.

¹⁴ India - Import TariffsIndia - Import Tariffs, Privacy Shield <https://www.privacyshield.gov/ps/article?id=India-Import-Tariffs>.

new laws. Addressing cyber threats and defending national security are the goals of initiatives like the National Cyber Security Policy and the creation of the National Critical Information Infrastructure Protection Centre (NCIIPC)¹⁵.

The goal of "Atmanirbhar Bharat" (Self-Reliant India) is to decrease reliance on outside resources and increase internal capacity. Enhancing domestic output in industries like electronics, defence, and pharmaceuticals—which are vital to both economic stability and national security—is the initiative's main goal. Incentives for regional industry and innovation are part of this. Enhancing the efficiency of indigenous industries and elevating India's appeal as an investment destination are the two main goals of infrastructure investment, which includes roads, ports, and logistics¹⁶.

The Indian government has taken a multipronged approach to preserving sovereignty in the face of globalisation. India seeks to use the advantages of globalisation while preserving control over its domestic interests through the implementation of strategic policies in the areas of foreign policy, legal frameworks, economic regulation, and cultural preservation. India faces a major problem in navigating its place in a world that is becoming more interconnected: maintaining sovereignty while integrating the world.

4.4 Judiciary on protection of Sovereignty from the impact of Globalization in India

The Indian court has been instrumental in defending the nation's sovereignty against possible threats posed by globalisation. The courts have made sure that India's laws, constitution, and public interests are shielded from the negative effects of international accords, foreign investments, and global norms through a number of historic rulings. Here are a few noteworthy cases when the Indian judiciary has taken action to defend Indian sovereignty against globalisation –

- **Bharat Aluminium Co. v. Kaiser Aluminium Technical Services Inc. (BALCO Case) (2012)** – In accordance with international arbitration standards, this case dealt with the execution of foreign arbitral verdicts in India under the Arbitration and Conciliation Act, 1996. The Indian courts would not intervene in international arbitral

¹⁵ Anirudh Burman, Understanding India's New Data Protection Law, Carnegie Endowment for International Peace <https://carnegieendowment.org/research/2023/10/understanding-indias-new-data-protection-law?lang=en>.

¹⁶ Pranjal Sharma, India needs sovereignty and atmanirbharta in technology, Dr. Syama Prasad Mookerjee Research Foundation (Aug. 3, 2020), <https://spmrf.org/india-needs-sovereignty-and-atmanirbharta-in-technology/>.

verdicts, the Supreme Court made clear, unless the award goes against the "public policy of India." The court further limited the grounds for contesting foreign awards, highlighting the fact that sovereignty must not be jeopardized in order to conform to international arbitration norms. This ruling guaranteed the continued primacy of Indian public policy concerns in arbitration cases¹⁷.

- **Novartis AG v. Union of India (2013)** – In this case the pharmaceutical corporation Novartis applied for a patent in India for a modified form of Glivec, a medication used to treat cancer. In line with World Trade Organization (WTO) regulations, the corporation contended that rejecting a patent would violate intellectual property rights. Citing Section 3(d) of the Indian Patents Act, which forbids "ever greening" the practice of prolonging patent protection by adding little modifications to already-approved medications the Supreme Court denied Novartis' patent application. The court affirmed India's authority to protect public health by guaranteeing reasonably priced access to necessary medications, proving that national interests and sovereign rights might supersede international intellectual property laws¹⁸.
- **Orissa Mining Corporation v. Ministry of Environment & Forests (2013)** – The Supreme Court considered the issue of Vedanta Resources, a foreign firm, proposing to mine bauxite in the Niyamgiri Hills, endangering the rights of indigenous tribes. The court emphasized the value of local sovereignty over the interests of multinational corporations by upholding indigenous people' rights to manage their land and resources. It emphasized the idea that local government and constitutional rights cannot be sacrificed for economic growth¹⁹.

The above discussed case laws show how the Indian judiciary actively works to strike a balance between the needs of safeguarding national sovereignty and the pressures of globalisation. The Indian judiciary has safeguarded the nation's constitutional values and public interests by upholding the nation's independence over its legal, economic, political, and social frameworks through its decisions.

¹⁷ Bharat Aluminium Co. v. Kaiser Aluminium Technical Services Inc. (BALCO Case) [2010 1 SCC 72]

¹⁸ Novartis AG v. Union of India[AIR 2013 SUPREME COURT 1311]

¹⁹Orissa Mining Corporation v. Ministry of Environment & Forests [(2013) 6 S.C.R. 881]

CHAPTER 5 – CONCLUSION AND SUGGESTIONS

By the above discussions from the previous chapters we can state that indeed there is severe impact on the sovereignty of state by globalization because it changes the whole surroundings and inner environment of the nation also. Globalization not only tests the strength of the culture and traditions of the nation but it also tests the political might and influence of the nation in the global stage. We can also conclude that the hypothesis that we have opted for this paper is also proves to be true as since the Indian political or economic system may have got some hit from globalization still India had managed to maintain a balance between safeguarding the sovereignty of the nation and also contributing their efforts by producing support to any other nation through globalization. We can also observe that we have achieved all the research objective from which we have started our research. Although as we discussed earlier that there are relevant steps taken by Indian Authorities and Indian judiciary for protecting the sovereignty of the nation but there are still room for improvement and for which we can look into the following suggestions that can help in providing improvements in contemporary situation –

- **Strengthen Domestic Institutions:** States should fortify their domestic institutions, such as the courts, government agencies, and regulatory bodies, in order to meet the difficulties presented by globalization. Sturdy institutions can guarantee good governance, safeguard national interests, and offer a stable setting for international interaction.
- **Adopt a Strategic Approach to Globalization:** Governments ought to take a calculated risk-reduction strategy that maximizes the positive effects of globalization. To lessen dependency on foreign markets, this entails promoting selective trade liberalization, negotiating advantageous international accords, and supporting home grown industries.
- **Strengthen Legal Frameworks and Regulatory procedures:** To address the effects of globalization on the political, social, and economic spheres, states should create thorough legal frameworks and regulatory procedures. This includes national interests and international standards being met by data protection legislation, cyber security guidelines, environmental restrictions, and intellectual property rights protection.

The 21st century will see further shaping of national sovereignty by globalisation. States need to balance national interest protection with global integration in order to adjust to this changing

reality. While taking advantage of the opportunities brought about by a linked world, states can maintain their sovereignty by adopting a proactive, strategic, and adaptable approach to globalisation. In an increasingly globalised world, they can guarantee social cohesion, sustainable growth, and the defence of fundamental rights by doing this.

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