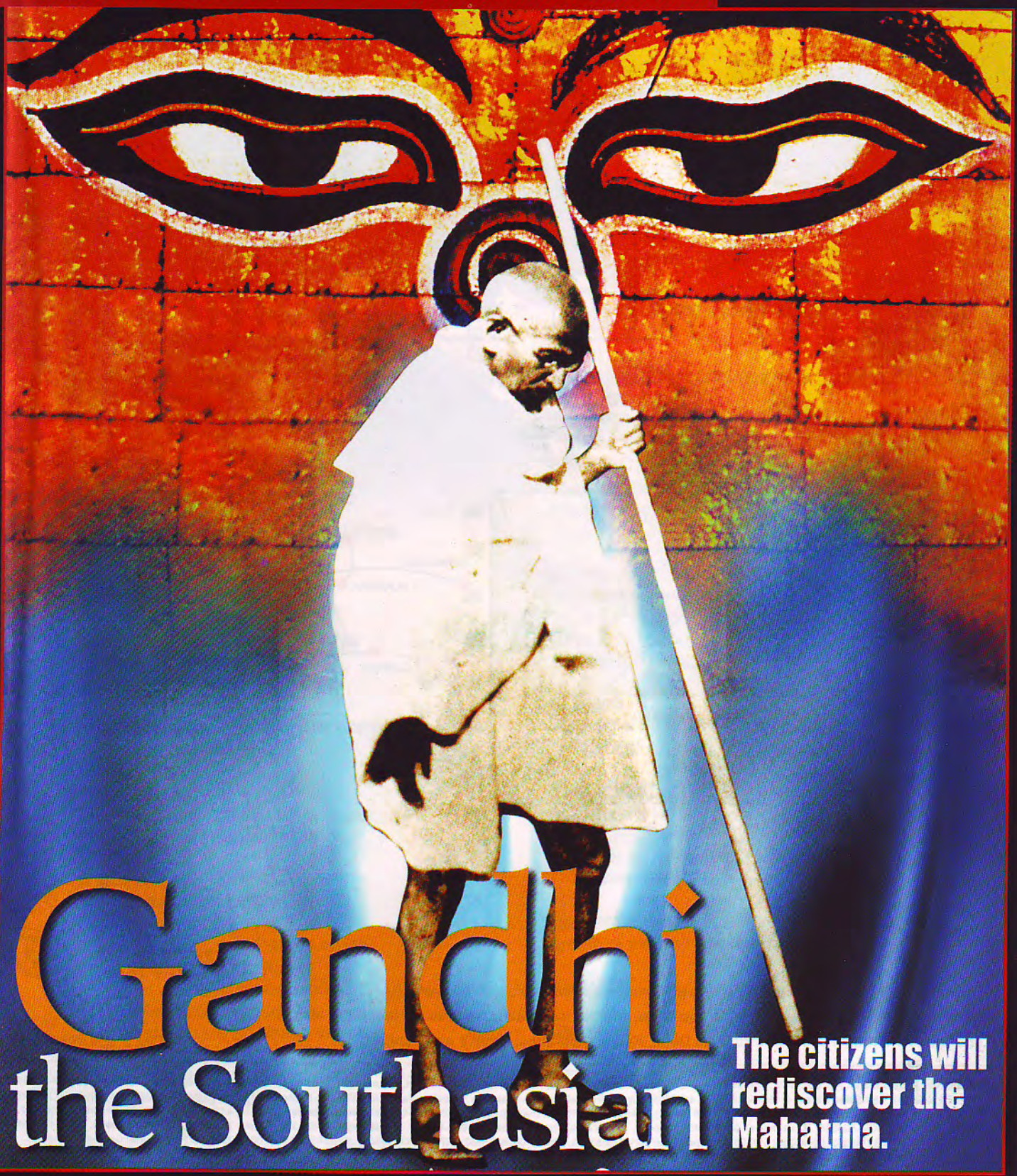
Jan-Feb 2006

HIMĀL

SOUTHASIAN

KASHMIR, WTO - BIMSTEC, MALDIVES, HINDI LITERATURE, TARIQ ALI, LHOTSHAMPA, POLITICS AND IDENTITY, INDIAN LEFT, REMEMBERING BURMA, KURRACHEE



Gandhi the Southasian

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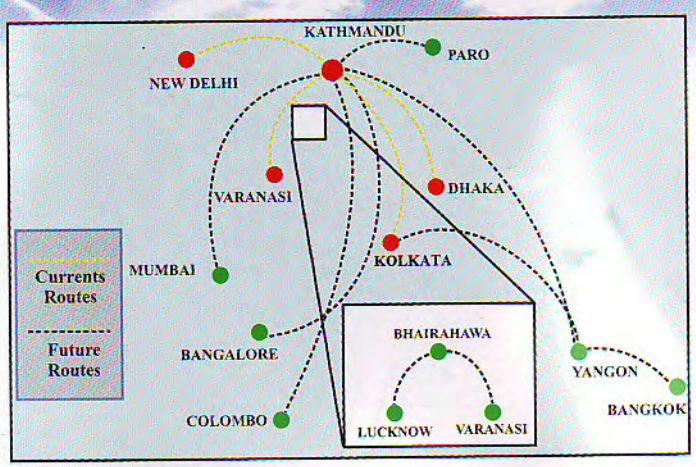

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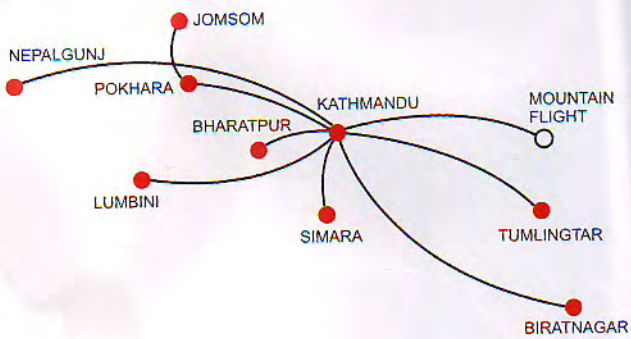

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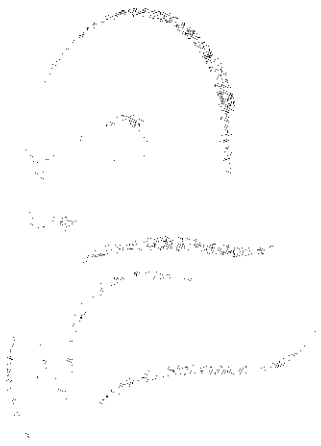
The retroactive Southasian

Mohandas Karamchand Gandhi was an 'Indian' before 1947. That makes him retroactively a Southasian, and his thoughts and deeds should be able to provide a roadmap for Southasia's political and civil society. Our region as a whole has failed to grasp the Mahatma's legacy as we seek national heroes rather than civilisational path-breakers. In this issue, Himal delves into the phenomenon of Gandhi, and seek out areas where Gandhian thought may motivate the people even if not articulated as such – from the ongoing people's movement in Nepal to the Narmada Bachao Andolan. We also present the views of two Gandhian Southasians, the Dalai Lama of Lhasa/Dharamshala and A T Ariyaratne of Colombo. Lastly, how memory of the Mahatma has evaporated in Bangladesh.



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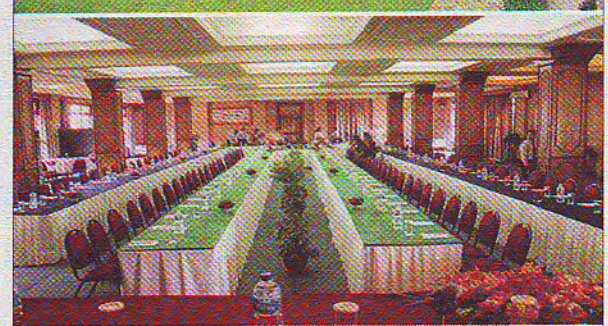

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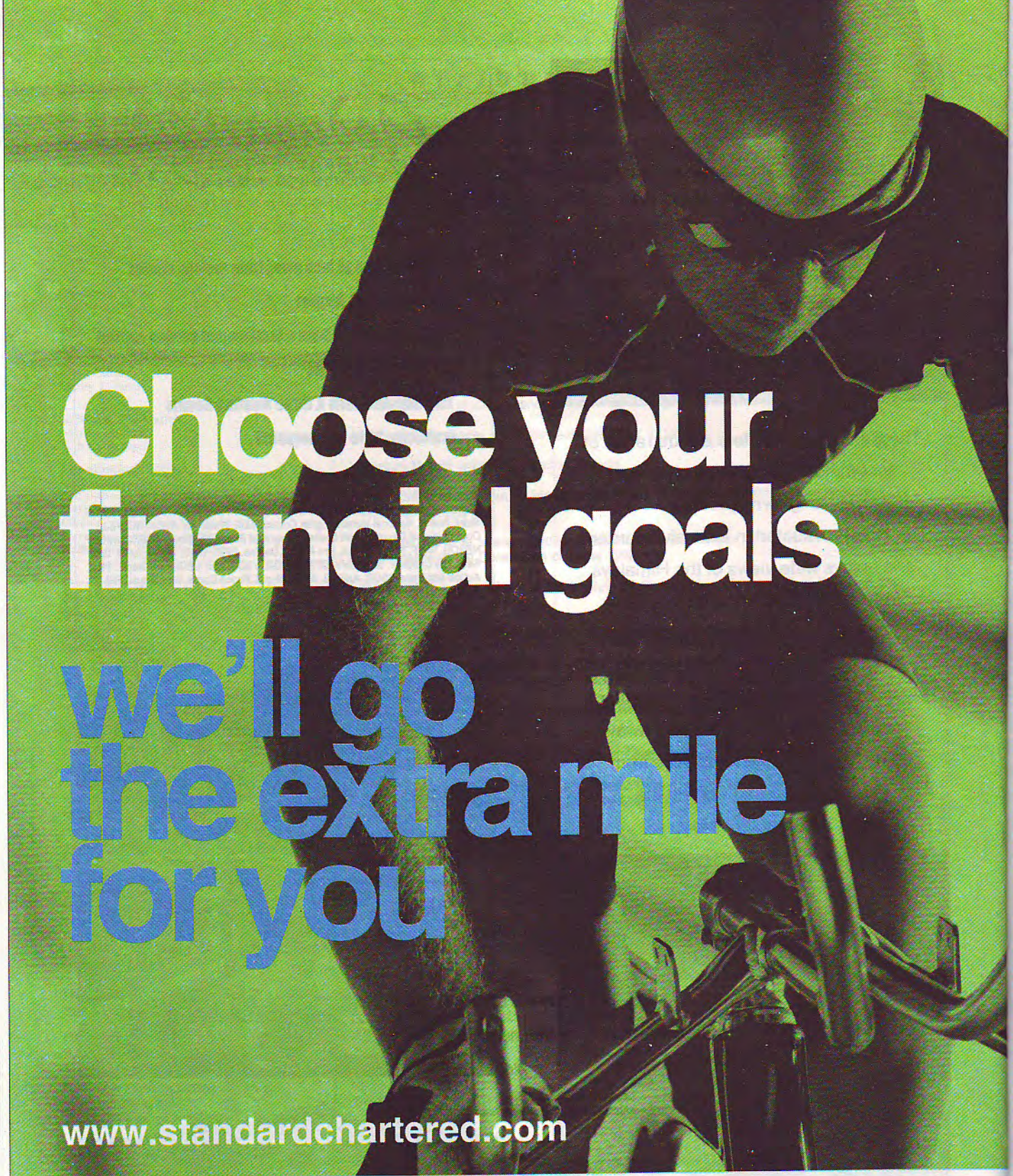

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Burma

Remember Burma?

Despite the ongoing efforts of exiles and advocates, one could be forgiven for having assumed that the world had written off Burma. Despite the Rangoon regime's horrendous record on human rights and fundamental freedoms, few international players seem excited about wading into the Burma situation. Even the icon of the democracy movement, Aung San Suu Kyi, has failed to get adequate coverage in her tenth year of house arrest. A spate of international stories and statements fly about from time to time – most when Aung San Suu Kyi was awarded the 1991 Nobel Peace Prize – but these accounts are quickly relegated to the old news bin. The world hardly seemed to notice when her house arrest was extended by a year in November 2005.

But an unprecedented flurry of statements made in December indicated that the international community might finally be building up steam in its effort – or resolve – to convince the ruling military junta to change course. The Association of Southeast Asian Nations (ASEAN), breaking with its long-time policy of non-involvement in the internal affairs of member states, has suddenly woken up to urge the junta to 'expedite' the process of reforms, and called for the release of those under detention. Having long withstood criticism for ignoring Burma's internal abuses, ASEAN's statement is significant.

The momentum has picked up outside of the region as well, with both the US and EU having reinforced various trade sanctions and speaking out extensively against the junta in Rangoon (though recently the generals have shifted the formal capital into the jungles). Even the United Nations Security Council is now discussing Rangoon's actions – the UN's own human rights envoy for Burma, Paulo Sergio Pinheiro, has been banned from the country for more than two years. But while clearly welcome, the international show of concern remains little more than preliminary steps: the people of Burma need action.

The flurry of international action has also re-invigorated India's policy approach to Rangoon. While the early days of Burma's pro-democracy movement saw India's support for exile student groups, New Delhi has lately seemed uncertain as to which path to take – while still hoping for a 'working relationship' with the junta. In October 2004, India welcomed Burma's military ruler, Than Shwe, just a week after he had sacked Prime Minister Khin Nyunt, regarded a liberal intent on democratic reforms.

Indian analysts, citing reasons for the policy-change, point to China's economic and political involvement in Burma, the insurgency in the Indian Northeast, and the lack of progress by Burmese opposition groups. New Delhi, they say, was trying to be more pragmatic in its neighbourhood dealings – by working *with* the regime, some felt it may be more possible to influence policies. With India accounting for USD 325 million of Burmese exports (the second-largest market, after Thailand), let no one forget that New Delhi benefits from economic ties with an abhorrent regime. The two countries have plans to increase bilateral trade to USD 1 billion by the end of the year.

But in mid-December, the Indian Prime Minister Manmohan Singh declared New Delhi's hope that Suu Kyi be released immediately. Shortly thereafter, the first-ever Forum for Democracy in Burma was set up by members of the Indian Parliament. In the face of increased ASEAN and UN insistence on Burmese democratisation, a lingering emphasis by the world's largest democracy on establishing a 'working relationship' with an oppressive military dictatorship could have seemed extremely self-serving. It is a fact that for years Rangoon has been able to set its own course due to mixed messages from New Delhi, in addition to Malaysia's support for the generals, the European Union's inability to uphold sanctions, and ASEAN's long silence.

While the junta may have thus far succeeded in sustaining itself by exploiting the country's vast resources, even this regime would be hard-pressed to intentionally place itself on the international blacklist. Situated in a resource-rich and geopolitically significant location, Burma has the potential for great economic strength; as India, China and Thailand continue to integrate economically, that opportunity must be made available to the Burmese people.

Unified pressure

In Burma, of course, it is always difficult to differentiate between a true step forward and a calculated move to merely quell international criticism. The junta has ruled Burma for more than 60 years now – silencing opposition, and destroying the economy and social infrastructure. In 2003, the regime proposed a seven-point road map towards democracy, and called a National Convention to decide on guidelines for a new Constitution – both without timetable. In mid-2005, Burma hoped to gain international recognition with its turn as the ASEAN chairman; but after warnings by the US and EU, internal pressure in the bloc led to Burma's renunciation of that position. But however minimal, external pressure on the regime does appear to have an impact on its activities. Now those involved have to figure out how to increase and sustain that pressure until democracy returns to Burma.

For her part, Suu Kyi has spent ten-and-a-half years under house arrest – from 1989 to 1995, 2000 to 2002, and from 2003 to the present. Having not been seen in public for almost three years, however, she has again become the lynchpin in the international community's attempts to sway the generals. In late-December, Malaysian Foreign Minister Syed Hamid Albar announced that he wanted to meet Suu Kyi during a critical ASEAN mission to Burma, slated for early January. If the meeting is allowed, it would be the first time that such a face-to-face meeting has taken place in years.

Just as important, perhaps, is the mission itself. With a clear objective of analysing how reform efforts are coming along, it will be the first time that ASEAN is proactive in the 'internal affairs' of a member. The mission could be good for more than just Burma. Former Malaysian Deputy Prime Minister Anwar Ibrahim stated recently that by moving beyond the policy, ASEAN has taken an important step towards becoming a major international force. He criticised the non-interference policy for having disallowed intervention on Southeast Asian issues before, such as in East Timor and Cambodia. While other international bodies played key roles in those situations, ASEAN itself was not a major player. The extension of Suu Kyi's house arrest in November 2005 demonstrated the junta's continued belief – or hope – in the short-term memory of the international community. With the current momentum and their newfound muscle, ASEAN members now have the opportunity to prove that assumption wrong.

From within Southasia, it is important that all members of SAARC which regard themselves as democracies stand up to principle and work for a swift release of Aung San Suu Kyi and the advance of democracy in Burma. India, as the regional power also engaging actively with Burma, has a duty commensurate with its status to stand behind the people of Burma and not the junta.

Nepal

Desist, Chairman Gyanendra!

The king of Nepal apparently does not like his takeover of exactly 11 months ago being termed a military coup, but there can be no other term to describe the use of the army by its 'supreme commander-in-chief' to grab state power. Simultaneously, he designated himself chairman of the Council of Ministers, a post that does not exist in the 1990 Constitution. In every way that was possible in this past year of Rule by Black Ordinance, Chairman Gyanendra has torn that document to shreds. He has also amply displayed his willingness to preside over a shriveling state where administration is a farce, the government's development programmes are at standstill, and diplomacy is in tatters. All of this

hurts a citizenry long in search for peace and democracy. As head of both the state and government, the chairman seems to want to have it both ways – remain the aloof monarch even though the new self-applied job description requires him to be functioning as a prime minister. Meanwhile, the arrogance that emanates from the Narayanhiti royal palace provides a textbook case of how monarchies end – one man's faulty understanding of the dictates of the times and the aspirations of the population.

Today, the chairman is isolated nationally and internationally but remains sullenly defiant. He refuses to listen to advice of statesmen near and far – including a sitting US president, the UN Secretary General, or

his own nervous royal advisors. He disregards the views of the wise framers of the 1990 Constitution, and feigns indifference to the massive crowds gathered by the political parties around the country in a continuous show of strength these last two months. By not reciprocating the four-month old unilateral ceasefire of the Maoist (allowed to lapse by the rebels as *Himal* goes to press), and dismissing their publicly announced willingness to join multi-party politics, he seems itching to take the country back to war.

Meanwhile, under the active monarchy of the incumbent, this is a time of loot in Nepal, when terrible men have emerged out of the Kathmandu quagmire to take advantage of the current unaccountability of state. The money being amassed by those close to Narayanhiti royal palace will destabilise democracy for a long time even after it is rescued. The deconstruction of state mechanisms will take years if not a decade to repair. The royal regime seeks to defend itself by trying to generate an ultra-nationalistic, xenophobic fervour, but it is not catching. There is also the attempt to try an extremely shaky 'China card' and a deliberate strategy to wreck the relationship with India.

The royal appointments to high office are of the kind that have to be picked up and discarded one by one when democracy returns. The willingness to run the economy to ground for personal gain is something that investigative journalists will be digging into long into the future. But the unkindest cut of all has been the chairman's and supreme commander-in-chief's willingness to convert the Royal Nepal Army from a professional force serving the people and international community (as valued UN peacekeepers) to a politically ambitious entity that functions to the feudal dictate of the royal palace. Unfortunately, many generals have now had the taste of untrammeled power and a handful have experienced the lure of really big money. The politicisation and de-professionalisation of the army is a hopeless exercise fraught with danger for society at large, and the self-worth of the military rank and file. Any chieftain with even a remote understanding of statecraft would understand the need for an immediate course reversal.

Critical moment

Succumbing to geopolitical and national reality, the Maoist rebels have arrived at an understanding with the agitating political parties, promising to "institutionalise values of competitive multiparty system" and "not repeat past mistakes". This is a critically sensitive time in Nepal, when above-ground forces must assist the rebel leadership in joining the mainstream, and facilitate a 'safe landing' for the rebel fighters and cadre. Although the Maoist leaders have a lot to atone for, the responsible political parties of Nepal find their change of heart credible and are willing to engage for the sake of peace. But the royal regime, with the backing of the topmost army brass, seems bent on acting a spoilsport. It is seen unwilling to provide the space required for a peaceful resolution.

Things are coming to a head with the municipal elections announced by the royal regime for 8 February, which is a farcical exercise meant to waylay Western ambassadors into believing the regime's democratic credentials. Besides the fact that the chairman of the cabinet has no constitutional authority to announce polls, the fairness of any such exercise is suspect with an Election Commission of proven subservience to the palace and the military out of the barracks. The democratic leaders have wisely refused to participate in an election planned by the very man who shoved all of them into jail on 1 February while mouthing the word 'democracy'. If anything, the call for municipal elections reflects a lack of respect for the people of Nepal who do recognise the contours of a democratic exercise when they see one. This same lack of respect for the citizenry's sensitivities and wellbeing has been evident innumerable times in the last year of Nepal's discontent.

The prospect of violence looms large as the Maoist leadership tries to restrain its fighters, whose young minds it had filled with romantic propaganda for so many years. The royal regime will try to tar the political parties with any violence that the rebels resort to, especially now that the ceasefire has not been extended, but this will not wash. The conclusion, yet again, is inescapable that the regime wants a return to violence. While there will come a time when the people will pass their judgement on the Maoists through the ballot box in a democratic setup, the blame for a return to violence in early 2006 will rest primarily with Chairman Gyanendra and his nominees running the state without constitutional authority or restraint.

The political dust will settle in Nepal, and when that happens, the country will not be a Burma nor a police state. The public's desire for peace and democracy (not one without the other) is clear, and the Maoists have no choice but to succumb to that desire. But what of a man who became king at 56, and decided right off that he had all the answers, and that they lay in vainglorious royal assertion? A man who has succeeded in weakening the image of monarchy among the masses in one year, more than have the Maobaadi in a decade?

The best that can be said for Chairman Gyanendra is that he is intent upon bringing things to a head. But the time this magazine comes out with its next issue in March, much will have changed in Nepal, hopefully for the better, but perhaps for the worse. All because of the actions of a man who would be chairman.

Going to Oslo is better than going to war

Sri Lanka has suddenly entered a period of escalating violence after the general elections that saw Mahinda Rajapakse, the candidate of hardline Sinhalese parties, being elected president on 17 November. Ironically, it was the LTTE's enforced boycott of the polls by Tamil voters in the north and east that clinched victory for Rajapakse, by the slimmest of margins. Most of the Tamil vote would have gone to opposition candidate Ranil Wickremesinghe, who had projected himself as the peace candidate.

Following an election campaign meant to energise his Sinhalese base and an inaugural speech reaffirming his poll promises on 29 November, in recent days, President Rajapakse has been speaking of peace, compromise and restraint. It is the Tamil Tigers, on the other hand, who are behind most of the large scale attacks that have seen the death of more than 50 security personnel in the five weeks following the presidential election. Most of the casualties have been due to landmine blasts.

President Mahinda Rajapakse

The reversal of policy of the new government headed by President Rajapakse and his nationalist allies is quite remarkable, given their election time rhetoric. In a situation in which the government is not reacting aggressively to the LTTE's provocations, it is the rebels who are looking increasingly the belligerent party. This does not bode well either for the LTTE or for the peace process. Due to their ongoing campaign of violence, the LTTE is slipping ever nearer a total ban at the hands of the European Union. So far, the travel ban imposed on them in September 2005 has been largely a symbolic one and has served as a warning of what is to come. It prevents LTTE delegations from being received by the EU countries. If a total ban is placed on the LTTE, the group will not be able to operate at all out of Europe.

Despite the violent turn taken by the LTTE, however, the Rajapakse government too is required to undo its own contributions to despoiling the peace process. During the election run-up, Rajapakse led a propaganda campaign to lampoon what he called opposition candidate Wickremesinghe's appeasement of the LTTE. Rajapakse promised instead to roll back the clock on concessions made to the LTTE, including a revision of the February 2002 Ceasefire Agreement, on terms that would be more favourable to the Colombo government. He also promised to abrogate an agreement with the LTTE to set up the 'joint mechanism' on tsunami reconstruction and to put aside an agreement made by the government and LTTE in Oslo in 2002 to explore a federal solution. What Rajapakse promised during the election campaign was a unitary or centralised state, tsunami reconstruction carried out by Colombo, and a new facilitator to replace Norway, which his hardline Sinhalese allies accused of partiality towards the LTTE.

In fact, none of these election pledges had corresponded with the realities on the ground. The LTTE physically controls large parts of the northeast, and the government can neither administer those areas nor provide them with development assistance without the concurrence of the Tigers. As for Oslo, the international community has presented a united front regarding their role as peace facilitator, and no other country has come forward to play the role. Rajapakse and his hardline allies were hoping that India might take on the burden, but have not had a positive response to their pleas. In fact, New Delhi has backed the Norwegian facilitation. Swallowing a bitter pill, therefore, the government has asked Oslo to recommence its facilitatation.

In the meantime, the LTTE is proceeding with their gameplan, taunting the government with a war it cannot afford, but which the rebels themselves are not averse to. The four-year period of the ceasefire has enabled the Tigers to infiltrate all of the Northeast and even Colombo, placing the government in a vulnerable situation in the event of a total breakdown of the ceasefire. Meanwhile, by targeting the Sri Lankan security forces in the Northeast, the LTTE is slowly but surely restricting their ground movement and increasing its unofficial hold over government-

controlled towns of the region.

The only way for Rajapakse to avoid being forced into war is to engage politically with the rebels, and fortunately this course of action is still available to him. The LTTE has agreed to have talks on the Ceasefire Agreement with the government, and the latter too has expressed a similar desire. The problem now seems to be the venue for such talks. The government has changed its earlier stance that talks should be within Sri Lanka, but now insists it would have to be within an Asian country. However, the LTTE insists the venue be Oslo.

Both sides have reasons for seeking to stick to their guns as far as the venue is concerned. The government is politically hostage to the Sinhalese nationalist allies, who see peace talks in Oslo as an unacceptable reversal of yet another position taken during the election campaign. The LTTE is keen on Oslo as this would undermine the European Union travel ban.

Dispute over the venue must not delay the resumption of talks on strengthening the Ceasefire Agreement. Only political engagement can help gain the cooperation of the LTTE. The rebels' strong desire for international recognition is a factor that needs to be built into any governmental strategy to bring them back into the peace process. What the LTTE want most at this hour is international legitimacy ad material support. LTTE sympathisers have explained their opposition to Ranil Wickremesinghe thus: he did not obtain for them the 'symmetry' they sought with the government in dealing with the international community. Some might even say that the LTTE preferred Rajapakse because he had no plans and was therefore more likely to get the national society mired in a confusion which the rebels could have exploited.

Till today, the Tamil Tigers have refused to change their behaviour under either political or military pressure. This confidence comes from their strength on the ground and from the mistakes made by the government, as well as the latter's intransigence and occasional acts of bad faith. But it is also an oft-proven fact that a policy of isolation is likely to generate more violence on the part of the Tigers. The experience of two decades is that only political engagement will help address the problems of ceasefire violations, extremism and intolerance. The prospects of ending the current spate of violence will begin to improve the sooner the government and LTTE meet together at the negotiating table. For this reason, it is not enough for President Rajapakse to publicly say that he is committed to peace and not to war. He must act decisively on his good intentions. The resumption of talks should not be delayed by the disagreement over the venue, and Oslo should be perfectly adequate.

- Jehan Perera

Bhutan

King Jigme's proposal

King Jigme Singye Wangchuk has indicated his interest in abdicating and handing over the crown to his son, Crown Prince Jigme Khesar Namgyal Wangchuck. We laud this expression of interest by a sitting monarch to hand over power, without going into a paroxysm of praise as sections of the international media have done nor cynically challenging every word of the king's statement as Kathmandu and Lhotshampa refugee commentators have done.

The fact is that King Jigme is an astute diplomat, who knows how to implement a policy he has set. To the king goes much of the credit for national advance in cultural preservation, environmental measures, Druk Yul's controlled entry into the modern world, smart diplomacy especially with India, and an ability to bring in high-end tourism to cash in on the attractive Drukpa-Kagyu culture of north and west Bhutan. The monarch's ability to turn astute Western and Indian diplomats into praiseful supplicants makes him unique among the

DIGITAL MONTAGE

King and camp

leaders of Southasia – and he impresses by the simple acts of coming down to the palace portal to greet visiting diplomats.

The initiative of King Jigme to convert the traditional feudal monarchy into a modern-day, constitution-abiding nation state must also be welcomed. The draft constitution, however, has many

elements that are questionable and must be challenged, including the king's prerogative to appoint Supreme Court justices, and the government's ability to create statelessness in its citizenry.

While it is easy to be cynical about the intent of the king in abiding by the constitution, or of abdicating in letter and spirit in favour of his son, the fact is that he has made a public commitment on which he will be judged. Bear in mind also that King Jigme functions within the confines of a conservative clergy and the interests of the dominant Ngalong community of the northwest, and it is not possible for the outsider to say exactly how much King Jigme is his own player. The suspicion is that he is.

The monarch's ability to turn astute Western and Indian diplomats into praiseful supplicants makes him unique among the leaders of Southasia.

Unfortunately, even as Bhutan tries to achieve high levels of 'per capita happiness', as the king famously wants, there has been a blot on the record during his reign which will dog the royal legacy. The king it was who led the charge against the Lhotshampa subjects of the south of Bhutan, and it was under King Jigme's watch that his subjects were hounded out of the country. Fortunately, the refugee agency UNHCR discovered them encamped by the Mai River in southeast Nepal and the international community has been providing them support since the last 16 years.

King Jigme and his advisors had miscalculated, thinking that the Lhotshampa Nepali-speakers would disappear into the Southasian fastness as did earlier Nepali exiles from India's Northeast and Burma. That has not happened, and the Bhutanese refugees — of all ethnicities and castes, and an unpoliticised peasantry at the outset — stand mute testimony to the rule of a monarch who was very smart in all he did, including depopulation.

When it is written in the history books which country it was that depopulated the highest proportion of its citizens in modern times, the answer will be Druk Yul. And when it is said, under whose watch did it happen, the answer will have to be King Jigme Singye Wangchuk. In retirement, perhaps he can mull over this legacy and decide whether there is still the time to undo grievous wrongs. ▲

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~ASIAN STUDIES IN ASIA~

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2. Research proposals must be in the humanities, social sciences and policy sciences only. Projects must be designed to be carried out in 6-9 months in the People's Republic of China, Myanmar, Laos, Cambodia, Vietnam, Thailand, Malaysia, Singapore, Brunei, Philippines or Indonesia, or in any of the seven South Asian countries above.

3. Master's or doctoral degree or equivalent professional training and experiences.

4. Minimum of 3 years of university teaching experience for academics or 5 years of work experience for professionals.

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8. While an applicant from South or Southeast Asia may propose a project in a country within his/her own region, ***preference*** is given to applicants who propose to conduct research in a ***region of Asia other than their own*** (e.g., an award to a South Asian scholar or professional for research in China/Southeast Asia).

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Report card on the Indian Left

The mainline communist parties have ensured that India's masses are not left solely to the whims of the market, but having done that, can they show the way forward?

by | **Prashant Jha**

The Indian mainstream Left has been enjoying unprecedented influence in Delhi's corridors of power since the results of the May 2004 general elections. With 63 members in the Lower House of the Parliament, the Left Front is a crucial ally of the Congress-led United Progressive Alliance (UPA) government, and holds the key to its survival. The Communist Party of India-Marxist and the Communist Party of India, key constituents of the Front, have not hesitated to exert this political strength to influence policy, despite supporting the government only from outside.

In their hour of unprecedented influence in national affairs, however, the mainline communists have caused intense consternation among diverse actors while being the target of harsh criticism. From the stock markets, which plummeted the day the present political alignment took shape, to the traditional Right that senses a weakening of its Hindutva project, the Left's new-found power is greeted with opposition and worry. Meanwhile, self-proclaimed pragmatists as well as sections of the liberal intelligentsia and media view the CPM and CPI as being out of touch with international realities of American hegemony and unbridled economic globalisation. The Left's caution against economic 'reforms' in times when the IMF model of growth is regarded as sacred means that they are seen as the harbinger of a return to the 'dark' days of 'failed' state socialism.

The vilification, however, is more broad-based. And this time, it comes from within the *Lal Parivar*, the red fold. The ultra-left, represented by the Communist Party of India (Maoists), whose presence has been growing across east and south India, believe that the CPI and CPM are revisionist in character. These Naxalites allege that the 'official Left' has given up revolutionary struggle, sold out to the ruling classes, and cannot claim to represent the interests of the poor and marginalised.

Bringing back sanity

With criticism of the Left occupying such a large share of the national public discourse, it is easy to see them as the force stalling India's much-hallowed march towards superpower status. However, such an assumption is flawed, for it ignores the significant political contribution being made by the Left.

Given the composition of the present Lok Sabha, the alternative to a center-left UPA coalition would have to be another coalition, probably headed by the right-wing Bharatiya Janata Party, or an unstable mix of smaller parties. Liberals, who pride themselves on their secularism but would not like to be held back by 'populist' communist positions, tend to forget that the mainstream Left has played a key role in ensuring that the communal BJP is kept out of power, and the mandate of the 2004 elections is respected. That mandate, coming in the wake of the 2002 Gujarat killings and a blistering 'India Shining' campaign by the BJP, was a rejection of divisive political and economic policies, and a demand by the majority - the poor of the country - to be heard. The BJP-led government's tenure was marked by economic policies catering to the upper- and middle-classes and a political programme of Hindu majoritarianism, most clearly reflected in the saffronisation of education and the riots in Gujarat. The Left must be given credit for playing its part in respecting this plea for a more inclusive polity.

Efforts at translating this message into practice have begun. There is a visible shift in public discourse from 'Mandir' and 'Muslims' to basic livelihood issues. While the earlier government had its model of growth clearly based on foreign exchange reserves and Foreign Direct Investment inflow that have little real impact on the poor and deprived, the enactment of the Employment Guarantee Act and the Right to Information Act by the UPA government promises to make a difference at the grassroots. The former provides employment opportunities to those below

the poverty line in 150 of India's poorest districts initially, and the information legislation breaks the stranglehold of the bureaucracy and vests citizens with the right to question the state. The communist parties had been strong advocates for the enactment of these laws, and are now in the process of pushing for its expeditious implementation.

In an era when the triumph of capitalism is said to have delivered the end of history, we must have voices that sound the necessary caution against the inequity that accompanies the retreat of the state from all spheres. The Indian Left, undoubtedly, has to learn to creatively engage with processes of globalisation and introspect about its earlier judgments - for instance, instead of leading to formation of cartels and monopolies as they had feared, the opening up of the Indian telecom and aviation sectors to private players has actually empowered the consumer. However, their insightful criticism of the inflow of foreign capital and its implications, privatisation of health and education services, and lifting of trade barriers that hurt producers at the lowest rung must be taken into account. The CPM and CPI have helped create an intellectual and political atmosphere where questioning the process as well as pace of opening up the economy is back in the discourse, and globalisation with a human face has become an accepted creed.

Recent protests by the parliamentary left parties against joint Indo-US military exercises, the Indian stand on the Iran issue as well as their strident opposition to King Gyanendra's coup in Nepal have brought foreign affairs to the public realm. While strategic analysts have criticised the Left for 'politicising' sensitive foreign policy issues, the fact that these issues are out of South Block into a broader arena is a sign of greater transparency and democratic decision-making. Establishments in Southasia have sought to keep foreign policy-making insulated from democratic debate under the garb of national interest. In New Delhi, the myth of national consensus on foreign policy has been carefully nurtured to prevent any dissension. At a time when India is effecting a critical shift in its policy towards the US, it is important that such a decision is debated and dissenting voices heard. One may agree or disagree with the stand of the Left on key foreign policy issues, but it is welcome that these issues are out in the open. 'Realists' must present their arguments not only in closed seminars but also from public platforms, including the media and rallies, as well as engage with elected representatives, if they want to shape policy in any manner.

By keeping the Hindu Right out and forcing the national polity to pay attention to real grassroots concerns, the Left has done its bit to shake the system up to work for the forgotten.

Imagining alternatives

While it is clear that the Left's presence has brought a semblance of sanity back to the public discourse, it is critical that the CPM, CPI and other constituents of the Left - the Revolutionary Socialist Party and Forward Block - think creatively about problems, shedding more of their rigidities and dogma.

For starters, they must recognise their limitations. The Left in India is still a marginal force restricted to a few provinces. The CPI, the oldest communist party in the country, is on the verge of losing its national status and receives less than two percent of the national vote-share while big brother CPM is a major player in only three states - West Bengal, Tripura and Kerala. Most of its members in the Parliament belong to these three states. Despite its influence in New Delhi, the Left has no reason to be complacent and must seek to expand its base if it wants to be an important formation.

One possible reason for the Left's limited support base may be its inability to deal with questions of identity. Analysts have pointed to the failure of the communists in recognising the potency of religious-based mobilisation in Indian society and engaging with it by stressing on its more tolerant aspects. The complete dismissal of religion as a deviation in class-based mass struggle by the Left gave the BJP the political space to engineer its bigoted Hindutva project even as it diluted the appeal of a socialist society among a new generation. Additionally, the absence of any strategy to deal with caste in North India, particularly Uttar Pradesh and Bihar where political alignments are largely based on the caste arithmetic, has weakened the communists considerably. Until the Left figures out a way to deal with identity politics even while rejecting parochial loyalties, its strategies of expansion is bound to hit a wall.

The wake-up call and reminder by the Left to India's elite category and its expanding middle class about the presence of the other India - of the poor, starving, uneducated millions bereft of any state support - definitely ranks as its most significant contribution today. Having recognised the challenge of equity on a subcontinental scale, the parties must now present mechanisms and ideas to bridge the gap between the two Indias. Considering that the majority of Indians continue to live in the villages, the Left must take up more vigorously the severe agrarian crisis impacting rural India. Economists have pointed to a drastic decline in the food-intake of the rural poor caused by a decline in purchasing power. This decline, in turn, is attributed to reduced state spending in rural areas and reduced competitiveness of local agricultural products in the face of

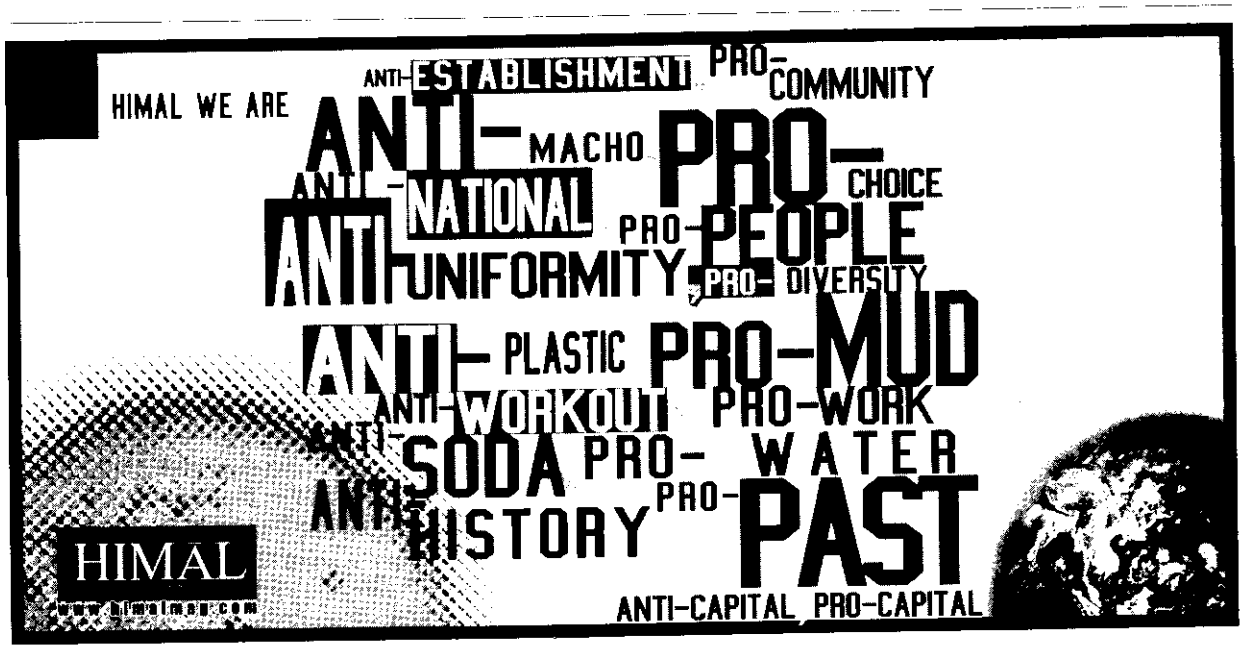
opening up the economy to farm imports. There is an urgent need to redress this situation and the Left must advocate measures that include, among others, land reform, increased state support for landless labourers, and an effective public distribution system.

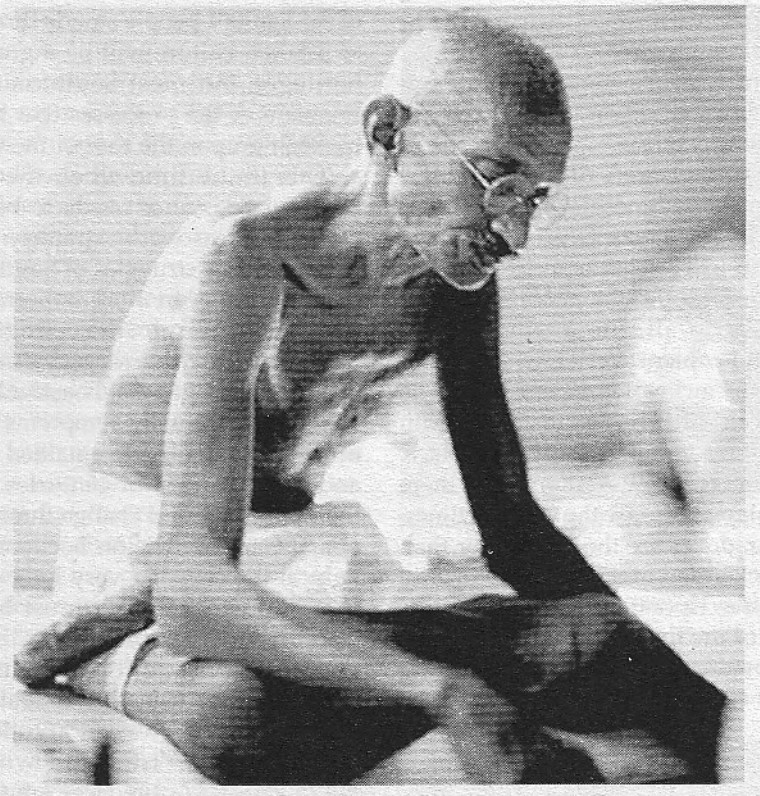
The need for creative thinking is most acute in the realm the Left is most uncomfortable with. Globalisation is an unavoidable reality, with technology reinforcing the process of growing inter-linkages among economies. The sooner the communists accept this fact, the better they can ensure their own growth and influence while benefiting the people at large. Even as several of their concerns regarding globalisation remain valid, the challenge lies in mitigating these ill-effects and seeking to capitalise on the opportunities the new world economic order offers. Globalisation presents avenues for wealth-creation that could provide much needed additional resources for social sector spending and redistribution. The services industry in India, particularly the information technology sector, has already shown the way. What is needed now is the building of a stronger manufacturing base with high labour absorptive capability and the potential to tap the world market. It is this sector that China has tapped so successfully, thus ensuring that employment opportunities are created and the benefits of a global market reach the deprived sections of society. The Left must also recognise that the entry of private players not only leaves the consumer with more choice but also creates an atmosphere where individual enterprise is encouraged.

In the process of imagining an economy of this nature, the Left's emphasis for greater government regulation to prevent monopolies and exploitative business practices remain valid. The Left's task is all about maintaining a productive balance between state intervention in key areas and taking advantage of globalisation. Meanwhile, given their powerful position in national politics, the communist parties must contribute to shaping foreign policy. There has been little forthcoming from the Left in terms of specific suggestions to deal with the Kashmir issue or improve the India-Pakistan relationship. However, the area they could make the most difference is in Delhi's relationship with its eastern neighbour.

The fact that despite being in power in West Bengal for more than two decades, the Left has done little to contribute in improving the Indo-Bangladesh ties does not reflect too well on it. While the communist parties did play a key role in facilitating the Farakka Agreement in 1996, it is essential that they are engaged more closely with this Southasian relationship, both in Calcutta and Delhi. With the maximum number of MPs from West Bengal, and presence in policy-making at both the central and state levels, the Left must contribute in re-imagining the difficult, and at this point, increasingly hostile relationship between Dhaka and New Delhi. Perhaps, the growing ties between the Indian and Pakistani Punjab hold a lesson on how cultural ties can be utilised to improve relationships. Given the deteriorating conditions internally in Bangladesh, the Left has an additional responsibility to ensure that New Delhi's policies towards Bangladesh is based on empathy and understanding.

What is clear is that the increasing tide of criticism against the Left in varied quarters in India is unwarranted. Of course, there are areas at this point, increasingly, where the communists need to evolve their position and think of constructive alternatives. However, by keeping the Hindu Right out and forcing the national polity to pay attention to real grassroots concerns, the Left has done its bit to shake the system up to work for the forgotten.





Relevance of the middle path

rediscovering Gandhi for all Southasia

by | **C K Lal**

Attribute it to the power of the Empire, but Southasians have no hesitation in embracing Adam Smith, Ayn Rand, Marx or Mao as their own. In one country where the Turkish Ataturk is a role-model of "enlightened moderation", the proponent of real enlightened moderation is an 'Indian'. In the countryside of another Southasian nation where the guns rule, the epitome of courage with conscience is seldom remembered. Is it a deep-seated inferiority complex which makes Southasians oblivious of the legacy of Mohandas Karamchand Gandhi? From South Africa to the United States, proponents of peaceful protests draw their inspiration from the pioneer of *ahimsa*. But most Southasians look at him through the tinted glasses of bigoted nationalism and see a nationalist 'Indian'. Within India itself, Gandhi is consigned to history textbooks and his values dismissed as romanticism in the power corridors of Delhi and the state capitals. However, more than a concerted effort to rehabilitate his memory, it is the needs of the time that will establish the primacy of Gandhi as a Southasian ideal who foresaw the complexities of the region and devised a middle path to face the challenges of the future. His legacy is a shared Southasian heritage and the region will discover his relevance as it enters into yet another turbulent phase in its history.

These are sanguine times for some Southasians. Unocal alumnus Hamid Karzai has declared the dethroned King Zahir Shah the Father of the Afghanistan nation, once destroyed and then rebuilt to the specifications of US Pacific Command. Bangladesh is happy being at the centre of SAARC and BIMSTEC, two sets of idiosyncratic alphabet mixes that stand for largely ceremonial organisations. Bhutan is enthralled by the prospect of democracy which King Jigme Singye Wangchuk has promised to introduce by 2008. The Burmese junta has just shifted its capital to correct the feng shui and entrench itself further. India isn't exactly shining, but some Indians are certainly gloating over the prospect of becoming the back office of the world in the next one, two, or three decades depending upon whether you are talking to a free-market fundamentalist, a socialist planner or a self-proclaimed pragmatist; they all seem to share the

same brahminical dream of making it big without getting their hands dirty.

Pakistan is content with a general-in-sherwani espousing enlightened moderation on the strength of a couple of F16s with nuclear capabilities. Nepal is rediscovering its golden days of "monarchical democracy" by importing Chinese arms. President Mahinda Rajapakse of Sri Lanka is proud to have ridden the wave of anti-LTTE sentiments in the South even though his victory has put the peace process of Serendib in peril. All in all, the power elite of Southasia is happy and content. Very few, too few it seems, have the time or inclination to remember the frail old man in dhoti striding the length and breadth of the Subcontinent with a toothless smile on his face. But just as these are the best of times for some, there are many others for whom these are the worst of times. In a region where paradoxes are the rule rather than the exception, the Dickensian metaphor of two cities is the most accurate description of everyday reality. Just below the shine of the thin silver lining, there is the reality of an unpredictable dark cloud hovering over Southasia.

RAJESH KC

The al-Qaeda organisation recently claimed, with some justification it seems, that it still holds large swaths of Afghan territory under its control. An Islamist upsurge threatens Bangladesh, a country that grew out of violent conflicts, first for religious homogeneity and then for independent cultural identity. The racial regime of the Drukpa in Bhutan has refused to mend fences with the Lhotsampa it forced to flee. The deepening grip of the Burmese junta is enticing its neighbouring countries into dealing with an abhorrent regime. The democratic decay in the biggest democracy of the world has become quite alarming: members of Parliament guzzle local development funds and accept bribes in order to raise questions in the Lower House. The royal-military rule in Nepal is digging in its heel. The unity of Sri Lanka's people stands threatened. The dilution of Tibetan culture will be a great loss of all human heritages, but most Southasians appear blissfully unaware of the processes that have been unleashed by Beijing upon the roof of the world.

This is the time when the modern apostle of peaceful resistance needs to be rediscovered. M K Gandhi's ideas were extremely powerful during the independence struggles of Southasia. His beliefs and methods are even more important today in a region passing through the pangs of adulthood – decomposing democracy, arrogant autocracy, insecure intelligentsia, boastful business, and violent conflicts are actually symptoms of the coming of age of a region that had remained mired in orthodoxy and hopelessness for centuries. When status quo is too oppressive and change threatens to tear the place apart, Gandhi's vision beckons like the proverbial light at the end of a very long and dark tunnel. But first, a powerful myth must be broken to reclaim Gandhi for entire Southasia. Indians have done a great disservice to the Mahatma by appropriating his legacy for a truncated Bharat that is India. Gandhi was an apostle of a non-brahminic tradition whose teachings and practices are the common heritage of humanity. Every Southasian has as much right to stake a claim upon his teachings as any flag-waving Bhartiya.

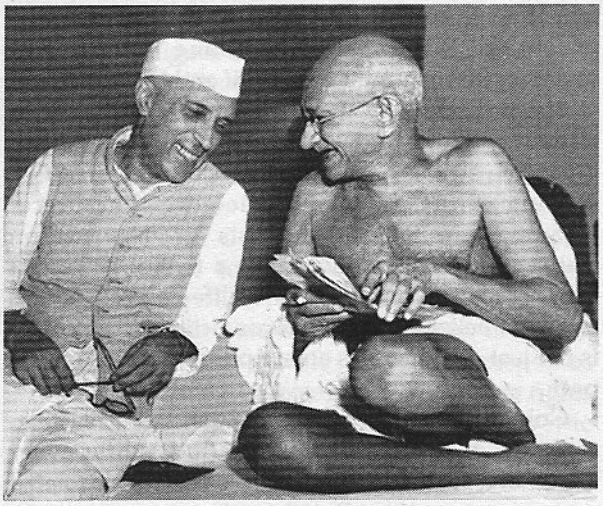
Misunderstood messiah

Any attempt to depict the teachings of the Mahatma in a hurry would be inherently preposterous. After all, his own writings span 100 collected volumes and there are numerous other works which delve into his work and thought. Unable to access the true depth of his life and message, his legions of admirers do the next best thing – they portray him through epigrammatic quotations often lifted and quoted completely out of context. From the mischievous ("I believe in equality for everyone, except reporters and photographers.") to the rhetorical ("What difference does it make to the dead, the orphans, and the homeless, whether the mad destruction is wrought under the name of totalitarianism or the holy name of liberty and democracy?") and from the banal ("It is unwise to be too sure of one's wisdom") to the profound ("Whatever you do will be insignificant, but it's very important that you do it.") – all kinds of quotable quotes have been picked up and paraded according to the bias of the presenter. So much so that Gandhi has become some kind of an emblem of the high-end alternative lifestyle where laptops are Macs, khadi

serves for silk, watches are handcrafted but in Zurich, and there is no taboo on sipping wine from paper cups. These 'Page Three Gandhians' of jet-set Hindistan have done more harm to the memory of the Mahatma than the armies of RSS swayamsevaks doing callisthenics in Khaki shorts. Caricature too is a form of tribute, but not when the object of spoof is too complex to be understood through inexpert simplification.

Presenting Gandhi as the 'Father of the Nation' of India was one of the most gross simplifications made by the otherwise erudite Jawaharlal Nehru, with his own visions of Indian grandeur. In fact, that appelation rightfully belonged to Chacha Nehru himself more than to anyone else. Along with Sardar Vallabh Bhai Patel, it was Nehru who wanted an independent India even at the cost of its division. Nehru probably thought that he was paying his mentor a tribute by having him declared the father of the independent but truncated territory that became present-day India. In fact, that title downgraded the contributions of an outstanding Southasian of Gandhi's stature. Unlike Quaid-i-Azam Muhammad Ali Jinnah, Bangabandhu Sheikh Mujibur Rahman, Don Stephen Senanayake, or Bishweswor Prasad Koirala, Gandhi did not set out to form a state in the Westphalian sense, or be the ruler of a pre-nationhood tribal homeland. The Mahatma consistently aimed higher. In a region wracked by centuries of colonialism, the Mahatma wanted to build nothing less than a whole new civilisation. If building a state through conquest, compromise or consensus was his sole aim, he would not have died a broken man, deeply disappointed by the Partition which still created countries that most political leaders of his time wanted. Keep in mind that Gandhi was nowhere near the Red Fort celebrations when the 'tryst with destiny' was heralded by Jawaharlal.

In many ways, Gandhi was an inheritor of the non-brahminic tradition of Hindu philosophy. It is not just a coincidence that the Gandhian ideology began to take shape after Gandhi visited Champaran in the backwaters of Bihar in 1917, an area that has been the natural refuge of non-Vedic scholars throughout history. Bihar, and parts of the Ganga plains that now fall in modern Nepal, has always been home to non-brahminic paths of salvation. Householder King Janak refined his beliefs in participation without attachment in Mithila. Mahavir and Buddha, born into Vaishya and Kshteriya clans respectively, began their movements against entrenched brahminism from this region. Gandhi led the movement against indigo planters in Champaran. In the decayed remnants of historic Vaishali, he probably began something even bigger—a quest for self-definition. There, in the cradle of the Lichchhavi civilisation, he initiated a movement to restore the dignity of every individual irrespective of her race, caste, class, gender or age. For a society steeped in the tradition of codified hierarchy, this was nothing less than a 'total revolution', an expression that the disillusioned Marxist Jaiprakash Narayan appropriated once he embraced Gandhism in the early 1970s.



Nation builder and civilisational man.

Gandhi surmised with uncanny intuition that there was not much material surplus left in India to redistribute among its 350 million people. Theories of Marx had little resonance in an area of agricultural decline and industrial darkness. Centuries of plunder by waves of raiders had killed the entrepreneurial spirit of the people of the Jamuna-Ganga plains where commerce had become a dirty term associated more with deceit than fair trade. The mythic duo of baker and butcher trading with each other in self-interest as immortalised by Adam Smith had no use for subsistence farmers residing in villages with almost no connection with each other. There had to be a third way, thought Gandhi, as he saw the depth of physical and moral poverty of fellow human beings on his way to, and in Champaran. He saw the alternative in the dream of Gram Swaraj where individuals did trade with each other, though not for profit but to ensure collective survival through self-help and self-sufficiency. The British Empire, founded on the principle of trade and rooted in the traditions of the East India Company, found it hard to understand a logic where profit did not deserve even to be denounced. Ergo, the British had to go and let India find her way.

Goal established, Gandhi searched for the right mix to advance his cause. He had seen the efficacy of non-violent protests in South Africa. He refined it further by adding the element of self-inflicted suffering, probably derived from the Buddha's teachings – the same Sakyamuni who had walked these mid-Ganga plains two-and-half millennia earlier. The importance of prayers may have been inspired by Mahavir's mediations. Was the spinning

wheel an indirect homage to Kabir, the weaver-prophet of Benaras who had sung the songs of salvation through faith in the self and bread-labour?

The potency of Gandhi's terms is often lost in translation. For example, *ahimsa* is much more than a passive strategy of non-violence; it is an active seeking of the absence of violence. The literal meaning of *satyagraha* suggests an insistence on truth, but it is much more than a tool of protest; it proposes a whole new way of life centred on the power of belief in one's own convictions. *Brahmcharya* is not just celibacy; it is an adoption of the righteous path.

Going beyond non-attachment and goal-seeking, *aprigraha* is a total commitment to truth in every aspect of a seeker's life. *Ashahayog* is often translated as non-cooperation. But there is no negativity in *Ashahayog*; it suggests instead an insistence on proactive cooperation. If ethics are to a society what morals are to an individual, Gandhi sought to establish certain principles of *'ram rajya'* derived more from the Buddha and Mahavir than from Balmiki or Tulsi Das, two popular bards believed to have penned the epic *Ramayan* in Sanskrit and Awadhi respectively.

To the band of ambitious Westernised oriental gentlemen around him – M A Jinnah in his Saville Row suit, the Etonian Nehru or the upwardly mobile middle-class geniuses such as Rajendra Prasad and B R Ambedkar – these principles were blasphemous to the ideals of freedom set out by the French Revolution, the American War of Independence and the Russian October Revolution. Gandhi's teachings questioned everything they thought they knew. It was heresy they had to accept only because it seemed to work: Gandhi's appeal galvanised the masses. No other apostle since the Prince of Peace in 500 BC has been accepted by the ruler and the ruled alike. Gandhianism had acquired the potency of a new religion, a way of life that had to be resisted by those who wanted to build India or Pakistan in the image of Britain, France or the United States of America. Gandhi's most trusted lieutenants – Jinnah, Nehru and Vallabhbhai Patel – followed his strategy faithfully, but without the conviction that the means propounded were the ends in themselves.

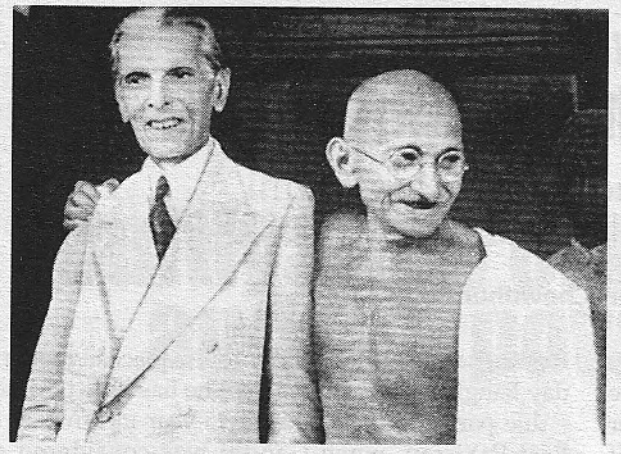
Nehru wanted to build an India which would be a hybrid of Mauryan glory and Mughal splendour. Fearful of his fate in such an entity dominated by the personality of a self-assured Kashmiri Pandit, Jinnah, a non-believing Shia within a Sunni-majority Muslim community, sought an alternative vision of a secular polity governing over a homogeneous population of the faithful – an Islamic *ram rajya*. He found it in the aspirations of the United Provinces' landed gentry longing for an Awadh renaissance patterned after the court of the last nawab of Lucknow, Wazid Ali Shah.

That Nehru could never replicate the Mauryan glory in a pauperised India was a foregone conclusion. His 'tryst with destiny' freedom speech was in fact the swan song of a disillusioned Emperor Ashok who suddenly found that the India he was about to rule held no resemblance to the India he had bargained for. Like all images of an idealised past, the secularism of the Awadh court was only partially true: Hindu subjects of the nawab had accepted a second-class status long before Wajid Ali Shah had begun to sing and dance like Radha. Jinnah's oft-quoted speech, before the Pakistan Constituent Assembly on 11 August 1947, "You are free to go to your temples ..." was thus fundamentally flawed: in any *ram rajya*, rule of the enlightened is based on the principle of its complete acceptance by all the rest.

Gandhi had therefore already died the day India and Pakistan became independent. Like most visionaries, the Mahatma had been way ahead of his time. Colonial India was not ready for his revolution. It accepted his politics, but with strong reservations, and then only because his methods seem to work to the amazement of his sophisticated contemporaries. Gandhi's famous retort that he was a politician trying to be a saint was perhaps an acceptance of defeat of his life's mission. In 1947, he was ready for the parody that independent India would make of his life and teachings. Nehru consigned him to the pantheon of gods no sooner had the Hindu zealot killed him and his ashes consigned to the Jamuna. More zealots kill him every time they garland his statue, parade him through the streets in religious processions and ridicule him as the Father of the Indian nation, which bears no resemblance to his formulations. Pakistanis kill him every time they denounce the man who first sought to establish Muslim pride through his Khilafat Movement (the Quaid had thought, with remarkable foresight, that it was madness to rekindle Islamic passions) and worked for the interests of Pakistan even after Partition.

Method in madness

Sincerity was the source of Gandhi's power. He believed in the purpose of his mission and worked to achieve a unity between his thought, speech and actions. His modus operandi was based upon mobilisation of the people rather than the political parties. Once these noble goals were established, he had no hesitation in using the nascent media of his time to advance his cause. Whether it was his fast unto death, or the long walk to defy the Salt Law, theatrics was built into the Mahatma's every protest. The media loved it and its power shamed the rulers every time a reporter sent a dispatch from the boondocks of the far-flung empire. With a mischievous twist, Gandhi used the very



The Mahatma and the Quaid

instruments of empire to undermine it from within. Various leftist groups have since tried to replicate this technique, but since they ignore the fundamental feature of this moral method of political arm-twisting – non-violence – they fail to create a favourable impact and cannot move the mass.

Gandhi improvised on the anarchic impulses of Marx and established that any action meant honestly to recreate cannot be called destruction. Jinnah and Nehru, the other two outstanding lawyers from the Temple Inn, could never appreciate the ancient Hindu logic of dying to be reborn. Like other god-fearing and law-abiding English gentlemen, wogs at the fag end of the empire loved order and feared anarchy. They could not recognise the method in the madness of Gandhi, who had experienced firsthand the tyranny of 'order' that then existed in Indian society – caste, untouchability, gender discrimination and an utter disregard for health and sanitation. These issues could not wait for either Jinnah's homeland or Nehru's utopia. A revolution was needed to reform the Indian mindset, and revolutions are by definition anarchic. Order implies continuation of the status quo. Fear of anarchy has to be overcome in order to initiate long-needed changes in the existing order that had institutionalised inequality for millennia.

All the societies within Southasia are passing through a dangerous phase of disillusionment and hopelessness. In some parts, as in Nepal, Telangana, Jharkhand and Marathbada, political entrepreneurs are seeking solutions by reinventing Maoism. In West Punjab, East Bengal and Saurastra, experiments in militant Islam and Hindutva are vitiating the environment of peaceful coexistence. East of the Brahmputra, a fascist upsurge plagues separatist movements and racist rulers alike. Elsewhere in the region, there is a dangerous drift and listlessness. Rediscovering Gandhi in these times is essential if one seeks the play of sanity in Southasia.

The challenges have multiplied since Gandhi died in 1948. Commercialised newspapers, instantaneous television images, impromptu SMSs and mindless blogs have made the task of creating a unified answer to the empire of market fundamentalism extremely difficult. But responses are being crafted that raise hope. The human rights movement in Pakistan, the agitation by the Narmada evacuees, the voices of dissent in Bangladesh that speak for its Hindu and Buddhist minorities, the modest Sarvodaya experiment of Sri Lanka, the ongoing people's movement in Nepal and the transformation of erstwhile socialists in the Jamuna-Ganga plains – all are indications of churning of a society on the threshold of change.

Like most philosophies, Gandhism too needs to be rediscovered by every generation to suit the needs and aspirations of its time. That Gandhi has endured and thrived in the dreams of Martin Luther King and Nelson Mandela alike is ample tribute to his memory. He has become even more important after the end of the Cold War and the consequent declaration of the Clash of Civilisation in the wake of 9/11. Mull over the ancient Christian aphorism about turning the other cheek in its transformed Gandhian version – "an eye for an eye will make the whole world blind" – and there is no way you can ignore the force of his ideas and their relevance in our times.

Zealots kill Gandhi every time they garland his statue, parade him through the streets in religious processions and ridicule him as the father of the Indian nation, which bears no resemblance to his formulations.

(Image: the gun that killed Gandhi)

"Generations to come will scarce believe that such a one as this ever in flesh and blood walked upon this earth," wrote Albert Einstein. Hindus and Muslims schooled in the belief of the birth of a redeemer in every epoch may find it unbelievable that a scientist of Einstein's stature failed to see that there was no way Gandhi could not have emerged in a region virtually at the edge of collapse in early 20th century. Passing through almost a similar phase once more at the start of the 21st century, Southasia will have to rediscover Gandhi because redeemers are not born whenever they are needed. They have to be found in their philosophies. ▲

The man who lost his goat
Missing Gandhi in Bangladesh

For all intents and purposes, Gandhi has almost no place in modern-day Bangladesh's history.

by | **Afsan Chowdhury**

In Bangladesh, there remains only a faint memory of Gandhi – a mere whiff of his being. For the most part, he is remembered by some in the older generation who know about the Indian politics of yore. The new blood, meanwhile, follows the endless and thorough coverage of Amitabh Bachchan's ailing intestines. The health of Amitabh's belly, Sachin's elbow, and the well-turned ankle of Sania Mirza make Gandhi thoroughly consumer-unfriendly. In the parlance of the day, the Mahatma has no brand value.

But for those who do remember, Gandhi is recalled in Bangladesh as the man who came down to the coastal area of Noahkhali – the site of a 1946 communal riot – to walk the villages and to calm the mobs. There, the legend continues, some doughty anti-Gandhian proceeded to steal Gandhi's goat, which had regularly provided the Mahatma with the milk that was his nourishment, and cooked it for dinner. Gandhi was thus a faintly comical, rather than heroic, figure: He is the man who lost his goat. Such a transgression is not well received in a peasant land.

Gandhi was shot dead by a Hindu nationalist militant while protesting the then Indian government's decision to hold back funds owed to Pakistan. A similar decision today would be considered as patriotic by a nation state. Opposing it would be considered treacherous.

The Gandhian tradition never took root in East Bengal or even West for that matter. For his part, Gandhi was never particularly comfortable with the rebellious Bengalis within the Congress Party, who never treated him with the same reverence as did others. This was always a radical land. The most popular song of the era was about Khudiram Bose, who was hanged for bombing a crowded phaeton full of innocent colonials; Bose's bomb had missed the Lieutenant Governor by just a few minutes. The honour for being Bengal's favourite son does not go to Gandhi, but Subhash Chandra Bose, the man who allied first with the Germans and then with the Japanese to fight the British. Several high-level committees continue looking for him to this day.

For all intents and purposes, Mohandas Karamchand Gandhi has almost no place in modern-day Bangladesh's history. Here he has little tradition – due partly to Bangladesh's 25-year incarnation as East Pakistan, when Gandhi was considered an Indian and, therefore, the enemy. He was presented as the secret Hindu nationalist in the guise of a poorly- dressed peacemaker. By the time of the early-1970s and Bangladesh's Independence, there were already many other heroes and martyrs crowding the national canvas. Gandhi had little to do with the new nation and its new history, built as it was around tales of blood and fire. Our heroes are violent; even our cowards are.

Safety in machismo

Peace has become an effeminate pursuit in a largely adrenalin-driven political land, where leaders stare from martial heights during national parades and the children below clap and cheer. *Kill the enemy, kill the traitor, kill the terrorist or be killed* – these are the mantras that have long drowned-out any of Gandhi's suggestions of non-violence. 'Peace' sounds like hunting for a lost goat that has already been eaten.

Yet peace is still what everyone wants, even if few know how to harvest its bounty. The recent spate of suicide bombings has highlighted how vulnerable Bangladesh really is. The half-educated, enraged, half-insane peasant, whether a *mollah* or a *maulana*, has launched a sudden, dramatic attack on Bangladesh's middle-class institutions, changing the country significantly in just a few weeks. Bangladeshis now know the raw meanings of fear and random death – not by targeted killings, but by the arbitrary fury of indiscriminate bombs. In a land where martyrs are worshipped, some argue that this is not martyrdom. But either way, the bomber died sheltered in the belief that he had secured a one-way ticket to heaven.

There is no Gandhi in Bangladesh because he is not macho. This has become a country where the swaggering male can survive, and Gandhi was much beyond such a gender-inspired political imagination. But we need him. The next time he comes to preach peace, we may just leave him and his goat alone.

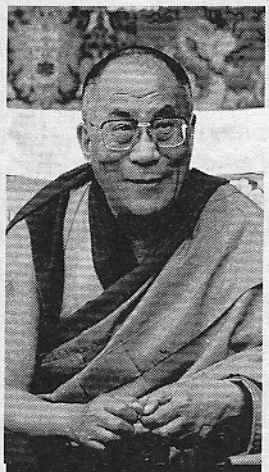
Cultivation of non-violence and the power of truth

by | **Tenzin Gyatso, the Fourteenth Dalai Lama**

Mahatma Gandhi has been a source of inspiration to me ever since I was a small boy growing up in Tibet. He was a great human being with a deep understanding of human nature. He made every effort to encourage the full development of the positive aspects of the human potential and to reduce or restrain the negative.

Mahatma Gandhi took up the ancient but powerful idea of *ahimsa* or non-violence and made it familiar throughout the world. However, I think it is important to acknowledge that non-violence does not mean the mere absence of violence. It is something more positive, more meaningful than that. The true expression of non-violence is compassion. Some people seem to think that compassion is just a passive emotional response instead of a rational stimulus to action. To experience genuine compassion is to develop a feeling of closeness to others combined with a sense of responsibility for their welfare. This develops when we accept that other people are just like ourselves in wanting happiness and not wanting suffering.

As an admirer of Gandhiji, I consider the cultivation of non-violence and compassion as part of my daily practice. I do not think of it as something that is holy or sacred but as of practical benefit to myself. The practice gives me satisfaction; it gives me a peace that is very helpful for developing sincere, genuine relationships with other people. Mahatma Gandhi's great achievement was to revive and implement the ancient Indian concept of non-violence in modern times, not only in politics, but also in day-to-day life. He revealed how non-violence and compassion are relevant in today's world by showing that non-violence means that if you can help and serve others you should do so. If you cannot, you must at least restrain yourself from harming others out of recognition of their rights and needs.



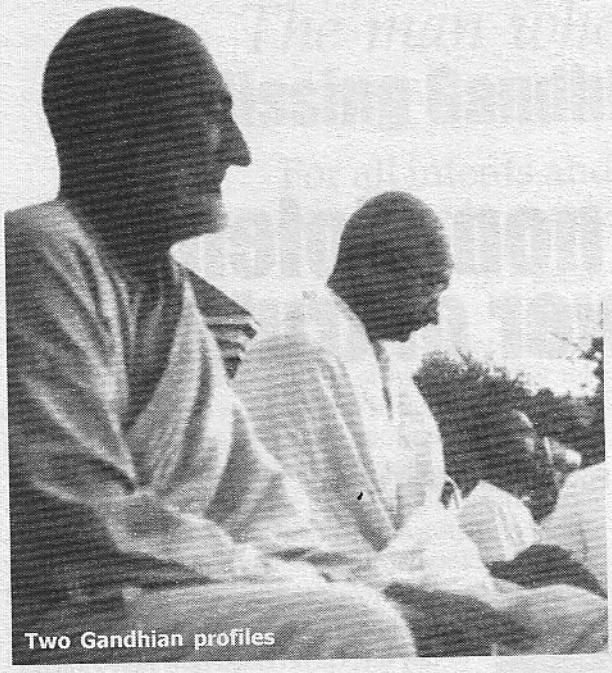
Mahatma Gandhi took up the ancient but powerful idea of *ahimsa* or non-violence and made it familiar throughout the world.

Consequently, although violence is still rife in our world, the trend of global opinion is to recognise that the future lies in non-violence. Today, there is a growing awareness worldwide of the meaning of non-violence, but its application is not restricted merely to other human beings. It also has to do with ecology, the environment and our relations with all the other living beings with whom we share the planet. Non-violence can be applied in our day-to-day lives whatever our position or vocation. It is even relevant to medical procedures, education systems, legal procedures and other fields.

Another important aspect of the Mahatma's legacy is that he won independence for India simply by telling the truth. His practice of non-violence depended wholly on the power of truth. The unprecedented fall of oppressive regimes in several parts of the world has demonstrated once more that even decades of repression cannot crush people's determination to live in freedom and dignity. As a Tibetan who has spent more than half my life in exile, I continue to believe that for us too this truth will ultimately triumph.

Missing Badshah Khan

The Pakthun Gandhi is not there to preach peace to his people when they need him the most.



Two Gandhian profiles

by | **Rahimullah Yusufzai**

Each January, on the anniversary of his death, followers of the late-Khan Abdul Ghaffar Khan gather in Peshawar and elsewhere in Pakistan to remember the man known to many as the Frontier Gandhi. Recognised also as Bacha or Badshah Khan ('khan of khans'), he preached non-violence, but his task was much more difficult than that of his mentor, Mohandas Karamchand Gandhi. As the Mahatma walked through Indian villages waging a non-violent struggle against colonialism, Badshah Khan attempted to convert his warlike Pakhtun people to an alien way of life – weaning them away from guns and violence.

It was on 20 January 1988, in a British-built public hospital in Peshawar, that Badshah Khan took his last breath. He had been in coma for some time and his supporters had been keeping a vigil by his side. Mourners converged in Peshawar from throughout Pakistan and abroad. Prime Minister Rajiv Gandhi led a delegation from India to pay last respects to the man who had befriended leaders from the Mahatma to Jawaharlal Nehru and aligned with the Hindu-led Congress Party instead of Mohammad Ali Jinnah's Muslim League. Condolences were received from Bangladesh, and a ceasefire was called to allow for a day of mourning in Afghanistan.

Having remained a controversial, non-conformist political figure all his life in Pakistan, Badshah Khan courted controversy even in death by leaving a will that provoked pro-establishment figures in Pakistan to condemn him as a traitor. His wish to be buried in Jalalabad, a city in eastern Afghanistan not far from Peshawar, was poorly received by his critics, mostly in the majority Punjab province. Already resentful of the Pakhtun nationalist leader for having opposed the creation of Pakistan in 1947, his opponents stoked new fires of resentment for his supposed unwillingness to be buried in Pakistani soil. Badshah Khan's followers, on the other hand, saw the decision as a remarkable effort by their leader to unite the crossborder Pakhtun communities in Afghanistan and Pakistan. In their view, Badshah had offered his grave as the meeting point for the Pakhtuns of the two countries, halfway between Peshawar and Kabul.

For Pakhtun nationalists, the Durand Line border between Afghanistan and Pakistan was and remains entirely unnatural – a British-drawn barrier that separates one people from each other, dividing tribes, clans and villages (*See Himal Nov-Dec 2005, "The line Durand drew"*). Hopes that Badshah Khan's final resting place in Jalalabad would help to break down such barriers, however, remain unfulfilled. Pakistani collaboration in the US 'war on terror' has instead made the 2500 km-long Line an even more formidable obstacle.

Servant of God

Badshah Khan was born in 1890 in Utmanzai, in Charsadda District, near Peshawar. Although his father was a wealthy landowner, young Badshah chose a life of sacrifice in the struggle against British imperialism. His first known political activity was to participate in the annual session of the All India Muslim League, in Agra in 1913. Six years later, outrage over the massacre of peaceful protestors by British forces in Jallianwala Bagh in Amritsar prompted the 29-year-old Badshah to organise his first political protest, in Utmanzai. By that time, he had already become involved in the religious-social movement of Fazal Wahid, a respected cleric commonly known as Haji Sahib of Turangzai, who opposed British occupation of India and urged the enforcement of Shariah law.

On 1 April 1919, Badshah Khan spearheaded the formation of a social movement called Anjuman-i-Islahul-Afaghina, or the Association for the Reform of Afghans. Originally setup to tackle social evils and forge unity in Pakhtun ranks, the organisation gradually assumed a definitively political character. After becoming provincial head of the Khilafat movement in 1921, which aimed at the restoration of the Islamic-based caliphate in Turkey, Badshah was arrested for the first time in his life for taking part in demonstration against British rule. A sentence of three years rigorous imprisonment gave him a foretaste of a life of political struggle. During his life, Badshah would serve more than 25 years in jail, making him one of the longest-serving political prisoners of Southasia.

Over time, other organisations sprouted in Utmanzai. Da Zalmo Jirga, or the Afghan Youth League, provided a platform for young Pakhtuns. Members of the Khudai Khidmatgars (Servants of God), took an oath to "...never use violence ... retaliate or take revenge". Khudai Khidmatgar workers wore shirts dyed with brick dust, a colour that led them to be known as the Red Shirts and alarmed British rulers who associated it with the Russian communists. Still stinging from Great Game dynamics that had been played out in neighbouring Afghanistan, the British persecuted Red Shirt activists despite the group's embrace of non-violence.

It was from the womb of the Khudai Khidmatgar movement that nationalist Pakhtuns campaigned for Pakhtun rights and struggled against British rule. After Independence, the movement evolved into political parties such as the National Awami Party (NAP), the National Democratic Party (NDP) and the present-day Awami National Party (ANP). Badshah Khan was always the inspirational head of this movement, and after him, these parties were led first by his son, Khan Abdul Wali Khan, and today by his grandson, Asfandyar Wali Khan. The democratic and nationalist character of the movement meant that it was unable to coexist with the military, and the Punjab-led Pakistani establishment. The movements's leadership continually attempted to form alliances with other nationalist parties representing Bengalis, Sindhis and Balochs. Some secular and progressive Punjabis also joined hands with these nationalists from the smaller provinces. The campaign never gained momentum, however, and was fatally weakened when the Bengalis revolted against Islamabad and carved out Bangladesh in the bloody uprising of 1971. In due time, the nationalists parted company and confined their activities largely to their own ethnic groups and provinces.

The bogeyman

When Badshah Khan died under house arrest in 1988, his movement had become weak and disunited, suffering from state persecution and splits within its own ranks. The poor performance of the NAP, NDP and ANP in successive elections demoralised workers, forcing the leadership to make alliances with parties of differing ideologies. Despite his age (officially he was 98 when he died, although more than 100 according to his followers), Badshah Khan continued the struggles he had started, taking on new causes such as opposition to the controversial Kalabagh Dam project.

The grand old man of Pakistani politics had reluctantly accepted the idea of Pakistan, and his dream of an independent Pakhtun homeland had remained unfulfilled. By preaching non-violence, he stood accused of depriving Pakhtuns, who had been long known for their bravery and fierce independence, of their possible ties. The Afghan war, triggered by the communist revolution in Afghanistan in 1978 and the subsequent Soviet invasion of 1979, turned the homeland in both Afghanistan and Pakistan into a battlefield, prompting the already-armed Pakhtuns to acquire still more sophisticated weapons. During the intervening years, violence became a widespread credo, as young Afghan Pakhtuns became all at once the mainstay of the armed Communist Khalq and Parcham factions, the Afghan Mujahideen and the Taliban. The local Taliban emerged in Pakistan and fought on the side of Afghan Taliban and al-Qaeda. This ongoing polarisation in the Pakhtun ranks is both dangerous and unprecedented.

Most Pakhtuns have by now adapted to a way of life that stands in stark contrast to Badshah Khan's teachings. More than a failure of his political philosophy, however, one could argue that the violence in the Pakhtun borderlands is primarily due to the self-serving policies of the United States, which aided and equipped the Afghan Mujahideen (as well as their 'guest' fighters from other parts of the world) to fight the Soviet army in a bid to destroy communism. That same dynamic is now being played out again with a different bogeyman – Islamic rebels – and with a different goal – ending terrorism. Those who are being hurt most in the processare the Pakthun..

At a time when the people Badshah Khan served all his life have become victims of another geo-political game, his absence is palpable. By being rooted to his culture, yet embodying universal values of tolerance and ahimsa, Khan Abdul Ghaffar Khan had shattered notions about the violent Pakthun warrior that have once again gained currency in these troubled days. He had attacked oppressive political structures, be it colonial or national. And he had radically altered the discourse and practice on resistance in the northwest of Southasia. All this, without lifting a gun.

People's Law in Pakistan

by | **Asad Farooq**

The noise, the drum, the poem, the song, the film, the word – these are the methods by which the World Tribunal on Iraq (WTI), held in Istanbul in June 2005, came to be and began investigating the truth. Indictments and testimony were presented, recalling and articulating crimes, lies and deceit. In its course, the tribunal uncovered imperial machinations where states of exception and permanent war become the norm; where collective punishment becomes the means of policing; and where mercenaries of torture and pain are invoked as 'extraordinary renditions'.

The WTI produced judgements aimed at addressing the gap created by the failure of international institutions to protect Iraq. The final session of the WTI collated this testimony and produced a verdict (drafted by a 'jury of conscience' whose spokesperson was Arundhati Roy) that can be read as a veritable manifesto for the new anti-war movement.

The tribunal process embodied a deeply symbolic recognition of the failures of international law in Iraq, a process that has largely interrupted the 'myth of law,' based on the values of the enlightenment.

The WTI was a retort to Empire's Law. If the tribunal is seen in terms of its potential for law-making and law-doing – its declaratory, deliberative authority derived almost exclusively from those millions who marched on the streets – then it can be seen to be enacting some of the still-unfinished business of decolonisation: dealing with the law itself, thinking the law anew ***(see book review, pp 102)***. In so doing, it represents a deep shift towards an idea of People's Law - an assertion of the right to judgement of ordinary people in the world. As academic Jayan Nayar argued persuasively at the WTI, by wresting the "capability of judgement, authorship, control and action" away from national and international authorities, we reinvent the very stuff of political practice. It is here that the WTI coincides with the many grassroots struggles and imaginations that animate resistance movements and 'rebellious consciousnesses' across the globe, including the Subcontinent.

Lok Sath

One particular moment of People's Law is symbolised by the Lok Sath movement in the Chashma Canal region of Punjab in Pakistan. Although the debate in Pakistan on the decolonisation of law has revolved

around secular-versus-religious law regimes, this is clearly a false dichotomy, for both operate within state law. Indeed, the perspectives and needs of those in struggle present radical departures in form and content from the essence of dominant law and politics.

The Lok Sath started in August 2003 during the debate over the implications of the construction by Islamabad of the 274 km-long Chashma Canal. With much of the funding for the USD 254 million project provided by the Asian Development Bank (ADB), the canal shattered the livelihoods of the local communities through illegal land appropriations, the destruction of a traditional irrigation method (the *rowed kohee*), extensive flooding, and the subsequent destruction of homes, crops and lives. As with all large-scale water projects, the net effect was to grant the state a monopoly over water – to "hand over destiny itself," in the words of the Lok Sath.

Affected individuals appealed first to the state and later to the ADB for redress. While neither avenue offered much hope, in the process of voicing their demands, affected communities came to the decision to stake claim to the idea of law itself. Doing so resulted in an inevitable disengagement from the state and ADB processes, reflecting a quiet moment of 'decolonisation'. By organising a series of Lok Sath meetings, relying upon and reinventing historical processes of engagement, communities came together to evolve new ways of approaching negotiation. They recorded the destruction and suffering, and outlined a loss of local control. Although passing judgement on those responsible, activists were not making demands of those groups; rather, they were

demanding action from the communities themselves of non-violently re-inscribing the people's collective will and "taking back power of one's destiny".

Long march

As with the WTI, the Lok Sath has been challenged on the grounds of legitimacy, and with the fear of a looming anarchy that comes with people 'performing' law. The Lok Sath's simple recognition of its own existence, coupled with the very real anarchy that the state-maintained irrigation system has brought, has yielded its own retort. That response arrives at a new political practice emphasising non-violent resistance. During the March 2005 Lok Sath, a Chashma Lok Sangh pilgrimage was declared, which was held the following July. Using the ingrained cultural memory of walking long distances to express devotion and commitment, the Lok Sangh marched 170 km over eight days – holding meetings along the way, uniting communities, and deciding on specific actions. Some of those new approaches included refusing to pay irrigation taxes, committing to breach the canal when it threatened lives, and pledging an indefinite hunger strike outside the ADB office in Islamabad.

Roy at WTI

For these communities, a future within the Lok Sath framework includes the possibility of re-inventing traditional irrigation forms, with all of their concomitant social and political-economic ramifications. Doing so would challenge the state irrigation systems, which have long been the single most effective way of establishing state control over lands and peoples. As such, a challenge of this type could redefine the very terms of state power – a process that is urgently needed throughout Pakistan. The effort towards such a redefinition is currently being spearheaded by Sindhoo Bachao Taralla, an emerging confederation of movements struggling on water-based issues along the Indus river.

If the enlightenment project of law has failed, it is People's Law that should represent the new site for decolonisation. Rethinking law involves a challenge not just to the state (and its concomitant internationalism), but more so to political practice itself. It is with this lens that the WTI, the Lok Sath, and the many resistance moments across Southasia need to be viewed.

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Buddha, Gandhi and Sarvodaya

When the causes are no more there, fanaticism will cease.

by | **A.T. Ariyaratne**

Mahatma Gandhi's philosophy was to work for the wellbeing of all, to awaken the potentiality of all people. Lord Buddha, 2500 years before Gandhi, taught us to extend our loving kindness towards the entire living world, to look at humanity and nature as a whole with a universal perspective without getting trapped into all kinds of sectarian views based on our political, religious or cultural divergences.

Extremist and intolerant attitudes are born of a kind of instability of mind, brought about by a number of causes interacting on the human personality. The Gandhian and Buddhist approaches look at the totality of these causes and factors and try to bring about a transformation at the very root level.

"Fanatical excess is a thing always to be shunned. The middle path is the royal road, " wrote Gandhi (*Young India, 21 March 1929*). "It is good to die for religion, but for religious fanaticism one must neither live nor die." (*Bapu-ke-Ashirvad, Sept 13, 1948*) Lord Buddha attained supreme enlightenment under the Bodhi Tree in Bodhgaya, and realised that neither self-indulgence nor self-mortification would lead towards Truth. He took to the Middle Path between eternalism and annihilationism.

When we discuss fanaticism, it is important that we understand the Middle Path explained both by Mahatma Gandhi and, in greater detail and depth, by Lord Buddha. Fanaticism arises due to a multiplicity of causes, including economic deprivation, political subjugation and religious or cultural intolerance which lead to frustration, violence and even terrorism. When the causes are no more there, there will be no fanaticism.

The Middle way of Lord Buddha is encapsulated in the Noble Eight Fold Path under which we seek right understanding, right thought, right words, right action, right livelihood, right effort, right mindfulness and right concentration

At Sarvodaya

In the Sarvodaya Shramadana Movement of Sri Lanka, with which I am associated, the Middle Path provides the background of our practical programmes to heal our minds, our society and our environment from today's myriad of serious ailments.

We begin with an educational process for parents who bring children into this world. We believe that the raising of consciousness in the new-born must also be related to dispositions in the past of a dying person who struggles to continue his existence. It is important to understand the true facts about our entering this world at birth and leaving this world at death so that we are prepared for both. The parents, the members of the family and the community have to provide the person born into this world not only with right nutrition and health care, but also the psycho-social environment for the normal unfolding of his personality. In this, we must cut across all social, cultural, economic and ethical barriers. Any tendency to discriminate against any human being has to be totally discouraged and prevented during this early childhood period.

Next, we pay our attention to adolescence, when the child begins to develop his identity and even his tendency to acquire false views which may bring about harm to himself and others in adulthood. At Sarvodaya, we seek to organise mass campaigns with the objective of creating a psychological and spiritual environment where the civil war in the north and east of the country and terrorist activities in the south can be peacefully resolved.

Sarvodaya does not believe democratic participation of people in their economic life and political governance can be achieved unless direct self-governance (Gram Swaraj of Gandhian thought) is achieved in each village area or community. Community-based power is the answer to most of the social disturbances and violent upheavals that are brought about by fanatical actions of power hungry rabble-rousers in our societies. Community power is based on an awareness that long run non-violent power is preferable to short-lived power based on fanatical threats and terrorist attacks.

We, at Sarvodaya, follow Gandhiji's integrated and holistic approach to development, peace and education with emphasis on the following: swadeshi, bread-labour, aparigraha (non-possession), trusteeship, non-exploitation, equality, appropriate use of machinery, satyagraha and basic education. These are all interdependent and form a coherent system, as was Lord Buddha's teaching of the Noble Eight Fold Path.

Thousand Points

by | **Dilip D'Souza**

A small story to start this, a story that inspires me every day.

Imagine the setting, first of all: a village called Bilgaon, a day's travel from Bombay. It sits on a spur above the confluence of two rivers, surrounded by gorgeous hills. One river is called the Titodi, after the call of a bird you find there. The other is the Udai, and it flows some 100 feet above the Titodi, falling into it in a spectacular waterfall.

That 100 feet was the spark for what I saw happening here.

When I first got to Bilgaon, two young men were also here. With the enthusiastic help of the villagers, they were building a dam across the Udai. Not a huge dam, but not a trivial one either. It is about 200 feet long and some six or seven feet high. Simultaneously, they built a channel for the stored water, going around the spur. Half the channel was actually dynamited through the rock. At the end of the channel, they built a tank, then another channel downhill from there to a shed above the Titodi. And in that shed, they installed a generator.

You know what this is about. In January of 2003, someone flipped a switch in that shed. For the first time ever — since the Trojan war, through the times of Chandragupta Maurya, George Washington and Jawaharlal Nehru, through 55-plus years of Indian independence — for the first time ever, 300 houses in Bilgaon had electricity.

I have this memory of watching one of the young men set off some of the blasting for the channel. First, he carefully figured out where he wanted to dynamite. Then he drilled a hole into the rock at a precise angle, and this hole was not made with a drill, but by hammering on an iron rod. He poured some explosive into the hole with his fingers, then laid a long fuse. Then he shooed all the labourers, and all

Medha Patkar

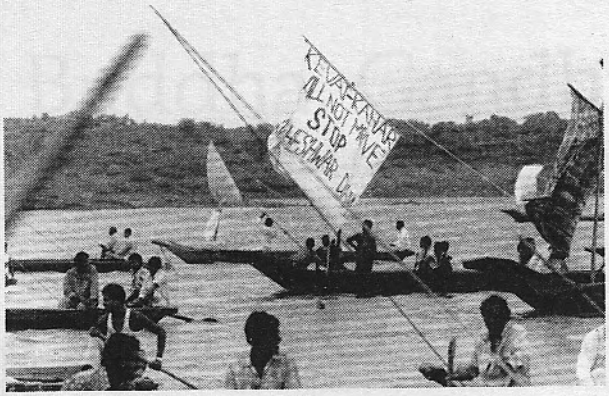
of us gawkers, away up the hill. When we were far enough from him, he took the cigarette that dangled from his mouth, lit the fuse, hitched up his trousers and strolled up the slope to where we stood. Not halfway up the slope, there was a loud thump and huge chunks of rock went flying, one or two clear across the Titodi.

No, this was no toy.

So who were these two young men? Engineers about two or three years out of engineering college in Kerala. Young engineers like I once was. Doing what we engineers were trained to do — find a problem, design a solution, go implement it and make lives better.

Yet how few of us actually manage to do what we were trained to do.

Especially in these days of 'Iraq' and 'terrorism', you hear a lot of talk about patriotism. Sure, there are people who paint flags on their cheeks, or proclaim loudly that they are patriots and want us to applaud. Fine, but let us remember that there are others who paint no faces, make no proclamations. They just live their patriotism.



Narmada bachao, peacefully

In Bilgaon, several such people did some hard work. Not just to build a dam, but to build a nation.

An American President, I remember, used to go on at length about a thousand points of light. I have never known quite what he meant, if anything. (Maybe the thousand points were in his head.) But to me, that phrase has always suggested that nations are not built by waiting for governments to act. Because typically, they don't. Instead, they are built by small, inspiring efforts by individuals. By thousands of points of luminous excellence.

And in Bilgaon today, you can see one — or 300 — such points of light.

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That is an entire story, by way of introduction. Why do I tell it here?

Because I have always felt that within this Bilgaon effort lies the essence of what the Narmada Bachao Andolan is about. There are ways in which what I saw happening there is the real meaning of that word we hear so much, non-violence.

Oh yes, non-violence is about not taking up guns, not killing people. It is intimately part of the truthful, moral resistance Mohandas Karamchand Gandhi made famous as 'satyagraha'. What's more, and contrary to what various modern revisionists like to tell us, Gandhi's ahimsa was no instrument of cowardice. *Ahimsa* was a powerful weapon, used to great effect by a canny, courageous man, a consummate politician.

Gandhi's *ahimsa* was no instrument of cowardice. It was a powerful weapon, used to great effect by a canny, courageous man, a consummate politician.

Yet I have also always felt there has to be a context, a meaning, a larger milieu if you like, in which non-violence takes on form and body. That was the ultimate message Gandhi offered us. For him, non-violence was about showing the world an alternative, a different way. An alternative to British rule, yes; an alternative to armed freedom struggles, that too; but most profoundly of all, an alternative way to be. To live.

And that is the message I hear in Bilgaon, and from the NBA. Of course the NBA had everything to do with what happened in Bilgaon – they asked the two engineers to come to the Valley and search for places they could set up their "microhydel" projects, and Bilgaon was the second such place. They wanted to demonstrate – to the villagers just as much as to the world – that there are alternatives to large dams, and to waiting for governments to build dams. There are realistic, viable alternatives that are available right now to those who want to take them.

But it is more than just alternatives and demonstrations.

What is interesting about the NBA's long resistance to the dam projects on the Narmada is not just that it was entirely non-violent. I do not think this movement would have lasted two weeks, let alone the two decades it has, if it was only about non-violent resistance. Couched solely in those terms, non-violence is likely too abstract to resonate, and will thus have a limited shelf life. At some point, the NBA understood that if they wanted the support of people who lived near the Narmada, they would have to speak a different lingo.

So the NBA has shown people that they can make choices as they live their lives. To me, that is what their struggle really is about. The best way to a better life, the NBA has made clear over the years, is not an indefinite wait for governments to act and provide and be just. Governments cannot, or do not, do all that; and therefore this waiting is certainly the worst way forward. Instead, the NBA's message is subtly about making your own efforts to better your own life. By raising your voice, but also by doing things. It may not be a conscious, explicit message, but it is there for the taking nevertheless.

And again, I believe this is the fundamental meaning of Gandhi's message. Self-reliance, and that founded on non-violence. Swaraj, he called it.

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Everywhere else in the country, and indeed the world, you will find instances of protest movements that have turned to the gun. ULFA in Assam, for example, began as a student-led protest against what they called infiltration by the non-Assamese, specifically Bengalis. Finding it hard to be heard, ULFA eventually turned to violence. Yet that meant an instant loss of credibility. Today, they are widely seen as just another set of thugs.

The NBA didn't end up that way. And to fully understand that, it is worth looking briefly at its history.

The River Narmada runs through central India, emptying into Gujarat's Gulf of Cambay. For many

years, planners in Gujarat have eyed this always-beautiful river, wanting to find a way to bring its liquid bounty to parched, drought-stricken Kutch and Saurashtra districts. That, of course, meant a dam, or a series of dams. When they first began thinking about it, Jawaharlal Nehru had famously proclaimed dams the "temples of modern India". By building them — and we Indians quickly became some of the world's most industrious dam-builders — India was showing off its engineering prowess and technical knowhow, showing that we had shaken off the yoke of colonialism, showing we could stand tall and proud on our own.

But there was a darkness behind that shimmering vision. Nobody liked to think about it, if they knew at all, but it was there. The people displaced by those dams had, without exception, been treated in a manner that brought shame to the ideals of independent India. They had been summarily shoved off land they had called their own for generations, left to fend for themselves as best they could. And they watched as their land disappeared under the long lakes that ballooned out behind the new dams.

As plans for damming the Narmada took shape, there was no reason to expect anything but the same story to unfold.

That — in the early 1980s — is when a young doctoral student at Bombay's Tata Institute of Social Sciences, interested in studying social inequality, decided she would do her field work among tribals in northeastern Gujarat. Medha Patkar wanted to find out how the country's development had affected tribals. In particular, she wanted to learn what changes the proposed dams on the Narmada would bring to the lives of thousands of people it was uprooting.

The changes were going to be catastrophic; that much was obvious. But the dam builders, like with previous projects, had no particular plan, nor even the desire to satisfactorily rehabilitate the people they would displace.

The NBA grew from these roots, from the demand for adequate relief and rehabilitation (R&R) measures. One result is that the Narmada projects have spelled out some of the best such measures in our history. In practice, of course, these very measures have been ignored and flouted.

But there were lessons apart from R&R. The NBA soon realised that the very basis for the projects was flawed; the very model of development they represented, a gigantic mistake. This is true for various reasons, but here are two.

First, the estimated water flow in the Narmada that governed the original planning of the dams turned out to be wrong. The flow is some 25 per cent less than the estimate; naturally, this makes a difference to the plans to use the water.

Second, there are people within sight of completed dams on the Narmada who remain in the darkness Bilgaon knew till three years ago. Naturally, they question "development" that utterly passes them by, and we must too.

So the NBA began to wonder: could so many thousands of people be legitimately asked for enormous sacrifices to further such projects? Was the national interest — never to be questioned, always the proffered reason for this kind of development — really being served? Would the Sardar Sarovar Project actually deliver what it promised?

The NBA's great success is that it has brought about a widespread questioning of notions of development. Never again will a major project happen without those questions being raised.

There have been various twists and turns over the years; the reality is that the dam is still being built. By that metric, people say the NBA has failed. Yet the NBA's great success is that it has brought about a widespread questioning of notions of development. Never again will a major project happen without those questions being raised.

And what's more, the long struggle has sown the seeds of the search for alternatives, the resolve of self-reliance. One of those seeds is – or 300 are — in Bilgaon.

And I believe it is because of those seeds that the NBA did not go the way of ULFA and other resistances. When you have reason to hope — and what else are those seeds, but hope? – non-violence takes on meaning and character.

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Great debates often rage about abstract ideas. Secularism, socialism, free markets, casteism — and non-violence, they have all generated much discussion and more than their share of heat. But more and more, I believe that if they are to mean anything, these ideas have to find body. You have to translate them into daily life, show their relevance to ordinary lives. Absent that, the abstractness itself frustrates, and leads to the viciousness that characterises our debates over these issues.

This is what I take away from Bilgaon and the dam there. It is a truly inspiring effort, yes; a stellar example of the only kind of patriotism that makes any sense to me, yes once more. But it is also about struggle and questioning, self-reliance and non-violence. It is about how you make those things relevant to you.

I think of it this way. Better those thousand points of light, than the light, and heat, from a conflagration.

MIN BAJRACHARYA

People's Movement 2005-06
The Mahatma would have approved

The political parties and civil society of Nepal, with their commitment to non-violent transformation, are leading the charge of the peace brigade. They will succeed now, as they did in 1990.

by | **Nilamber Acharya**

It was Sunday, the 8th of April in 1990. A few minutes past eleven at night, the state radio broadcast a royal palace communiqué announcing the lifting of the ban on political parties. That prohibition had been the handiwork of King Mahendra, who had carried out a coup against the existing parliamentary government in December 1960 and introduced the 'partyless' Panchayat system. That radio broadcast essentially represented the success of the non-violent People's Movement of Vikram Sambat 2046 and the overthrow of the hated Panchayat. That was the day a peaceful resistance pushed back a violent, autocratic monarchy.

The next day, 9 April, the streets of Kathmandu Valley were full of jubilant crowds. Never in Nepali history had the power of non-violence manifested itself this intensely and successfully. The political parties, who had been maligned, proscribed and persecuted for three decades came to power and constituted the government on 19 April. Seven months later, a Constitution which vested sovereign power in the citizens was promulgated.

The people had believed that the fight for a pluralistic political system was over, and what remained was to work towards an inclusive state where social discrimination and economic deprivation would be tackled and historical wrongs corrected. But they are today back on the streets, once again using the principles of sustained peaceful agitation to bring back democracy from the grip of Mahendra's son, King Gyanendra.

On 1 February 2005, the citizens saw a replay of December 1960. King Gyanendra used the excuse of fighting the Maoist insurgency to take complete control of the state, appointing himself as chairman of the cabinet. The people are now back to a movement to overthrow a king's autocratic agenda. This time around, the non-violent struggle is complicated by the fact of the Maoists insurgency (though presently in a unilateral ceasefire) and the deployment of the Royal Nepal Army countrywide to enforce the royal will.

Gandhi's brand of non-violence did not urge reconciliation with an unjust order, nor consensus with the bearers of injustice and untruth.

The 1990 Constitution vested sovereignty in the people, and it was the first time since the national unification of 1769 that the citizens were thus recognised. The document gives no discretionary power to the king except on the matters of succession to the throne and royal palace employees. The power to impose states of emergency, to dissolve Parliament, to issue extraordinary constitution-related orders, all have to be exercised on the recommendation of the prime minister based on a cabinet decision. The Constitution does not envisage a situation without a prime minister, and the Royal Nepal Army is to function under the government. King Gyanendra's drastic action of 1 February turned the Constitution on its head, and it is left to the people to wrest their sovereignty back.

If anyone needed proof, the People's Movement of 1990 demonstrated that the power of non-violence is ultimately superior to violent agitation. The force of ideas and high principle, sustained over a period of time despite the reactionary violence of the state, is bound to change the polity and bring back peace and democracy. Having experienced political freedom over more than a dozen years, the people are convinced that the usurpation of power by King Gyanendra has to be reversed. Knowing the devastation wrought by the decade long insurgency, they have opted for peaceful resistance which reveals itself in rallies of political parties and civil society organisations, including those of lawyers, journalists, university teachers, human rights activists, workers and peasants.

The 1990 Constitution vested sovereignty in the citizens, and it was the first time since the national unification of 1769 that the citizens were thus recognised.

Peace brigade

The seed to peaceful change lies in a refusal to cooperate with those who wield the stick in order to rule. Peaceful resistance to an unjust order is nothing new in human society. It has been there from the very beginning of human civilisation, from which the concept of *ahimsa* was developed by Mohandas Karamchand Gandhi to make it an effective political weapon. Non-violence is an essential and universal human value which Gandhi did not invent. But it was he who rediscovered it, honed it and revealed it to the people as a means to fight repressive regimes and remake the society according to the principles of justice.

It is important to understand that Gandhi's brand of non-violence did not urge reconciliation with an unjust order, nor consensus with the bearers of injustice and untruth. On the contrary, he proposed an active rejection of reconciliation and consensus, which is why he termed his resistance formula, "the practice of truth". And just as Gandhi wielded the weapon of non-violence in South Africa and later India, Leo Tolstoy preached it in his writings from his retreat of Yasnaya Polyana. Martin Luther King practised it in his struggle for civil rights in the United States. Civil movements, including those linked to labour, women, peace, environment and human rights, have all practiced non-violence.

The use of peaceful means to settle contradictions and conflicts is an indicator of evolved civilisation, and it also has a civilising role. Without respect for the dignity of the human spirit, the cause of Indian national liberation could never have attained its heights under Gandhi. If the people of a so-called backward country were incapable of aspiring for the highest values of world political civilisation with its emphasis on democracy and human rights, Nepal's People's Movement of 1990 could never have achieved its zenith. We are seeing this same understanding being applied today in Nepal, rejecting the violent methods of the insurgents and the royal state alike. And today, there are indications of a possible change of heart even among the Maobaadi rebels, who have expressed a willingness to enter multi-party politics and have arrived at a 12-point understanding with the political parties to fight the autocratic monarchy.

In the end, peaceful resolution of conflicts is all about the compatibility of ends and means. Just ends do not require unjust means. The best example is seen in what the Maobaadi insurgents sought to do, which is fight injustice and discrimination through the barrel of the gun. This has only served to set society adrift, while at the same time devastating the economy, weakening the state internationally, and militarising the countryside. When it comes to fighting for democratic

values, we find that we have to return to the peaceful charge led by the above-ground political parties which do not believe in the gun.

The MOU

The Kathmandu regime's ongoing steps to entrench autocracy and its repressive measures against political parties, civil society, media, non-governmental organisations, professionals – all of this has unwittingly brought all the healthy forces and elements of Nepali society into the fold of non-violent movement. In addition, the growth of the non-violent movement has compelled the Maoists to review their tactics and strategy and rethink their political platform.

Today, Nepal is one of the few countries worldwide where there is an active, energetic, peaceful movement for a return to peace and democracy.

Leading the fight against King Gyanendra are the seven political parties of Nepal, including the two major parties which were confirmed as pre-eminent political forces by the results of successive parliamentary elections in 1991, 1994 and 1999 – the Nepali Congress party and the Communist Party of Nepal (United Marxist-Leninist). The parties are cooperating to restore the constitutional democratic process even while seeking a just restructuring of the state coupled with progressive socio-economic transformation of society.

While King Gyanendra has sought to use the insurgency as a foil to entrench his autocratic rule, the seven parties opened dialogue with the Communist Party of Nepal (Maoist) to end violence and bring them into the democratic peaceful fold. The 12-point understanding signed with the rebels on 22 November this year appeals to people from all walks to "actively participate in the peaceful movement launched on the basis of ... understandings centred on democracy, peace, prosperity, forward-looking social changes and the country's independence, sovereignty, and self-respect." In this Memorandum of Understanding, the Maobaadi have made public their commitment to "clearly institutionalise the values of competitive multiparty system, civil and fundamental rights, human rights and the rule of the law."

The rebels seem to have realised before it got too late that it is the non-violent process that has prepared the ground for the change towards democracy and development. They would be left behind if they tarried any further. While the leadership appears to be convinced, they now have the task of convincing their cadre and fighters that non-violence is part of the normal process of development of human civilisation, its permanent and basic feature. On the other hand, violence is a deviant and ephemeral phenomenon in the march of civilisation. The more non-violent the society, the more humane it becomes.

The rebel leadership may also have understood that their 'people's war' will only be recorded as a momentary phase of history in one corner of the world whereas the certain success of the ongoing People's Movement of 2005-06 will usher sustained peace and democracy that will take the people in a giant leap forward.

Around the time of the People's Movement of 1990, more than a dozen nations of the world were experiencing non-violent revolutions. Today, Nepal is one of the few countries worldwide where there is an active, energetic, peaceful movement for a return to peace and democracy. This non-violent movement is being spearheaded by the political parties and civil society. The Maoists are invited to join.

Gandhi was an Indian, a Southasian, and a man of the whole world. His legacy is found wherever there is an aspiration for a future based on change achieved through peaceful means. Progress does not require violence. We, in Nepal, are waging a non-violent struggle for a peaceful future within a democratic frame. The Mahatma would have approved.

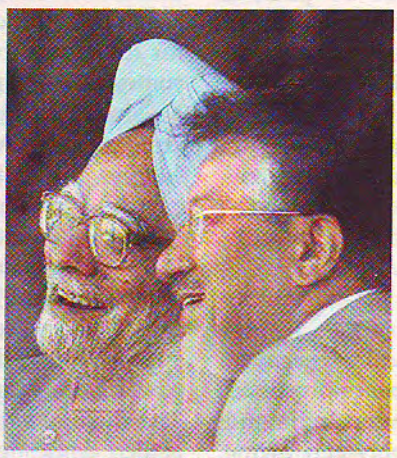
Fall 2005's cautious thaw

Is the 'peace process' becoming a peace process?

by | **Sukumar Muralidharan**

Ever since shrill hostility gave way to an effort at dialogue between India and Pakistan, every little perturbation has been viewed as a potentially fatal blow to the tenuous engagement. The so-called 'composite dialogue' between the two governments, covering a diverse range of issues, has been little more than a desultory series of talks going nowhere, punctuated by both public euphoria and bitter mutual recriminations. However, recent events suggest that the engagement between the two sides may just have become more sustainable and substantial.

If there has been any dominant motif in the 'peace process' between India and Pakistan, it is undoubtedly its ability to generate public mood swings of epic proportions. Though the term is relatively new, the 'peace process' was properly set in motion in 1997, under the guise of a 'composite dialogue'. The dialogue did not quite measure up to the appellation of a 'peace process', since it descended on one occasion into outright war in Kargil, and, on at least two others, into the possibility of wars in which the use of nuclear weapons was discussed with studied casualness. If 'peace process' continued to be used, it was largely a consequence of both the lack of a suitable alternative-term and of the extravagance of hope bumping up against the compulsions of reality.



But the 29 October 2005 serial bombings in Delhi, which killed over 60 people and cast a pall over the pre-holiday city, engendered a wholly different dynamic. The rush to judgement, so much in evidence in India in the past, was conspicuously absent. Though the pain was deeply felt, cries for revenge and retribution were relatively muted. Much more so than the attack on the Parliament in December 2001, the bombings that hit Delhi the week before Diwali and Eid-ul-Fitr were celebrated in a rare conjunction represented a grave assault on the sensibility of every citizen of the Indian capital. Yet the public reaction could not have been more different than four years previously.

The Parliament attack was widely portrayed as a defining moment for India in its long and arduous struggle against terrorism. It ostensibly marked a transition from a holding operation by the Indian state to an aggressive doctrine of prevention and even pre-emption of terrorism. It resulted in an effort at coordination, in principle and practice, between India and other self-proclaimed leaders of the struggle against terrorism, notably the United States and Israel. Domestically, the attack was used to test the efficacy of newly-crafted anti-terrorism legislation in charging the perpetrators.

In contrast, the aftermath of October 2005 has seen negligible mobilisation of forces and little scaling up of the hostile rhetoric against the neighbouring country. From India's top political quarters, there have been some murmurs of regret that Pakistan is not fulfilling its side of the bargain in curbing terrorism. But this has invariably been accompanied by the firmly-stated resolve to maintain faith in the peace process.

Polite policy

Geopolitically, there have been few recent constructs as delicate as the peace process between India and Pakistan. The engagement, or rather the lack of it, has been imagined in diverse ways by both proponents and opponents, with facts themselves often proving mutable in accordance with momentary compulsions. More than three weeks after the Delhi bombings, the chief of staff of the Indian Army, Gen J J Singh, completed a tour of the frontier regions of Jammu & Kashmir, at the end of which he announced that infiltration from Pakistan had been brought well under control. The militancy in the troubled state, he said, would die a natural death, since it enjoyed little popular backing.

The following day, J & K state intelligence officials leaked to the media what they believed was a more authentic reading. Despite the confidence-building measures in place between India and Pakistan, infiltration across the border and the Line of Control was increasing. The so-called peace process held out little assurance that violence against innocent civilians would diminish. According to top intelligence sources, the reality was that "militancy-related activities" were increasing, pointing to the

distinct possibility of an escalation of militant violence in the near future.

The choice between these two scenarios – one so hopeful, the other dark with foreboding – seems to be little more than a matter of inclination. The idea that fact was subordinate to outlook was underlined, if unwittingly, days later by India's National Security Adviser M K Narayanan. Speaking to the media just days after the tragic slaying of M Raman Kutty, the Indian army driver involved in an Afghan road-building project, Narayanan indicated unambiguously that Pakistan had been involved in the murder. The political leadership in New Delhi lost little time in distancing itself from this reading – even if true, it was clearly deemed impolitic to harp on the issue.

This response was in marked contrast to previous years, when any allegation about the neighbouring country's perfidy would have been allowed to hang in the air, further politicising the underlying cause and vitiating the atmosphere endlessly. A veteran intelligence functionary who has been enjoying a second-coming in the national security apparatus since the Congress party returned to power, Narayanan has been known for his canny ability to discern just what the political masters want most. That his articulation of an almost instinctive hostility towards Pakistan did not win him the instant backing of the political establishment, perhaps, points to significant changes afoot in that domain. After long years of unintended irony, the engagement 'process' between India and Pakistan may now actually be earning the epithet of 'peace'.

New old leaders

If so, the substantive basis remains as flimsy as ever. Just as over the past eight years, the peace process is governed by the agenda agreed between India and Pakistan in June 1997. That deal, between prime ministers I K Gujral and Mian Nawaz Sharif, identified eight areas for discussion, of which two were sequestered into a special category due to their explosive potential for discord. These were Jammu & Kashmir and "peace and security". The first series of dialogues on these eight areas ended in stalemate shortly afterwards.

Since then, the agenda for discussion has been reaffirmed by successive regimes on both sides of the subcontinental divide, most recently in September 2004, when the two foreign ministers issued a joint statement after days of discussion in Delhi. On the issues of terrorism and J & K, that statement offered little more than differences of nuance between the new thinking and the 1997 declaration. Nor, for that matter, did it differ significantly from the Lahore Declaration of February 1999, jointly issued by prime ministers Atal Behari Vajpayee and Nawaz Sharif.

If there has been any dominant motif in the 'peace process' between India and Pakistan, it is undoubtedly its ability to generate public mood swings of epic proportions.

The singular difference between the ongoing phase of the peace process and those that have preceded it, then, lies in the character of the interlocutors and their domestic constituencies. As Pakistan's army chief in 1999, General Pervez Musharraf was unconvinced that the Lahore Declaration, with its supposedly 'apologetic' tone on J & K, safeguarded Pakistan's interests. His response was the Kargil adventure: an effort both to regain the Pakistani army's centrality in the political process and to establish a strategic advantage over India. It plunged the civil-military dynamic in Pakistan into unprecedented crisis, effectively choking off the Lahore process.

As president, Musharraf pushed hard to define Kashmir as the 'central' dispute between India and Pakistan. India was unresponsive to such overtures, keen that the talks continue. That phase in the dialogue was cut off with the 11 September 2001 attacks on the US, which triggered a frenetic and rather undignified contest between the two countries for the favour of the sole world superpower. That contest seems to have ended in a stalemate. Today, Musharraf is able to flaunt Pakistan's status as a "major non-NATO ally" of the US as a badge of success. But it did not come for free: he has had to cut the army free of its intimate bonds with the Islamist elements in Pakistani politics. Even if India has now been raised to the status of a "strategic partner" and a "natural ally" of the US, it has been firmly disabused of any notion that it can count on superpower endorsement for an aggressive posture towards its neighbour.

The dialogue with Pakistan also counts on a more settled domestic constituency within India. The BJP, which could once have been reliably counted on to veto any talks, is unlikely to create an undue fuss to jeopardise a process that closely conforms to the mould created during in its years in power. Modest shifts in the Kashmiri political landscape may also have enhanced India's comfort level with the dialogue.In Kashmir, democratic choice was once a matter of voting for the Congress or not at all. But today, there are three formations that represent a more serious range of choices, offering modes of political expression other than militancy. Apart from the Congress and the Peoples' Democratic Party, which have ruled the state in a fairly stable coalition for three years now, the National Conference which saw itself

as the presumptive party of governance, has settled down into its oppositional role. The Hurriyat Conference, a conglomerate of all secessionist units in J & K, has itself been riven by competing interests, with an influential section favouring the pursuit of the peace process.

Older notions of national dignity, with all of their rigidities, were perhaps giving way to more pragmatic attitudes on both sides. But even so, substantive results were clearly required if the peace process was to be sustained. During a late-2004 *Iftaar* gathering, Musharraf articulated specific proposals, all carefully differentiated in terms of a multiplicity of choices for each of the state's cultural zones, as it had existed during the British Raj. But the Indian government remained indifferent, preferring to emphasise the easing of contact between people on opposite sides of the Line of Control.

December 2001, October 2005: A study in contrast

Irrelevant LoC

The easing of border controls was always regarded by Pakistani authorities as a thinly disguised strategy by which India sought to gain access to markets and resources, while making no more than a pretence of reciprocity. But in recent months, Musharraf, in particular, has been expressing enthusiasm for making borders "irrelevant", at least so far as J & K is concerned. The soldier-president has long spoken of the opportunities that he uniquely enjoys to "resolve" the Kashmir dispute "once and for all". The Kashmir earthquake of 8 October afforded him a renewed opportunity to revisit this familiar theme, but first he had to deflect Indian overtures to relax LoC rigours for humanitarian purposes. It did Musharraf's confidence little good that the Indian proposal involved defence personnel traversing the border by both air and land. Early claims that Indian troops had crossed the LoC to deliver relief supplies were rudely refuted. The initial efforts by Indian military planes to transport vitally-needed equipment and stores were rebuffed. It was only after a prolonged negotiation process -- and possibly the mediation of certain external powers -- that the first of these planes was allowed to land in Pakistani territory.

About ten days after the disaster, however, Musharraf chose to make India a dramatic offer, far surpassing anything that had previously been proposed from that side of the border. Kashmiris, he said, should be allowed to freely cross the LoC in both directions, in order to partake in the grief on the other side and to be part of mitigation efforts. He then reprised his familiar theme that the dispute could be forever resolved by converting the earthquake tragedy into an opportunity. In short, the LoC, which kept a people apart and made them victims of the rivalry between hostile states, should be rendered irrelevant.

New Delhi reacted cautiously, seeing the effort as an attempt by Musharraf to steal a rhetorical platform it believed to be its own. But regardless, the momentum was suddenly running in favour of opening up the frontiers, since politicking in the face of a natural disaster was seen by both sides as decidedly bad policy. A few transit points along the LoC were soon agreed upon, creating the second major breach in one of the world's most impermeable political barriers, the first being the Srinagar-Muzaffarabad bus service begun in April. If governments on both sides could manage to overcome traditional insecurities and anxieties about losing control, they could do no better than to allow the local people to take over now – giving the peace process the purpose and direction that it has lacked all of these years.

With talks on the composite dialogue to be resumed in late-January, anybody expecting dramatic announcements would undoubtedly be disappointed. He or she could take solace from the repeated affirmations by the political leaderships on both sides, that the peace process is now irreversible. There have, as in the past, been more than a fair number of naysayers, who believe that it takes no more than another devastating terrorist strike to gut the peace process forever. But the evidence of 29 October suggests that there is a deeper commitment which is not quite so easily shaken. And with the people of J & K now involved, new buttresses are likely to be erected against a reversal of course. As of now, the two sides perceive the involvement of the Kashmiri people as a regrettable necessity. They are soon likely to realise that there is really no other credible way of pursuing peace than to leave it to the people with the greatest stake in it.

Neelan Tiruchelvam Memorial Lecture
Sixth Death Anniversary, 29 July 2005
International Centre for Ethnic Studies, Colombo

The political formation of cultures

by | **Narendra Subramanian**

Outcomes such as the sharpening of ethnic conflict in Sri Lanka and the growth of Tamil nationalism in Tamil Nadu are often seen as political expressions of deep-seated cultural mores and cultural differences. Even if the levels of conflict or cooperation between ethnic groups may vary depending on changing political circumstances, the boundaries between these groups are themselves often taken to have been cast long before mass political movements mobilised people based on group identity. If ethnic kin living in different states feel an affinity with each other and act on that basis, this is often considered a natural expression of group belonging. Ethnic mobilisers lend such views credence when they claim to express the enduring spirit of cultural groups.

Does identity-based mobilisation express a pre-existing cultural logic? Or does it form the cultures it claims to represent? My work on the Dravidian parties of south India points to the political salience of different visions of community in Tamil Nadu from the early decades of the 20th century to the 1950s. On the one hand, the main representative of pan-Indian nationalism, the Congress party, was much stronger than the political vehicles of Tamil nationalism through this period. On the other, many activists of the pan-Indian parties shared Tamil nationalist sentiments. The Dravidian parties mobilised behind appeals to the middle and the lower castes at least as much as to the glory of the Tamil language and the need for the greater recognition of this language. However, their relationships with the associations of particular intermediate and lower castes were fraught with tension, and such associations allied themselves as often with pan-Indian parties as with the Dravidian parties. If the Dravidian parties appealed to marginal groups, so did the communists, who spoke the language of class more than that of caste even while they drew much of their support from lower caste groups. These ideologically diverse political forces aggregated the concerns of a range of Tamil Nadu's major groups in different ways, and enjoyed significant pockets of support by the 1950s. The cultures of 20th century Tamil Nadu could clearly be incorporated into different political projects, articulating various views of political community.

The Dravidian parties of Tamil Nadu were not exceptional in their ambiguous relationship with the local cultures that preexisted their growth. The Pakistan movement claimed to represent the Muslims of British India, who they claimed constituted a distinct nation. Yet, the All India Muslim League, which led this movement, enjoyed greatest support until the late 1930s in regions which remained a part of India after decolonisation, rather than the Muslim-majority regions, most of which became a part of Pakistan in 1947. So, the party's leadership was largely drawn from Muslim-minority areas and reflected the concerns of Muslim elites in these regions. The Pakistan movement spread rapidly to most Muslim-majority regions (except Kashmir) through the 1940s due to the growth of anxieties that Muslims would be marginalised in a Hindu majoritarian postcolonial India. It was also significant that the leaders of the Muslim League crafted coalitions with Muslim political and religious elites in the Muslim-majority areas.

Did the social terrain of late colonial Southasia make the emergence of a movement representing a

distinct Muslim nation very likely, perhaps inevitable? Some features of the colonial state's understanding and governance of British India made religious identities important bases of solidarity. Religion was the major basis on which colonial officials categorised the population of British India, although they also gave importance to caste and language. This was best reflected in the census exercise, which aggregated the members of particular religious groups into communities of definite sizes. Credible claims to represent religious groups often gained people access to state patronage. Separate electorates were carved out for Muslims. These were among the reasons for the growth of mobilisation behind religious identity, specifically the formation of the Muslim League. Muslims being the second largest religious group, and forming the majority of the population in large areas of British India also aided the imagination of the Muslims of colonial India as a nation.

However, incentives remained strong to mobilise along other lines too, such as language, caste and class. They urged the majority of the Muslims of British India to support parties and movements not primarily associated with religious banners until the late 1930s. For instance, the Krishak Praja Party which dominated Bengali politics in the 1930s drew substantial support from both Muslims and Hindus, and the Unionist Party which dominated Punjabi politics through the same period counted many Hindus, Muslims as well as Sikhs among its supporters. Even in the Muslim-minority provinces, only a minority of the Muslims voted for the Muslim League a decade before the formation of Pakistan. The nature of late colonial Indian society clearly left space for political alternatives not based mainly on religious identification.

The nature of late colonial Indian society clearly left space for political alternatives not based mainly on religious identification.

If colonial knowledge and colonial institutions privileged religious identity in India, they privileged language identity in Sri Lanka. While this encouraged mobilisation behind language identity, it did not rule out other forms of solidarity. The revival of Buddhism was a more important focus of mobilisation than the promotion of the Sinhala language through the first half of the 20th century, and remained an important aspect of Sinhala nationalism even later. Buddhist revivalists sometimes opposed Sinhala-speaking Christians more than Tamil-speakers in the early decades of the last century. While various Sri Lankan Tamil elites presumed to lead all the residents of the country who spoke the Tamil language, their efforts encountered resistance among Tamil-speaking Muslims as well as Tamil-speaking plantation workers. This led to the formation of distinct parties representing these groups, the Muslim Congress and the Ceylon Workers' Congress, which continue to play significant roles in Sri Lankan politics. Later Sri Lankan Tamil political forces would respond to such impudence with attempts to expel Muslims from the eastern province. Contrary to the claims of many later Sinhala and Tamil militants, it was not preordained that language would be the major cleavage in the postcolonial Sri Lankan polity.

Identity and cultural change

If identity movements and parties do not express group cultures in the only ways in which they can be expressed, do they reshape cultures in the process of mobilisation? If they are successful in gaining considerable support among their target community, do they thereby come to represent group culture in important ways? What changes in institutions and strategies accompany such political formations of culture?

Identity-based political forces attempt to sharpen group boundaries to clearly delineate the groups they wish to mobilise and differentiate them from other proximate groups. This is true to some extent even of movements which are inclusive to an extent and deploy subtly-layered identities.The Dravidian movement was one such political force. One of the its major leaders, C N Annadurai, the founding leader of the DMK, related in his journal *Nam Naadu* an experience he had while engaged in an agitation in 1953 to augment the territory that would be part of the state of Madras, later renamed Tamil Nadu. Language identities were crucial in this context as the boundaries between the states of Madras and Andhra Pradesh were being drawn along the lines of language use. Annadurai was campaigning in the regions that are now along the borders between these states. When he asked a shepherd he met in the course of his campaign whether he was a Tamil or a Telugu, he found to his dismay that the categories and distinction he introduced meant nothing to the boy. Perhaps the boy's speech included words from both languages. Perhaps the boy was aware of Tamil and Telugu as referents to languages, but not to the identities of individuals.

Annadurai bemoaned what he considered the boy's low level of ethnic consciousness, clearly wishing to urge people to assume a definite and exclusive language identity. The shepherd in question did not seem to suffer because he did not share his interrogator's classificatory scheme. I understand that the same was not true of individuals

who attempted to reject the vision of the so-called rioters who questioned them about their ethnic identity on the streets of Colombo on 29 July 1983. Over a generation of ethnicised politics had sharpened the boundaries between the two categories that mattered most, Sinhala and Tamil, so that people could not evade their comprehensive and mutually exclusive character. In response to the question, "Are you Sinhala or are you Tamil?", answers such as "Sri Lankan" and "Christian" made little sense that day.

The ways in which political forces construct group cultures are associated with particular political strategies. For instance, the dominant constructions of Sri Lankan Tamil identity until the 1970s emphasised the long history of literary production in Tamil. This view of Tamil identity was associated with the significant roles of group members in Western education and the bureaucracy, and with electoral participation to promote constitutional changes such as the introduction of federalism and the greater official recognition of Tamil. The Tamil Congress and the Federal Party, the major Sri Lankan Tamil parties of the first postcolonial generation, had limited success in achieving these goals. The decrease in the recruitment of Sri Lankan Tamils to the bureaucracy and the professions suggested that aptitude in education would be no guarantee of reasonable life chances. The army's attack on the Jaffna Library in 1981 directly destroyed some of the textual artefacts which occupied a central place in the sense of identity of many Sri Lankan Tamils. These circumstances raised questions for many Sri Lankan Tamils about the viability of an ethnic strategy focused on electoral participation and recruitment to the bureaucracy, and the value of a predominantly textual construction of group identity. The militant movement, which came to dominate Sri Lankan Tamil politics from the 1980s, adopted an alternative strategy of armed insurgency, perhaps for secession. It associated this strategy with a reconstructed group identity emphasising the military powers of ancient Tamil kingdoms and memorialising the militants who died in the civil war of the last two decades.

Contrary to the claims of many later Sinhala and Tamil militants, it was not preordained that language would be the major cleavage in the postcolonial Sri Lankan polity.

Identity-based political forces vary in the extent to which they aim to promote cultural change. They may be divided into two ideal-types: first, those which instrumentally deploy cultural banners to help build broad social coalitions and gain access to resources and power; and second, those which prioritise cultural change, sacrificing some support, resources and power if necessary to promote the norms they value. Instrumental identity movements usually keep their constructions of group culture capacious to broaden the coalition which can identify with such a cultural vision. Movements such as the Pakistan movement, the Bangladesh movement, Hindu nationalism, Kashmiri nationalism, and Moro nationalism belong to this category.

The Pakistan movement's major leaders were modernists, in some cases atheists, who operated with a secular geography of a Muslim-majority state or autonomous region. However, they also built alliances with some religious literati (*ulema*) and invited some of the faithful to entertain a millenarian vision of Pakistan as the land of the pure. Meanwhile, Hindu nationalists claimed to offer an inclusive cultural vision of the Hindu as he (not she) who conceived India as his fatherland, his native land and his sacred land. They focused on the practices of the upper and upper-middle castes of northern and western India to animate their sense of Hindu identity, but also reached out to other groups - the middle and the lower castes, and eastern and southern Indians. The Moro nationalists of the southern Philippines used the Moro category, which the Spaniards had employed in earlier centuries, to refer to the Muslims of Spain, North Africa and the Philippines. This blanket category included the speakers of different languages - the Tausug, the Maguindanao and the Maranao; and included people with different attitudes towards the relative value of local customs and textual Islam.

The purposive type of identity movement specifies group norms more precisely, and equates them with the practices it values. The Sikh movement in India, the Islamist movements of Malaysia and Indonesia, and the Protestant fundamentalists of the United States are examples of such movements. The Sikh movement associated Sikh identity primarily with the practices of the Gobindpanthi sect, and built a vision of the Sikh man as a militaristic lion among certain agrarian and artisanal castes. In the process, it marginalised sects like the Nanakpanthis which regarded Sikh tradition differently, as well as the lower castes. The main party which emerged from this movement, the Shiromani Akali Dal, deployed such a vision of Sikh identity, although in the process it lost the support of most Sikhs of the lower castes to its major competitor, the Congress party. Some Sikh secessionists of the 1980s attacked members of the Nirankari sect located along the Sikh-Hindu boundary as much as they attacked those who identified themselves exclusively as Hindus. Many Islamists of Indonesia value the so-called *santri* practices associated with either Islam's founding texts or the practices of the Arab

The Neelan Tiruchelvam Lectures

Neelan Tiruchelvam was a reform-minded Member of Parliament and legal scholar who advocated a peaceful solution to the ethnic Tamil rebellion against the Sinhala-dominated Sri Lankan state. He was assassinated by a suicide bomber in Colombo in 1999. The International Centre for Ethnic Studies (ICES) in Colombo, of which Tiruchelvam was founder director, has since 1999 been conducting The Neelan Tiruchelvam Memorial Millennium Lecture Series. This article is a version of the latest in the lecture series, *The Political Formation of Cultures: South Asian and Other Experiences* presented by political scientist Narendra Subramanian on 29 July 2005, and is printed here with permission of ICES. The earlier lectures were as follows:

Re-imagining the State, by **Blandine Krigel**, Professor of Moral Philosophy and Politics, University of Paris, May 1999

Nationalism and Self-Determination: Is There an Alternative to Violence? by **Michael Ignatieff**, London-based writer, historian and broadcaster, 19 March 2000

Human Rights: Political Conflict and Compromise, by **Ian Martin**, Former Secretary-General of Amnesty International, 30 July 2000

International Tribunals: Justice by Prosecution, by **Patricia Viseur Sellers**, Office of the Prosecutor, International Tribunal for the Former Yugoslavia, the Hague, 21 October 2000

No Greater Sorrow: Times of Joy Recalled in Wretchedness, by **Amitav Ghosh**, Novelist, Anthropologist, Professor of Comparative Literature, City University of New York, 29 July 2001

Truth and Reconciliation in Times of Conflict: The South African Model, by **Alexander Boraine**, President, International Centre for Transitional Justice, 29 July 2002

Whose Face is that I See, by **E. Valentine Daniel**, Professor of Anthropology and Philosophy, Columbia University, 29 July 2003

Justice and Human Rights for All: The Key to Peace and a Sustainable Worlds, by **Clare Short**, British Labour Party politician and MP, 9 October 2004

For more details, go to www.icescolombo.org/Neelan

peninsula, in the process abandoning the so-called *abangan* Muslims more attached to local custom.

If identity-based movements and parties mobilise considerable support, their understanding of group culture and the style in which they articulate this understanding acquire some authority. Group members who are uncomfortable with such characterisations or opposed to them face the dilemma of either conforming to the dominant style and swallowing their misgivings or risking marginalisation. This is particularly true of purposive identity movements. The Sikh movement associated in the popular imagination the image of the Sikh man with practices initially specific to the Gobindpanthi sect such as the wearing of long hair and a turban, and carrying a double-edged knife or sword. The Islamists of Southeast Asia increased practices originating in the Arab peninsula such as the wearing of the hijab and the burqa among Muslim women, and devalued local practices such as wearing the sarong, providing daughters inheritance rights equal to those of sons, and recognising extensive post-divorce rights for women. Besides, they increased popular knowledge of Islam's founding texts, as well as contact with the Arab world.

Even instrumental identity movements often introduce some changes in group practices and in the institutional recognition of these practices, although they do not prioritise such changes. Mohammad Ali Jinnah, the leader of the Pakistan movement, was an atheist who did not observe Muslim taboos against drinking liquor and eating pork. However, he began to assemble the coalition for the formation of Pakistan through the introduction of the Muslim Personal Law Application Act (also called the Shariat Act) in India's Central Assembly in 1937. This Act decreed that Islamic law, rather than customs specific to sect, caste and region, would govern India's Muslims in most family law matters. Jinnah saw in the Act's recognition of British India's Muslims as sharing a way of life a basis to argue that this group was a distinct political community. By initiating the passage of the Act, the Muslim League gained the support of sections of the ulema, who wanted somewhat conservative interpretations of Islamic law to govern family life among India's Muslims.

This step, which the Muslim League took to consolidate a coalition in favour of the formation of Pakistan, reinforced in the eyes of many of the Muslims of Southasia the link between Muslim identity and being governed by Anglo-Muhammadan law. Anglo-Muhammadan law is the hybrid jurisprudence which emerged in the courts of colonial

India by interpreting aspects of Islamic legal tradition in terms of British common law. The link between Muslim identity and Islamic law did not get weakened in the three countries which emerged from British India - Pakistan, India and Bangladesh. This was an important reason why Anglo-Muhammadan law continued to govern the family life of Muslims in these countries, with some modifications. The Pakistan movement's path to success, thus, had an enduring effect on the regulation of aspects of everyday life among most Southasian Muslims.

The cultural effects of other instrumental identity movements were more closely related to the movements' construction of group culture. For instance, Hindu nationalists valued the extensive use of words originating in Sanskrit, the language of many major Hindu texts, when speaking and writing the Hindi language. They increased the use of Sanskritic words among their core support groups, as well as in the official media when they were in power in India or in particular Indian states. The Dravidianists helped develop and deployed a form of Tamil in which the usage of words originating in Sanskrit or other North Indian languages was reduced. The political dominance of the Dravidianists gave the form of Tamil the Dravidianists preferred a preponderant role in public speech and the media. It relegated the more Sanskritic variants of Tamil largely to the homes of the Brahmin upper caste. Brahmins, who typically use a Sanskritic Tamil dialect, had to adopt the new Tamil if they were to succeed in political life.

The army's attack on the Jaffna Library in 1981 directly destroyed some of the textual artefacts which occupied a central place in the sense of identity of many Sri Lankan Tamils.

Prior alignments, pre-existing cultures

Do successful identity movements erase preexisting cultural affinities, social solidarities, political alignments and material cultures which are not compatible with their construction of group identities? Considerable evidence suggests that prior affinities, solidarities and cultures resist the homogenising drives of identity movements, even if these movements gather considerable support. To return to the example of the Pakistan movement, its rapid growth through the last colonial decade changed partisan alignments dramatically in the regions that became part of Pakistan in 1947. The Muslim League, which was barely present in these regions in 1937, won the elections of 1946 there, handily for the most part.

However, a crucial reason for the institutional growth of the Muslim League in the future Pakistan was the incorporation into the Muslim League of much of the Muslim components of some parties with prior local strength, like the Krishak Praja Party in Bengal and the Unionist Party in the Punjab. Such province-specific political forces retained their distinctive concerns even while they supported the demand for Pakistan. For instance, considerable autonomy for the provinces, the official recognition of the Bengali language, and the substantial redistribution of agricultural land were major priorities of the leaders of the Krishak Praja Party. This was true of Fazl-ul Haq, who led the Krishak Praja Party. The repression of the agitations in Bengal against the introduction of Urdu as Pakistan's sole official language urged Fazl-ul Haq to leave the Muslim League to revive his earlier party in 1953 with a slightly different label, the Krishak Sramik Party. Parties like the Krishak Sramik Party joined hands to rout the Muslim League in all the provinces in Pakistan's first provincial elections of 1954. The Muslim League had clearly not overcome prior alignments and concerns, which became more prominent after the formation of Pakistan.

Pre-existing regional parties and the concerns of language groups were not the only sources of opposition to the early postcolonial Pakistani regime. The name Pakistan referred both to the regions included in early dreams of the country's territorial contours and to the millenarian promise that this country would be a land of the pure. The latter interpretation was particularly relevant to the religious literati and seers who campaigned for the country's formation. These groups and those they moved were dismayed when Jinnah, Pakistan's first Governor General, declared in his speech to mark the transfer of power from the British that Pakistan would be a secular country. They had greater influence over early postcolonial policy-making than the Bengali nationalists did. So, the first Constituent Assembly could not decide on the role of religion in public life, delaying the adoption of a constitution until a different non-elected assembly adopted one nine years after Pakistan's formation.

Prior affinities, solidarities and cultures mediate the cultural effects of enduring political forces like the Dravidian parties as well, and not just forces which rise and fall rapidly like the Muslim League. While the Muslim League fragmented and declined soon after Pakistan's formation, the Dravidian parties dominated politics in Tamil Nadu for almost four decades and continue to do so. The extent and social composition of support for the Dravidian

parties and the orientations of their activists and supporters varied across region. These developments depended crucially on prior patterns of stratification and solidarity; and the strength, support bases and orientations of rival parties.

Political formation of culture in Sri Lanka

Having addressed the impact of various identity-based political forces on group boundaries, group cultures, and patterns of contention, it would be peculiar if little was said about Sri Lanka considering that ethnic politics plays a central role here, and the possibility is in the air of compromise over some of the central issues that have divided the Sri Lankan government and the Tamil militant movement for long. So, I venture some comments on the political formation of culture in Sri Lanka earlier and the prospects of its re-formation now.

There have been changes in the ways that major Sri Lankan Tamil ethnic mobilisers constructed group identity with the emergence of the militant movement. The strategies of an earlier generation of Sri Lankan Tamil politicians involved electoral participation, electoral alliances with the major Sinhala parties, and non-violent agitation for constitutional change. The ethnic composition and geographic distribution of the population, the existence of a unitary state, the emergence of an ethnicsed party system, the tendency of the two major parties to outbid each other on Sinhala majoritarian policies and promises, and the first-past-the-post electoral rules gave the parties of the Sri Lankan Tamils very little ability to achieve their major goals. Sinhala majoritarianism grew and led to incidents of anti-Tamil violence of increasing frequency and intensity.

This led to the emergence of militant groups, their resort to armed insurgency, and the adoption of the goal of secession by some militant groups. An embrace of militarised constructions of Tamil culture accompanied these strategic choices. If many Sri Lankan Tamils felt that they and their community could seek justice only by taking to arms, the circumstances had much to do with the growth of this feeling. The militant movement appeared to hold the promise of giving Sri Lankan Tamils a more effective political voice, and contributing to the deepening of democracy.

The situation began to change in the mid-1990s. After over a decade of civil war, a sense grew among Sinhala policy-makers and Tamil militants that the war could not be won, and the feeling increased among many civilians that the war was a series of harrowing losses. This changed the context in which periodic negotiations took place between the contending parties to the civil war. A significant body of opinion grew within the Sri Lanka Freedom Party and United National Party in favour of compromise on the crucial issues of the devolution of power and official language policy so that the war could be ended. This enabled the rise of politicians open to the introduction of such changes to the leadership of the two major parties. The pressure exerted by the militant movement was crucial to the emergence of these changes. If some powerful Sinhalese no longer roared like lions, this was crucially because some Tamils had growled like tigers for some time. The constriction of the militants' transnational resource networks, especially since 11 September 2001 also pressed the militants to consider compromise and the abandonment of secessionism.

If some powerful Sinhalese no longer roared like lions, this was crucially because some Tamils had growled like tigers for some time. If the circumstances of the 1970s and the 1980s called forth a militaristic formation of Tamil culture, the situation today requires the re-formation of political culture.

The militant movement made possible openings for compromise and a peace more just than the one that preceded the civil war. However, the militarised construction of Tamil ethnicity and the strategic orientations which accompany it at least delayed a settlement, and might still prevent one. If the circumstances of the 1970s and the 1980s called forth a militaristic formation of Tamil culture, the situation today requires the re-formation of political culture.

We can only hope that the pressures operating on both sides will lead to a settlement. If peace is to endure, it is crucial that a pluralistic polity be built. An important step towards this end is the effective contestation of militarised constructions of Sinhala and Tamil ethnicity. While visions which contest militarism exist, attacks from ethnic extremists eroded the sub-cultures embodying these visions. These sub-cultures need to be revitalised. The growth of alternative visions of identity and citizenship should constrain those who might wish to continue to roar like lions and growl like tigers. Or rather, more people should learn that the beasts of the jungle coexist at least as often as they threaten or attack each other, even if they see themselves as lions or tigers. Some of the legacies of the long civil war and the terms on which it ends may hinder efforts to build alternatives to militarism. However, peace will only brighten the prospects of such alternatives.

Kashmir ka sawaal

Report of the Istanbul media retreat on the question of Kashmir

University of Texas

Panos South Asia organised a 'media retreat' in Istanbul on 2-3 December 2005 to discuss critical issues related to solving the Kashmir problem. The meeting was attended by seniormost Indian and Pakistani 'media gatekeepers' and a panel from India- and Pakistan-administered Kashmir — Sardar Qayoom Khan, former prime minister of Azad Kashmir, Mirwaiz Umar Farooq, Chairman of the Srinagar-based Hurriyat Conference, and Ved Bhasin, chair of *Kashmir Times* of Jammu.

The media persons participating were, from India: N Ram, editor-in-chief of *The Hindu*; Shashi Shekhar Gupta, group editor of *Amar Ujala*; Uday Shankar, CEO and editor of Star News; and Om Thanvi, editor of *Jansatta*. From Pakistan: Hameed Haroon, publisher of *Dawn*; Talat Hussain, director of *Aaj* television; Rehana Hakim, editor of *Newsline*; Mujibur Rehman Shami, editor of *Daily Pakistan*; and Mehmood Shaam, editor of *Jang*. Also participating were Panos South Asia Executive Director A S Panneerselvan and Himal Southasian editor Kanak Mani Dixit, moderator of the Panos India-Pakistan media retreats since the beginning.

The Istanbul media retreat followed on three earlier meetings between Indian and Pakistani journalists on the following topics: the India-Pakistan 'composite dialogue' (Bentota, Sri Lanka, September 2004), the nuclear weaponisation of Southasia (Bellagio, Italy, July 2003), and conflict and the India-Pakistan media (Nagarkot, Nepal, May 2002).

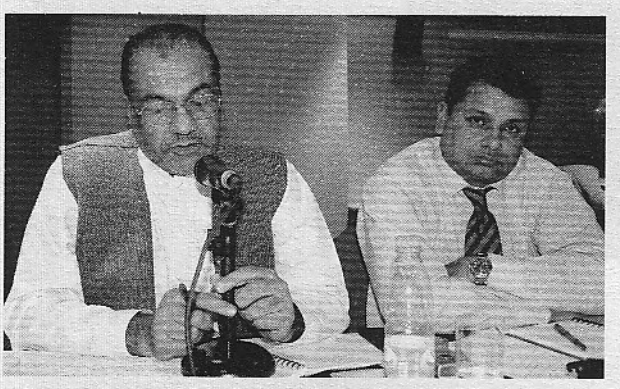
Himal presents here an edited summary of the discussions held in Istanbul as well as selected statements by participants. The transcribing was done by Assistant Editor Prashant Jha. Himal's reports on previous India-Pakistan media retreats are available at: *www.himalmag.com/India-Pakistan*.

The politics of violence

Moderator: In this session, let us try to look at how perceptions of violence, which has been the continuous motif accompanying Kashmir for so many years, difer among the participants here.

Om Thanvi: Violence is a real problem and needs to be condemned — be it in Kashmir or in Nepal. When we – the intellectuals, writers or politicians – discuss such issues, there is often a tendency to justify or ignore violence. We must recognise that violence cannot be a part of any political process based on talks and dialogue. Not condemning violence unequivocally is a dangerous approach to adopt.

Uday Shankar: The only association that the rest of India has with Kashmir is that of violence. Kashmir registers on the Indian consciousness only if there is a violent side to it. If the peace process is to be pushed ahead, we have to pay attention to this perception. Kashmir is beginning to fall off the national consciousness of young Indians who tend to see it as a problem and little else. In any newsroom today, the standard response to a Kashmir story is whether there is a violence angle to it – the number of casualties, whether any big personality was involved.



All photographs: Sahar Ali

Mujibur Rehman Shami *(Daily Pakistan)* and Uday Shankar *(Star News)*

What I am saying is that It has suited the Indian leadership to convey that Kashmir is a problem of violence. The responses that have come from across the border have reinforced this perception. The perception is not rootless either, there has been a lot of violence in India because of Kashmir.

Sardar Qayoom Khan: While we believe that violence must end, it must be recognised that violence in Kashmir has emerged out of a long historical process. It is also true that violence in Kashmir – whether we call it freedom movement, jehadi struggle – has been a major reason for world attention. Earlier political efforts did not succeed in doing this. If there is a roadmap for the process ahead and people feel their aspirations can be fulfilled by peaceful means, the violence will automatically subside – nobody wants to commit suicide. Unless people see a way out of the deadlock, this criminal bloodshed and violence will continue. President Musharraf has made desperate efforts to control Pakistan-based militancy but the other side needs to reciprocate now.

We should also not ignore the fact that, in the past decade, there has been an influx of non-Kashmiris into the movement, who are neither under Pakistan's control nor the local militant groups. They may continue, they may run away – everyone should not be treated alike.

There is a fence on the Line of Control, 16 feet high, with steel wire and electrified parts. 800,000 troops guard it on both sides. If someone succeeds in crossing that fence, then he deserves an international gallantry award. But there are people in the state already in significant numbers with a generation-long commitment to the movement. They need to be dealt with sensitively and I believe a roadmap could help reduce the violence.

Mirwaiz Umar Farooq: Violence is one part of the problem but it is not the whole problem. I believe there is lack of information about Kashmir among the Indian people and it is important to inform them about the actual situation. Violence in Kashmir must also be related to the politics of the region. Vested groups have been created in Kashmir, which are working for their own interests – both on the militant and military side. Their interest lies in the violence continuing. One way to reduce the violence is by taking the indigenous groups on board. The government of India needs to take the initiative in this regard. We went to Azad Kashmir earlier this year and met Kashmiris who are involved in militancy. They are willing to talk, but need to be provided with some incentive.

N Ram: I don't think it is smart politics for the government to raise the stakes in this way and link anything Kashmir-related that happens in Kashmir or outside with cross-border infiltration, terrorism, and what Gen Musharraf has failed to do. They may think that it puts pressure on the other side but it distorts the situation.

The decline in violence since June 2002 has been real. It appears that Gen Musharraf has at least part delivered on his 2002 promise to end cross-border terrorism. But at the same time, the violence is also real. The same people who romanticise the Kashmir quest for a solution try to underplay the political

Mirwaiz Umar Farooq • No to LOC, no to status quo

There is a clear consensus among Kashmiris that it is time to address the Kashmir problem. At a recent seminar where I shared the platform with the National Conference and People's Democratic Party for the first time, despite our political differences, we agreed that the Kashmir issue needs to be resolved with the people of the region a necessary part of the dialogue and reconciliation process.

Delhi seems to have realized the need to address the problem as well. What is lacking, however, is the will and determination on their part. The only concern of the Indian establishment seems to be the violence in Kashmir, ignoring the political aspects. The Kashmiris still do not trust Delhi because of what has happened in the past, actions that have also made it difficult for people like us who are categorised as 'moderates'. It is easier and safer to be a hardliner in Kashmir, holding secure positions. It is also unfortunate when opportunities to build better relations are missed, such as the earthquake. People felt that if such a tragedy could not move India and Pakistan to let Kashmiris share their pain and grief with each other, what would?

At the same time, there is definitely a change in sentiment. A new generation has emerged in Kashmir that is willing to think anew. Indigenous parties and groups, even those who have adopted violent means, are willing to move to something that is acceptable to people on both sides of Kashmir. The change in attitude is discernible from their reaction to the Hurriyat's decision to talk to the Indian government – in 2004, when we started the process, we were condemned; this time around, there was no support but neither was there condemnation.

Instead of seeking a final solution at this stage, we must adopt a gradual approach. Once the process is in place, a solution will emerge from that. Kashmiris belonging to different regions, religions, ideologies and cultures must be allowed to interact. The dialogue process between India, Pakistan and the people of Kashmir also needs to be consolidated. We do recognise that Hurriyat is not the only player representing the people of Kashmir, and we must get other groups on board. Even those outfits that have taken to violence, particularly the Hizbul Mujahideen, are willing to be a part of the process if there is change at the ground level that can help them convince their followers.

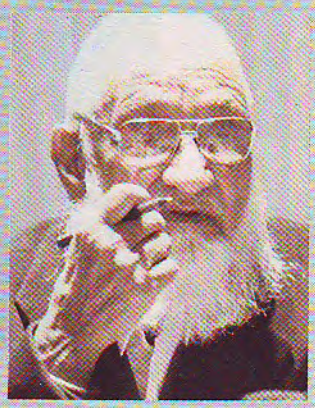
We need a change at the ground level and a move towards genuine dialogue so that people feel the difference in their lives from the peace process. Apart from the Srinagar-Muzaffarabad bus, we have seen no Kashmir-centric or people-centric confidence-building measure. The hosilities must also end for the process to move forward. Unless and until there is peace on the ground, no CBM or action by India and Pakistan is really going to take effect in the real sense. There should be a halt to violence from the militant's side as well as from the military side.

In the Kashmir context, it is difficult for any party, including the Hurriyat, to take a single position. We can declare that the majority of the people want independence – and there is no doubt about that fact – but that does not mean we are unwilling explore other ideas. People realise that an independent Kashmir may not be a possibility because it does not serve the interests of the other players in the region. While we are willing to be accommodative, two things are clearly unacceptable to us – the conversion of LOC into a permanent border, and the status quo. Besides this, the Hurriyat is ready to discuss all other possible options with all other parties, irrespective of their ideology.

There are different ideas emanating from Islamabad as well- one can agree or disagree with them but it is important not to discard them. I believe that Pakistan has moved beyond its stated positions. The question now is whether India is willing to move beyond CBMs such as trade, bus links and people-to-people contact and towards a solution. What we encounter is complete silence on the Indian side. There is fear that India is trying to buy time and maintain status quo.

Sardar Qayoom Khan• Independence is romanticism

The India-Pakistan relationship is stuck on Kashmir. It is imperative that Kashmiris on the two sides are allowed to meet and talk freely. For the past five decades, they have been denied this opportunity. Given the fact that they are suffering the most in the conflict, Kashmiris would certainly try to find ways to reduce the tension. The situation in Kashmir must be normalised as it would provide moral support to all sides as well as serve a humanitarian purpose, and this can happen without any party having to surrender its claims to sovereignty.



It is important not to talk of a final, permanent, lasting, durable solution. The focus should instead be on the procedure for moving ahead. Interim steps have to be taken before arriving at a model to resolve the dispute, and these may be discussed in the media on both sides. The Srinagar-Muzaffarabad bus, for instance, is a good step but has not been effective due to many restrictions. We should think of processes and interim steps and not insist on particular form, shape or model. We need a gradual, systematic process rather than an ambitious, grand plan.

There are several ideas that can push the process forward – the withdrawal of troops from population centers, release of prisoners, and allowing movement of Kashmiris on both sides. A few years ago, I had suggested the creation of a small demilitarised zone on the ceasefire line where the Kashmiris can meet freely. Before 1956, people were allowed to move on the two sides by producing identity cards certified by the local deputy commissioner. All routes blocked since 1956 could be re-opened. President Musharraf, for his part, has also come up with some ideas – a seven-region formula and self-governance.

I believe that the majority of people in Kashmir want either accession with India or with Pakistan, not independence. While there are a few sections, including international players, who support the idea of independence, we must recognise that independence is romanticism; it is not available given the situation or as per the Partition Plan or the UN resolutions.

There can be a solution only if all sides are talking – there must be talks among the Kashmiris; between India and Kashmiris; Pakistan and Kashmiris; and between India, Pakistan and Kashmiris. The Kashmiris need not have a specific seat on the table but their involvement is essential, either by proxy or directly. A government in Pakistan that does not consult the Kashmiris on the issue cannot survive. The question could be who represents the Kashmiris, and it is important that Kashmiris of all denominations are consulted and taken into confidence. Several ways can be devised to include them: for instance, if it is difficult to give them a seat on the table, Kashmiris from each sides can be included in respective Indian and Pakistani delegations.

For effective movement forward, the Indian and Pakistani leadership will have to act but they need our support. On the Pakistani side, especially, it is important to be conscious of the difficulties of the Indian government because they operate in a democratic set-up. Additionally, the Indian Army in Kashmir has constitutional authority on some matters, and unless the constitution is amended, the Indian government cannot go beyond certain limits. On both sides, we need to understand each other's constraints and help each other overcome them. For this reason, it is important not to advance any one-party agenda, from the Indian, Pakistani or even the Kashmiri side. An agenda solely driven by one party will not work even if it is based on gospel truth. A joint agenda must be evolved.

influence and role of these groups. The Lashkar-e-Toiba and Jaish-e-Mohammad are major players, eclipsing the role of the Hurriyat and others. This is a real problem.

It is said that the roots of violence lie in the oppression of the people of Kashmir, the denial of justice, the atrocities and human rights violations that take place. No question about that. Some horrible things have happened in J & K. But I do not see any organic link between those root causes and the fact that Lashkar and Jaish are at large in Kashmir and in other parts of India, and free to strike the way they do. You need to get them on board and put it in the same basket as other grievances. Otherwise, I do not think politically it is realistic or sound.

Mirwaiz Umar Farooq: One cannot deny that some groups are working in Kashmir independently. Gen Musharraf gave us a commitment in Amsterdam in 2004 that Pakistan is willing to address the issue of violence as far as India is concerned. We have started

taking measures to address those concerns as well. But it is important to recognise that Jaish and Lashkar are in a position to work because they enjoy public support to some extent. Once there is a genuine movement for the people of Kashmir to see and realise, I am sure that the support to these organisations will automatically diminish. There are still people who believe that violence is the only means to compel India to come on to the negotiating table.

Ved Bhasin: The violence is no doubt there, but it is not the only problem. In fact, it is not the predominant problem. Violence has in fact come down during the past two-three years.

Uday Shankar: It is a very big problem for the rest of the country.

Ved Bhasin: The Indian state has fed the public with many lies, emphasising that only cross-border terrorism exists in Kashmir and denying that there is also a popular revolt against the Indian state. Violence undoubtedly exists but it is not one-sided violence. The Indian security forces kill innocent people as well. Women are raped, some by militants but largely by the Indian security forces.

N Ram, *The Hindu*

Shashi Shekhar Gupta: The violence is affecting the Kashmiris more than anyone else, and it is showing both its facets in Kashmir. Violence begins, and the state responds with its counter violence. A person in Kashmir once told me how the militants dress like the military and how the soldiers grow their beards long. This dual-sided violence has now begun to eat up Kashmiriyat and once that happens, your movement will go completely astray and lose focus. The movement is now being considered a terrorist movement.

Hameed Haroon: The conventional notion in India is to define terrorism as a weapon to perpetuate independence. In Pakistan, it is the use of violence as a weapon by the Indian state forces to perpetuate terrorism. There are two points regarding violence here, that it serves to mobilise public support or it serves the purpose of intended manipulation. I am not looking at the public support theory, of guerrillas living in an ocean of sympathy from the people, instead I am looking at the intended manipulation. For example, the recent bombings in the Valley appear to have been intended for Ghulam Nabi Azad who had taken over as Chief Minister a few days earlier. The targets chosen were very strange – why were the people of the Valley attacked? In Kashmir, like elsewhere, terrorism becomes the format for what is essentially a crime and not a political move. I put it to you that trying to change the government's composition by such actions, if indeed it was the case, is in fact using terrorism for a power agenda.

The other example is the recent attack at Lal Chowk. Why would any force, Laskar or any other group that cares for the Kashmiri people, launch an attack after the earthquake? I would suggest that to answer this question and understand the issue of violence in Kashmir, it is also important to consider other regional developments. For instance, developments on Pakistan's western borders – the US policy, the attempt to woo the soft Taliban, the internal politics of these outfits, the massacre in Quetta – all have their implications for Kashmir.

The minorities of J & K

Moderator: Even though the question of Kashmir is seen to revolve around the question of Kashmiri rights, is there not a possibility that other communities will come forward to demand a fair hearing once a solution is seen to draw near?

Om Thanvi: While discussing the Kashmir issue, we tend to forget about Ladakh and its Buddhist population. They too are an integral part of the state and must be included in the process that determines the future.

Shashi Shekhar Gupta: Let us also remember that a large section of the Kashmiri people – the Pandits – were sent from Srinagar to Jammu. When they live in camps in Jammu, the general impression that emerges is that because Jammu is a Hindu dominated area, they are safe there, their shops, homes, lives and land are unsafe otherwise. They are your people who are refugees in your own land and your state. Something must be done to address this issue.

Mirwaiz Umar Farooq: We all agree that the return of Kashmiri Pandits should not be conditional to the issue of Kashmir being resolved. We have been interacting with the Pandits at different levels and had invited Pandit leaders to come to the Valley. The Hurriyat is planning to go to their camps in Jammu. However, there is an element of uncertainty.

When we started interaction with the Pandits, the next day there were threats from unknown organisations threatening them not to return. We would like to take the responsibility of their return but are not in a position to guarantee their safety and security. If something happened tomorrow, either by design or accident, the whole effort would collapse. So, there is need for caution.

We also disagree with the state government's plan to have separate Hindu colonies in the state, protected by armed forces and the police. The Pandits also want to live the way they used to live with their Muslim brethren, as friends and neighbours.

Ved Bhasin: For the last 150 years, Kashmir has been a united state and for a number of years, it was an independent entity. It is essential to preserve the diversity and the pluralistic character of the state. The shattered trust between the two communities has to be restored. The return of the Kashmiri Pandits is not possible without goodwill of the majority community in Kashmir. While there are efforts in this direction, there is a powerful vested interest – both in Kashmir and among the Pandits, which would not like the Pandits to return and live with their Muslim brethren. Kashmiri Pandits are being used as an excuse to highlight what is happening in Kashmir, the violence, and atrocities, and to project the Kashmir movement as a communal, fundamentalist movement. The plans by the state government to set up separate clusters for Kashmiri Pandits must be opposed – if they are to live in separate camps and clusters then there is no reason for them to go back.

Sardar Qayoom Khan: Let there be no departure from the fact that that Jammu and Kashmir state, despite its diversity, is one unit. If I had the authority, I would give Kashmir's non-Muslim minorities a blank cheque to sign on future arrangments. Whatever the political arrangements, we can live together the way we have for so long in the past. I fully support the return of the Pandits. The Pandits have lived in Kashmir like the Muslim community itself and this is the one spot in the Subcontinent where there has been no ethnic problem whatsoever. The state will have to play its role in their return to Kashmir and their security will have to be assured at the hands of the majority. And the Pandits, together with the Muslim community, will have to fight back in some of the cases if security problems do arise.

The media and Kashmir

Moderator: It is important to discuss the role and the attitude of the media in India and Pakistan vis-a-vis Kashmir. I would like to make a few suggestions in order to feed the discussion. For one, we should look at the power of what may be called the 'language' or 'vernacular' media, Hindi and Urdu and Sindhi, Punjabi and so on. If it is important to sensitise the larger mass, which will then understand the political aspects of the Kashmir issue, is it enough to just consider the English language press? We should also perhaps examine how the media in the southern extremities of the two countries is dealing with Kashmir – is the Sindhi and English press in Karachi different from Lahore and Islamabad, and how is the Chennai press different from the New Delhi press? We must also study the power and impact of television, considering that satellite television has cross border footprints. Also, if we want to change attitudes, it may be important to begin with terminology. I would like to suggest that instead of 'Pakistan Occupied Kashmir' and 'India Occupied Kashmir' used by the opposing sides, it is time to start using 'India Administered Kashmir' and 'Pakistan Administered Kashmir'.

Hameed Haroon: For the ethnic press in Karachi – the evening papers and the popular papers affiliated to parties – Kashmir was a distant problem, a Punjabi problem, though it has been a long time since Punjab ruled Kashmir. It had to do with the violence and killings but little beyond that. Interestingly, things have changed in the last 60 days after the earthquake, when the city of Karachi surpassed all others in providing aid and skilled personnel. A humanisation of Kashmir has taken place. The Sindhi press carried this emotion and has been involved in the earthquake coverage. Sindhi broadcasting has been covering this as well.

Azad Kashmir has been poorly covered because of its absurd geographical situation where it takes six-seven hours for a newspaper to reach. There is no integration mechanism, most papers do not have a Muzaffarabad edition, and the state of communication in Muzaffarabad has been poor. For its part, the Azad Kashmir government has delegated its powers two years ago to the Pakistan government to regulate their frequencies, which is why they do not have FM radio today in the true sense, and lack all other kinds of decentralisation opportunities in media. Unless the Azad Kashmir government takes that power back, Kashmir will continue to be deprived of real micro reportage, which is the essence of any good media anywhere.

Mehmood Shaam: Kashmir is an emotional as well as religious issue in Pakistan, so a completely free

Uday Shankar • Discard the cocoon

Let us recognise that, as in other areas, journalists make mistakes while reporting on Kashmir. This need not be due to a grand conspiracy, but because of the ignorance of the journalist in question or the conditions in which he is operating. Reporting in Kashmir is difficult – there is little transparency; access to location or event is not always there; sources often have partisan positions; and from all sides, a lot of misleading information is fed to the reporter. You have to 'de-intentionalise' and 'de-sensationalise' media mistakes.

For way too long, Kashmir reporting has been hostage by Delhi journalists. Politicians of Kashmir, of different hues, spend a disproportionate amount of time and attention on the journalists of English-language newspapers, whose reach has been highly exaggerated. A large number of politicians in India today neither read any English newspaper nor care about what it says. But they have a very effective voice in policy making, in legislative decision-making, and they have to be engaged. You could say that there has not been any attempt by any Kashmir interest group on a sustained basis to engage the rest of the country. For instance, the readership of the Hindi dailies *Dainik Bhaskar*, *Dainik Jagran* and *Amar Ujala* together is anywhere between 40 to 45 million. If you do not address this mass of Indian people, then there is no way you will be able to get out of the cocoon in which you are trapped.

For its part, television suffers from a lot of ignorance because the entire television-reporting contingent is still very young – with a physical energy sometimes not matched with intellectual rigour or deduction skills. However, it is also important to understand the nature of the beast. Television has linear delivery and it has to suffer the remote control button. People switch channels in seconds. To avoid that risk, news editors just drop a story where a clear perspective does not come through. And they can do so, precisely because Kashmir is not such an important issue in India if you divorce it from its violent implications. There is clearly a problem of understanding and a crisis of credibility in the whole process of what is happening in Kashmir.

and independent approach is difficult in such a context. However, things have changed, particularly after the 9/11 attacks. People are convinced that only peaceful negotiations can solve the Kashmir issue and the national press is supporting the talks with India. At the same time, there are some newspapers and magazines owned by religious parties which advocate jehad as the only solution. They accuse Pakistan of being either over-cautious or too flexible, and believe India is not moving an inch from its stated position.

Pakistan's Urdu national press is in fact discussing the different options in Kashmir – demilitarisation, self-governance, or the seven regions proposal. There are debates on whether trade relations with India should be contingent on the resolution of the Kashmir issue. Before 9/11, these debates were not possible in the Urdu newspapers. There are very few papers which support militancy. Sometimes in our Urdu papers, a speech by the Indian prime minister can make the lead story. However, we do not find such coverage of Pakistani leaders, or this kind of support for the peace process in the Indian newspapers, either English or Hindi.

N Ram: There is considerable coverage of the détente process and support for it in the Indian press as well as in television discussions. However, we cannot say much regarding coverage of Kashmir in the absence of a proper information base. A small study did find that the media tends to tail official policy on Kashmir. But there should be in-depth study of the coverage of Kashmir by the different streams of the media, to gauge the credibility of coverage of the human rights situation or of election campaigns.

The press also has to play a more vigorous investigative role in Kashmir. Is the media in India performing its educational role – on providing interim solutions, gauging the mood of the people, and suggesting more enduring solutions? The commentator A G Noorani and a few others are doing rigorous analysis that the matter deserves. While the media cannot claim to set the public agenda, it can surely participate in building it. Finally, there is the propaganda role – manufacturing consent for what the Hurriyat see as unjust, oppressive or failed policies.

Kashmir and its leadership get a lot of news coverage, even in the south. There is a lot of information presented, and a lot of images. Kashmir's very articulate leaders representing different strands are active with the press and get adequate coverage. There may be an unfriendly editorial position, which you have to take in a sporting spirit.

Shashi Shekhar Gupta: In discussing the role of the media, we must also focus on the changes within J & K. The dailies *Amar Ujala* and *Dainik Jagran* have editions in the state now and the readership for Hindi

Talat Hussain • Generational change in media

We must recognise the fact that media does not create reality. If the ground reality in Kashmir does not change, the media is not supposed to be creating its own agenda and trying to put an alternate fiction of what reality ought to be. Things have to change in Kashmir, between India and Pakistan, and among Kashmiris, for media to be amplifying the reality. We should also remember that, generally speaking, the media also follows the flag of nationalism. The Indian and Pakistani media have not been exceptions to that rule, and coverage has been very lop-sided and subject to the considerations of state policy rather than independence. Most of us have fallen in line in varying degrees. Since the level of tension has come down, there is now a greater opportunity for the media to cover the reality more objectively.

The bigger the issue at hand, the greater the stakes are, the more cautious the media becomes. Mainstream media cannot do sustained coverage of a large issue over a period of time that strikes off from the mainstream policy parameters. We also tend to take a romantic view of media independence, and forget the environment within which newspaper and television journalists work. On coverage of Kashmir, for example, it is not necessarily the independent journalist but the larger media conglomerate which sets the parameter. Let us also understand that journalists are not sitting there brooding over the fate of earthshaking issues. For people to think that journalists are studying big tomes on Kashmir, working out great solutions, and peddling editorial lines is a little unrealistic to put it charitably.

A generational change has taken place in the Pakistani media, and the young journalists are not burdened by history. There is greater tolerance for diversity of views being expressed, not just in newspapers but also on television. The media has become more even handed in giving room to stories that do not necessarily fall within the boundaries of government policy. A cross-fertilisation of ideas and commercial interests has contributed to increasingly liberal coverage of Kashmir as well as India-Pakistan relations. There is more openness when it comes to presenting the Indian point of view, and articles from the Indian press are reprinted in Pakistan. Television's own interest in the larger arena of India-Pakistan peace is also fuelling its more liberal coverage of the Kashmir issue. The three big players in Pakistan – GEO, ARY and AAJ – have developed huge stakes in terms of co-production and joint programming with Indian channels and do not wish to see those jeopardised.

is growing. When we began our own reporting in Kashmir, instead of terrorism we decided to focus on core issues that affect daily lives – electricity, education, clean water, health facilities, transport and so on.

Mujibur Rehman Shami: Since Kashmir is such an emotional issue, I do not think we can use the terms 'India Administered Kashmir' and 'Pakistan Administered Kashmir' in Pakistan. We can do so only if the governments of both countries agree to do so as a gesture of goodwill. As far as Pakistan's stand is concerned, the whole nation agrees that Kashmir is occupied by the Indian forces. I suggest that newspaper publishers and owners and editors in India and Pakistan should prepare a code of ethics for the coverage of events on each side.

At the moment, you can say that the Pakistani press is divided, but with only a small section supporting the jehadi struggle. Most of the newspapers believe in the peaceful resolution of the Kashmir problem. A few papers suggest that the problem be settled under the UN resolutions and a plebiscite be held, but the consensus is that this is not possible and we should try to find a solution to the satisfaction of both the countries and of Kashmiris. While historically the Pakistani press has seen Kashmir as a problem between India and Pakistan, since 1989, most sections of the press believe that Kashmiris must be involved in the process of dialogue.

Talat Hussain: As media persons, we need to follow very closely the change in the official idiom and the description of issues. Nowhere in recent documents is Kashmir described as a dispute. It is an issue. It is not '*Kashmir ka jhagda*'. It is '*Kashmir ka mamla*'. And in none of his statements made on Indian

soil has Gen Musharraf described occupied Kashmir as 'occupied Kashmir'. I guess we are all beholden to our own perception of what the reality is.

Mirwaiz Umar Farooq: I do believe that there needs to be new thinking by the media on the Kashmir issue. The media can perform an educational role by informing the people of the actual situation in Kashmir. While Kashmiri leaders might be given publicity in the media, very few editorials and commentators are suggesting new ideas. For its part, the Kashmiri leadership does need to have more interaction with the Urdu and Hindi press.

Talat Hussain: Mirwaiz Sahib, the reason media does not do bold analysis of Kashmir at this time is the absence of information. The print and television media has become highly competitive, and if you want to drive out negative propaganda you must provide information. Without it, we are handicapped and the fact is that the main political players are holding on to information as a closely guarded secret. All the media can do under the circumstances is present speculative analysis and 'bold thinking' that has no link to reality.

Ved Bhasin: The media, both in India and Pakistan, is still a prisoner of the mindset of 1947. The media has been used by each state to demonise the other. After 1989, the media has not been able to express their views and ideas freely because they have either been under threat from the militant groups or from the state forces, particularly the latter. When some of the newspapers reported about human rights violations by the army, they were called enemies. Many media people have been eliminated, victims of the security forces and the militants. While the situation may have changed to some extent, it is still difficult to write anything that does not serve the interests of the state. The situation must change, and media persons from the both countries must be allowed to freely visit both sides of Jammu and Kashmir.

Hameed Haroon: Seven militants were shot at and injured a month ago in Srinagar near Lal Chowk. Now the entire media corps wears crash helmets up there. Death is a real possibility for many of these journalists. At the risk of arousing controversy, let me say that militants know how to get their point across to any journalist if they want to. There is a real atmosphere of threat from the militants.

Ved Bhasin: A large number of journalists in Kashmir have been defying the dictates of both the security forces and the militants and have been working with independence.

The earthquake and the peace process

Moderator: The October 2005 earthquake was an immense tragedy that visited the people of Kashmir. Even in tragedy, it provided an opportunity to push the peace process forward, open the window for Kashmiris to meet up, and generally usher greater empathy and understanding among the two state players. Was the tragedy 'utilised' to accelerate rapprochement? Is there still time to do so? How has the Indian media covered the plight of Azad Kashmir?

Mirwaiz Umar Farooq: We are very disappointed. This was definitely an opportunity to let people of Kashmir on both sides of the Line of Control share their pain and grief. But the Indian and Pakistani governments were making statements more to score political points than out of sincerity. It took India ten days to decide on establishing telephone links between Srinagar and Muzzafarabad, and even then we were allowed access to make calls only at four points. The decision to open five checkpoints came too late, and it came with too many restrictions. A person living in Tanghdhar has to come 120 km to Srinagar, apply in the passport regional office, wait for the security clearance, then the IB and CID clearance, and only then be given permission to cross over.

We saw international agencies assisting in relief work in Muzaffarabad but India categorically said 'No' to all aid agencies and international donors. The Indian Army did a good job in relief work but please recognise that the army has always occupied these areas. There is no civil administration. In fact, at times it looked like it was more a public relations exercise for the army than a genuine relief effort for the affected people. All in all, I think there is still time to do more. Procedures must be simplified for people to move across the ceasefire line, more people-to-people contact is essential. In the longer term, we can think of intra-Kashmir trade and commerce.

Sardar Qayoom Khan: The efforts made by the Pakistan government, the people and the international agencies were good – whatever was humanly possibly was done. The Indian

Ved Bhasin • Need for a 'Kashmiri' solution

A few myths that dominate the discourse on Kashmir need to be exploded. For one, the issue is often considered a bilateral problem between India and Pakistan, when it is actually a problem concerning the human rights, justice and dignity of the people of Jammu and Kashmir. The Kashmiris are at the centre of this dispute. The second myth, spread by the Indian state and sections of the media, is that the problem in Kashmir is essentially one of violence. However, the gun is the consequence of suppression of fundamental rights with people resorting to it only after all options of democratic protest were closed. The fact that there is a popular revolt in Kashmir coupled with massive human rights violations by the Indian security forces has been concealed from the Indian people.

Jammu and Kashmir is also seen as a territorial problem, with suggestions that the state could be divided on regional and communal lines. However, the state is in fact a single entity, despite its diversity, and any division would create further problems. A solution can be found only if we respect the pluralistic character, unity and integrity of Jammu and Kashmir. We must also recognise that there are multiple voices and divergent aspirations in Jammu and Kashmir. While India and Pakistan have started talking, with sections of Kashmiris given a half-hearted invitation occasionally, there has been no effort towards initiating a dialogue among the Kashmiris themselves. No peace process will succeed unless an internal dialogue among Kashmiris begins to reconcile the divergent aspirations, respecting the viewpoint of the majority yet accommodating the sentiments of the minority.

To pursue an internal dialogue however, a climate of freedom must be created. As long as the Indian troops are present and the Indian state is meddling in the affairs of the state using draconian legislation, such an atmosphere of trust cannot be created. For intra-Kashmir dialogue, some confidence-building measures must be introduced. The ceasefire on the LOC is a good step but the guns must stop and hostilities must end within the state so that people are able to express their views freely. Only then will this process be genuine, meaningful and realistic. Opening up routes and borders in all regions could be another important CBM. The Muzzafarabad-Srinagar bus link has not helped the common people because there are too many restrictions and curbs. Release of prisoners, rehabilitation of victims of violence (whether by militants or security forces), and the repeal of the draconian laws are some of the measures that will pave the way for dialogue and a negotiated settlement.

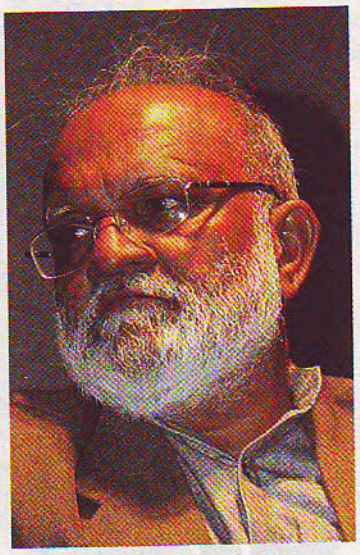
Possible solutions to the Kashmir problem have been suggested, but at this stage we must look for interim measures. While exploring any solution or alternative, certain ground rules must be respected: one, Kashmir is not a territorial dispute but concerns the people of Jammu and Kashmir; two, the state entity as existed on 14 August 1947 should not be changed; three, the plural, democratic and federal character of the state must be preserved and strengthened; four, the interests of the religious and linguistic minorities must be safeguarded.

Neither the option of joint control or conversion of the Line of Control into an international border can be acceptable. Sovereignty must rest with the people of Jammu and Kashmir state, and it is for them to choose to surrender whatever quantum of autonomy to either India or Pakistan, or to both jointly. Even in the Instrument of Accession which India recognises, the state has been promised autonomy in all areas except foreign affairs, defence and communication. This status must be restored. Azad Kashmir too should have identical autonomy within Pakistan.

One possible way forward towards a solution is by holding free and fair elections on both sides under international supervision, for the assembly in Azad Kashmir and the assembly in Jammu and Kashmir. Then there could be a common council elected in proportion to the population of both sides to deal with common issues like trade, tourism and environment. Such an arrangement should continue for five years or maximum up to ten years. There should then be a joint session of both assemblies, which can decide on the future status of Jammu and Kashmir. By that time, Kashmir will cease to be the emotive issue both in India and Pakistan, and it will be possible to look at a conclusive solution. All parties would be required to respect the decision of the two assemblies, even if it were to be complete independence for Jammu and Kashmir.

government, for its part, offered four helicopters and I believe that Pakistan should have accepted the offer. There was no security problem involved; this kind of thing is just baggage from the past. The earthquake did provide an opportunity to build confidence, but it has been missed. The procedures involved in trying to move across the LOC are actually prohibitive – they have allowed something but do not want it to happen.

Hameed Haroon: Look at the peculiar nature of the situation. This is territory that India and the Indian government claim as belonging to them, but then the Indians did not react with the required protocol. What is essentially required in Azad Kashmir is helicopter-based relief. If India and Pakistan had acted with the required alacrity, lives could have been saved in the upper Neelam and Jhelum valleys, which are accessible from the Indian side. Looking to the future, the spate of respiratory diseases, particularly for children, is going to be immense. The Indian medical establishment, by a multiple of many, is larger than the Pakistan establishment. We have seen the results of Bangalore-based hospital diplomacy. Even the movement forward for a few symbolic cases will generate a positive momentum. I have strong faith in Indian civil society – if they are sensitised to the situation, they will come forward.



Mehmood Shaam, *Jang*

Uday Shankar: On the Indian side of Kashmir, the Indian media was there in full force and for about two weeks, every television channel I know of had at least five or six camera units deployed there. However, in the absence of strong professional linkages with the media in Pakistan, I think the Indian media did not fully grasp the scale of the tragedy on the other side. The television channels did cover the earthquake extensively but still did not do justice to the enormity of what had happened. There was also the problem of access, with Indian journalists prevented from going to the other side. Television and newspapers in the two countries must build stronger linkages.

Talat Hussain: All of the linkages were there to understand the scale of the tragedy in Azad Kashmir, and the Indian government was fully aware. For instance, the meteorological offices and the seismic centres were co-ordinating with each other. The reason why the Indian media did not focus on the issue or understand its significance is that the Indian government was not interested in taking it up. The Indian media simply followed that lead. The tragedy was there but since the mainstream policy parameter was set in a manner that it was not exactly playing up the tragedy, the media followed suit.

N Ram: I think it was a great opportunity missed. This was in contrast to the reaction in the aftermath of the tsunami, when India rushed in with relief and assistance to Sri Lanka. We followed the earthquake in detail but the Indian television channels were handicapped. I do agree that it is the tardiness and the insensitivity reflected in the Indian government's response that set the terms for this. The government's response was poor. There was a response from the media, encouraging the Indian government to open up, but sometimes the power of the media is not only over-estimated, it is a myth. Now I do not know how we can mobilise opinion at this late stage. It did not happen – people did not feel that they could intervene and do something in this situation. I don't think it will happen now.

Shashi Shekhar Gupta: I would like to talk about the earthquake within the framework of the hope it generates, and the dangers it points towards. In the last five years, only two pictures have been published in the Indian newspapers in poster size. The first was the photograph of the re-opening of the bridge that joins Kashmir with Kashmir. The other was an image from the other side of Kashmir where some people are getting ready to board a helicopter after the quake. These images point to the hope – hope of a connect between the two sides.

But I also see danger in the fact that we could not see an emotional response of the people in Jammu and Leh in relation to humanitarian relief required for the earthquake victims. We must consider the reasons for this, and ask whether the people of Jammu and Leh have started considering themselves as the colony of Kashmir, and whether a situation is developing where they cannot attach their emotions to that of the Valley.

Moderator: Our discussion has focused on the massive scale of the tragedy on the Azad Kashmir side and the coverage or the lack of it on the Indian side. For many reasons, from the weakness of the media entities, to the lack of access, to poor information across the frontiers, there was not enough coverage on the Indian side. In turn, this seems to have failed in pressurising the state to open up. But while we might have missed the immediate opportunity of news coverage, we must look ahead to the harder task of covering the longer-term tragedy through the upcoming winter and beyond.

A S Panneerselvan • Noorani's proposal

The ground rules that both India and Pakistan have agreed to with regard to the Kashmir issue include negating those outcomes that either side finds unacceptable. While India has ruled out the question of a plebiscite, Pakistan has rejected the option of converting the Line of Control into an international border. India has also made it clear that there will not be any partition of the region on communal lines. From what we have heard, Pakistan has agreed to retain this composite nature of Jammu and Kashmir.

The advocate and commentator A G Noorani has written extensively on devolution of power and examined different models that can provide a framework for solving the Kashmir issue. He writes, "History teaches by analogy and not identity. No two cases are alike but Trieste, Northern Ireland, South Tyrol and Aaland provide considerable guidance on both the process of conciliation as well as it's end product." The Aaland Islands agreement, signed between Sweden and Finland in 1921, is most relevant for Kashmir. Under the agreement, Finnish sovereignty over the islands was internationally recognised; autonomy for the 25,000 people of Aaland Islands, largely reflecting their Swedish character, was internationally guaranteed; and it included a component of demilitarisation and neutralisation. In Kashmir, the state could have an autonomous character and an assembly of its own. India and Pakistan would exercise joint sovereignty, with each having the right to see that the other is implementing promises on its own side, thus involving a mechanism of mutual guarantees.

In this context, A G Noorani has sought to rework the notion of sovereignty completely with reference to the region. This is indeed a difficult task. How are you going to re-negotiate the notion of sovereignty? How are you going to make the LOC genuinely porous? What is the type of system you are going to put in place? It took 70 years – the agreement was signed in 1921 and implemented in 1992 – to make the Aaland provisions work. In most of these models, the people's representatives acquired a voice only when the states had embarked on a serious negotiation and the outlines of an accord were discernible. Noorani believes it is unrealistic for Kashmiri leaders to demand a seat on the table now, when the main hurdle is yet to be overcome – the recognition of Kashmir as a state whose future is yet to be determined. This precludes neither the parlance with New Delhi nor India-Pakistan talks. In the end, all three will have to agree on the terms of settlement.

The issue is fundamentally about transfer of power, sharing of power and empowering. In the final analysis, as in South Tyrol and Aaland, international guarantees of autonomy through agreement with Pakistan and the Kashmiris is the only alternative to secession. Repression and suppression have been tried – they have failed. India not only refused to hold the plebiscite it had promised but also wiped out the autonomy it had guaranteed. However, a settlement is achievable with Pakistan as well as Kashmiris; it will not violate the criteria set by Prime Minister Manmohan Singh; it involves no secession, only creativity, and a sense of justice and fair play. The Aaland solution shows that this can be accomplished. Therein lies its great merit.

Kashmir, the way forward

Moderator: We should perhaps now look to where the question of Kashmir, the *sawaal* of Kashmir is headed, and what the media can and should do about it.

Talat Hussain: I have two questions for the panel – the geographical compartmentalisation of Kashmiri politics has also led to the rise of what I call constituency politicians, who owe their first allegiance to constituencies, which could be religious or secular or local or anything. How will constituency politics translate into being a part of the process for a final solution of the Kashmir problem? How will leaders leave their constituencies in terms of practical politics, and sit around the table and develop a vision? What will be the mechanics of internal dialogue and reconciliation?

The fundamental assumption of the Pakistan government seems to be that we are not going to get the whole of Kashmir; that Kashmir is probably not going to get independent. They seem to believe that the best deal possible could be self-government, or an upgraded version of self-government that comes close to self determination, and to see a solution take shape through the opening of borders and free trade.

Hameed Haroon • Ten concerns

It is essential to look at concerns and modalities structurally. You cannot talk of dismantling a power structure without replacing it with a concept of sovereignty and operation. I have ten concerns regarding the present process. *Firstly*, Pakistan should explain to the satisfaction of India why the militants cannot be satisfactorily reined in. *Secondly*, is it realistic for Pakistan to speak of controlling the militants without a regional solution to the militancy problem, i.e. vis-a-vis Afghanistan? While these regions may be separate, the theme of arms and sacrifice of one's life is common to those engaged in the struggles. For them, state boundaries do not exist. Any attempt to find a solution to just the Kashmir side without addressing the source of the problem is not going to work.

Thirdly, let us try and understand the precariousness of the moderate Azad Kashmir leadership vis-a-vis the militants and the militants in the intelligence agencies. There has been official and unofficial undermining of the moderate position for so long that it will take a while before people like Sardar Qayoom can shake off the persistent vilification campaigns within Pakistan. The *fourth* concern revolves around the precariousness of Mirwaiz and the Hurriyat vis-a-vis the militants, and the intelligence agencies of India as well as Pakistan.

The *fifth* concern is the role of the army on both sides. The earthquake has exposed very clearly, whether it is in Uri or in the Neelam Valley or the Jhelum Valley, who are the bosses of the regions that are affected. It is the army on both sides, and not civil society, which wields real control. This should be addressed. Then, *sixthly*, India should provide assurance that a cessation of hostilities would not be used to dispose off an onus to structurally alter the operation of the two Kashmirs to India's advantage. Would such cessation allow India the opportunity to change or repair the situation to its own advantage, as opposed to the advantage of the Kashmiris? This is as serious a concern on the Pakistani side as militancy is on the Indian side. The fear is that the next five years will be utilised to calm the Kashmiri problem for the moment – its more virulent aspects, to draw out the militants and remove them from the scene, and then to impose a new unilateral solution.

The *seventh* concern is to factor in the difference between the Hizbul-Mujahideen on the one hand and the Lashkar and Jaish on the other. While their concerns with respect to Kashmir ought to be addressed, we should not legitimise their element of decision-making in resolving the Kashmir problem. My *eighth* point is that it is also important to recognise that the Kashmiri diaspora residing in the West has emerged as a powerful force. They too can be a part of the solution, through access to material resources and sympathies in legislatures outside Southasia, which might help towards seeking a solution.

My *ninth* concern is regarding the international aspects of the Pakistan-China border interaction, which would be shaken by the Northern Areas going into former territories of Jammu and Kashmir state. How the Pakistan-China physical border would be affected by the unitary aspect of the old Jammu and Kashmir state, will have to be considered. Finally, *tenth*, everybody has forgotten that the Kashmiris too have a right to the waters of the Indus basin. Do the people through whose territory the rivers pass have a right to their benefits or is there only a downstream right? The right to water is crucial because in the long term, the politics of Kashmir will be about water.

But the assumption of the Indian government seems to be that the Kashmir solution has to be found within the four walls of the Indian Constitution. If that is the case, how will the negotiation ever move forward?

Mirwaiz Umar Farooq: We have been grappling with this issue as well. When we began talking to Delhi, we were saying that the dialogue should not be held under any constitution. But my suggestion is let us recognise that stand as India's maximalist position. If you are engaged in serious dialogue, there is bound to be a fallback position as well. We need to figure out India's minimal position. The Indian prime minister has referred to a situation where Kashmiris don't feel the difference between being in Srinagar or Muzaffarabad – such a reference is definitely to open borders and trade. For us however, these are CBMs and not solutions.

N Ram: May I point out that the Indian Constitution can be amended quite substantially to accommodate higher degrees of autonomy. So, by saying 'within the constitution' does not mean being tied in a straitjacket.

A S Panneerselvan: Some issues have repeatedly been brought out by India and other players but we have never heard the Kashmiri response to it. When Inderjit Gupta was the home minister in the H D Deve Gowda government, he had for the first time talked about reducing the presence of the Border Security Force and flagged off the issue of demilitarisation. But then immediately 13 blasts happened within three days and he could not answer even a single question in Parliament. Another interesting observation is that the moment the composite dialogue was conceived as 2+6, Kashmir was accorded an important position. The centrality of the Kashmir issue has been accepted which means that Delhi is not suffering from the time warp we try to believe it does. Additionally, Manmohan Singh ordered withdrawal of troops, and the first batch withdrawal did happen and then it stopped. There was also a move away from interaction led by bureaucrat-interlocutors and towards political leadership. These are some of the positive trends for which we do not know the Kashmiri reaction.

Mirwaiz Umar Farooq: All political groups in Kashmir welcomed the announcement of withdrawal of troops. However, they did use the term 'redeployment', and there was no difference at the ground level. They got the BSF out and the CRPF (Central Reserve Police Force) in. It was more of posturing than giving concrete relief to the people. In fact, despite the fact that violence has reduced in the past few years, in Kashmir sandbag posts are giving way to bunkers of concrete, brick and cement. The people fear that irrespective of whether violence goes up or comes down, the Indian security forces are here to stay. While India may have accepted the centrality of the Kashmir issue, we see little other movement in New Delhi on the Kashmir issue. They are unwilling to give concessions at the ground level.

A S Panneerselvan: One other key issue is that Kashmir has become the reason for the being for both India and Pakistan. For Pakistan, having a Muslim majority province as a part of the country confirms the two-nation theory and the reason of its birth. For India, retaining its Muslim majority state confirms its secular credentials. The way forward, as the Bombay-based advocate A G Noorani has been emphasising, is to find a solution that should be accepted in Delhi, Islamabad and Srinagar.

Hameed Haroon: I think the point about the two-nation theory is no longer relevant. The two-nation theory died in Pakistan the day Bangladesh became separate. The theory called for two countries as majority areas, one for the Muslims of the Subcontinent and one for the Hindus. That of course is clearly no longer the case. If anything, Kashmir maybe in line for a four nation theory because a third nation has already been established and that's Bangladesh. Both India and Pakistan accept that reality. The second thing, which is dead in a practical sense, is India's battle to prove itself secular. India's fears of its secularism being under threat is also some sort of a bygone in the sense that the Indian nation is there to stay in whatever form it decides.

Panos South Asia Exeucutive Director A S Paneerselvan and moderator Kanak Mani Dixit

N Ram: There have been suggestions by the leaders of Kashmir and others that the solution rests completely with the people of Kashmir. I would suggest let us not romanticise the quest for an internal solution by Kashmiris themselves. I fully understand the powerful nature of the aspirations of the Kashmiris. But let us recognise that independence for Kashmir is a pipe-dream, as much as independence for Eelam is a pipe-dream, given the geo-politics of Southasia and all the other factors involved. It is also important not to romanticise Kashmiriyat. The issue has to be redefined largely as a democratic question rather than as a national question.

There are good and constructive tendencies within the Hurriyat but I see it as largely drifting. It is your political duty and mandate to think out of the box. The interim is terribly important but that does not mean that you need not think hard and precisely about what solution may fly and what may not. The Hurriyat has a reactive strategy. There is also a confusion, are you after independence or are you wanting to remain within this whole

process. Let us not fail to give credit to Vajpayee and Musharraf, and to Manmohan Singh and all other politicians – they have at least come up with some creative thinking with their policy-making establishments behind them. Gen Musharraf's ruling out what is unacceptable to both countries took the process forward quite some way.

Talat Hussain: Both Mirwaiz Farooq and Sardar Qayoom have emphasised the need to look at interim measures at this stage and later aspire for a final solution. What is more likely to happen, however, is that the ultimate solution is not going to be an out-of-ordinary solution. It is going to be the outcome of all the confidence building measures that you put in during the interim. What you get in terms of CBMs is going to be foretelling you about the ultimate outcome.

Among the matters that are unacceptable to either India or Pakistan, we have heard that India has made it clear that they are not willing to have any negotiation with Pakistan on Ladakh – behind closed doors or publicly. For its part, Pakistan has made the Northern Areas an absolute no-no as far as negotiations with India are concerned. India is also believed to have excluded Jammu from the agenda. Therefore, we are essentially talking about the Valley and Azad Kashmir. There is some confusion about the Poonch area. Pakistan thinks that is up for negotiations whereas the Indians tend to say that all of Jammu, including Poonch, are non-negotiables.

Uday Shankar: It is clear that you cannot have all these discussions under the glare of public scrutiny. You need to retire to the inner chamber with the stakeholders. In order to do that, it is important to let the rest of the two countries move on with their other concerns so that the stakeholders can sit down and have a completely emotionless discussion on the various issues. This can only happen if the issue of violence is addressed.

Mujibur Rehman Shami: We have spoken about the nature of the possible solutions, but it is important to focus on evolving a mechanism to reach a settlement. Historically, the resolution of disputes between India and Pakistan has been possible only through third-party intervention. The boundaries of the two countries were drawn by Radcliffe; the ceasefire of 1948, '65, and '71 were possible with UN intervention; the Indus Water Treaty was signed because of the involvement of the World Bank. Since India is firm on not accepting a third party, we need an arbitrator or a forum from within. I would therefore suggest that a high-powered joint committee be set up by the two parliaments. This committee should include an equal number of members from both countries. The decision of this committee should be binding. This committee should, first of al, decide how to involve the Kashmiris in the process.

N Ram: The idea of a joint parliamentary committee is new and a welcome suggestion, but it cannot be binding. It is a forum where the parliamentarians can meet for serious discussion, however. I think the slogan of self-determination must find concrete expression in a demand for maximum autonomy, and we can think about how it can be shared. This was subverted starting with the Nehruite policies, and since then every government has failed to deliver on what was promised in the Indian Constitution – what has happened is unconstitutional and has occurred through executive interpretations. There has also been a reneging on promises made during the last decade. Sovereignty can be internal. In fact, in the Indian constitutional discourse, it is well recognised that sovereignty is shared between the centre and the states, so it is possible to work around this particular problem.

The solution is going to lie in maximum autonomy and in demilitarisation agreements. We are very concerned about the military administration of the Indian state of Jammu and Kashmir. At the same time, I believe the Hurriyat must think hard about its decision not to contest elections. They must think about how they relate to the legitimate political parties, which are mass-based. Twenty four percent may be what the National Conference gets, the Congress gets a little less than that and PDP gets 16 percent, these are real numbers. There is an Election Commission which has done a good job, relatively speaking, in the recent period. These are real-life issues, and you can't live in a world of your own, saying I will not legitimise the process. Even the LTTE does not believe in that. It sets up its surrogates to contest elections, which is why the LTTE is a real force in the Sri Lankan Parliament.

Ved Bhasin: The mainstream parties in Kashmir are also divided about the future set-up of Jammu and Kashmir state. The BJP stands for abrogation of Article 370 in the Constitution and wants erosion of the state's autonomy to bring Jammu and Kashmir at par with other states. At the same time, the BJP and some of the 'Parivar' outfits like the RSS and the Jammu Mukti Morcha are also working for the communal division of the state. I don't think the Congress is opposed to a greater degree of autonomy but they will support only if this is a decision of the central government. The National Conference is committed to the restoration of the state's autonomy to the pre-1953 position. The PDP is not very clear on this issue but is by and large not opposed to greater autonomy for Jammu and Kashmir state. They are also emphasising greater financial autonomy for Jammu and Kashmir state, whatever that means.

'Champagne and Basmati'
Report from HK-WTO

The sixth World Trade Organisation ministerial conference held in Hong Kong, 16-18 December, seemed to favour French champagne over basmati rice. Nevertheless, in Hong Kong, the developing countries managed to weaken the predatory agenda.

by | **Sukumar Muralidharan**

Early on the morning of 17 December, the second ranking member of the US negotiating team came out with the first reasonably upbeat forecast for the ministerial conference of the World Trade Organisation (WTO) at Hong Kong. Delegations, huddled in intense and often acrimonious bargaining over four days, had the historic opportunity to close out a deal that would enshrine the developmental dimensions of international trade, said Peter Allgeier, Deputy U.S. Trade Representative and Ambassador to the WTO. But time was of the essence: just over a day remained for the conference to run its course and those 24 hours indeed, would test the will of the international community in doing what was fair for the developing countries.

India was playing a defensive hand – its interest is not so much gaining access to markets in the west, as keeping foreign producers out of its turf.

Just the previous evening, the developing countries had shown themselves united as never before within WTO councils. Addressing a media conference, the Brazilian foreign minister Celso Amorim, spoke of a new dynamic in WTO negotiations. "This is a historic moment", he announced, and a "revolution" was "graphically" unfolding in WTO affairs. For the first time in a ministerial conference, "developing countries were harmonising their positions across a wide range" of issues. Accompanying the Brazilian minister at the event, were the heads of delegation from India, Mauritius, Egypt, Zambia, Indonesia and Jamaica, representing between them a diverse range of country groupings – often overlapping – the G20, the Africa Caribbean and Pacific, the Africa Group, the Least Developed Countries, the G33, the G90 and the small and vulnerable economies. Arithmetical skills being at a premium in the hothouse of the ministerial conference, the gathering adopted the simplest technique of adding the numbers of its smallest and largest groupings, to arrive at the figure of 110 members. That little artifice apart, the event was momentous in the scope of shared interests it brought to the bargaining table.

Politics of agriculture

The manifest sense of impatience seemed entirely appropriate for the fourth day of a ministerial conference that had seen much time wasted in diversionary manoeuvres by the WTO's two big players, the United States and the European Union. Agriculture was the focus of the conference from literally the moment it kicked off; and within this track of negotiations, the vast subsidies that the developed nations maintain came in for much adverse notice.

There were of course reasonable grounds to question whether agriculture was the key that would unlock the developmental potentialities of the poorer countries. In particular, the populous countries of Southasia, which have little by way of an agricultural surplus and indeed, continue to depend on imports to meet vital gaps in their nutritional baskets, have little to gain from trade liberalisation. Yet India joined Brazil, Argentina and other major agricultural exporters in the G20 grouping to demand movement in agriculture before any other issue could be addressed.

India was in this respect, playing a defensive hand. Its interest is not so much gaining access to markets in the West, as keeping foreign producers out of its turf. With 60 percent of its population dependent on agriculture, the compulsions are fairly clear. Opening up the Indian market to predatory exports from developed countries would ruin the small-holder and the peasant. Market access, in other words, would become a synonym for the destruction of purchasing power and the demise of the market.

If the EU and the US differed publicly in their reading of the centrality of agriculture in the development dialogue, they have a common interest in forcing down the protective barriers that developing countries have erected around their nascent industrial sectors.

Brazil, the main spokesman for the G20, has a rather different set of interests. Two of the most significant verdicts delivered by the WTO's dispute settlement body (DSB) in recent years have involved Brazil as a complainant. In June 2004, the DSB held the U.S. cotton subsidy regime to be in breach of the Agreement on Agriculture (AoA) concluded after the Uruguay round of trade negotiations, which was itself an arduous and enervating process stretching between 1986 and 1994. Two months after delivering this judgment, it ruled that the EU sugar subsidy violated agreed international trade rules. Both rulings were reaffirmed in August and upheld after appeals were exhausted in January 2005.

WTO agreements are ostensibly based on consensus among its 149 member countries. But since all members are expected to move in tandem towards mutual agreement, the recalcitrance of any one member could often be a camouflage behind which various other interests could shelter. Any one country can refuse to move merely because one other does so.

This rather unsavoury game was played out for more than half the length of the Hong Kong conference. As recently as the November 2005 gathering of the Asia Pacific Economic Cooperation forum in South Korea, the US had sought – and failed – to have the EU named as the principal offender behind distortions in world agricultural trade. Arriving in Hong Kong a month later, the US delegation gauged the current of opinion among the WTO membership and eagerly joined the chorus for an end to export subsidies in agriculture.

For tactical reasons that were as obvious as they were disingenuous, the EU held out till the bitter end in refusing to specify a date by which it would be willing to eliminate export subsidies in agriculture. But while enjoying the discomfiture of the Europeans, the U.S. found itself the focus of some unsavoury attention when the discussion turned to specific problem areas: like cotton subsidy and market access for the least developed countries (LDCs).

The final deal knotted all the problems in agriculture into one tangle that will either be unravelled all at once, or not at all. The EU will eliminate export subsidies by 2013 but only if the US ends its practice of disguising exports as aid. Further, should Canada, Australia and New Zealand fail to correct the market distortions arising from their giant agricultural trade monopolies, neither obligation would be binding. The US in turn has agreed to end its cotton subsidy and restrain domestic support for the crop, over a briefer time scale than that agreed for agriculture as a whole. But again, the agreement is couched in the best endeavour language of 'should' rather than the imperative of 'shall' or the temporally determined 'will'.

Doctrine of Proportionality

Developing countries have to beware when the US and the EU concur. Effectively the two have managed to roll over the binding obligations of the Uruguay Round into the indefinite future. They will be renegotiated under the Doha Round, and rather than incur a penalty for default, the strangely skewed negotiating processes within the WTO have ensured that the 'big two' earn a reward. The promise to eliminate the worst abuses in agricultural trade was the quid pro quo that the US and the EU extended under the Uruguay Round to garner major concessions from the developing countries on services and intellectual property rights. The two are now demanding that the developing countries pay a further price before they themselves deliver on the promises of the distant past.

Part of the reason Hong Kong did not collapse in a disorderly mess, like the preceding ministerial conference at Cancun, was its relative lack of ambition. Agreement was forged by merely deferring the consideration of specific commitments to a later

date. And the hard bargaining to follow will not be conducted within the apex decision-making body of the WTO, which is its ministerial conference. The "modalities" of trade liberalisation – or specific targets and numerical commitments – will be discussed at the level of ambassadors at the General Council of the WTO in Geneva. It is likely that ministers from key countries will be called in to ratify the agreements concluded at the General Council. This would be consistent with the pattern set in July 2004, when the General Council, with a handful of ministers participating, ratified a "framework agreement" that showed the way forward from the Cancun collapse. That the July Framework, as it came to be called, still did not constitute an adequate basis for a broader and more specific consensus, became clear as subsequent discussions meandered into a slough of discord.

The key question now is whether the Hong Kong declaration represents a sufficiently evolved consensus for cutting through the tangled thicket of interests and compulsions that is the global trade scenario. If the EU and the US differed publicly in their reading of the centrality of agriculture in the development dialogue, they have a common interest in forcing down the protective barriers that developing countries have erected around their nascent industrial sectors. This area of negotiations – called non-agricultural market access, or NAMA, in WTO circles – is likely to witness a concerted push by the EU and the US in the months ahead. Developing countries have accepted in principle that they will apply the same formula as the developed world in cutting tariffs on industrial products. But they have successfully argued the case for cuts that are less sharp, as also for the principle of "special and differential treatment" that they would be the beneficiaries of.

Developing countries managed to deny the US and the EU some of the benefits that they sought, but failed to garner any of their own.

Developing countries have succeeded in introducing a doctrine of proportionality into the WTO negotiating process, perhaps for the first time. The level of ambition that they will be expected to display in the NAMA area will, under this principle, be proportional to that displayed by the developed countries in agriculture. Without major concessions in agricultural market access in short, developed countries cannot expect much by way of tariff cuts in industrial goods by the developing countries.

The proportionality doctrine was opposed by the E.U. but it has since been espoused by the U.S. as the reason why sharp cuts in tariffs should be effected in both agriculture and NAMA. There is likely to be an effort by developed countries to narrow the focus of discussion in market access, to tariffs alone, rather than deal with the broader canvas that includes domestic support too. This is unlikely to win much favour with the developing countries. Indications are that a logjam will ensue. The Hong Kong declaration has laid down 30 April 2006 as the deadline for working out modalities on all these areas. But the smart money would be on this deadline being missed.

TRIPS tangle

This should occasion no pangs of conscience, since delay and dilatoriness continue to be favoured as negotiating strategies by the US and the EU where issues of vital interest to developing countries are concerned. From the moment it became the binding international law, the Uruguay Round agreement on "trade related aspects of intellectual property rights" (TRIPS) – rendered in plain language as patents, trademarks and copyright – had been widely recognised as iniquitous and unfair. This was especially evident in the domain of public health, since the rigorous system of patents instituted had deeply eroded many countries' ability to access the drugs essential to treat chronic and endemic illnesses. Fearing that the patents regime itself would lose legitimacy, the US and the EU, with the former being relatively the less amenable, agreed to the much cited and celebrated "Doha Declaration" that upheld public health and access to essential medicine as a right that overrode any privilege conferred by the TRIPS agreement.

That seemed a hard won triumph, but it was only the beginning. The modalities to operationalise the Doha Declaration were only agreed prior to the fifth ministerial conference in 2003. And it took till the eve of the Hong Kong conference to work out the required amendments to the TRIPS act. Evidently, the WTO believes in delivering on its most significant promises to the poor only when ministerial conferences are imminent.

The final outcome of the TRIPS amendment has been held grossly inadequate to the scale of the public health crises developing countries face. Countries seeking to import essential drugs have to go through an irksome process of clearance that puts each potential source of supply and each required drug through minute scrutiny. As Ellen t'Hoen of the Nobel Prize winning voluntary group, Medicins Sans Frontieres put it: "the WTO has decided to sacrifice access to medicines before the Hong Kong meeting, settling for inadequate measures simply to get it off the agenda".

The other problem areas in the TRIPS regime arise from its failure to examine the merit of extending "geographical indications" protection to products other than wines and spirits. Under the Uruguay Round mandate, the relevant body within the WTO

was required to begin examining this issue within two years of the agreement being implemented. Four years into this mandated review, the Doha ministerial declaration affirmed that a multilateral system of registration of geographical indications for wines and spirits would be negotiated. French champagne and cognac could thus count on the prospect of protection from counterfeits and imitations. On other products, like basmati rice or Darjeeling tea, the promise held out was relatively vague: that the WTO body tasked with monitoring the TRIPS agreement would "address" the issue.

Apart from agricultural and plantation products, developing countries have a strong interest in safeguarding location-specific appellations for certain varieties of textiles and garments. This is quite evidently so in the case of all Southasian countries. But the Hong Kong declaration only asks the Director General to consult a range of member countries on the desirability of extending geographical indications protection to products other than wines and spirits.

The same rather indeterminate procedure has been prescribed for examining the relationship between the TRIPS agreement and the Convention on Biodiversity (CBD) agreed at the Rio de Janeiro Earth Summit in 1992. The Southasian region has had ample reason for heightened sensitivities on this count – in the past decade since the WTO came into existence, there have been attempts to patent the curative and health-sustaining properties of at least two traditional plants of the region, neem and turmeric. But the General Council of the WTO has taken on a very limited onus in this regard. It will receive reports from the Director General by July 31, 2006, by which time it will take an "appropriate decision". With the U.S. having clearly signified that it attaches little value to the CBD and indeed, views it as a violation of free trade principles, the outlook on this score cannot be very good.

Rethinking the market

There is an unthinking belief today that economic development, the bootstraps operation by which many hundreds of millions would find a pathway out of a life of grinding poverty, is a natural outcome of unfettered trade. Market access, in other words, is the key to development. To gain access to world markets and to provide access to one's own, would unlock the door to development for those suffering the worst of poverty and its consequences. The development dialogue at Hong Kong was thus confined to a range of very limited issues: providing preferential market access to the LDCs and working out a package of aid that would enhance their capacity to trade in the international marketplace.

The wealth of nations, said Adam Smith, is a consequence of the progress in the division of labour. The division of labour in turn is dependent on the extent of the market. And the extent of the market is a function of the division of labour. If this most fundamental theorem of Smith's reduces itself to a mere tautology, the reason partly is that reciprocal causation is the rule in the real world, rather than linear determination of one phenomenon by another. But the better part of Smith's discourse on the "wealth of nations" was devoted to a study of distributive relations. How is the aggregate national income allocated amongst the main social classes comprising the nation? What are its underlying principles? And how equitable are the procedures inherent in modern capitalism? His answers were always equivocal, but underlying his inquiries was the powerful finding that a system of unfettered capitalism and free trade invariably results in an outcome that is unjust and inequitable, especially hard on those without means. The decade-and-half of globalisation testifies to the enduring validity of this finding by the pioneer in the study of modern political economy.

A study of the international coffee trade by the UK-based advocacy group, Oxfam, has found that between the farm gate and the supermarket shopping trolley in the West, the price of a kilogram of coffee increases by the order of 7000 percent. What the grower sells for 14 US cents ends up in the supermarket with a price tag of USD 26.40. The difference accrues to the entities that at the intervening stages, particularly the multinational corporations that dominate the roasting, grinding and blending processes: Nestle, Kraft, Procter and Gamble, and Sara Lee. Free trade in coffee has been the norm since the old cartels collapsed in the 1980s. But free trade has meant the progressive impoverishment of the grower and the enrichment of the multinational corporation. By this same measure, the granting of duty-free and quota-free access to affluent Western markets is unlikely to improve the economic condition of the LDCs. The reason simply is that equity in trade is yet to be addressed, in particular the massive asymmetry in economic power that has emerged between the primary producer and the corporations that dominate world markets.

This is an issue that the WTO as an organisation is institutionally incapable of addressing. But the Hong Kong ministerial conference did witness a consolidation of developing countries unlike any seen before within the body. This was no more than a qualified success. Developing countries managed to deny the US and the EU some of the benefits that they sought, but failed to garner any for themselves. With the strengthening of their unity, though, it is conceivable that the WTO's predatory commercial agenda could be checked and rolled back. The development dialogue could then move on to forums that could address its basic issues with a great deal more credibility.

The WTO's changing architecture

The 'developing' and 'least developed' countries have evolved a two-pronged approach: to keep fighting for their due rights and tariffs within the WTO; and create various safety nets in the form of bilateral and regional trading arrangements.

by | **A S Panneerselvan**

The head of the Brazilian delegation Celso Amorim and Indian Commerce Minister Kamal Nath, the two spokespersons of the developing countries at the WTO ministerial summit in Hong Kong, were never tired of stressing the growing power of the developing countries. Outlining the changing contours of international trade, they thundered, "The architecture of the international trade negotiations has changed forever and no unilateral decisions can be imposed upon the developing and the vulnerable economies." But this bravado was not enough to convince the activists, who continue to see the G-20 as a front for the rich countries to pursue their economic agenda. Truth, as usual, lies between these two extreme points of view.

In 2001, the developing countries, for the first time, managed to push the 'development agenda' as an integral part of any multilateral trading arrangement. They succeeded in launching a new round of trade talks, and unlike the Uruguay Round, which took nearly eight years to conclude and led to the creation of GATT's successor, WTO, the Doha Round was supposed to be a quick affair empowering the developing and the Least Developed Countries. The Doha round was also supposed to establish a regime of 'fair trade' as opposed to 'free trade' by factoring various elements such as vulnerabilities, sustainability and commitment to total eradication of poverty.

At Hong Kong, the member-states agreed to a draft text which does not offer anything concrete. All the contentious issues, listed under 'implementation' and 'modalities' in WTO-speak, have been referred for further discussions. The sole achievement of the Hong Kong ministerial meeting was securing a commitment from the European Union to end its trade-distorting farm subsidies by the end of 2013.

Meek victims?

The slow progress at the WTO and the reluctance of the rich countries to give the development agenda a fair chance might create an impression that the developing countries and the LDCs are meek victims of the machinations of the rich countries. A closer look reveals a different picture. The developing countries and the LDCs have evolved a two-pronged approach: one, keep fighting for their due rights and tariffs within the WTO; two, create various safety nets in the form of bilateral and regional trading arrangements regardless of the WTO outcomes.

The first signs of assertion were seen at Seattle. That ministerial meet collapsed as the US, Japan and the EU were insisting on addressing the so-called "Singapore Issues", with the developing countries rejecting the idea in toto. The violent protests outside the conference venue were just an excuse for the failure, the real reason being the willingness of the developing and the LDCs to slug it out with the

The politics of G-4, G-20, G-7, G-33, G-77, G-90

The first thing that strikes any observer about WTO negotiations is the proliferation of alliances. As of now there are seven major groupings – the G-4, G-20, G-7 plus (or G-8), G-10, G-77, G-90, G-33. There are some countries that have membership in more than three groups and many enjoy the status of special invitee in the other groups. It is important to note what these groups stand for and who their constituents are.

The smallest but, perhaps, most articulate group is called the G-4. They are the four cotton cultivation dependant African Countries – Chad, Burkina Faso, Mali and Benin. This group threatened to walk out of the Hong Kong conference if their major concerns were not addressed seriously and quickly. All four are also part of the G-90.

The G-20 is a group of larger developing countries, including Argentina, Brazil, China, India, Malaysia and Pakistan, which together account for 60 percent of the world's population. It began life as the G-15 before the Cancun Ministerial Meeting in 2003. Including more than 20 members, it is now called the 'G-20 plus'. This group has emerged as the main interlocutor between rich and the least-developed countries.

The G-8 represents the eight leading industrialised countries – Canada, France, Germany, Italy, Japan, Russia, the United Kingdom and the United States. The G-10 is another club of wealthy countries, but those that are net food importers. They include Japan, Switzerland and Norway. Meanwhile, the G-77 was set-up in 1964 as a large alliance of developing countries, which has now expanded to 130 members.

The G-90 comprises African, Caribbean and Pacific Countries, called the ACP countries, as well as the least developed countries from all over. The G-33 includes Indonesia, Philippines and a number of ACP countries as well as India and Brazil from the G-20. This group focuses on securing the designation of effective Special Products and Special Safeguard Mechanisms for the developing countries in order to protect their small farmers and their rural livelihood.

powerful nations. Then, when the Doha ministerial started, the rich countries became vocal against a new round, insisting that the ministerial concentrate on the implementation aspects. However, they were defeated and the first ever round under WTO, the Doha Development Agenda, was launched. This is, however, the ninth round since the establishment of GATT in 1947.

One of the major successes at Doha was forcing the developed countries to reopen the debate on the TRIPS agreement. The rich countries, egged by the powerful pharmaceuticals lobby, were maintaining that the TRIPS was a done deal, and should not be revisited. Their insistence was on making intellectual property protections more stringent, but the poor countries managed to reduce restrictions on the production and use of generic drugs.

At Cancun, the developing countries upped the ante and asked the US and the EU to go back to the drawing board and come back with improved offers on agricultural subsidies and trade barriers. Said Kamal Nath: "The rich countries were used to telling us to cut down subsidies, and to avoid trade-distorting mechanisms. But they did not expect us to turn the tables on them. That was the defining moment, when the architecture of the global economy changed forever." Finally, at Hong Kong, the developing countries were able to force the EU to come up with a date to end its trade-distorting farm subsidies.

Simultaneously, the developing countries and the LDCs have been feverishly working on bilateral and regional trade agreements to protect their domestic industry, to ensure their food security, to enhance trade with least freight loss, and to maximise the advantages of geographical proximity. There is a qualitative difference in scope, intent and implications of the two types of Free Trade Agreements (FTAs): South-South FTAs are aimed to both expand and deepen regional and sub-regional integration in order to increase the bargaining power in the multilateral arena; North-South FTAs, on the other hand, follow the trend called "WTO-Plus".

For instance, India has accelerated the sub-regional integration process beyond SAPTA (preferential trade area for Southasia) by negotiating FTAs with four of its five immediate neighbours: Bhutan, Nepal, Sri Lanka and Bangladesh (the latter is still to be firmed-up as there are some areas of wide difference). New Delhi has entered into an FTA with the ASEAN. Meanwhile, India is also in the process of negotiations/implementation of the following FTAs: the India-Singapore CECA; Bangladesh-Bhutan-India-Nepal Growth Quadrangle; the Indian Ocean Rim's IOARC; and India-China Economic Cooperation; India-Brazil-South Africa Initiative (IBSA). All this, apart from pushing for a pan-Asian economic cooperation initiative known as Asian Economic Community (AEC).

The larger picture, therefore, is not as gloomy as some activists would like us to believe. Nor is it as rosy as what Celso Amorim and Kamal Nath claim. For the rich countries are yet to spell out the finer details of their commitments, and something could always go awry during the 'modalities discussion' slated for early 2006.

Southasiasphere by CK Lal

Mystery of the dragon's breath

Despite its economic strength and diplomatic clout in the capital cities of Southasian countries, Beijing has maintained an inexplicable distance with issues of common concern in the region.

Friends, the stranger came
And we didn't exchange the warmth of primordial relationship
Suspicion was all that we gave each other.
— Niranjan Sahay in Hindi, *"Meri sadi me"*

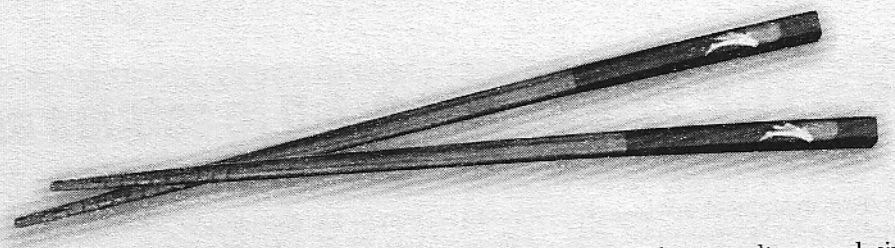
King Gyanendra kicked up an unnecessary controversy at the 13th summit of the two-decade old regional grouping of Southasian countries at Dhaka. The self-appointed Chairman of the Council of Ministers of Nepal insisted that the admission of Afghanistan be made conditional on granting observer status to the People's Republic of China. He got his way and a spectator's status for China and Japan is likely to be formalised soon. Meanwhile, Afghanistan has become the eighth member of the moribund organisation with headquarters in Kathmandu. This episode raises an interesting issue: why did China have to ride on the back of an authoritarian king to claim what is its natural right: observer status in an organisation contiguous to its territory and vital to its geo-strategic interests? But this raises another question: did Beijing even know what the unpredictable monarch was up to?

There is more to the remoteness of China in Southasia than the supposed Sino-Indian rivalry in the region. Despite its economic strength and diplomatic clout in the capital cities of Southasian countries, Beijing has maintained an inexplicable distance with issues of common concern in the region. China is still a mysterious dragon in its own neighbourhood even if the Tibetan Autonomous Region may be regarded (as by the editors of Himal) as a part of Southasia proper.

Commenting on the unpredictability of the USSR's diplomatic moves, Winston Churchill, the fierce Tory justly famous for his turns of phrase, had wondered aloud in a radio broadcast in October 1939: "I cannot forecast to you the action of Russia. It is a riddle wrapped in a mystery inside an enigma." The expression fits the characterisation of contemporary Chinese foreign policy to a 'T', as in Taiwan or Tibet. In fact, these are the only two issues where one detects an absence of ambivalence in Beijing's policies – it claims that these regions are indivisible parts of China. On all other subjects of regional or global interests, China is a perpetual stranger inspiring fear and awe rather than faith and admiration.

Chopstick diplomacy

Picking up a delicate piece of dumpling requires that the chopstick be held slightly angled to the right. That precisely has been the Chinese policy in Southasia, where it has consistently backed rightwing regimes without exception. China's fondness for US-trained military generals of Islamabad is matched by its distaste for the Islamist politicos of Pakistan, but it is still a mystery why the Beijing-bosses chose to look the other way when Afghanistan fell into tyrannical grips of the Taliban. China may have had its own Uighurs of Xinjiang Province in mind where ethnic Muslims have repeatedly risen in revolt, but its policy of supporting American adventurism in its own backyard under the pretext of fighting terror has shown that Beijing just does not have a long-term view befitting a global power-in-making. Responding to exigencies alone is not enough if one is to be taken seriously by the international community.



This year, Kabul and Beijing celebrated the 50th anniversary of the establishment of diplomatic relations, and this half century has been as tumultuous a period as any in Afghanistan's history. Strangely, China's role in influencing events in the Hindukush has been marginal at best, and remains so. Recently, the first Parliament of Afghanistan was formed in Kabul, and the American dominance in its functioning was all too clear with Dick Cheney getting pride of place in the observers' box. The Chinese were nowhere to be seen.

Let us turn to Bangladesh, where the Dhaka glitterati likes to think of the Chinese as a dependable friend and possible partner. But the fact is, once again, the Beijing mandarins did not endear themselves to the people of Bangladesh during the independence struggle. The early 1970s were the days of ping-pong diplomacy and Pakistan was projecting itself as a bridge between the US and China, to counter-balance the Soviet influence in Asia. Henry Kissinger, the architect of the China-Pakistan-US bastion to check Moscow's incursion into the Indian Ocean, became openly contemptuous towards newborn Bangladesh after Richard Nixon's visit to Beijing in1972. Like all other smaller neighbours of India, it suits the regime in Dhaka to keep waving the 'China Card' whenever it is convenient. But the people of Bangladesh will never be as friendly to the Chinese as they can and want to be, unless Beijing learns to put the people rather than the government at the centre of its foreign policy.

Beijing's support for the Burmese junta is blatant beyond words. It would be unrealistic to expect that the oligarchy in Beijing support the movement for democracy in Burma, but when the Burmese become free, they are unlikely to forget that the Chinese were the sole international sponsors of their military rulers for decades. The need to check possible Indian hegemony may warrant a continuation of the pro-China policy even in post-autocracy Burma, but the Chinese will remain strange friends of the common Burmese citizen long after the Beijing-inspired generals have retreated reluctantly back to the barracks.

Bhutan, a kingdom whose king wants to abdicate in 2008 to increase the gross national happiness of his selected subjects, does not yet have diplomatic relations with the neighbour to the north. It is difficult to say how the Thimpu regime reacts to China's observer status in SAARC, but the Chinese have not quite endeared themselves to any of the High Himalayan ethnic people by ruthlessly overwhelming Tibetan culture and civilisation with high-breed Han hegemony.

After the 'Hindi-Chini Bye Bye' in the wake of 1962 border skirmishes, India and China have begun to talk cautiously about the Hindi-Chini Bhai Bhai *dwitiya*, a second coming. Contentious border issues seem to have been put on hold while the Sikkim matter seems to have been resolved in India's favour. Business relations have triumphed over the clash of strategic interests. But there will remain a deep chasm between India and China, given that the former state remains wedded to democratic ideals. This simple fact will always distance the Chinese state from the India's people, until that time arrives that China becomes -- a democracy.

Enigmatic dragon

In Chinese mythology, the fire-breathing dragon is essentially a benevolent creature. This is somewhat similar to the myths of various *danav* demons of Kathmandu Valley who are fierce but can be easily placated with symbolic sacrifice of goats or buffaloes once a year. The demons then turn into revered protectors. Successive Rana rulers of Nepal had hoped that if the Chinese empire came into Tibet, they would be treated with some respect by the overbearing sahibs of British India. It seems they never took into account the cost of such a relationship and, in their wish to appease the emperor, they actually lost their influence over Tibet. Today, even as Beijing is tightening its grips on the high plateau, the possibility of the Chinese being a counter-weight to the Indians in the Himalayas does look remote. But King Gyanendra refuses to recognise the limits of Chinese benevolence in a country surrounded from three other sides by India.

Despite some highly visible road projects – one that encircles Kathmandu, another which connects the capital valley with the tarai plains and yet another that links the capital city with the Tibetan settlement of Khasa – Chinese contribution to the social development of Nepal over the last five decades can be said to have been almost negligible. The Chinese have consciously kept themselves out from sectors such as education, health and rural employment, areas that require long-term involvement with high financial commitments. Their 'penetration policy' has been two-pronged: impress the king with military hardware during crucial periods and awe the masses with fancy goods priced sensibly to appeal to the poor. It has worked so far, but that is no guarantee that it will work in the future.

As the democratic movement picks up in Nepal, the people of Nepal are unlikely to forget that the people's republic of the north chose to align itself with the palace rather than the people at a critical time, by delivering arms to the royal regime when almost no one else was.

The China-Pakistan relationship is an unabashed marriage of convenience. China looks at Pakistan as a low-cost tool that willingly supports its diplomatic profile in the international arena. For Pakistan, China has always been a more dependable source of military supplies than the US. Other than that, there is a fundamental difference between the mullah-military combine of Islamabad and the increasingly mercantilist regime in Beijing. General Pervez Musharraf likes to wax eloquent that the Pakistan-China friendship is "deeper than the oceans, higher than the mountains", but these clichés cannot hide the fact that economic ties between the two neighbours are as flat as the Indus plains.

If anything can be said with conviction, it is that the Chinese have been quite consistent in their relationship with the Southasian community. But they have emphasised relationships with the ruling establishments in the capital cities at the cost of the people that inhabit the provinces and districts. Undoubtedly, this is a safe and economical method of maintaining diplomatic relations. It has served China well when it stood isolated in the international arena during the unsettling years of the Cultural Revolution. Young diplomats in Nepali or Pakistani embassies in Western countries tipped off their Chinese counterparts whenever issues related to Taiwan or Tibet threatened to embarrass Beijing. In return, neglected officials of these 'peripheral' countries were given VVIP treatment by the Chinese authorities. Times have since changed. China is now too big to remain engaged with the small elites on the basis of reciprocity of favours. It needs a well-defined policy befitting its status.

It would seem that democracy or human-rights are unlikely to interest Chinese mandarins for quite some time to come. But Beijing can, and should, make development cooperation and preferential trade the main focus of its relationship with Southasian countries. Military cooperation may endear it to the ruling elite in Islamabad or Dhaka or Kathmandu, but only the people-centred principle of diplomacy will ensure it a place of honour in the hearts and minds of the common folks of Southasia.

The risk of people-centred diplomacy is that it is fraught with controversy: cultivating a relationship with the people rather than the establishment invites suspicion. But this is a risk Beijing mandarins must take if they are interested in claiming their rightful place in the affairs of Asia.

The *atmabodh* of Nirmal Verma

India may live or die in its villages but between the villages and the metropolitan global cities lies a vast hinterland of the mofussil world. Nirmal Verma's life and work is a reminder that our languages need to expand beyond linguistics before we can reclaim what we have lost.

by | **Mahmood Farooqui**

Nirmal Verma 1929 - 2005

Nirmal Verma's exceptionalism in the world of Hindi letters has been universally acknowledged. One of the most widely translated and well-known writers overseas, Verma has employed subjects and themes that are unique in Hindi fiction. He writes of the existential dilemmas of individuals wandering across a European landscape, humming Mozart, and reflecting on Heidegger; or of bohemian intellectuals of the Indian capital, suffering inarticulate tensions in relationships while pursuing their avant-garde interests in humid, beer-drenched terraces of Delhi. In some measure, this reflects Verma's personal background. With a Masters in History from the capital's St Stephen's College, that cradle for IAS officers and English novelists, Verma could well have been an English writer.

Indeed, like Bankim Chandra Chatterji or Michael Madhusudan Dutt, who started their careers as English writers and left volumes of correspondence and journals in that language while churning out formative prose works in Bangla, language played a complex role in Verma's intellectual life. Accused for long of being a *vilayati* writer for the 'foreignness' of his themes and characters, Verma started his literary life by writing poems in English and ended his career as a bitter critic of English and the destructive influence of Western modernity on indigenous wholesomeness.

One way to recover that wholesomeness, or what Verma termed as *atmabodh*, was to write in one's own language. Language, he said, "is the most hopeful guarantee against forgetting". It is the "home of one's being". Swaraj in ideas is closely linked with "the freedom to think and conceptualise in our own languages". Knowledge of Sanskrit, he came to believe, was a prerequisite in any attempt towards understanding the uniqueness of Indian civilisation.

This from a writer whose six novels and fifty-odd stories are almost entirely secular and cosmopolitan and translate with ease into foreign languages. With one novel (*Ve Din*, Days of Longing in K B Vaid's translation) and four volumes of short stories in English translation, a BBC telefilm on his life and work; translations in French, German and Italian;

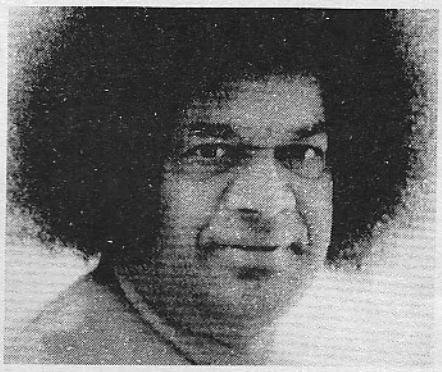
notices in foreign newspapers and scores of readings and seminars abroad, Verma was one of India's best-known non-English authors outside the country. At first sight then, Verma may seem an apt prototype for Dipesh Chakravarty's call for a new kind of transcendence in relations between the dominant West and the rest — the humanities enriched and enriching individual who would move beyond the conditionalities of decolonisation and post-colonialism in this new global and de-territorialised world.

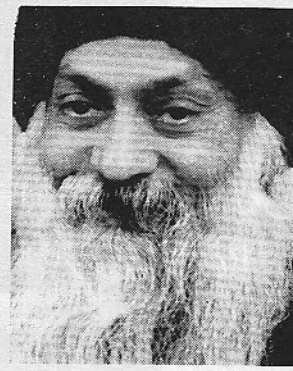
Bhashas of Bharat

Verma seems best placed to engage with this difference between the global and the local, and his writings are a cross-fertilisation of ideas and themes in many fundamental ways. Yet, Verma's achievement and the limits of his achievement are more complex than that. He is very aware and laudatory of the achievement of a Bankim or a Tagore, constructing a cosmopolitan world view without surrendering their particularity as Bengalis. At the same time, he is also aware that the simplicities of the anti-colonial struggle cannot be replicated in a post-colonial condition of today, what he calls, an "internalisation of hegemony". This position is remarkably similar to the Gandhian formulation about the seductive materiality of the Western civilisation, which though merely an 'idea' had proved highly potent in its grasp. The Gandhian urge to adopt bhasha, Indian languages, for our *aatmasamman* (self-respect) and Verma's gropings for a resurrected *atmabodh*, both rest on two essentialised assumptions.

For long, it was believed that there was a dichotomised space within the Subcontinent -- Bharat and India. In the essentialised world view of Gandhi, real India lived in villages and since many early Hindi writers evoked this pastoral, idyllic world, they were held to be more authentic representatives of India. This is a position that has had a long afterlife. Take a contemporary critic like Meenakshi Mukherjee: "Without trying to privilege ethnographic documentation in fiction [the specifics of caste, locales, names] over other aspects, nor insisting that mimetic representation should always be the desired narrative mode," Mukherji writes that, "in the English texts of India there may be a greater pull towards a homogenisation of reality, an essentialising of India, a certain flattening out of the complicated and conflicting contours, the ambiguous and shifting relations that exist between individuals and groups in a plural society." When you add to that the uncertainty over the target audience, this attenuation gets further complicated.

The second assumption is that Indian 'truths' can be best expressed in a language that is 'Indian', in the sense that the language has roots, echoes and reverberations of an organic cultural life that is autochthonous of political development and strategies. Indian literature, written in Indian languages, will find resonance not just with history and with other kinds of cultural productions (song, drama, music, films) but will also be more accessible to the 'subalterns' and will be, therefore, *ipso facto* more demotic and therefore democratic than English -- the language of the power elites and the aspirational language of 'progress'.





In the case of Hindi, these assumptions have been greatly challenged by demographic changes and by Alok Rai. The latter interrogates the rise of modern Hindi and concludes that it is deeply implicated in the discourse of majoritarian nationalism and upper caste privileges. Merely using Hindi is not a liberating exercise especially when one takes into account the weakening of several well-developed literary traditions in the present-day Hindi belt such as Braj, Bhojpuri or Maithili, which had to be downgraded before Hindi could find its place as the pan-Indian language. For the vast majority of rural residents of the belt, Hindi is almost as much of an imposition as English was for urban, middle class citizens. Over the last hundred years, generations have grown, and continue to grow, who have had to *learn* Khari Boli Sanskritised Hindi, the language in which Verma writes, even though it was supposedly their 'mother tongue'. In that sense, Verma's writings are doubly removed from the everyday world of the Indian subaltern.

Language and mofussil

At the same time, Verma the essayist is far removed from Verma the cosmopolitan, world citizen, writer. While admiring Borges and Kafka and Proust, he has consistently criticised the Europeanisation of India in the 19th century. The valorisation of all things Western and the devaluation of all indigenous ways of knowledge have turned us into caricatures,

India, Bharat and literature

Rajendra Yadav, editor of *Hans*, well-known novelist and short story writer in Hindi, a leading light of the *Nai Kahani* movement, and one of Hindi's widely respected radical thinkers, speaks to **Mahmood Farooqui** about Nirmal Verma.

You and Nirmal Verma are considered the exact anti-theses of each other, in terms of your writing, approach to writing, and social commitment.

The thing is that one of the ways the *Nai Kahani* differed from earlier writings was that writers inspired by Marxism had no conception of the individual; rather it was an abstract man. On the other hand, there were writings of Jainendra, Ilachand Joshi and others where there was only the individual, without any social concern. We were advocating an individual who would both be independent as well as a social being.

Nirmal only took the individual, which gradually got de-linked from society. The context around his individuals is a very limited social space, even his interior world is not as wide or multi-layered as say in Dostoyevsky. Therefore, inevitably what we find in Verma is a repetition, of feelings, sensibilities, loneliness, which he tried to glorify and turn into solitude, and he is wholly immersed in that. The same four or five characters, obsessed with their own problems, the same concern with the past. For instance in *Ek Chhithhra Sukh*, there is a character, a playwright, Nitti Bhai, who commits suicide in a bathtub by cutting his wrist. I remember that scene very well, the bathtub, the blood spilling out. But that is the only thing I remember in that novel, I do not remember Nitti Bhai at all...it's the visual element. Verma created very good visuals, perhaps because his own brother is such a renowned abstract painter. Sometimes I feel that he paints on paper, but it is this that differentiates us, the attitude towards society.

But both of you seem to regard the writer as some kind of a soothsayer in a largely illiterate society.

That is true, but it is your attitude towards language that matters. What happens sometimes, for example in Urdu, is that the language and the expression can sometimes carry you away and you forget about the content. That is specially true about Nirmal.

Hindi writers tend to be divided into progressives and modernists but there are *desi* writers like Renu, Nagarjuna or Premchand, and then urbane/bourgeois writers such as Agyeya.

Sometimes I think, and there are others who share this view, that we the urban people, our concerns,

problems, priorities are very different from the majority of the village- dwelling population. This was sometimes regarded as the India vs Bharat divide, but I wonder that what we call Bharat is not a remnant of the feudal era -- their languages, idioms, sayings, practices are all feudal. Admittedly, the feudal society produced great works of art and culture, but the assumption that only writing about the rural people can be called 'real writing' is something I cannot agree with. Today, some 30-40 percent of our people live in cities, have a different sensibility, and are literate. Writing about them is truer for us than visiting villages and write about them as tourists. But yes, the problems of an affluent society are wholly different from that of a developing society, and we cannot afford to be completely cut off. It is our destiny to link up with society. They, the Westerners, can celebrate their ennui, boredom, spiritualism and so on at the personal level. At the same time, the spiritual figures we celebrate are wholly divorced from society and have nothing to teach us. Verma celebrated the sensibility and concerns of the affluent class.

You have labeled Verma's vision of India as being orientalist, but he also questioned and contested Europe's colonialism.

This is what Edward Said says, that this whole reconstruction of the glory of ancient India was a part of the orientalising discourse of the colonising power. Yes, Verma criticises orientalists like Wiliam Jones but he is willing to use the texts they identified and created as being central to us.

I am suggesting that there is an anti-colonial vision in Verma.

Yes, he is against the racism and dominance of the white races against the rest of the world. There are contradictions in every writer and you find them in Verma too. He glorifies ancient, pre-colonial India but he does not acknowledge its inequalities and inequities at all, and is rather blind to caste, gender and other kinds of oppression. He is very conformist when it comes to our traditions and very critical of Europe at the same time. He said nothing about the Staines murder, about Gujarat...

His support for the BJP was undeniable, but he disagreed with political Hindutva and its mechanised, industrialised strong state dreams.

He opposed the fact that India should be modernised and industrialised not because it was coming from Europe but because it was destroying our roots and traditions. Technology, dams, industries, powerhouses, etc would secularise our society and he did not like that. He was not so much against colonisation as against the emasculation of Hindutva. We often approached modernisation or Marxism after reading texts and it was not something that emerged from the cauldron of our own experiences. Therefore, there was something romantic about our quest and urge and invariably romanticism culminates in spiritualism, take Amrita Pritam, take Sumitranandan Pant, take Verma — they all ended as spiritualists of some kind. Aurobindo, beginning as a bomb-making revolutionary, ends as a saint.

There is a particular thing with Hindi and with Urdu where the social and political problems surrounding them are integral to the way we think about them. There is an anxiety of existence that refuses to go away.

See, the other bhasha languages, Marathi, Tamil and others are geographically delimited. There is a geographical region that brings them together and into being, and a historical process that gives them identity. It is their strength and also their weakness. In Bangla, for instance, nobody knows what is happening in the literature in the rest of India or outside India. There is snobbery there, but this is not true for Hindi or Urdu. They have centers in Hyderabad, Muradabad, Calcutta. This dispersal gives them universality as well as a certain weakness. I maintain that Hindi, Urdu and English are languages in our country that do not have a geographical center; they are rootless and therefore pan-Indian. We say you speak very good Hindi or Urdu or English, I doubt anyone says you speak very good Marathi or Gujarati to each other. Because those are learnt languages, acquired languages. We speak Bundeli or Bhojpuri or Magahi at home but we learn Hindi and Urdu and English. English is our common enemy but also a common source of learning, modernity and communication. It is our necessity as well as our rival.

he believed, so that we are neither of the tradition that is ours nor are in the tradition that we chase. This tearing apart of our selves where words like 'culture' and 'religion' connote either too little or an excess of their traditional understanding in Southasia, has today created a situation where our modern intellectuals and leaders wholly jettison the past so that figures like Tulsidas or Jayasi no longer speak to them. It is then that the moral fibre of our universe is left to the "putrid streams of a Rajnish or a Sai Baba."

Yet, there had been a big change -- the shift, as Dipesh Chakravarty puts it, from a territorialised decolonisation to a dialogical decolonisation. In the initial years of the formation of modern Hindi, its writers and thinkers played a leading part in the anti-colonial movement and then in the developmentalist nation-building era that followed. Writers like Verma

himself and others such as Agyeya, Raghuvir Sahay or Urdu poets like Firaq or Jafri, occupied the very summit of the social, political life in India due to their proximity to the ruling classes, who read and admired them. They also commanded countrywide constituencies, substantial in their numbers and influence at the urban as well as mofussil level. Merely 20 years ago, semi-literary Hindi magazines such as *Dharmyug* commanded a circulation running into lakhs.

However, the dismantling of the Nehruvian consensus that coincided with liberalisation and the arrival of satellite television culture has today rendered this visible world of Hindi letters so effete that there is not one magazine whether devoted to sports, entertainment or literature that can boast of a circulation beyond 25,000. The democratisation of higher education has no doubt produced a much greater number of neo-literates than before and perhaps that is why newspaper circulation is booming, but there is little solace otherwise. This may be why, today, the dominance of the English writer seems so complete. Devoid of its earlier liberal and civilising import and reduced to a more instrumental value, English is now becoming even more indigenous to Southasia, with its growing use in offices, businesses, media, entertainment and call centres.

Devoid of its earlier liberal and civilising import and reduced to a more instrumental value, English is now becoming even more indigenous to Southasia.

Repertoire of seeing

In this very normalisation of English, however, there are grave dangers ahead for bhasha writers. For at least another 25 years, the number of people who arrive into Hindi would be far greater than those who learn English, whether in 'convent' schools or through English-speaking courses. For these mofussil neo-literates, English is as much a barrier as an opportunity. Regardless of its role in social mobility and global connections, however, it fragments the literary culture in such a way that one becomes Indian to the extent that one uses English. As a corollary, the world of Hindi letters, as that of other vernaculars, becomes parochial and constrictive. This poses obvious problems for linkages between cities and villages and concomitantly for social and political mobilisation. How would we conduct a mass politics in the absence of a mass language?

Marxism appeared as such a nationalising ideology in our parts because it allowed us to condemn ourselves at the same time as condemning imperialism.

That is where Nirmal Verma, regardless of his affiliation with Hindutva, becomes important for us. He may have identified with the BJP or its version of Hindutva but he had no truck with the mechanised and powerful India that Hindutva proper conjures up, seeking to ape the West. Verma exhorted Sanskrit, but in his writings he used a simple, even colloquial and Urduised form of Hindi. In thinking about India or Indian civilisation, he often collapsed the distinction between ideas and the materialities which shape them, between thought and people, between custom and oppression, and between spirituality and hierarchy, but his was essentially an anti-colonial vision that wanted to resurrect an indigenous cosmogony as well as cosmology. There are interesting parallels between Nirmal Verma and Mohammed Hasan Askari, the gigantic figure of Urdu criticism. Askari, too, began his political career as a Progressive and was thoroughly well-versed with European (especially French) literature, but his contestation and resistance to the 'Europeanisation of the earth in the nineteenth century' eventually led him to espouse the cause of a Pakistani and then an Islamic literature.

Similar concerns have moved thinkers and writers in many parts of the non-Western world for over a century, and it was for the same reason that Marxism appeared as such a nationalising ideology in our parts. It allowed us to condemn ourselves at the same time as condemning imperialism. Whether we implicate ourselves or exculpate ourselves however, the political paths that we follow, especially in Southasia, leave us with two choices. The pedagogic variety of the elite reformer -- Nehru in politics, the high art partisanship of Agyeya; or the *desi* mode of a man of the people -- Gandhi in politics, Nagarjuna in poetry, Renu in fiction.

India may live or die in its villages but between the villages and the metropolitan global cities lies a vast hinterland of the mofussil world. That hinterland can only be addressed in bhasha but it would not be enough to use bhasha. One would also have to adopt *desi* modes of other kinds, which consists of an entire repertoire of ways of seeing, interacting, being. Nirmal Verma's life and work is a reminder that our languages need to expand beyond linguistics before we can reclaim what we have lost.

Democracy-deficit in the Maldives

by | **Suhas Chakma**

An oddly large number of the names of decidedly undemocratic states start with 'Democratic Republic'. Perhaps it is less surprising, then, that the proposal for a SAARC Centre for Human Rights at the recently concluded 13th SAARC summit came from the longest-serving authoritarian of Asia, President Maumoon Abdul Gayoom of the Maldives. According to the president, "such a centre, based on civil society, could promote international standards, facilitate cooperation among lawyers and jurists, and share expertise and resources and advocacy of human rights and democracy in the South Asian region". This is a fantastic idea, particularly for a region where democracy is in a state of flux and the democracy-deficit is omnipresent. But President Gayoom does not have the credibility to sell it.

In the light of increasing international criticism, on 14 March 2005, Gayoom unveiled much-vaunted proposals for both political and constitutional reforms in the Maldives, with a deadline of one year. He followed that up by allowing for registration of political parties, beginning 5 June 2005. However, repression has since begun in earnest and the reform efforts have stalled *(see also accompanying opinion piece pp 97)*. Most significantly, political parties have not been allowed to carry out their activities. Foreign Minister Ahmed Shaheed warned the Maldivian Democratic Party (MDP) on 1 November 2005 that "inciting rebellion" through "peaceful disobedience" was an "offence" that could result in prison time.

Alleged confession

Shaheed's threats of repression had already been borne out by the events of 18 October 2005, when Jennifer Latheef, daughter of MDP spokesperson Mohammed Latheef and a MDP councilor, was sentenced to 10 years' imprisonment for alleged terrorist offences. She was charged under the Prevention of Terrorism Act for inciting violence in the civil unrest in Male in September 2003, which had followed the murder of four prisoners by guards in Maafushi Prison.

The 'terrorist' offence said to have been committed by Latheef rested on a claim by a police officer that she had hit him in the shin with a stone. Of the seven witnesses against Latheef,

six were fellow police officers, whose statements were reportedly contradictory. If stone-throwing was to be considered a terrorist offence, the jails of the rest of Southasia would be full of incarcerated terrorists.

The judge, however, ignored the inconsistencies in the statements given by the state's witnesses to the police as well as in the court. Given the "lapse of time" between police statements and the court hearing, the judge considered the contradictions insignificant, while simultaneously ignoring vital defence arguments that had sought to discredit both evidence and witnesses.

Jennifer Latheef was ultimately sentenced based on her alleged confession to the police, and on the basis of photographs taken of her by anonymous lensmen. A decision based on this evidence was clearly in violation of the norms and practices of international law. The pictures did not establish the time, place or event, and showed Latheef doing nothing incriminating. Additionally, confessional statements are considered inadmissible for they can be recorded under duress.

At the time of writing, Latheef still had not received a written judgment from the court, effectively denying her right to appeal. Other defendants in the September 2003 unrest case – Abdulla Alexander, Abdulla Shabir, and Ahmad Moosa – have also been brought up on terrorism charges and sentenced to 11 years in jail while Ikleel Ibrahim was given a ten year sentence.

President Gayoom's repression of political opponents is little different from that being perpetrated by the military junta in Burma or by King Gyanendra in Nepal.

Such trumped up terrorism charges, which have served as handy tools for repressive regimes around the world, are being

employed by Gayoom's regime to destroy peaceful and democratic dissent. Invoking such charges serves a dual purpose for the government. First, potential threat is silenced. Second, any criticism can be warded off simply by stating that the accused are being tried and sentenced by a competent and independent judge.

Stone-throwing 'terrorist': Jennifer Latheef

On 30 November, MDP President Mohammed Nausheed appeared in court in Male, only to hear that his house arrest had been extended for an additional 30 days. The prosecution has accused Nausheed of instigating others to throw petrol bombs and to cut iron rods for use as weapons during street protests. However, no one else has been arrested for these offences; there is no evidence linking Nausheed to either of these acts; and the prosecution has failed to provide his lawyer with the chargesheet. At the hearing, the court reportedly warned him that if he engaged in any political activity while under house arrest, he would be immediately sent back to the Dhoonidhoo Island Detention Centre. It was following intense international pressure that the government put off his trial, and transferred him to house arrest.

Indeed, it was President Gayoom's nephew, Maumoon Hameed, who led the National Security Services investigation into Nausheed's alleged acts of sedition and terrorism. Since then, Hameed has been transferred to the Attorney General's office, in order to take a lead in the prosecution efforts against the defendent. Many now fear that the president may make his nephew a judge in the cases against Nausheed and other opposition leaders.

Gagging media

There is no free media in the Maldives. On 13 October 2005, Colonel Mohamed Nasheed, a leading columnist with the newspaper, *Minivan News*, was arrested hours before he was due to speak at an MDP rally. That afternoon, Nasheed received a police summons about "a matter that is being investigated." Upon his appearance at the police station, he was transported to Dhoonidhoo, having received no further details about his arrest. After serving three weeks at Dhoonidhoo, he was transferred to house arrest in Male. A second journalist working with *Minivan News* was arrested the same day as Nasheed. Abdulla Saeed (Fahala), who was taken into custody under similar circumstances, has since been reported by state-owned Television Maldives and Voice of Maldives as possessing drugs at the time of his arrest.

Aminath Najeeb, the editor of the recently registered *Minivan News* (meaning *'independent'*) was twice detained by police for an article that appeared in his paper about a protest rally. The article in question included comments by an MDP member, Ahmed Abbas, stating: "What we should do to those in the Star Force [police] who beat us, is to seek them out individually and for us to act in such a manner that makes them feel that beatings result in pain, otherwise they will not be subdued."

Earlier on 17 June, two Maldivian journalists, traveling home to Male from Colombo on board a midnight flight, were questioned by the police upon arrival at the Male International Airport. The police seized a compilation on how to form political parties prepared by the MDP based on a booklet prepared by the National Democratic Institute in Washington DC.

Weak HRCM

The Human Rights Commission of Maldives (HRCM) had been thought of as providing a ray of hope, playing a critical role despite its weak mandate. In its bid to further weaken the weak, Gayoom's regime introduced amendments to the HRCM laws in July 2005. The new legislation keeps the security forces out of the purview of the HRCM's investigation process; limits the commission's investigative powers; and renders it much more cumbersome by increasing the number of its members from nine to 14. The amendments seem designed to specifically target the chair of the Commission by limiting his powers and functions through expansion of the members on one hand and contracting the jurisdiction on the other.

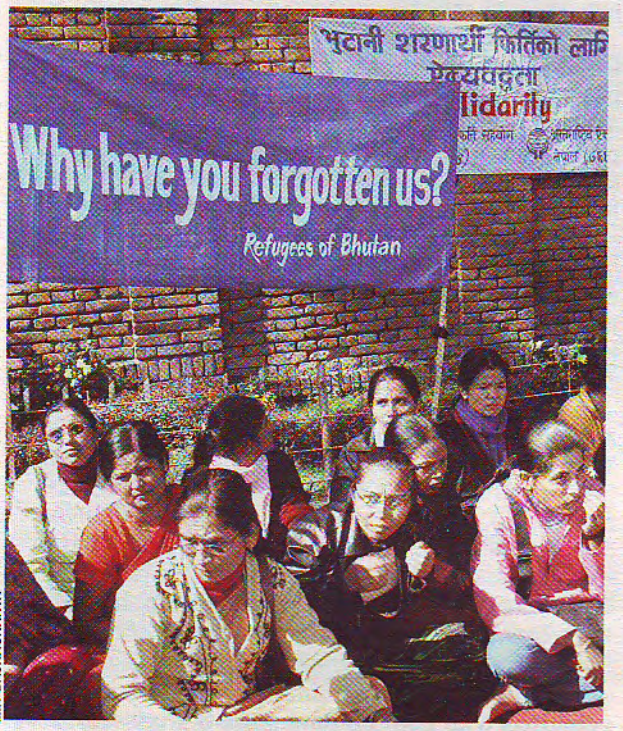
Despite vehement opposition by the HRCM, President Gayoom's rubber stamp, the Peoples' Majlis, successfully passed the bill. Reportedly no longer able to perform his duties independently, the Commissioner resigned in September. The lack of national human rights mechanisms subsequently now demand Southasian sub-regional initiatives to address gross violations in the Maldives.

President Gayoom needs to begin to undertake visible reform measures, provide freedom to political parties for democratic activities, and release all political detainees. If he does not do so, the demand for international sanctions – including a visa ban on President Gayoom and his cabinet ministers, a freeze on their assets in foreign countries, and a ban on technical and economic assistance – should be recommended. After all, such repression of political opponents is little different from that being perpetrated by the military junta in Burma or by King Gyanendra in Nepal. That it is the judiciary which sentences political activists in the Maldives, makes little difference. For all practical and legal purposes, President Gayoom is the Maldives' judge and jury.

The long, long **Lhotshampa** exile

The fact that the Bhutani refugees have been in exile for many years does not erase the fact of the depopulation exercise which evicted them. Nor does it deny their demand for a return to their homeland.

by | **Kabita Parajuli**



MIN BAJRACHARYA

Potted plants on rusty metallic kerosene tins line the smooth, swept dirt path leading to the huts of Beldangi-I. Outside, the air is warm, the saplings growing in the planters try to make the area look less brown, and the winter sun blinds as it reflects off solar parabola cookers. Inside, the huts are cool and dark, the walls are plastered with newspaper, and bamboo partitions separate cooking area from the living space.

Beldangi-I is one of the seven refugee camps in the plains of southeast Nepal where the Lhotshampa refugees from Bhutan are housed. Ask to enter one at random, and it is the home of Sanumaya Karki Chettri, mother of three. She shakes her head as she remembers her family's flight from Bhutan 15 years ago. "We had our son with us, but we didn't think we'd be able to get our daughters out of the house. As we ran from our homes, we thought we were going to die. We thought – this is it. Our lives are over. We came here, and after a while, we found the camps."

Sanumaya's story is repeated everywhere in the seven camps, where there are more than 100,000 Nepali-speaking refugees waiting for a solution that has eluded them all these years. Evicted peasants from whom the government of King Jigme Singye Wangchuk feared demographic inundation of his Ngalong-dominated state, the refugees today make up a desperate category whose lives have been on hold for more than a decade- and-half. When they departed Bhutan, as the result of a mass fear psychosis created by the royal Druk government, they were un-politicised farmer families. Today, in exile and as refugees in open camps and jostled by the active public sphere of Nepal and neighbouring West Bengal, they have become aware of the world. Ironically, this very 'politicisation' of the refugee fold would make King Jigme and his government that much more unlikely to want to begin the process of repatriation. And so, throughout the period since 1990 when the first refugees began their flight, Thimphu has played the game of delaying the refugees' return, playing on Indian sensitivities on geopolitical grounds, the international hankering for a Himalayan Buddhist Shangri La to replace a despoiled Tibet, and taking advantage of the continuous political turmoil in the refugee host country.

The flight

It was between 1990 and 1992 that over 75,000 Lhotshampa (Nepali-speaking southern Bhutani) were forced out of Druk Yul, leaving behind their farms, homes and, in many cases, members of family.

Interview

"There is no level of concern."

Ratan Gazmere, refugee leader

How was it when the refugees first arrived?
Back then, 15 years ago, we were agitated, afraid and traumatised. The vast majority were farmers, and they were worried about what would happen to their families. Today, the people are still afraid, but the nature of the trauma has changed and, in a sense, it is even worse. There is a high degree of frustration and a sense of being let down by everyone. The refugees do not feel they are being treated as human beings.

The refugees' high point was the European Parliament resolution in March 1996.
Yes, that was a demonstration of concern. But then the European Union, the United Nations and the European Commission – those in the position to act – did nothing. The general policy throughout has been, "just keeping them alive is enough, we do not need to put pressure on Thimpu." If others had acted after the EP resolution, we would have had a breakthrough.

What about the UNHCR's focus on making the refugees self-sufficient?
The reality is quite the opposite. The agency is trying to wash its hands off the problem. Despite its statements to the contrary, it is in fact cutting down on aid. It is almost as if they are saying, "please, let us leave you." The UNCHR is not following its mandate. It is supposed to be caring for the refugees, and should not be compelling the refugees to choose an option that is easiest for UNHCR. The refugees want to return to Bhutan, but the UNHCR continuously throws cold water on this, and neither is it proactively working on repatriation.

What about the governments?
Everyone seems to be engaged in seeking the 'easy way out'. They are tightening the noose around the refugees' necks, and we are forced by lack of adequate food, education and shelter to leave the camps. Support has dwindled, and the people are fighting to survive. Their vulnerability has increased greatly.

Is there possibility of militancy?
The youth is increasingly frustrated, because there is nothing for them to do. Responsible refugee leaders have tried to emphasise the need for a peaceful and amicable solution. The international community must help them in this.

What about the present Kathmandu government?
As far as I know, there has been no reaction from the present government of Nepal. There is, it seems, no level of concern. We have been lobbying with the Nepali government since 1997, asking them to internationalise this issue, since we do not believe it can be resolved bilaterally. The situation is worsening, and returning home is the only way to implement full justice. If this is not viable, then we must of course look at other options: look, people cannot live in the camps forever!

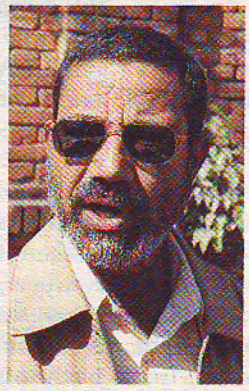
Are you for third-country resettlement?
The refugees must be given the options of a return, first and foremost, but also the choice of third-country resettlement and local integration. Allow them to make choices and opt for a more permanent future. This is where we have a difference of opinion. Some refugee leaders say everyone must return to Bhutan, but I say – it's been 15 years. Let them move on.

They first entered India, where the authorities made it 'convenient' for them to traverse the Duars region to enter Nepal and its easternmost plains district of Jhapa. Most of the Lhotshampa arrived in southern Bhutan as economic migrants in the late 19th and early 20th century, when the Druk rulers used their labour to clear the malarial lower hills and earn revenue from this unproductive territory in the bargain. While a trickle of Nepali in-migration continued, by mid-20th century, much of the link to the 'mother country' was limited to marriage connections.

In 1980, the Thimphu government passed a Marriage Act which severely limited career options for Bhutanis married to non-Bhutanis. An amended Citizenship Act, passed in 1985, decreed that only children with both Bhutani parents were eligible for citizenship, and that only those whose names were registered in the 1958 census were Bhutani. That census had set onerous conditions relating to land tax receipts which discriminated against the Lhotshampa. Thimphu carried out a census in 1988, concentrating on the south, and claimed unconvincingly that over 20 percent of the population was made up of illegal immigrants. The census 'results' were used to energise the depopulation drive which followed. Tek Nath Rizal, a Royal Advisory Councillor and Lhotshampa elder, was imprisoned after he submitted a petition to King Jigme seeking redress. Unease spread across southern Bhutan, and in 1990, the first public demonstrations were held demanding civil and cultural rights.

The government alleged that anti-national terrorists were wreaking havoc in the south. While people had been leaving Bhutan since 1988, in 1991 the government began to carry out wide-scale evictions, closing southern schools, confiscating citizenship cards, dismissing southern Bhutani government employees, and burning and demolishing homes. Many were forced to sign voluntary migration forms, which under Bhutani laws *ipso facto* makes individuals non-citizens, which itself goes against accepted international legal principles. In 1992, the Nepal government invited the United Nations High Commissioner for Refugees (UNHCR) to assist the refugees. Over the years, the agency established the seven camps of Khudunabari, Timai, Goldhap, Beldangi-I, -II, and –II-Extension in Jhapa district, and Sanischare in Morang district.

The Royal Government of Bhutan has claimed that the refugees were illegal Nepali migrants into Bhutan, anti-nationalist criminals, and now freeloaders trying to live off UNHCR-supplied food and shelter. The Nepal government's position has been that the refugees are Bhutani citizens and, if Thimpu will not accept them, they will have been pushed into the vacuum of statelessness. Fifteen rounds of talks between the Kathmandu and Thimphu governments – from October 1993 to December 2003 – yielded little result. One Kathmandu government imprudently agreed to a proposal from Thimphu to divide the refugees into four categories: 'genuine' Bhutanis forcefully evicted, 'voluntary emigrants' (a difficult call, because of the signatures extracted from many leaving for exile), non-Bhutanis, and Bhutani criminals. A Nepal-Bhutan Joint Verification Team (JVT) was set up in December 2000, and it took up the Khudunabari camp as the place to test out the four categories. The team's nine-month verification exercise found that over 75 percent of the residents of Khudunabari were bonafide Bhutani citizens of the first two categories (evictees and 'voluntary' migrants). Even though the exercise was meant to facilitate repatriation, a single repatriation has yet to occur in the intervening years.



Tek Nath Rizal

Meanwhile, the Nepal-Bhutan parleys have remained suspended since 22 December 2003, when refugees at Khudunabari camp, according to Thimphu's national daily *Kuensel*, attacked the Bhutani delegates of the JVT. Thimpu was quick to take advantage of the incident, using it as another excuse to delay the process of repatriation. *Kuensel* reports that the Druk government is still waiting for Nepal to launch an investigation into the "attack". The bilateral talks would not progress without the punishment of the perpetrators of the event, and Bhutan "would not accept a single refugee from the camps." Nepal, for its part, has shown little initiative in restarting talks. Even though King Gyanendra is presently head of government, as Chairman of the Council of Ministers, he has not made any public reference to the refugee issues in the eleven months since the royal takeover in Kathmandu. And through all this *in*action of the Kathmandu Government, the number of refugees has increased to 85,000, then 95,000, and now to more than 105,000 people in the plains of Eastern Nepal, waiting to go home.

State of the camp

What is most remarkable and disturbing about the refugee situation is that hardly anything has changed over 16 long years. If there has been a shift, it has been in the condition of the subject population itself. In the camps, there has been a dip in morale, increasing indiscipline, a rise in alcohol abuse and domestic violence. The youth are educated and qualified to work, but are not allowed to work. They may get jobs, but with shamefully low wages due to their illegal status and oversupply. One aid worker revealed that the Nepali government is "relatively lenient" about employment, and so every morning before seven, a stream of bicycles leaves the camps, heading to the nearby town of Damak. The remainder who seek work, meanwhile, hang around the camps, performing jobs far below their capabilities.

The letdown felt by the educated youth is one of the larger tragedies of camp life. Psychologists have repeatedly warned that the mental health of the refugees continues to deteriorate. As frustration increases, discipline has gone down; fights between refugees, according to camp security volunteer Birkha Bahadur Tamang, "break out more and more frequently." Discipline in schools, too, has become more of a problem as tensions affect students' performance. Says Tek Nath Rizal, "There is terrible frustration within the camps, and some young people feel they have no option but to pick up the gun. Groups have come to me asking to back their attempts, but I am a human rights activist who does not believe in violence. We must resolve the problem peacefully."

It has been a decade and half since the Lhotshampa arrived. Children have become adults; toddlers are today in their late teens. Adults have grown old. And many babies are born in the camps, in whose enclosed demography the growth rate is nearly two percent. The death rate is low, and so the growth rate translates to a population of well over 110,000 by 2008 and 115,000 by 2010. Already, there are 42,000 Lhotshampa children in the camps.

Among those who have let the refugees down --

besides the Nepal and Indian governments who never showed adequate interest, the scholars and the activists who all-too-quickly lost interest, and the international and New Delhi media for whom they are invisible - the refugees tend to name their own leadership. When asked about the refugee leaders and human rights activists, one camp secretary – an elected refugee representative – grows indignant. "We haven't chosen any of these leaders collectively. They have no mandate, and they have not even met and talked to the refugees properly. We have little respect for these leaders based in Kathmandu, Birtamode and Biratnagar."

The criticism can do the leaders an injustice, because they were often individuals with no public experience in Bhutan, suddenly asked to turn into spokesmen and activists. The tenacity of human rights activists such as the much-respected Tek Nath Rizal, Ratan Gazmere and others must be respected, for having persevered amidst not so much a hostile environment as a disinterested one.

Today, the overall international environment has tuned off the refugee problem, and yet the refugee leaders continue their often-lonely activities, with little funds and a dwindling band of international supporters. Says Tek Nath Rizal, "The refugees' morale is very poor right now, and there is a great deal of confusion as to what is going on. We are frustrated – because our plight is overshadowed by the other issues in Nepal. The constant state of political turmoil here has worked to help the Bhutani government keep its citizens out. There seems to be no progress in the negotiations between the two governments. The general feeling is this: the present situation cannot continue."

Upsurge in politicisation

Nepal had only just achieved freedom from the restrictive Panchayat era when the Bhutani crisis arose, and thus the host country was a political hothouse when the refugees arrived. It was perhaps natural for the exiles, too, to be carried away with the spree of setting up political parties. This politicisation along party lines may not be the best thing to have happened to the refugees, for it distracted the leadership away from the issues of human rights and early return. Refugees and refugee leaders within the camps suggest the rise of political parties has in fact *impeded* the way to reaching a solution. Instead of working together, the parties have competed with one another.

The rise of different political groupings has meant that the agenda differs. At present, one such party, the Bhutan Gorkha National Liberation Front (BGNLF), has raised concern with its attempts at "self-repatriation": attempts to cross over the border to India to return home to Bhutan. While it is heartening that at last there is some activism from within the refugee fold, the problem, however, is that many of those taken on the protests are not ensured protection of any form, and tend to be children, women and the elderly. The past few months have seen a number of such attempts at return, including a crossing and pamphlet distribution in Bhutan on 27 November, and a recent attempt to cross over on 17 December, stopped at the Nepal-India border by Indian security.

Discussions with the refugees show how their level of political awareness has changed since they were thrown out of Bhutan, by the very nature of their situation. When asked about her level of awareness in 1991, Narmaya Guragain of Beldangi-I gives a short laugh. "We didn't know anything about 'other countries', about political parties, or human rights organisations," she says. But now, she and her family are very aware of issues of democracy, freedom and human rights. They would like to ensure that on returning to Bhutan, the government guarantees these rights.

While the Bhutani refugees have become more politically conscious, they have also had to deal with unexpected social turbulence. Indeed, life in Nepal has raised an unexpected issue: that of caste versus ethnicity. According to lay refugees and activists, in Bhutan, the communities mixed freely as Nepali-speakers with the caste and ethnic boundaries present but not emphasised. Life in the camps, however, has exposed the refugees to Nepali society, where caste plays a more significant role in social relations and where the post-1990 era of freedom gave birth to enthusiastic ethnic assertion. The members of relatively small ethnic communities in Bhutan came into contact with the larger groups in Nepal, and became sensitised to the politics of assertion. Many formerly 'Hindu' families converted to Buddhism. When they emerged from Bhutan, the Lhotshampa could be differentiated from the Nepalis of Nepal in the cross-ethnic and cross-caste flavour of their leadership. Sadly, today the refugees are riven with community-based differences. A united community that was evicted from Bhutan purely on the basis of the language they spoke is seeing unexpected divisions – one Lhotshampa elder spoke with despair about the fracturing of the Lhotshampa identity that has occurred simply because of the influence of Nepali politics.

The other divide that is arising in the refugee camps is between those who wish to go back to Bhutan and those who want to be resettled. "Unsurprisingly, it is this younger generation that is pushing for resettlement," says C I Thapa, camp secretary of Beldangi-I. While there may be a deep desire even among those born in the Nepal camps to return 'home', they do not see this happening in the near future. When asked about their plans for the next few years, they say, without pause, that they

will be working in Nepal or 'outside'. Already, many refugees have left for other parts of Nepal and India, whether for temporary or long-term work.

Employment in Nepal has other implications for the refugees. Regardless of whether it is legal or not, taking up work also suggests a degree of integration and, in many ways, the refugees have assimilated out of necessity. The Bhutani and Nepali teenagers study at the same high schools and there are marriages between the locals of Jhapa and Morang and the camp inmates. But the majority of those in the camps know what they want, and it is not assimilation: they want to return home, ensured safety, dignity and honour, to the lands and houses that are rightfully theirs. By international law, this is what they deserve. As long as they have to stay in the camps, the refugees only ask for a few things: for the right to education; the right to live without fear; to have access to medical facilities; and for Nepal, Bhutan, and the international community to work towards a 'solution'. What the Bhutani refugees do not want is their present situation of not knowing what to expect from the future and from the agencies mandated to protect them – the UNHCR most importantly.

225 million dollars

According to the figures, the Bhutani refugee-budget of UNHCR has been increasing almost annually since 2000 (2000 – USD 5.1 million; 2001 – 5.3 million; 2002 – 5.6 million; 2003 – 5.5 million; 2004 – 6.9 million; 2005 – 6.8 million.) When asked about the decrease in global donor pledges for 2006, Abraham Abraham, UNHCR representative to Nepal, said that overall donations to the organisation had decreased for 2005 due to the needs of other humanitarian crises such as the Kashmir earthquake. However, Abraham firmly denied that there had been reductions in the budget for Nepal in the previous year – "We have never cut our budgets, we have always tried to prioritise the needs of the camps." While UNHCR insists that assistance has not decreased, it does state that as of 1 January 2006, there will be sharp reductions in aid to the camps. Refugees are also concerned about the cuts in health, education and basic necessities that have already occurred.

The past 15 years have seen over USD 225 million spent by the UNHCR, the World Food Programme and international NGOs such as the Lutheran World Federation (LWF) and Caritas, agencies which have been with the refugees throughout even as the world has forgotten them. The UN refugee agency has contributed nearly 40 percent of the figure, and UNHCR now wants to reposition its focus from 'relief' to 'development'.

When the refugees are asked about their lives in the camps, almost all of them give a similar response: that life has been hard, but bearable – up until now, when aid, they say, is steadily decreasing. All are apprehensive about life after 1 January, when UNHCR plans to cut its direct assistance. Among other reductions, the agency will decrease the supply of blankets, will no longer supply vegetables, and will only, according to Caritas, provide for education up to Grade 5 (at present, it funds up to Grade 8).

The refugees are not the only group frustrated with these cutbacks. Father Varkey Perrekat, Country Director of Jesuit Refugee Services in Nepal and also head of Caritas' 13-year old Bhutanese Refugee Education Programme, has one major concern: UNHCR's decision to stop funding grades 6 to 8. "UNHCR says their primary stops after class 5, but their *mandate* says it is up to class 8. In other places, they have also helped finance post-secondary – those numbers of refugees, however, are far lower than here." There is a discrepancy between what UNHCR and its implementing partners have to say about assistance to the camps: UNHCR refutes claims that their funding for 6-8 will come to a halt.

As both Father Varkey and those in the camps reiterate, even if the refugees have nothing else, the children here receive education. However, the reason for which development experts promote education - as *the* means for breaking the cycle of poverty – does not necessarily apply here since legal employment is not an option. Karan Gurung, a grade 12 English student of the Sanischare camp in Morang, describes his future plans: "I already teach in the school here, grades 1 and 2," he says. "Later, I want to do my BA, and teach at a boarding [private school]. I know finding that job will be difficult though. There are many who are teaching outside, but there are also many who complete their degrees who think 'ah, I can move out now!' but then are forced to return to the camps because they can't get jobs. Those are probably the most frustrated people here."

The UNHCR seems to be promoting self-reliance projects in order to (in the words of former High Commissioner of the agency Sadako Ogata), "facilitate (the refugees') integration and gradually phase out direct involvement in the camps." But UNCHR representative Abraham's response reflects a different reality: he says that the projects (such as the production of soap and blackboard chalk) exist simply to help the refugees earn a little money to supplement what UNHCR already provides. Nepali laws also limit refugee activity: legally, the refugees can only work within the camps, and they are restricted to selling the items they produce within the camps. But if the projects do *not* – because they cannot - promote self-dependence, why does UNHCR, in its reports and High Commissioners' speeches, claim that they are? The argument that "something is better than nothing" does not necessarily hold true in this case, as the organisation is mandated to protect and help refugees, and not just simply give them enough to stay alive.

If UNHCR "[is] not phasing out aid", and is instead attempting to create a development-based approach to assistance, then why do many of the camp secretaries – elected representatives of the refugees – feel as though there is little, if any, effective communication between them and UNHCR? And how can UNHCR possibly shift from relief to development, and stop providing staples such as vegetables, when the refugees are legally prohibited from employment? Asked where the refugees will get these supplies once UNHCR stops providing them, the agency gives the following response: "UNHCR will continue to ensure its protection mandate and is hopeful that all the major areas of assistance, like food, health and education will continue in 2006 *subject to donor funding* and pending the implementation of lasting solutions for the Bhutani refugees in Nepal." [Emphasis added] While this may be a standard official response, it reflects the urgency of the situation: if donors, who have already provided over 14 years of funding for an issue they believed would be resolved within a few years, tire of giving donations, or even reduce the assistance they give, the refugees face a dire predicament. It seems the responsibility of UNHCR, given the obvious incapacities of the current Nepal government, should be to ratchet up its lobbying efforts rather than to throw its hands up in despair, as it is doing.

A durable solution to the refugee problem will require the host country Nepal to generate the courage within itself to declare that bilateral talks have been a waste of time, and that a third party needs to get involved.

India and Nepal

So who bears responsibility for the continuing refugee deadlock, if we take it for granted that the Thimphu government is steadfast in its resolve to continue the deadlock? Discussions with different groups yield a multitude of answers that eventually boil down to the same few points: solving the refugee problem lies in the hands of the Nepali government, and in that government having enough courage to call an end to bilateral talks and ask for the involvement of a third party. Says refugee leader Ratan Gazmere, "The government of Nepal is the only party that can legitimately internationalise this issue." As early as 1994, Prime Minister Girija Prasad Koirala stated that the resolution of the refugee problem was not possible through bilateral negotiations, and warranted the involvement of a third party. Subsequently, however, Koirala backtracked, insisting that bilateral talks were the only way to go. Why the change in heart? "It is South Block," says a Bhutani activist, referring to the mandarins who run India's foreign policy. India, of course, vehemently denies any suggestion that New Delhi is influencing Kathmandu's policy on the matter, labelling such claims as ludicrous.

India's 'culpability' in the refugee affair starts right at the beginning, for it was the country of first refuge when the exodus began 16 years ago. Indian diplomats have been relying on the lame excuse that by treaty the Bhutanis have open access across the border to West Bengal and Assam, but the fact is that the mass outflow of people from a neighbouring country required a humanitarian and diplomatic response that was just not there. Another aspect not considered because of the overwhelming focus on the one-lakh plus refugees in camps in Nepal is the more than 30,000 refugees in India, many of them Lhotshampa but others also from the Sarchop community of eastern Bhutan. These vulnerable exiles are not even recognised as refugees under Indian law.

Theories abound as to why India is so insistent the negotiations between Thimpu and Kathmandu remain bilateral: fear of international involvement in its Himalayan 'backyard'; concerns about Bhutan using its 'China card' and developing links northwards; and the political and economic gains India receives from Bhutan as a stable, cooperative, efficient monarchy. New Delhi's policy may be influenced also because of: Thimphu's vote in international fora such as the United Nations which India can count as its own; Thimphu's goodwill in keeping Bodo and militants off the jungles of southern Bhutan; Thimphu's willingness to have the Indian military stationed in its territory; and the setting up of turnkey Indian-aided hydropower plants that provide electricity for north and east India – the latest is the USD 800 million Tala Hydroelectric Project. Most importantly, perhaps, India is unwilling to destabilise the existing status quo in the eastern Himalayan kingdom, as long as the refugee leadership or Nepal's foreign policy establishment are unable to raise the level of embarrassment.

For these reasons, India remains uncompromising in its stance that the solutions to the refugee problem must result from bilateral negotiations between Bhutan and Nepal. Even as the United States, the European Parliament and the European Commission have expressed their concerns over the refugee issue in the past, India has remained silent (*see accompanying interview*). Overall, it can be said that the Indian government's stance is made easier by the utter lack of regard for the refugee issue among the mainstream intelligentsia in the Indian capital, for whom the grimy Nepali-speaking refugee fold holds little attraction in comparison to the smart English-

speaking Ngalong royalty and elite who descend from the kingdom in the clouds.

If New Delhi's response to the long-standing refugee affair has been disappointing, Kathmandu's record is nothing less than abject. Nepal, certainly, deserves credit for having hosted the refugees for nearly 16 years, providing not only precious land in Jhapa and Morang but also moral support and livelihood. But much of the failure and stagnation of the refugee issue must be laid at the door of the political leadership in Nepal. Indeed, when Kathmandu's politicians did wield power for much of the period since 1990, they displayed a maddening double standard vis-à-vis Lhotshampa refugee policy. The bilateral resolution of the issue has become, dangerously, a question of honour for the Nepali government – a paradoxical situation since the government has achieved so little. "The politicians say one thing when they are in power, and then another once they leave," says Ratan Gazmere. "While in office, they insist that bilateral talks are the only means of resolving the issue. Then, the next day, when they are out of office, they call for internationalisation and third party involvement."

The reason for speaking of a bilateral resolution while in office is obviously due to fear of Indian displeasure. Meanwhile, the prospects of refugee repatriation has been constantly clouded by political upheaval in Nepal and the high turnover in the Nepali government -- Thimphu has taken full advantage of the turmoil in Nepal, and King Jigme would have taken some satisfaction in the February 1 coup by King Gyanendra for its ability to make Nepal completely introverted. And his satisfaction would have been justified, because King Gyanendra as head of government has made nary a mention nor taken an initiative on the refugee issue in the 11 ensuing months. It is worth remembering that it was in the autocratic Panchayat era of his brother, Birendra, that Tek Nath Rizal was abducted in Nepali territory and handed over to the Bhutan government representatives waiting with an aircraft on the tarmac of the airport in Kathmandu.

In the past, it was incapability and confusion in the political ranks in Kathmandu that kept them from lobbying to isolate Thimphu and make a return of the refugees possible. Today, under King Gyanendra's direct rule, there does not even seem an intention to engage with the issue. The foreign ministers of Nepal and Bhutan, King Gyanendra's handpicked Ramesh Nath Pandey and King Jigme's handpicked Khandu Wangchuk, did meet on the sidelines of the UN General Assembly in October, and then again on 10 November at the SAARC Summit in Dhaka. Nothing significant happened in those meetings, however, and the implementation of the verification exercise and repatriation of refugees identified as 'Bhutani' seems more remote than ever. The most important sticking point would be Thimphu's insistence that those idenfitied as 'voluntary migrants' are not citizens of Druk anymore. Kathmandu has been singularly unsuccessful in making the obvious point that this makes for statelessness and, according to international law and practice, Thimphu has no choice but to take even these so-called 'willing exiles' back.

If the two governments (Kathmandu and Thimphu) have reached accordance on any position, they have yet to make it public. When contacted about developments in the two and a half years since the last bilateral talks, and to understand the present government's stance on the issue, the Under Secretary at the Nepali Foreign Ministry, Deepak Dhital, replied: "Not much new has happened. As you know, we are still trying to engage in talks, and this is a continuous process." Meanwhile, on 28 December, Foreign Minister Pandey told a Kathmandu daily that "the environment was not right" to conduct talks with Bhutan. He did not elaborate.

"We are paying for our docile nature," says one human rights activist with understandable bitterness. "We were too cooperative, too patient, too willing to trust both the Nepali government and our own. Had there been bloodshed or famine, maybe then the international community would have listened.

Why the neglect?

Other refugee situations – those of the Balkans, Tibet, Darfur and Palestine – attract sustained international attention. So why not the Bhutani Lhotshampa? The international media's focus on the dramatic has worked to the detriment of these Bhutani refugees. "We are paying for our docile nature," says one human rights activist with understandable bitterness. "We were too cooperative, too patient, too willing to trust both the Nepali government and our own. Had there been bloodshed or famine, maybe then the international community would have listened. If our boys had picked up the gun, perhaps then they would have acted."

The one-lakh plus refugees today are increasingly seen with some irritation by the international community – UNHCR does not say it outright, but it would clearly like to settle the matter and get out of here even though the agency and its partners WFP,

Caritas and LWF have been the most consistent supporters of the refugees to date. The activism of the US embassy in Kathmandu of about a decade when it comes to the Lhotshampa refugees is not evident today, and European governments merely keep an eye on the matter today – a far cry from the days when the European Parliament debated the refugee issue. European delegations visiting Southasia no longer carry with them "Bhutanese refugee" dossiers. The scholars and activists in New Delhi and in the West who came to the humanitarian support of the refugees have today turned to other hotspots.

The Lhotshampa refugees have lost some of their own most articulate leaders. For example, Bhim Subba, a refugee who was part of the *dasho* nobility, and edited the fine journal *The Bhutan Review* for a few years has migrated to Canada. Rakesh Chhetri, the scholar who kept the candle burning for long years in Kathmandu, is now an émigré to the United States. Today, the refugees lack even the expertise to run a website.

The road ahead...

The Thimphu regime and the Lhotshampa refugees are clearly engaged in an unequal fight. The Nepali-speaking refugees, fractured among themselves, living on the dole and displaying little or no militancy, are battling with the appreciative international (including Indian) perception of Thimpu's calm, order and cleanliness. King Jigme Singye Wangchuk's projected humility, the upcoming constitution (which has no reference to nor space for the refugees) and his recent announcement of abdication and handing over power to his son by 2008, all work to add to his appeal, and to disadvantage the refugees of Jhapa and Morang. The late Indian diplomat J N Dixit's comment in 1994 – that "it's only a hundred thousand people" – failed to spark the outrage it warranted at the time. Today, the Subcontinental community of state and non-state actors seem all too willing to see these Nepali-speaking exiles, in the words of one commentator, "disappear into the Southasian night".

Sixteen years on, the situation has reached a breaking point. "The people see no way out," says one prominent Bhutani activist, "there is no light at the end of the tunnel. Before, I've always thought – this could take place, or the following situation may come to pass, but now, I just don't know what we can do." The attempts at just picking up and going back to Bhutan, organised by the BCNLF, indicate the level of frustration in the refugee community. It has reached such a state that many are willing to take whatever risks necessary to draw international attention to their cause. While the Lhotshampa refugee fold thus far has been marked by passivity, it will not be such a surprise if some youngsters even at this late date turn militant. While a violent turn of events will certainly rebound against the refugees themselves, it is the international community which would have to share in the blame for not having done enough when there was the time – full decade and a half.

In terms of practicality, allowing the problem to 'resolve itself' – that is, permitting the refugees to trickle out of the camps, find work around India and Nepal, and slowly integrate into Nepali and Indian life – is the easy option. This is clearly what Thimphu wants which is why it has used a strategy of continuous prevarication. However, for everyone else this would set a dangerous precedent. Continuing to neglect the issue will inflict the most damage on the refugees first, but then Nepal will be the next biggest loser. As the camp secretary of Sanischare, S P Pradhan says, "If Nepal is willing to take in all the Nepali-speakers of Darjeeling, Burma, and Bhutan, fine! That's what will happen – Bhutan will continue to chase out its people and others will follow suit once they realise they can do so without fear of repercussion."

Asked about how to resolve the long-running crisis, aid workers, heads of agencies, activists, and the refugees themselves eventually meet at one word: 'choices'. The refugees must be provided with information and given the right to make the decision about where they want to live. Insisting that all return to Bhutan is not viable, since some will not want to return, and does little other than fulfil a political agenda. Many educated refugees have already, or are, leaving for life overseas. Third country resettlement, also raised by UNHCR, seems hardly a panacea as it is expected that no more than few thousand would even be taken in by 'resettlement countries'. Holding out the hope of mass resettlement in Western countries may not be wise, and could be seen as playing with refugee sentiment.

This much is clear: a durable solution to the refugee problem will require the host country Nepal to generate the courage within itself to declare that bilateral talks have been a waste of time, and that a third party needs to get involved – perhaps as a mediator. The international community must not become blinded by the promises of the new Bhutani constitution, and must put pressure on Thimphu to repatriate those it must take back – whoever was regarded as a citizen by the Thimphu state before 1990, whether they were evicted or went out in supposed voluntary exile. So long as the Bhutani refugees want to go back, Thimphu has no choice but to take them back. The international community must understand that, in the eastern Himalaya of Southasia, there exists a state which has created the largest per capita refugee population in the world. The world should be told that there are well over a hundred thousand people who have had their lives on hold for a decade and half now. How much longer would the world have them wait?


Bhutan goes to people

Monarch To Abdicate In Son's Favour, Polls in '08

KING'S PLAY

The **Bhutanese royalty** has the New Delhi media eating out of its hand. Verily. King Jigme (50) and his son, the soon-to-be King Jigme Khesar Namgyel Wangchuk (25) should probably advise India's burgeoning image-consultancy firms on ways to keep the clients' image shipshape. *Chhetria Patrakar* had thought that only the father had what it takes, but it seems that the dapper, apparently soft-spoken, prince has it too. He told the gushing Isha Singh Sawhney of *The Hindustan Times*, that the Bhutanese people love all things Indian. He added, "We love Bollywood – Preity Zinta, Shah Rukh Khan and the Bachchans." Now there's a way to get into the warmest section of the throbbing Indian heart. Meantime, *The Times of India* carried the news of promised abdication as front-page headline. Every other country in the neighbourhood would have felt envious about the Druk royalty's inside track to the New Delhi editorial offices.

■■

Hmmm. See that *The Hindu* has brought a revolution of sorts. In a recent article by its national security specialist, Praveen Swamy, the reference is to **Pakistan Administered Kashmir** rather than Pakistan Occupied Kashmir. It is yet another proof that the thaw in India-Pakistan relations is irreversible. We now await the rest of the Indian media to follow suit, and also for the Pakistani media to start referring to "India Administered Kashmir". The violence of 'occupation' needs to be replaced with the neutrality of 'administration'. Give me PAK and IAK over POK and IOK, any day!

■■

The most popular picture to mark the first anniversary of the **tsunami** seems to have been the photograph of a leggy Swede woman with a full bust, walking barefoot with a child along the Khuk Khak beach in Thailand. This picture was widely printed in the papers on 27 December.

■■

Best-selling novelist **Orhan Pamuk** went on trial in Turkey on 15 December, accused by the state of the crime of mentioning that "a million Armenians and 30,000 Kurds" had been sent to their mass deaths by the Turkish state after the First World War. As author Pankaj Mishra wrote in *The International Herald Tribune*, "The Armenian massacres are a widely documented fact. But it is an officially taboo subject in Turkey... Like all nation-states, Turkey has its own sacred nationalist myths and will protect them as fiercely as any society claiming the sanction of religion. This state-sponsored nationalism attracts a wide range of Turks, including many members of the educated elites." What *CP* would like to add, as we see Orhan Pamuk hounded and pelted on his way to court in Istanbul, is that all national educated intelligentsias of Southasia need to introspect. Who amongst us in mainstream media or mainstream academia has the courage of an Orhan Pamuk, to speak the truth about sacrosanct national subjects, be it Kashmir or Balochistan or the Jaffna peninsula or the Chittagong Hill Tracts? May we all learn from Orhan Pamuk, and wish well in his day in court.

■■

Siddhartha Deb, the Bihari writer living in New York City, has written a marvellous account of India's elite press in the *Columbia Journalism Review*. He says this elite media is leaving the rest of the nation behind. "How many naked women do you need to see (in the papers) in the morning?" asks a recalcitrant journalist he interviewed in New Delhi. "A lot, if one goes by the English-language dailies in Indian cities," responds Deb. He picks up the city section of *TOI* known as *Delhi Times*, which has six large pictures of women in the first page alone: "The women in these pictures weren't naked, strictly speaking, but the parade of models and starlets was unending." *The Telegraph* of Calcutta, found Deb, "carried a stream of images of Hollywood stars, Bollywood stars, and local models trying to imitate Bollywood celebrities imitating the Hollywood stars." More Deb: "The interests of the elite seem narrower than ever, even if one ignores the pin-up supplements and looks at the main sections of the paper. The daily diet consists of business, cricket, celebrities and politicians – more or less in that order of importance – and it comes at the expense of other issues that a democratic India should be debating." The writer is distraught at how the violence against minorities is increasingly distant from the world depicted by the media.

■■

Rest in peace, **Chanchal Sarkar** (1926-2005). He did not believe in making waves, but he stuck his ground on issues of politics and society which were important for the people at large. In the last two decades, he reported mostly from the field even as his erstwhile colleagues cosied up to the powerful in

the Indian capital. Chanchal helped many journalists of India, and not a few of Southasia, understand the intricacies of journalism, whether it was using the clever pen to get past the censors during Indira Gandhi's emergency of 1975-77, or as founder-director of the Press Institute of India at Sapru House, Barakhamba Road. He was a true liberal, wrote Rudrangshu Mukherjee in *The Telegraph* adding: "One could argue and differ with him, and he tried, in his always quiet way, to persuade with logic and reason. One could see that there was always a mind at work, not petty vested interests." Wrote Shastri Ramachandran in *The Tribune* of Chandigarh, "Chanchal Sarkar's distinction was that he could see the big picture, pick a detail and lead you through a lane to the large vista of life. Journalism was his world and what journalism could do for the world was his unfailing concern at all times. His writings reflected this ceaseless pursuit."

■■

Enayetullah Khan, editor of the Dhaka daily *New Age*, and the weekly *Holiday*, died on 9 November after a long illness, marking the end of a colourful and controversial career of a diplomat-journalist well known to his peers around Southasia. He was known as 'Mintu Bhai' far beyond Dhaka's glitterati circle of which he was quite a part. Coming from an illustrious political family, Khan did not shy away from challenging the establishment, be it the Pakistani overlords or the Awami League of Sheikh Mujibur Rahman. He has many detractors, and gave them opportunities to vent their ire by serving as a minister (under the military regime of Ziaur Rahman) and then ambassador to China (by military dictator Husain Mohammad Ershad). He started *Holiday* when it was Ayub Khan who was president, back in 1966, and served as its editor for four decades till his passing. His most recent endeavour was the daily *New Age* which has taken firm steps in the last two years as the second English language daily of Bangladesh. Here is how Ashok Mitra described Mintu Bhai in the *Economic and Political Weekly*, all the way back in 1975: "...a personable young man, Enayetullah Khan. Extrovert, loquacious, steeped in bourgeois sophistication, generous to a fault, liking the good things in life, Enayetullah Khan had as many enemies as friends."

■■

Dhaka's *Daily Star*, reporting on a national convention on repression against journalists on 17 December, reports **Sheikh Hasina**, leader of the opposition Awami League, saying: "The day is not far away when you will be able to write about their (violence prone ministers and MPs) misdeeds, which you cannot now."

■■

Did we not know it, that starting **schools for media training** is getting to be a big and satisfying business? An organisation named BAG Films recently brought together big names of the Indian media (Rajdeep Sardesai, Tarun Tejpal, Vinod Mehta, Suhel Seth, et al) to announce grand plans for a INR 120 million investment into the International School of Media and Entertainment Studies (and the acronym already suggested, ISOMES). The college is to be located in NOIDA outside Delhi, and will start taking students by mid-2006. Says the director of the fledgling institution, Rajiv Mishra, "it will emerge as not just India's but South Asia's leading media institute in terms of infrastructure, technical facilities, academic design, teaching methodology and faculty...We're going to be pioneers in media education for not just India but also the whole of Southeast Asia." Ummm. The affiliation is with the Missouri School of Journalism of the American Midwest, and the four-year degree course will cost anywhere between INR 400,000-600,000. *Ummm?*

■■

One should not overuse the word 'criminal' to depict some action or event that is dislikeable. But *Chhetria Patrakar* would like to use it – criminal – to describe India's New Delhi national media's disregard for the passing of the former **President K R Narayanan** on 9 November. The column inches were negligible. Nothing more need be said, but that this scholar statesman would never have demanded it but he deserved much, much more. The picture shows the late president during his failing health. Not only India, but all Southasia bids him adieu.

■■

If you want to read some of the best book reviews or media reviews in all of Southasia, go to the website of *The Daily Times* of Lahore, and look up **Khaled Ahmed**. He also does a regular review of the Urdu press, and in a 30 December piece titled "What do the Pakistanis want?", he starts thus: "It is difficult to fathom what the people of Pakistan want. Those among us who are intense express their views without being asked. Those who are moderate of disposition will not say anything unless asked. In consequence, the national press becomes an arena for the expression of intense opinion. Usually it is the conservative section of society that is intense. In consequence, the media tend to represent a startlingly conservative population. The problem with the moderate person is that he prefers to yield leadership to the intense conservative because he fears extreme situations." Probably a Southasian-wide proclivity, Khaled Sahab!

– Chhetria Patrakar

Queen Kurrachee

by | **Mamun M. Adil**
photographs | **Arif Mahmood**

"You will yet be the glory of the East; would that I could come again, Kurrachee, to see you in your grandeur!" These were the words of Sir Charles James Napier, the first Governor and Conqueror of Scinde, as he bid adieu to his beloved Kurrachee in 1847.

But even many of the most loyal and devoted citizens of Karachi today had no notion as to who Sir Charles Napier was. Or how a small fishing hamlet was transformed into one of the premier commercial ports of the British Raj, or the pivotal role it played during the Pakistan Movement, or how it became the first capital of post-empire Pakistan and eventually the thriving, albeit cumbersome and sprawling metropolis it is today.

But all this has changed in the last year, when Karachiwallahs got a chance to witness their city's rich heritage firsthand, by visiting the Mohatta Palace Museum, the venue for the *Jewel in the Crown: Karachi under the Raj (1843-1947)* exhibition, where, in loving detail, each aspect of this complex city has been resurrected.

Curated by Hameed Haroon, publisher of *Dawn* and connossieur of the arts, and Hamid Akhund, a former secretary of culture in the Sindh Government, the exhibition records the transformation of Karachi and Sindh after the fall of the Talpur rule to the British in 1843 till the early days of hard-won independence in 1947.

The exhibition accentuates the importance of this city in relation to the Subcontinent, and justifies its one time label as "The Queen of the East" and "The Liverpool of India". Its strategic position at the mouth of the River Indus enabled Karachi to successfully dominate the imperial India's arteries of trade and commerce.

The exhibition does not limit its focus to just Karachi. It explores its cultural hinterland – the former capital city of Hyderabad and the Talpur State in Khairpur in Upper Sindh, as well as the largely overlooked significance of the Khanate of Kalat. These expositions are managed through the presentation of elaborately designed rooms.

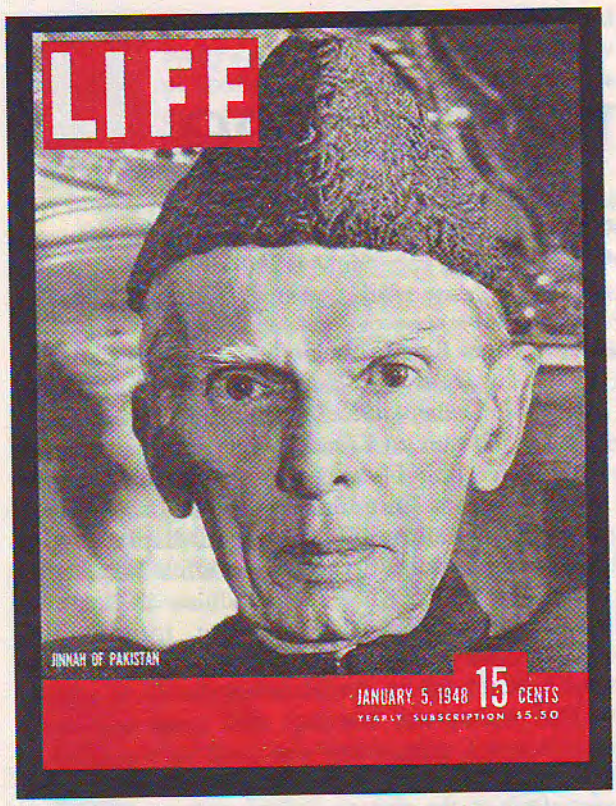
The exhibition illustrates the demographic diversity of incredible Karachi by allotting separate sections for each community -- the Ismailis (*A Visionary Prince: Sir Sultan Mohammed Shah*), the Parsis (*A School Builder's Dynasty: Mama Parsi School*), the Dawoodi Bohras, the Shi'ites, the Christians and the Hindus (*Inside Closed Doors, Out in the Street: The Mercantile Communities of Karachi*).

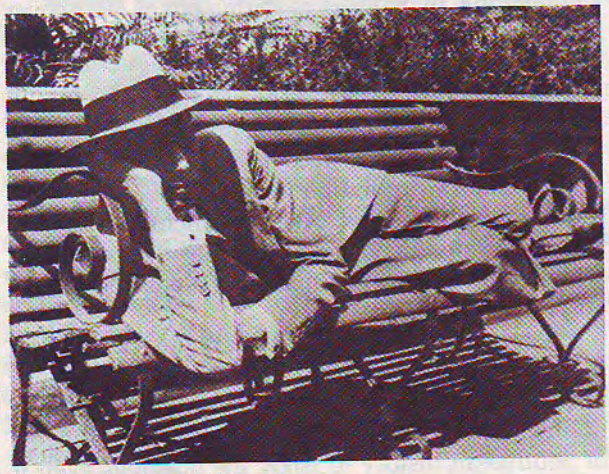
An exhibition on Karachi would not be complete without befitting reference to Mohammad Ali Jinnah, who was born here, and there are hundreds of photographs and memorabilia on display. These include the roll-top desk he used while he acted as Khan Ahmed Yar Khan's legal adviser in Kalat, his black Rolls Royce. There are innumerable photographs and portraits as well – from one that depicts him lying on a bench nonchalantly, to another of him playing with his dogs with a cigarette on his lips. A much starker one was used on the cover of *Life* magazine of 1947, with a caption that read, "The smouldering, hypnotic eyes staring out of *Life's* cover this week belong to the sick old ruler of a young but equally sick country..."

Another rare and fascinating aspect of the exhibition is the colonial era marble and bronze statuary that has been recovered from the Karachi Metropolitan Corporation grounds. The sculptures date back to the early 1900s and include a marble statue of Empress Victoria, who has been reunited with her bronze lion and tiger after a passage of over 50 years.

Photographs, artefacts, antiquary, are not all that the exhibition has to offer. The trustees of the museum have, over the course of the last year, brought out a number of books which make it possible for students of Southasian history to enjoy the offerings even if they could not visit the Mohatta Palace in Karachi. For the opening, the "Karachi Raj Quartet" was released, comprising of four volumes: *Visions of Empire, Pillars of Empire* and two volumes of *Beyond Empire: A Journey through Karachi and its Cultural Hinterland*. Other books have been produced since, many of them reprints of originals dating back to the 1860s and onwards, which include *Kurrachee: Past, Present and Future, Dry Leaves from Young Egypt, Narrative of a Residence at the Court of Meer Ali Moorad* and *The Memoirs of Sir Sultan Mohammed Shah Aga Khan III*.

The resurrection of colonial Karachi is a tribute to the city's former glory, and has, perhaps, made many realise what Karachiwallahs are capable of in the future.





Study of a life
"The smouldering, hypnotic eyes" on *Life's* cover in 1947 provided a glimpse of the Quaid-e-Azam in late life. Earlier, he posed as a young lawyer, with his dogs and cigarette, and relaxed on a bench.

In the Shade of Swords: In the centre is a painting of Khan Ahmed Yaar Khan, the last ruler of Kalat. The royal thrones and footstools are of silver and gold plating.

Rule Victoria: The marble statue of Queen Victoria, recovered from the KMC grounds after a passage of nearly 50 years.

St Patricks: A late-nineteenth century bronze crown from St Patrick's Cathedral, Karachi.

Benevelont despot: Portrait of His Highness Mir Ali Murad Khan of Talpur, behind a late-nineteenth century silver swing.

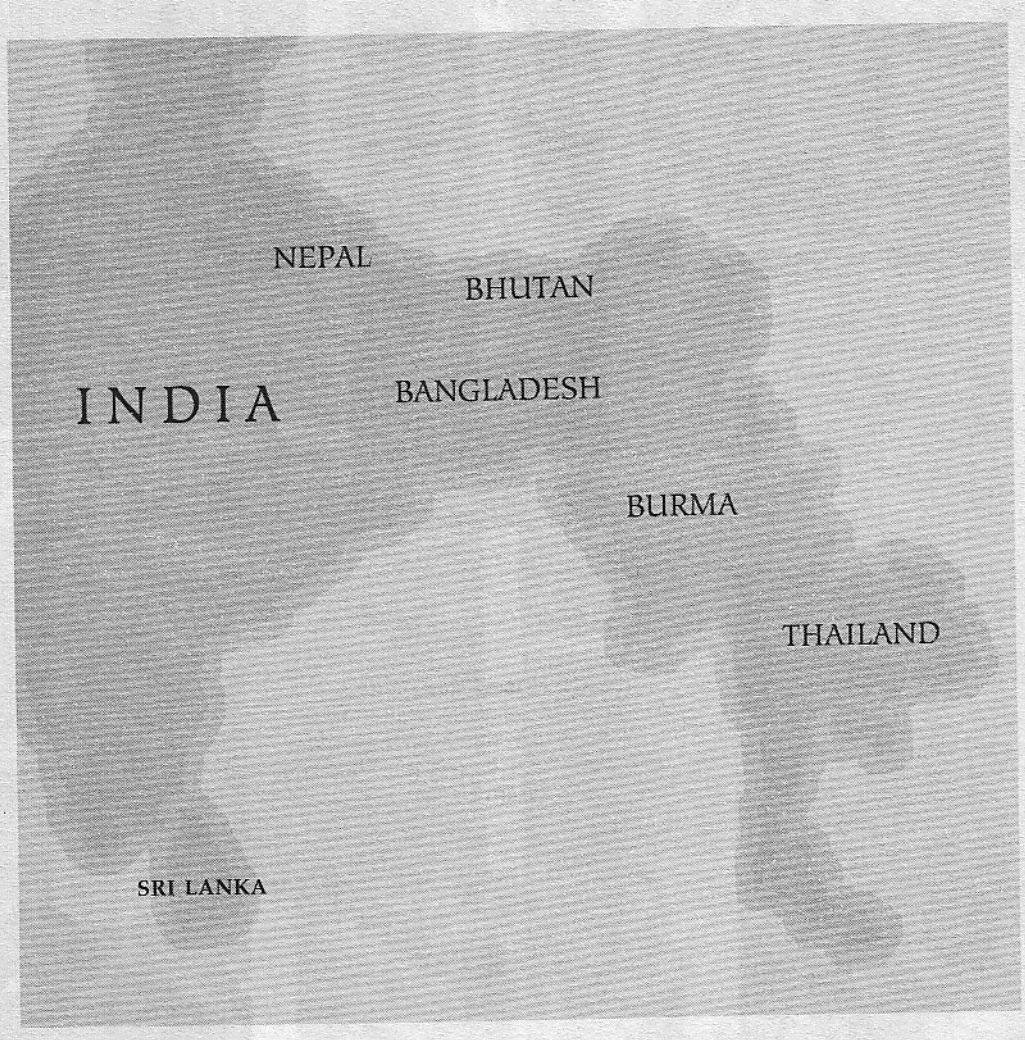
Inside closed doors: This collection of religious iconography is of particular significance to the Shia, and refer to the martyrdom of Imam Husain.

Exile and Kingdom: Portraits of the Hyderabad Mirs at the Mohatta Palace Museum

Promise, not yet progress

The BIMSTEC grouping may seem to have more of a future than SAARC but only marginally so.

by | **Ishan Bhaskar**



Before the growth of regional trading blocs, there were the cold-war alliances such as the NATO, the Warsaw Pact, SEATO and CENTO. If it was geopolitics that led to the earlier political blocs, at the core of the recent developments are the compulsions of an increasingly interdependent trade lattice in a globalising world. Although regional groupings had already been in force in South and Southeast Asia in the form of SAARC and ASEAN, an association aimed at fostering economic cooperation between parts of these regions was established in Bangkok in June 1997. BIMSTEC's name originally stood for Bangladesh, India, Sri Lanka and Thailand Technical and Economic Cooperation. After Burma joined the group in December of that year, and Bhutan and Nepal in 2004, the acronym's expanded form was changed to the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation.

Trade liberalisation alone is not a sufficient condition for countries to turn to either single or multiple 'regional integration arrangements' (RIA). The enormous pressures of globalisation are forcing countries to seek greater efficiency through larger

markets, increased competition, access to superior technology, and greater investment outlets through RIAs. Within such arrangements, there is also a desire to assist neighbouring nations for mutually beneficial reasons, as well as to take preventive action against the spillover of unrest and mass economic migration. The compelling logic of regional groupings, coupled with the obvious failure of SAARC and the near-debilitating East Asian crisis of 1997, collectively contributed to the formation of BIMSTEC.

BIMSTEC had initially identified six areas of cooperation, for which the respective 'lead' countries were designated: trade and investment (Bangladesh), technology (Sri Lanka), transport and communication (India), energy (Burma), tourism (India), and fisheries (Thailand). Among its most significant goals, BIMSTEC proposes to implement a free trade agreement (FTA) for trade in goods starting in July 2006, and an FTA accord on services and investment in July 2007.

A comparison with established regional blocs reveals the daunting challenge BIMSTEC faces. In 2004, exports among the Association of Southeast Asian Nations (ASEAN) countries were at the level of USD 123.7 billion. As pioneers of regional economic cooperation, the countries that make up the European Economic Community (EEC) traded extensively among themselves, even in the absence of a preferential trading arrangement. Before any liberalisation, intra-EEC imports made up 25 per cent of total imports. Current intra-BIMSTEC trade, for its part, stands at just 4 percent of total trade.

The catalyst to BIMSTEC's success will be the FTA accords scheduled to come in force in 2006 and 2007.

Structural Challenges

The lingering question regarding BIMSTEC is whether it too has the potential to generate high volume of regional trade – as well as whether its members have the trade volume, infrastructure, efficiency and political will to convert the regional opportunities into concrete results. Indeed, the potential is huge in several areas – fisheries, for instance – where the existing complementarities between members could be profitably exploited. However, BIMSTEC faces several unique structural and member-specific problems, which, if not tackled properly, may effectively block the group's overall success.

Bangladesh, for instance, has yet to pursue the vigorous pro-market reforms necessary to boost growth levels. While it has adopted an extremely liberal policy to attract foreign direct investment (FDI), this has, in effect, been limited to low-cost, labour-intensive industries. About a third of the country's 136 million people continue to live below the poverty line with a per capita GDP of below USD 400. Moreover, recent reports of expanding militancy in the country may have an adverse impact on investor confidence.

In **Burma**, agriculture and natural resource extraction account for 50-60 percent of the GDP, while the manufacturing sector makes for only nine percent of GDP. Human resource development has been severely neglected, largely due to policies of the ruling junta that has kept universities closed for much of the past 15 years for fear of student unrest. Burmese policy-making is opaque, with a weak legal regime. Further, the junta has handed out economic privileges to a small elite of favoured companies and family members. Economic information is difficult to obtain and the government data is hardly reliable.

Nepal, meanwhile, suffers from limited market potential, its per capita income being among the world's lowest. The country is landlocked, which presents a barrier to industrial development and undermines its foreign trade potential. The decade-long Maoist insurgency has further impeded socio-economic development, at times targeting foreign companies and effectively preventing investment. The prolonged conflict has also severely affected Nepal's important tourism industry, further weakening the economy.

Comparatively, **Thailand** has a much better set of economic and fiscal indicators, but extensive infrastructure reforms were cut in the aftermath of the 1997 economic crisis. It also suffers from an alarmingly high rate of drug users and HIV/AIDS patients, with most of them belonging to the working population. If current projections are to be believed, the AIDS pandemic could have a disastrous effect on the Thai workforce.

India, meanwhile, requires a rapid introduction of additional economic reforms. A key area in need of foreign direct investment is infrastructure. However, FDI entry and free trade are sensitive and volatile domestic political issues. The survival of the current Congress-led coalition government is contingent on the support of the Left bloc, which has traditionally been opposed to a more liberal trade regime. Furthermore, for India to emerge as the key actor in BIMSTEC, its trade with Europe, ASEAN and the Americas must become even more robust, as the current quantum of its total trade will not allow it to fulfill the role of BIMSTEC's 'lynchpin', as many hope.

Sri Lanka, although stable and growing as per most conventional standards, has to deal with the unfortunate and devastating effects of the tsunami that wreaked havoc in the subcontinent little over

a year ago. Moreover, the political climate in Sri Lanka is extremely fragile at the moment with a new government that is yet to find its feet. The truce with the Tamil Tigers could end with the unleashing of a fresh spate of violence. This could lead to a slowdown of the economy reminiscent of the aftermath of the ethnic violence of the 1980s.

All these constraints — limited markets in some cases, barriers to investment in others, the unstable security environment, as well as lack of infrastructure — have a direct bearing on BIMSTEC's goals of economic integration.

Regionwide obstacles

Some of the obstacles transcend borders of BIMSTEC. A large population base (barring Sri Lanka and Bhutan) and low GDP (excluding Thailand) are the two most obvious economic commonalities throughout the region. The result is that, despite attempts to manage these two issues, governments do not have the resources necessary to invest in infrastructure, education and so on.

The pattern of development in these countries, their evolving political systems, the nature of the post-colonial economy, ineffective welfare state policies, as well as the absence of speedy reforms have created certain structural problems that span the entire Bay of Bengal mainland. Weaknesses such as poor governance; lack of infrastructure development; corruption and ineffective legal systems; inadequate human resource management; unfavourable balance of payments due to agro-based economies; widespread poverty and unequal distribution of wealth — all of these tend to reinforce doubts about prospects for intra-BIMSTEC trade.

The catalyst to BIMSTEC's success will be the FTA accords scheduled to come in force in 2006 and 2007 – although it remains to be seen whether the agreements will actually be finalised by the stipulated deadline. These agreements acquire even greater significance in the face of intra-BIMSTEC trade being so abysmal. Many analysts believe that BIMSTEC will tend to favour the smaller economies like Nepal and Burma. While India's total exports to BIMSTEC countries is only six percent, the figure is 35 percent for Nepal and 37 percent for Burma. This dynamic, however, also increases the dependency of low trade index nations (such as Bangladesh, Nepal and Burma) on the more robust BIMSTEC members (India and Thailand) for their imports. Such a situation will need to be handled with political sensitivity.

BIMSTEC's own structure may also prove a hindrance to equitable trade between its members. Of the seven members, India, Thailand and Sri Lanka are developing countries, while Burma, Nepal, Bangladesh and Bhutan are considered less-developed countries. Thus, it would be more beneficial, for instance, for Thailand to trade with India or even Malaysia (also an ASEAN member), rather than with Bangladesh or Bhutan. Moreover, at a time when bilateral FTAs have become the order of the day, the political will of particular governments becomes suspect. Currently, India is clearly more eager to finalize an FTA with Thailand than push for the BIMSTEC agreements.

Political developments within or between member countries may also destabilise the group's overall performance. Incidentally, SAARC suffers from similar structural problems; one must recall that hostility between India and Pakistan has been a primary factor in that organisation's tardy evolution. A growing distance between India on the one hand, and Nepal and Bangladesh, on the other, may complicate trade in that triangle. It is imperative that member governments must express their firm commitment to the process of regional economic integration and ensure that bilateral occurrences are not allowed to derail the process of BIMSTEC.

Streamlining

It is not that BIMSTEC does not have the potential to become the next ASEAN. Before that will be possible, however, the members will need to commit themselves to eliminate the many bottlenecks and hurdles that exist. One critical sticking point is the transport infrastructure, for which India is the designated lead country. According to a report of the Bangladesh Institute of International and Strategic Studies (BIISS), "A stronger and desirable intra-regional trade is contingent upon an improved transport network." This includes the harmonisation of national railway networks to either broad- or metre-gauge tracks; the construction of all-weather paved roads, to allow large trucks to move through and between all countries; and modern ports for the facilitation of sea trade, which has been the lifeblood of international and regional trade for centuries.

BIMSTEC's success could be hastened by concerted action to reduce the bureaucratic delays and paperwork involved in traveling and trading between member countries; standardising trade rules and products; further developing national financial sectors; and establishing more efficient means of crossborder communication.

With the ending of the Cold War, the eclipse of strategic alliances, however, has been accompanied by the rise of regional trading blocs. The process of globalisation is not likely to end in a hurry, and the current dictum of 'trade or perish' seems to be only gaining strength and urgency. The sooner the BIMSTEC countries realise this and learn how to work successfully and actively together, the better for their peoples.

"Southasia needs a Southasian union"

Interview: Tariq Ali

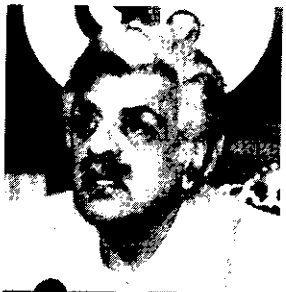
Tariq Ali, editor of the *New Left Review*, is a leading intellectual and a veteran political activist. A forceful critic of imperialism, religious fundamentalism and, in recent times, the 'war on terror', Ali has sought to expose structures of power and dominance. He has written over a dozen books including, *Can Pakistan survive, The Nehrus and the Gandhis, Pakistan: Military Rule or People's Power, The Clash of Fundamentalism, Bush in Babylon: The Recolonisation of Iraq.*

The grandson of a prominent politician of Punjab, Ali became interested in public issues early in life. Banned from participating in student politics in the 1960s by the Pakistani military dictatorship, he moved to Britain to study politics, philosophy and economics at Oxford. His interest in political activism grew and, in 1965, he was elected the president of the Oxford University Students' Union. Three years later, Ali led a massive protest march in central London to oppose the American intervention in Vietnam.

With his continuing opposition to global imperialism, Ali remains the most prominent figure of the anti-war movement in Britain. He is the vice-president of the *Stop the War Coalition*, whose call for protests prior to the Iraq invasion saw more than one and half million people on the streets of London. This was the biggest demonstration in the history of Britain.

Ali's recent book *Rough Music: Blair/Bombs/Baghdad/London/Terror* was written in response to the political crisis in Britain following the Iraq war and the July terror attacks in London. With three of the four bombers of Pakistani descent, Britain's 1.6 million Muslims, of which two-thirds are of Southasian origin, have increasingly become the focus of political discourse with their loyalties under the scanner.

Tariq Ali spoke to **Subindra Bogati** at his London residence about a range of issues including repercussions of the London bombings, the Iraq war and resistance, Iran, and the Kashmir issue.



It is unfortunate that the Americans think they can use India and Southasia as a region against China. All the Southasian countries should refuse to play this role.

Persons of Pakistani descent are believed to have been involved in the London bombings. What will be the repercussion on Islam and Muslims of Southasian origin?

Well, I don't think the London bombings have too much to do with Islam. They were carried out by young Muslims. As one of the suspects who was arrested in Italy confessed, when they were thinking about actions like this, they were not reading the Holy Quran or theology but were watching the tapes of what Americans had done to the Iraqi town of Fallujah. And they were watching the deaths of innocents in Iraq brought about as a result of the British and American occupation in Iraq. That is what motivated them.

Everyone knows the London bombings were a direct result of Blair's decision to go to war in Iraq. Blair's re-election in Britain made these young people completely desperate and crazy. They carried out this act of senseless carnage to show their anger and ended up taking the lives of many innocent civilians as well as their own.

In fact, the bombings are a reflection of poor living conditions, a sense of alienation among people, and a State which does not create a strong social safety net for most of its poor people whether they are Muslims, Christians or black or white or brown. Islam is not the issue here.

After 9/11 and the London bombings, some Western commentators and scholars are arguing that Islam as a religion is fundamentalist.

The notion that there is a problem within Islam, I find unacceptable. The real problem is with groups that

the US worked with, bred and cared for, and broke with after the first Gulf War. Of course, I totally disagree with Osama Bin Laden and others like him. You have to study what they say. And what they say is their fight with United States began after America sent troops to occupy Saudi Arabia after the Gulf War. That is when the problem began. So, it is a political problem. They use Islamic theology and Islamic teachings as a mask to fulfill their political aims.

How will the violent and non-violent resistance in Iraq affect the future of the US occupation?

First and foremost, it is the armed resistance that has made the occupation untenable. If there had been no resistance to the occupation of a sovereign independent Arab country, the West would have got a big victory and probably gone on to invade other countries, or used the occupation of Iraq as a pressure mechanism to bring about regime change elsewhere. That has failed. Then, you have growing political resistance by trade unionists, by ordinary people who don't like the occupation and who also want to bring an end to the violence.

People in the Western media talk about a specific situation where Shias and Sunnis are trying to divide Iraq into narrow religious ethnic groups. But it is important to remember that the Shia community in Iraq, which is very large and comprises 60 to 65 per cent of the population, has always been divided politically. They don't agree with each other. One faction of the Shias is manipulated by Tehran and does their bidding, while you have other large groups of Shias who are independent-minded and call themselves Iraqi nationalists. In my opinion, once foreign troops are withdrawn, we will be able to gauge the strength of different factions of Iraq.

Of course Afghanistan should be part of the Southasian union, provided it is not occupied by foreign troops.

My big fear is that the Kurdish tribal leaders will sell themselves out, which they have done so often in the past. Iraqi Kurdistan would then, effectively become an Israeli-American protectorate used as a base to exercise and exert pressure in the region.

There is a fear that if the troops are withdrawn, there will be a civil war in Iraq.

I don't accept this. The foreign troops are creating these conditions. The longer they stay, the worse the situation will become.

Would you speculate that the US is gearing up for an assault on Iran?

I don't think the US can invade Iran and if it does, it would suffer a big defeat. Firstly, the Iranian army is not like the Iraqi army, which was weakened by years of sanctions. It has a strong fighting force. Secondly, an American invasion of Iran would stir up Iranian nationalism and even the people who are at the moment depoliticised would find this unacceptable. Thirdly, the US simply doesn't have enough troops on the ground to invade a second country because volunteers to the American army have completely dried up. If they want to invade another country, they will have to introduce conscription, something that will be unacceptable to the people of the United States. Fourthly, I doubt the US Congress would go along with another war.

All the US can do in Iran is a surgical bombing strike against the Iranian nuclear reactor. And that would stir up further anger across the region, for people will see the double standards - why is Israel allowed to have nuclear weapons but not Iran?

There is an additional point. Without Iranian support, the US could not have occupied Afghanistan and Iraq. The Iranian mullahs did not oppose the US intervention in the region. Their people in Iraq and Afghanistan collaborated with the Americans. So, an invasion of Iran would surely unscramble Iraq and Afghanistan.

How have you taken the Indian vote in the IAEA against Iran?

I think the Indian political and business elite, or important sections of it, is on its knees before the American empire. We know there are differences within the Indian government. Natwar Singh has been sacked because he is the one hostile to the Iraq war; he was the one who was in favor of Iran. Manmohan Singh is a weak political leader and in thrall of Western financial institutions.

The fact that India is going in this direction is extremely disturbing because it could play such a big role with its independence. It is very unfortunate that the Americans think they can use India and Southasia as a region against China when the need arises. In my opinion, all the Southasian countries should refuse to play this role, one that has been played by Pakistan for most of its existence. When India starts to do this as well, one feels a deep sense of shame.

Do you buy the argument that identity is playing an important role in making Southasia a troubled zone?

I don't think it is a question of identity. I think it is essentially a question of big political errors and how to come to terms with them. We see the unfinished business of the partition of India. That is what Kashmir is. We have to try and find a way of solving this problem in a way that is in the interest of

Kashmiris. I don't really care what Delhi or Islamabad think. We must seek what the Kashmiri people want. Do they have the right to determine their own future or not, that is the question. No one cares about them and this is the most ignored struggle in the world.

What can be a peaceful and negotiated settlement to the Kashmir issue?

The solution to Kashmir is a unified autonomous Kashmir. They don't want their own army or anything like that. They don't want to be an independent state. They just want to be left alone. The best way is to leave them alone within the framework of a Southasian union, with Pakistan and India as guarantors of autonomy, and China too if necessary. One has to think in these broad terms and outgrow the situation created in 1947.

It is said that the Kashmir issue is being hijacked by a jehadi agenda.

I don't think so. The jehadis were basically armed and funded by the Pakistani Inter Services Intelligence (ISI). When they want to stop the tap, the funds and arms will stop. They can stop the whole thing and we have seen this happening when they tried it.

Jehadi Islamists are created by states. Without the support of a state, they cannot exist. The Saudi state supported them, then the Pakistani state supported them in Afghanistan and in Kashmir, and the American state supported them in Afghanistan.

Jehadi Islamists are created by states. Without the support of a state, they cannot exist.

India has a long-term strategy, which is to incorporate Kashmir and make it a part of India against the will of the population. India must stop behaving like a colonial power in Kashmir and the brutality, rapes, and killings must end. The Pakistanis have no long-term strategy at all. All they think about is their own interest not that of Kashmiris. Kashmiris do not want to be pawns of either New Delhi or Islamabad. This became very clear yet again after the recent earthquake. When people of both sides tried to meet each other, the Pakistani troops opened fire on them.

The recent SAARC summit in Dhaka agreed to include China as an observer. There are discussions about including China in SAARC while Afghanistan has already been made a full-fledged member. What is your opinion on this?

Including China in a Southasian union is foolish. China is also a state power. There is a Chinese commonwealth, which includes Taiwan and all these places. You can trade with them; a strong Southasian union, of course, would be friendly with China. A link between the Southasian Union and China would create the largest economic entity in the world. So, I am in favor of that but I think we should not fall in the trap of the European Union which has overly expanded itself to an extent that it has become irrelevant as a politically entity. I would like the Southasian union to be not just an economic union but also a political entity acting in the interest of the people of Southasia. As far as Afghanistan is concerned, it should, of course, be part of a Southasian union, provided it is not occupied by foreign troops. So, certainly Afghanistan, but China no.

How do you see the Southasia of the future?

I have been arguing for some time now that what we need in Southasia is a Southasian union, based loosely on the model of the European Union. Such a union should include free movement across borders, free trade with each other, cultural contacts and a Commission of Southasia. This centralised Commission, where views of all countries are reflected through their representatives, would then deal with other parts of the world as a collective unit in the interest of Southasia. This union will include India, Pakistan, Bangladesh, Sri Lanka, Nepal and possibly Burma if it wanted to.

It would be possible to solve the two intractable problems of Southasia - Kashmir and the Tamil region in Sri Lanka - within the Southasian union in a manner that would not challenge the sovereignty of each country but would nonetheless create a larger entity in the region. Within this framework, Kashmir and the Tamil region could be given their autonomy, guaranteed by all the powers of the Southasian union.

This is also in the interest of the business elites of the region because what they want is peace leading to prosperity. But it is something that is prevented from happening by strong vested interests in all the countries. In Pakistan, for example, if the army agreed to this, it would reduce its own power because the first fallout of such a framework would be a reduction in the scale of military expenditures, a reduction in their crazy spending on nuclear weapons, and the creation of a society in which something is done for the poor.

When I was in Pakistan recently following the earthquake, it was completely impossible for me to understand the nature of the regime which can't rush to the help of its people even though it wants to. In other words, Pakistan has never created the social infrastructure in ordinary times to help the poor. So, how could we expect to do this in times of crisis? It can be done and it would be easy to do it, in my opinion, by creating a framework of a Southasian Union where countries reduce or cut down on military expenditures and invest resources elsewhere.

The RAW's Broken Structure

by | **Vijay Shanker Tripathi, The Navhind Times, Goa**

The spy business doesn't ever come in for public debate. There is no parliamentary scrutiny or CAG audit. You only catch snatches of whispers from which you piece together a hazy contour of their ops. India has half-a dozen intelligence agencies: prominent among them are the IB, formed in 1947 for internal security; the RAW, in-charge of external intelligence; and MI, to coordinate defence intelligence. All these agencies report to the JIC, the apex intelligence assessment body.

In India, "external intelligence" is the mandate of the Research and Analysis Wing, whose men are posted in all neighbouring countries, in some Western countries where extremist Indian ethnic groups operate, and other countries that serve as watchtowers to Pakistan. Their job is to keep track of political developments, activities of anti-India groups and Pakistani actions.

A RAW man is usually posted on an Indian mission as a consular officer in the rank of First Secretary. His PA and non-consular staff are also intelligence men. The RAW man's usual 'official' job is to handle visas, the reason being that this provides the maximum opportunity to make contact with locals. Besides, visas and passports come under the Home Minister, so it is easier to post a non-IFS man there. The RAW has lobbied for its man to be posted as commercial counsellors, as this puts them in a better position to 'oblige' contacts. But the IFS-IAS lobby has zealously guarded its preserve.

The RAW man's identity rarely remains a secret. Within the mission, the closely-knit Indian Foreign Service brotherhood is quick to identify him as an outsider, a suspicion confirmed when he says he is from the Home Ministry. Outside the mission, he is an obvious outsider on the diplomatic circuit, possessing neither the experience of the diplomats nor their suavity.

Then, the intelligence man's 'official' job scarcely justifies his irregular and long working hours. The need to develop contacts makes him unduly keen to mix with the local population and to court people who are not relevant to his official duties. He is clearly not an ordinary diplomat who confines himself to the cocktail circuit. Thus, it takes very little for the host country to identify a mission's intelligence man. Some agents do not even bother to cloak their identity, knowing it is futile. Once identified, an agent is 'watched' by the hosts till his contacts are exposed.

Among friendly governments, the practice is to inform the host capital of the identity of the intelligence man in the mission. India has such arrangements with countries like Canada, Britain and Germany, where there is common interest in tracking terrorist activity.

The IFS brotherhood deeply resents the RAW men in the embassies. There is some heartburn about RAW officials depriving Foreign Office boys of a rightful posting, and a suspicion that the intelligence man is there to watch them. Comments one diplomat sardonically, "Not having any work to do, he watches the others."

But the key reason is that the RAW man is not answerable to the head of the mission. He files his reports in a separate bag directly to the Joint Intelligence Committee of the Cabinet Secretariat. He shows his reports or exchanges information with the ambassador on a "need to know" basis – and he decides what the ambassador needs to know. Ambassadors who think of themselves as god's gift to Indian diplomacy have resented the freedom that RAW officers exercise within their missions.

RAW officials complain they lack the wherewithal to function efficiently. Unlike the CIA and the defunct KGB, they work on a shoestring budget. Most of (India's) embassies do not possess even basic transmission facilities. A new dimension to international espionage is the premium on economic information in a world fast becoming a global market. RAW men, however, have not been trained or oriented yet to this field of intelligence.

The Central government office complex off New Delhi's Lodhi Road, which houses the RAW, will soon be a mirror image of Langley as it gets ready for a shake-up. By a curious coincidence, the so-called natural alliance with the Americans will be a major factor in the RAW's coming shake-up. It was the defection to the US of a RAW operative, Ravinder Singh, a few months ago that finally triggered an inevitable turmoil which has been gathering within the agency for a long, long time.

'Elsewhere' is a section where Himal features articles from other sources that the editors would like to present to our readers. This is an abridged version of an article that appeared in The Navhind Times *of Goa on 23 October 2005.*

Waiting for a political tsunami

There is a people's movement for democracy on in the Maldivian atoll.

by | **Aishath Velezinee**

Back in 2001, the People's Majlis, the Parliament of the Maldives, fervently rejected the introduction of political parties in Maldives, with one MP declaring that such an introduction would be tantamount to "playing with fire". Others echoed similar sentiments, arguing that the public was not ready – that allowing political parties would tear the social fabric and encourage religious rifts in the hundred- percent Muslim nation. The application for registration of the Maldivian Democratic Party (MDP), which had initiated the debate, was rejected.

Just four years later, in June 2005, the Parliament voted unanimously to allow political parties, with the MDP being the first to complete the registration process. This was followed quickly by the registration of Dhivehi Rayyithunge Party (DRP, or Maldivian People's Party), led by President Maumoon Abdul Gayoom and consisting of top government brass and business leaders; an Islamist party called Adalat (Justice); and more recently, the Islamic Democratic Party, spearheaded by a former military officer.

Since the 2001 vote, adverse events and political blunders of the rulers had drastically intensified pressure for reform, both from internal and external sources. As the MDP began to agitate for democratic reform, the international media, which had generally seen the country as little more than an equatorial paradise, became more aware of a darker side to the islands.

In September 2003, the atoll nation was shocked by the killing of a 19-year-old prisoner in Maafushi jail. The body of the teenager, brought over from jail to the hospital in Male was kept hidden from family and friends as word spread that he had met a brutal death. As the body, completely covered in the traditional white shroud, was being shown under military/ police guard, the aggrieved mother tore off the burial cloth, exposing undeniable signs of torture. Family, friends and all concerned were shocked beyond belief. Within minutes, crowds gathered spontaneously all over Male, and there were random acts of violence targeting the High Court, the Office of the Election Commissioner, the Parliament chambers, and military/police buildings. The military reacted by using teargas to disperse the crowds. That same afternoon, prisoners in Maafushi jail who had witnessed the torture revolted and police resorted to using fire-power, killing two. More died later of wounds. Addressing the nation via radio and television late that night, President Maumoon Abdul Gayoom claimed that the authorities were forced to shoot as the rioting in the jail was threatening national security!

Meeting of the leading opposition, MDP

Just weeks after these events, President Gayoom began his sixth five-year term in office. By then, the public had shaken off their political lethargy and the president was forced to rethink his strategy. One of the first moves in his new term was a sweeping amnesty freeing practically all prisoners, including those serving life sentences. Only those on life sentences for the 1988 coup attempt and for murder remained in jail. He reshuffled the cabinet, discarding two members, and two months later, in December 2003, set up the Maldives Human Rights Commission. The People's Special Majlis, the Maldives' Constitutional Assembly, was convened in July 2004 to carry out constitutional reform to strengthen democracy. These changes, however, have done little to relax the political tension because despite the talk of reform and democracy, there has been negligible change on the ground. The public as well as the international community has turned skeptical of change coming from within the government.

Controversy related to procedure continues to dog the Majlis to this day. Some MPs had wanted elections by secret ballot, while the more conservative members insisted on the traditional practices involving a public showing of hands. Despite worries that public votes would allow for intimidation tactics, voting was through raise of hands. Opposition and some independent members staged a walkout and went to the President's Office demanding to meet him.

Till today, there is mistrust between the government and opposition, in and out of the Parliament. Even constitutional reform, which both parties propagate, is protracted as each accuses the other of filibustering.

Freedom debates

12 August 2004, which came to be popularly known as Black Friday, saw the Maldives' largest-ever public gathering. Almost a quarter of Male's residents gathered at Republic Square, overlooking the main police and military headquarters, as leaders of the 'freedom debates' were arrested. This series of debates carried out in the public space every evening had begun as a response to a call by President Gayoom for popular dialogue on reform, and had continued until one evening, when the crowds chanted a call for President Gayoom's resignation. This was the beginning of *"Maumoon Isthiufaa"*, or "Resign Maumoon", a popular call today.

On Black Friday, the security forces acceded to public demand and released those arrested earlier that evening. By then, the crowds had swelled and the rally had gained momentum. The demonstrators started listing names of more political prisoners and insisting that they too be released. Using a megaphone provided by the security forces, speaker after speaker addressed the crowds voicing their concerns, demanding reforms, their demands culminating in the unpalatable *"Maumoon Isthiufaa"*.

The rally continued for a full 20 hours. In the end, nearly 200 people were arrested – including the current Minister of Finance Qasim Ibrahim; former SAARC Secretary General and Cabinet Minister Ibrahim Hussain Zaki,recently elected Vice President of the opposition MDP; former Attorney General Mohamed Munavvar; MDP leaders Dr. Hussein Rasheed Hassan and Ahmed Shafeeg. All were members of the Constitutional Assembly. By 15 August, three days after the rally, the government was describing the protests of 12-13 August as a coup attempt. Those arrested were eventually released and all charges dropped in the name of national unity, following the catastrophic tsunami of 26 December 2004.

In the meantime, work of the Constitutional Assembly has been sluggish. It took over a year for its members to agree on a set of rules of procedure. During that time, both the Commonwealth and the European Union have stressed areas where immediate progress could have been made – allowing freedom of expression and establishing an independent judiciary as a top priority even before any constitutional reform is recommended. Allowing political party formation had also become a priority.

In May, the president requested a re-reading of the Constitution and the new Attorney General, Dr. Hassan Saeed concluded that there was no "absolute barrier to the registration of political parties, and could be overcome relatively simply by a package of legislative measures and executive devices within the framework of the existing Constitution." The Parliament agreed.

Keeping up pretence

Since then, political parties have become a part of everyday reality in the atoll nation. Party rallies take place throughout the country in attempts to boost membership. In a country where there are few cultural events or avenues for popular entertainment, such gatherings have become a focus of public attention. Hours are spent either promoting or criticising the government, depending on the event's organiser. Yet despite this social integration, there is still little concrete involvement by the parties in the political process. The rallies have politicised much of the public and brought a transformation of political attitudes. But the conservative political culture and the strong grip on society by President Gayoom, with his eight appointed members in Parliament, and 16 appointed members and whole cabinet in the Constitutional Assembly, throttles the opposition voice. Indeed, the chairman of the leading opposition party, MDP, Mohamed Nasheed (Anni), forcibly dragged off the Republic Square on 12 August 2005 while he and four others were marking the first anniversary of Black Friday, has been charged with treason and terrorism.

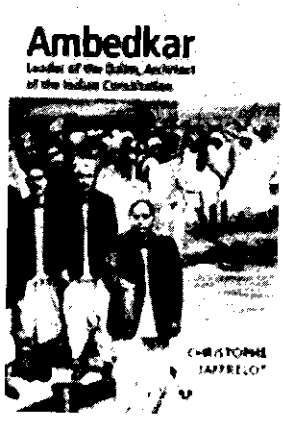
Nearly six months since political parties were allowed to register, the legislation necessary for the proper functioning, such as confirming their right to put up candidates for elections, are yet to be created. The first elections since the setting up of political parties - bi-elections for three vacant seats in the Constitutional Assembly – held on 24 December 2005 forbade candidates from running on party tickets. All had to formally register as independent individual candidates although it was known to the authorities as well as the public that the candidates were indeed representing parties. The pretence that no parties were involved was kept up by the Election Commission. Three parties, the DRP, MDP and Adalat put up a candidate each for the three constituencies, and with a high voter turn-out for a bi-election, MDP candidates won the two seats of Male, the capital, and urbanised Addu island; whilst the seat of the more isolated Shaviyani Atoll went to President Gayoom's DRP candidate.

The opposition is out in force in the Maldives, and they see a full democracy within reach. "Six months," says the MDP cryptically, giving an ultimatum to President Gayoom's government. Reforms in the pipeline or not, if there are no real changes by June 2006, the party says it will lead a nationwide civil disobedience campaign. Can President Gayoom forestall a political tsunami?

The Best Possible India

by | **Piyush Mathur**

Christophe Jaffrelot's book could not have come at a better time – inasmuch as one wishes that such an account of Dr. Bhimrao Ramji Ambedkar's life had come much earlier. This mismatch between the reality of an arrival and the retrospective fantasy concerning its timing corresponds to the mismatch between the surrealism of contemporary India and the progressivism of Ambedkar's ideas that this book highlights. As such, Ambedkar, known as the first Dalit leader of national significance in independent India, comes off equally, and by the same token, as the one political figure whose ideas make the most sense for the best-possible India of the 21st century.



Dr. Ambedkar and Untouchability: Fighting the Indian Caste System
Christophe Jaffrelot
Columbia University Press: New York, 2005
Pages: 205
ISBN: 0-231-13602-1

The Indian surrealism comprises the following twin realities: on one hand [is] the government's and national media's daily drumbeat of the knowledge economy, information technology and superpower dreams; on the other are incessant reports of extreme organized violence against the Dalits (or erstwhile Untouchables), increasingly belligerent bourgeois intolerance of the rural poor, glaring sexual assaults on women, and unofficial discrimination against religious minorities and the non-religious. That this Hindu-majority country has a Sikh Prime Minister, a Muslim President, and an Italian-born lady as the head of its strongest political party only adds to the surrealism. For more than a decade, the country has also had in place, via its education and job reservation quotas, one of the strictest frameworks in the world for the uplift of the oppressed castes (of which the Dalits are a part).

On a different level of observation, the only clear ideology that Indian political elites appear to retain for India's future is that of economic liberalisation. That choice rejects Gandhian traditionalism as much as Nehruvian socialism, and – given whatever the BJP did in its tenure under Atal Bihari Vajpayee – even some key orthodox strands within Hindu nationalism (such as advocacy of national economic autonomy and opposition of consumerism). Indian politics, in short, has consigned much to amnesia or political ritual in the past 15 years – without preserving or recouping from the history the little that it should have. Ambedkar's views belong to this latter category of the forgotten, and it is as such that they point to the modernity to which India should have aspired.

Division of labourers

Viewing Ambedkar as a man of the future is hardly customary; indeed, India has more or less avoided dealing with him even historically. Although Ambedkar's name is supposed to be known to every attentive middle-school kid in India, Indian politics and society have so far severely restricted the full significance of that name – lest it threaten some of the nation's deepest social and religious orthodoxies, on one hand, and conventional

structures of political control at the very top, on the other. Indicating this unspoken conspiracy, as Jaffrelot points out, is the fact that "the publication of Ambedkar's collected works did not begin before the 1970s – in contrast to those of Gandhi, Nehru, Patel, and Pant". As if in accordance, while outsiders have typically heard about the prevalence of caste in India, they have not heard about any native critics of caste.

For all that, by bringing Ambedkar to light through this book, Jaffrelot has catered not only to conscientious Southasians, but also to anyone in the world who may care about equality, justice, intellectual probity, and dignity in life. Insofar as Ambedkar the rebel wrote his doctoral dissertation within the field of Economics, there is an added poignancy to learning about him within the context of contemporary India, whose smug establishment intelligentsia happens to be enamoured by a very peculiar view of that discipline.

Not a full or conventional biography, Jaffrelot's is a "strategy-oriented" account of how Ambedkar evolved, through his childhood and until his death, as someone who explored and employed a variety of strategies to scrutinize and annihilate "the mechanisms of caste". Jaffrelot's stress on evolution, no less than strategy, is justified because Ambedkar was a real pioneer – an original reformer – who only gradually came to grips with a complex reality to which he was a born (and powerless) outsider.

While Ambedkar's politics originated and revolved around the uplift of his *own* communities, he could not have achieved his objectives without substantially reforming India as a whole.

Aiming to "shed light on (Ambedkar's) contribution to the emancipation of the Untouchables and...the social and political transformation of India," Jaffrelot shows that Ambedkar "moved cautiously from one objective to the next". Broadly speaking, he initially "strove to reform the Untouchables, so as to enable them to advance within a wider Hindu society (particularly via education), and later turned to politics in the 1930s". In the process, and given the inevitable overlap among his objectives (as much as because of political necessity), the "parties that he founded emerged sometimes as Untouchable organizations and sometimes as the rallying-points of all the oppressed".

Ambedkar "also collaborated with governments – whether they were British or Congress – in order to exert pressure from within on those in power". As a government insider, he advocated "the Untouchable cause" and tried "to keep some of Gandhi's ideas at bay". Frustrated with the Hindu – especially orthodox Brahminical – opposition to his attempts at reforming the Hindu society, he explored other religions that did not have the concept of caste, or which emerged categorically to reject caste (and other Hindu dogmas). This exploration of religions convinced him to adopt Buddhism the year he died – in 1956.

Among the book's broader forays, the following are of paramount interest: Ambedkar's differences with, and influence on, Gandhi (and vice versa); the differences between Ambedkar and Nehru qua modernists; Ambedkar's relationship with fellow-Dalit leaders – M. C. Rajah, Rao Bahadur Srinivasan, Jagjivan Ram, H J Khandekar, and P G Solanki – and Dalit masses, India's religious minorities, the British, and the Communists; and, Ambedkar's role in the making of independent India's Constitution and subsequent legal reforms.

Jaffrelot has also highlighted Ambedkar as a social philosopher who produced radical writings on caste, Hinduism and social justice. For instance, Ambedkar stressed caste's systemic, interlocking existence in a Hinduism over-determined by Brahmin values through the "Sanskritisation process". As such, the "very specific logic of graded inequality" reflected by "the hierarchy of caste...prevents those most discriminated from forming social coalitions against elite groups".

Ambedkar thus considered "Indian workers" to be "victims of both Brahminism and of capitalism...the two systems being dominated by the same social group". Nevertheless, he "considered Marxism to be of little utility in India" insofar as "the caste system forbade the formation of antagonistic classes". In Ambedkar's precise words, "'Caste System is not merely division of labour. *It is also division of labourers*'".

The trio

As for Ambedkar's relationship with Gandhi, it was predicated on the latter's initial blindness to caste as the key mechanism of subjugation and exploitation, fixation on putting up a unified (Hindu) opposition against the British rule, and focus on Hindu revival and reform as a liberatory tactic and objective. In the main, Gandhi disapproved of Ambedkar's attempts at extricating the Untouchables from the Hindu framework; instead, and under the growing pressure of the Dalit movement through the mid-1920s, he began focusing on reforming the Hindu society such that it would show equal respect toward all castes (or *varnas*) and entertain no Untouchability.

Accordingly, Gandhi's Anti-Untouchability

League, launched in 1932 with the financial assistance of G D Birla, "remained dominated by upper caste Hindus, largely because Gandhi wanted to make it 'an organisation of penitent sinners'". That aside, Gandhi, agreed with Ambedkar and did not appreciate the division of Hindu society into the numerous sub-castes or *jatis*. He only believed that the *varnas*, in their ideal forms, were necessary for a dignified internal unity of Hindus.

On many occasions, however, the two leaders openly praised each other (and Ambedkar also explicitly adopted or co-opted some of Gandhi's political strategies). Notable is Gandhi's speech at the Second Round Table Conference, in which he said: "I have the highest regard for Dr. Ambedkar. He has every right to be bitter. That he does not break our heads is an act of self-restraint on his part". Against the "lukewarm" attitude of Nehru and Patel, Gandhi also insisted that Ambedkar be given a ministerial berth "in the first government of independent India". It was under Gandhi's pressure that Nehru appointed Ambedkar as the Minister of Law on 3 August 1947, and as Chairman, Drafting Committee of the Constituent Assembly, on 29 August the same year.

Nehru agreed with Ambedkar's liberal, modernistic, and secular approach; as such, the two together managed to sideline the traditionalist, rural-centric worldview of Gandhi from the Constitution, often by relegating it to the legally non-binding Directive Principles. Nehru also categorically supported Ambedkar on the need for separating the executive branch from the judiciary. However, "anxious not to alienate the more conservative elements of the Congress," he remained silent on Ambedkar's effort at reforming the Hindu Code Bill – leading Ambedkar to resign from the government in September 1951. Ambedkar was also unhappy at not having been allotted the planning portfolio by Nehru. Interestingly, Ambedkar disagreed with Nehru on Kashmir, and believed in its division – "with the Muslim part of the state of Jammu and Kashmir to go, definitively, to Pakistan".

True grit

The key strength of Jaffrelot's book is that, instead of being a hagiography of its subject, it lets the gritty realism of his struggle and pursuits – and their interlocking with the struggles and prejudices of a range of fellow socio-political leaders – inspire the reader. While Ambedkar's politics originated and revolved around the uplift of his *own* communities, he could not have achieved his objectives without substantially reforming India as a whole. In that respect, he had to transcend parochialism. On the other hand, he typically did distinguish himself from other Dalit leaders, who allowed themselves to be co-opted all too easily by the Congress and other power groups as a matter of political opportunism. Jaffrelot avers, " He was not one to switch allies because of the posts that one or the other might offer him, but according to what would best serve the Untouchables' cause. In this respect, Ambedkar's career differs fundamentally from that of Jagjivan Ram, the key leader of Untouchables in Congress from the 1940s till the 1970s, who did not use his position to defend Untouchables as much as he might, but instead helped Congress to project itself as a party representing all layers of society, including Dalits."

Even as Ambedkar's critique of caste continues to hold sociological significance, many readers are likely to find this book useful because of its illumination of those aspects of Ambedkar's politics that continue to be relevant to the following topics in contemporary India: religious conversion, uniform civil code, caste-based reservation quotas, and caste in politics. Many would be surprised to learn, for instance, that Ambedkar wished to have a uniform secular law – and that what he got was "nothing more than an article of the Directive Principles" (owing to stiff resistance from the religious minorities as well as orthodox Hindu members of the Congress). Likewise, Ambedkar had to let go of his preferred scheme of separate electorates for the Untouchables in favour of reserved seats.

Jaffrelot's work includes some relatively unknown facts about Ambedkar's life. Ambedkar was given his last name by his Brahmin schoolteacher with that name, who was "impressed by his intellect and personal qualities"; Ambedkar opposed the Quit India movement; married "a Brahmin nurse" in April 1948; successfully "opposed a constitutional amendment to nationalize natural resources"; had John Dewey, the philosopher, and R A Seligman, the economist, as his professors at Columbia University; and he was influenced by Thomas Paine as well as Booker T. Washington, the founder of the US-based Tuskegee Institute.

While an indispensable read for conscientious citizens of Southasia, if not the world, Jaffrelot's book is sometimes repetitious and convoluted; it certainly deserved better editing. The index at the end is also woefully impoverished. If not for these minor shortcomings, the book would rank—in terms of its research quality, analytical rigour, tone, and even discussion of certain issues involving the state of Maharashtra, caste, and contemporary Indian politics—among the finest scholarly works in Indian history and politics.

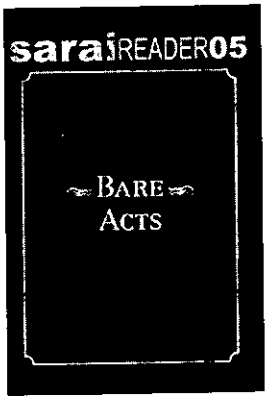
Present Law, Absent Justice

Law is often not a source of justice, but a form of violence that is so absolute in its impact that dissent is not ever a possibility.

by | **Arvind Narrain**

Explicating what the law is has always been the monopoly of lawyers, who have seemingly been granted the 'exclusive' power to decipher the mysteries of the law and interpret them for the wider world. The hegemony of this group over the wide realm of law is perhaps best illustrated by the fact that, even in meetings of activists, the final word on legal strategy is generally left to the lawyer.

For their part, lawyers take this reverence for their station as their natural due; this deference has, in fact, resulted in keeping out many alternative interpretations of the law. In any library or bookshop, a mountain of volumes that specialise in law can be found, all of which will prove to be learned discussions on various incomprehensible acts. What is common to these erudite tomes is the way that they doggedly plod from provision to provision, detailing exactly how the courts have interpreted various laws. Any lay person who happens to peruse such books would happily decide to leave these stolid and boring versions of the law to the lawyers. Doing so, however, only reinforces the monopoly that the profession has on the interpretation of law.



Sarai Reader 05: Bare Acts
Editors: Monica Narula, et al.
Center for the Study of Developing Societies, Delhi, 2005
581 pages
Price: INR 350 (paperback)

This is indeed a tragedy. Many other disciplines have both fresh and useful interpretations of the myriad issues surrounding law. The Sarai Reader V: Bare Acts is a unique attempt at wresting the monopoly over law from the lawyers and jurists. The Bare Act, as the editors note, is "an expression used to specify the content of the law, bereft of any interpretative gloss. In a legal library in India and many parts of the English-speaking world, a Bare Act is a document that simply codifies a law without annotation or commentary. The 'Bare Act' is legality pared down to its textual essence. It expresses only what the law does and what it can do."

The book's variety of contributors include activists, media persons, anthropologists, cultural theorists, teachers, journalists as well as lawyers, whose perspectives seek to locate the 'bare act' within the understanding of these separate disciplines. The diversity of the issues covered is striking: armed rebellion, terrorism, police violence, piracy, religious intolerance, cyber cultures, media surveillance, sex work and sexual nonconformity all share space here, vividly communicating the range of concerns that

make up the role of the legal realm in the contemporary era.

Totalising violence

Pervading many of these essays is the view that the law is often not a source of justice, but rather of 'totalising violence'- that is, violence which is so absolute in its impact that dissent is not ever a possibility. Alexander Karschnia, a theatre person, writes how, since 9/11, "the enforcement of law has become the dominant ideology and legitimised every military/police action since then." Bimol Akoijam, a researcher at the Centre for the Study of Developing Societies, in discussing the Armed Forces Special Powers Act (a draconian legislation in force in Northeast India), makes a similar point about the totality of state power and violence as enforced through law.

In anthropologist Naveeda Khan's analysis of the situation of the two-million strong Ahmediya community in Pakistan, both global capital and religious intolerance come together in a situation analogous to the "infringement of a trademark." The Ahmediyas are, according to the court, trying to 'pass off' as Muslims by citing the Quran and worshipping in mosques. Therefore, they are to be restrained by the law from exercising their basic rights – including the right to call the azan, build mosques, and cite the Quran and *hadiths*.

In a piece about the sensational trial of Kawas Maneckshaw Nanavati, Commander in the Indian Navy, Aarti Sethi superbly illustrates patriarchal ideology as another 'site' of violence. On being told by his wife that she was sleeping with another man, Nanavati listened calmly and then went ahead to shoot the lover. The belief that it is honourable for a reasonable man to be provoked in this way ran through the case's judicial pronouncements, media presentations as well as the final executive decision to pardon Nanavati.

These accounts of the violence of law remain crucial, for it is important to understand the everyday impact of law on significant sections of the society. The fact that army brutality is an everyday reality in the Northeast of India or that law has effortlessly deprived an entire community of its rights put into question the liberal understanding of law as being intrinsically linked to justice. The questions naturally arise: What do we do? How do we continue the struggle against power and for a less hierarchical and more just world?

Politics of stealth

One response the Reader offers to the totalising account of law is that power structures can never be all-pervading: they are all porous, in a way that can be creatively used by those who end up on the law's 'receiving end'. Lawrence Liang, a lawyer, follows up on this idea, suggesting that the only way that many poor people are able to eke out a living is by making the most of this flexibility, to 'illegally' access resources. Solly Benjamin, an independent researcher, makes a similar argument, detailing how a 'quiet politics of stealth', that pays little heed to the above ground world of Law with a capital L, is largely responsible for ensuring that the poor are able to survive from day to day. This involves a complex system of negotiation with a system of (il)legal power through which the poor regularise their claims on land and, thereby, begin to get elementary facilities, right from drainage to drinking water.

While viewing law as porous can open our eyes to what is happening at the margins, the question remains: How can law be linked to justice? An earlier generation may well have ideally and resolutely looked to the law to solve the problems of the contemporary world. The slew of legislation brought about in response to powerful modern social movements makes it clear that a great deal was invested in the law's ability to deliver social change. A distinction has arisen, however, between policy and implementation, between law and justice. After two decades of legislation pertaining to women in India, for example, there has been a saddening decline of faith in the law's ability to convey real justice.

Bare Acts includes an important essay that simultaneously traces the function of law as a tool of oppression, while maintaining faith in its ability to deliver justice. In detailing the experience of the Right to Information campaign in Rajasthan, activists Preeti Sampath and Nikhil Dey maintain that law can be used to expand democratic space if the struggle for the law is part of a larger movement. The campaign for the Right to Information, which began in villages, has today led to a major, nationwide legislation in India. Law, in this case, does recover its links with justice.

The Reader's rich array of essays embodies a complex tension between varying perspectives on law. While some contributors stress on the violence of law, others search specifically for what exists in law that can aid resistance. Some refuse to acknowledge any link between law and justice, while others have devoted their lives' works to painstakingly constructing that link. The Sarai Reader succeeds because it allows these diverse voices to coexist in the volume's search for an expanded vision of law.

Tracking movements in Dhaka

by | **Prabhu Ghate**

Dhaka basked resplendent under a blue sky as I emerged from the cavernous Zia International Airport. As a hardened *Dilliwalah*, I was preparing to fend off taxi drivers lunging for my bags but the entire vista was completely taxi-free. Even the CNGs, Dhaka's three-wheelers, had been forced into a three-day holiday.

Eventually a van from one of the accredited official hotels took pity on me, and soon I was sailing down what felt like a California freeway. There were still no people as we entered into Dhaka – only a blur of grassy verge, fresh paint, sets of seven freshly stitched flags, shuttered shops, and sharpshooters positioned on rooftops. We reached the media centre at the Sonargaon Hotel in record time, to be held virtually captive there for three days. The main roads remained closed much of the time to facilitate the 'movement' of the many VIPs who came to attend the thirteenth SAARC Summit. As an Indian, I could hardly complain – hadn't we cited the security situation as a reason for postponing the summit back in February?

Banners everywhere announced the Decade of Implementation – meaning, of course, the decade to come, which says a lot about the two decades already past. Offerings at the documents desk were pretty meagre, and there were no briefings from either the host government or the SAARC Secretariat. All of the action was apparently at the Sheraton Hotel, where the delegates were staying, but the young woman who gave me my ID card told me I would need a separate One Time Pass (OTP) card to get in there.

I got hold of the 14-page official programme, which was a nearly minute-by-minute logistical guide to all of the 'movements,' the sort of thing WTO agitators would have paid an arm and a leg for. The programme sheet was also a manual on the various protocols to be observed by and towards the "HoS/HoGs" – the heads of state and government, with valuable nuggets like the one asking that "the Hon'ble Prime Minister of Pakistan will kindly come in front of the leaders table for handing over the award..."

After every entry relating to any arrival of an HoS/HoG, the programme stipulated in bullet point: "to be received by A-Grade Ambassador". A significant number of 'A-Grade Ambassadors' must have been required throughout the proceedings. There's nothing quite like creating a sense of involvement, and I wonderered whether the B-Grade ambassadors were made to feel a bit left out.

In this low-key summit, the journo gossip mill centered mostly on who did or did not want to include the Afghans as SAARC members and the Chinese as observers. Naturally, once the Afghans were in, both the Indian and Pakistani briefings seemed to want to take credit. Meanwhile, someone looking like he was from the Chinese embassy sat in the back, busily taking notes.

One prays that by the time it is Kabul's turn to host a summit, Afghanistan will be a land of raisins and pistachios; the Kabul River will be again be sparkling and garbage-free; and the HoS/HoGs can conduct their one-on-ones beneath the shade-trees being planted at the Bagh-e-Babar. At least, Kabul already has the Sheraton, perched atop an easily defended hill.

But of SAARC capitals, my favourite venue will always be Male -- where they do things in style, with gunboats cutting a swathe through the water as the VVIP-bearing launches go about their movements. It is no coincidence that the delegations, scribes and camera crews swell exponentially whenever the summit is in the Maldives.

Back to Dhaka -- on Monday, the day after the summit closed and with the summiteers safely dispatched (after cancelling all scheduled flights for the second time), every vehicle in Dhaka was out in the streets at last, stuck in what appeared to be citywide gridlock. I nearly missed my ferry 'Rocket' to Khulna, since access to the Sadarghat boat terminal is through the narrow lanes of old Dhaka, and most of the boats leave almost simultaneously every evening. The bedlam on the pier must be one of the best sights in Dhaka, with last-minute passengers and vendors jumping on- and off-board, and paddlewheel steamers pushing each other aside as they lumber off in frenzies of churning foam.

I had arrived into Dhaka just a week earlier, on a Friday afternoon. After my trip through the Bangla backwaters, I now made it back to the airport in time to catch my Friday morning flight, but was told I had overstayed my seven-day visa. Long arguments ensuedwith several officials. What carried the day was I had come for the SAARC. Perhaps the decade of implementation had begun.

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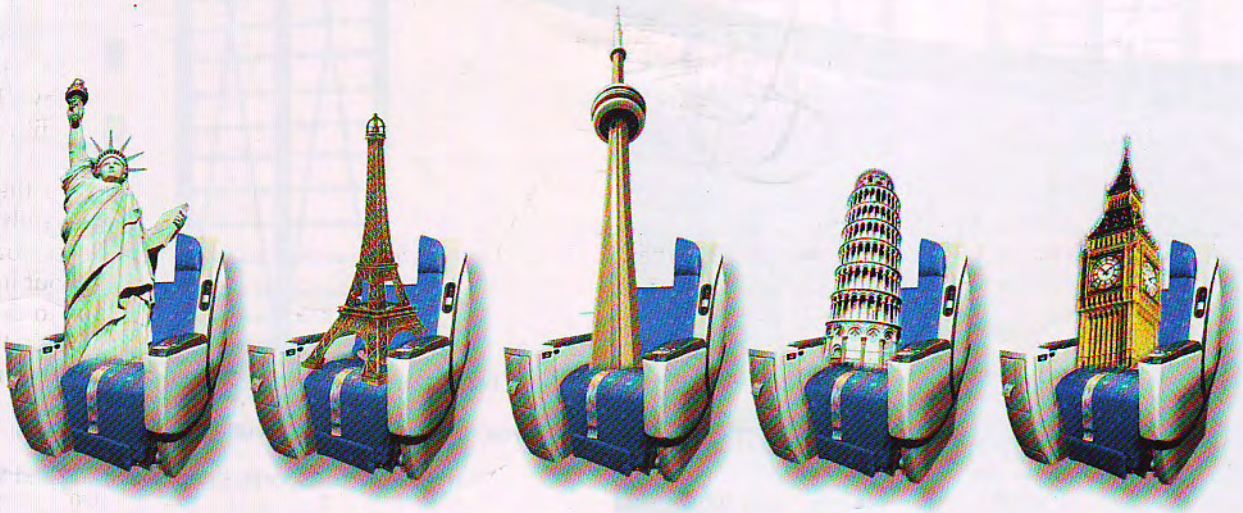

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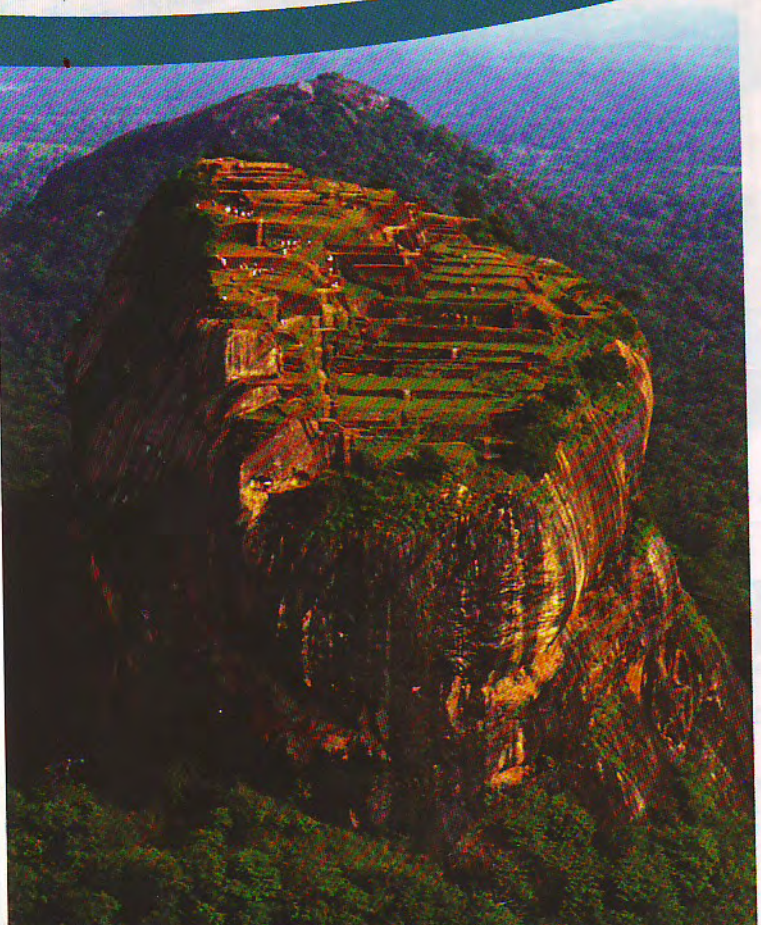
Sun, 600 million years old.
Sea, 6 million years old.
Culture, 3000 years old.
All in Sri Lanka.



There is year long beachcombing climate in Sri Lanka.
If you're not content just lounging in a deck chair,
there's water sports, deep sea diving and surfing.
However, you wouldn't be prepared for the
awe-inspiring spectacle of ancient Sri Lanka
and all its well-preserved remnants.
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