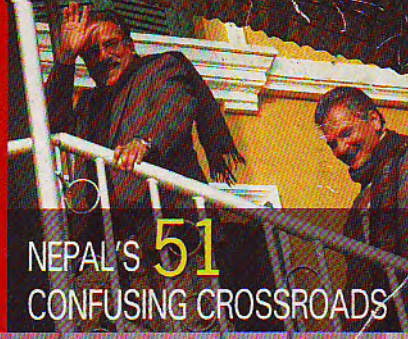
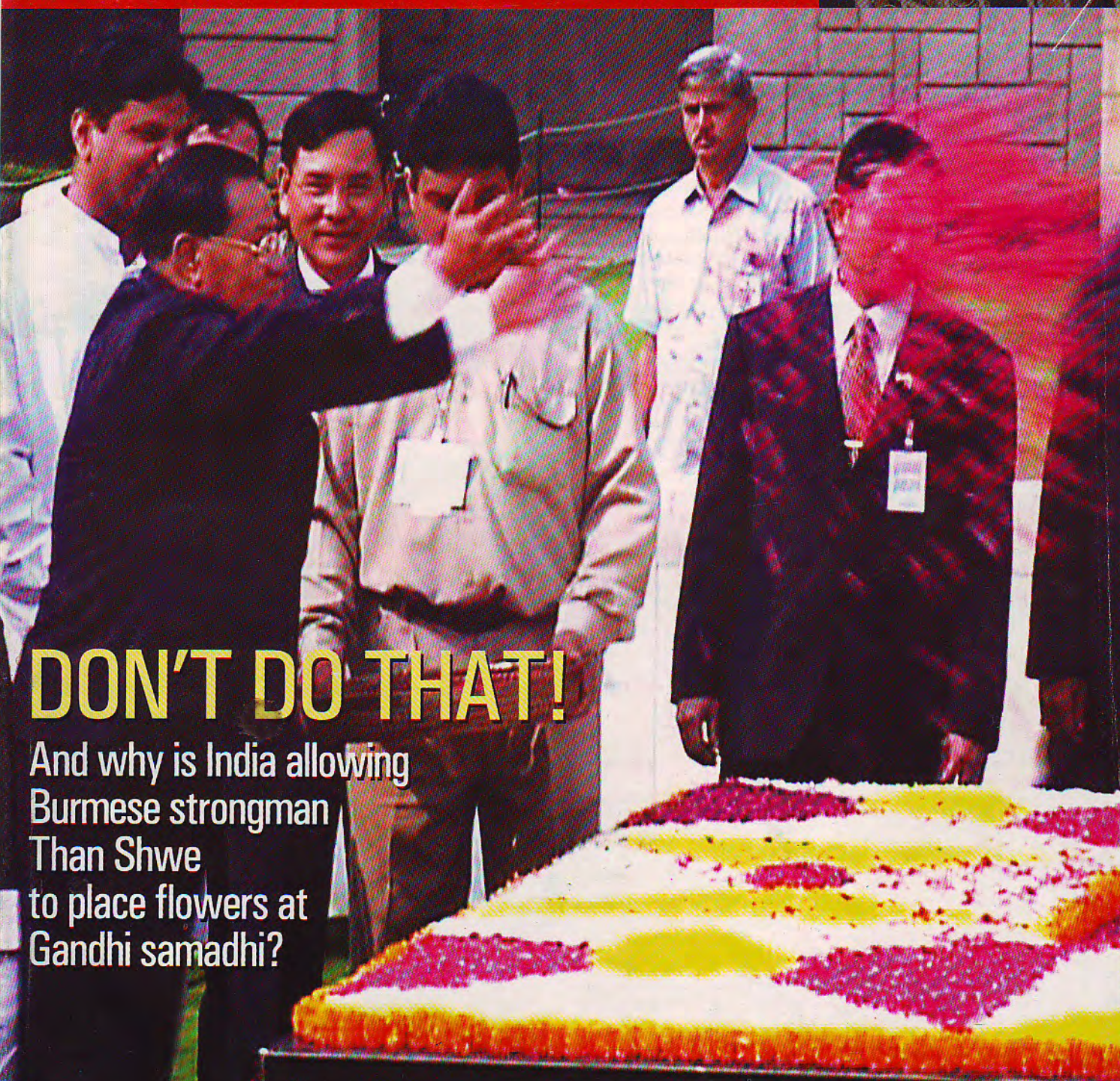
February 2007 Vol 20 No 2

HIMĀL SOUTHASIAN



NEPAL'S 51 CONFUSING CROSSROADS



DON'T DO THAT!

And why is India allowing Burmese strongman Than Shwe to place flowers at Gandhi samadhi?

Bangladesh BDT 80 · Bhutan BTN 60 · India INR 50 · Nepal NPR 50 · Maldives MVR 40 · Pakistan PKR 80 · Sri Lanka SLR 80 · Rest of the World USD 4 / GBP 3

Name : Adam Stevens
Age : 43
Designation : CEO
Time : 11:28 pm
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The general at the samadhi

Our cover image this issue is of Senior General Than Shwe at Delhi's Rajghat, videoed by filmmaker Amar Kanwar. To lead off our cover section, we present four write-ups by Kanwar – on Than Shwe himself, on the growing military connection between New Delhi and Rangoon, on the recently deceased activist Thet Win Aung and the long-dead Win Maw Oo. These pieces were originally conceived by Kanwar as part of a video installation, which was first exhibited at a Southasian film festival in Bangalore in early December. While the footage on Win Maw Oo and Thet Win Aung used images available to Kanwar, the segment on Than Shwe required clandestine filming of a general who is notorious for the distance he wants to keep from the camera. A part of the Than Shwe segment was filmed at the lobby of a New Delhi hotel, while the remaining was filmed at the cremation place of Mohandas Karamchand Gandhi, at Rajghat. Selections of the video presentation can be downloaded at *www.himalmag.com*.

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February 2007 | www.himalmag.com

Himal Southasian is published by
The Southasia Trust, Lalitpur, Nepal

Office address
Patan Dhoka, Lalitpur, Nepal

Mailing address
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Tel: +977 1 5547279
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info@himalmag.com
www.himalmag.com
ISSN 10129804
Library of Congress Control number
88 912882

Image setting: ScanPro
Printed at: Jagadamba Press, Lalitpur, Nepal
+977-1-5547017/5547018

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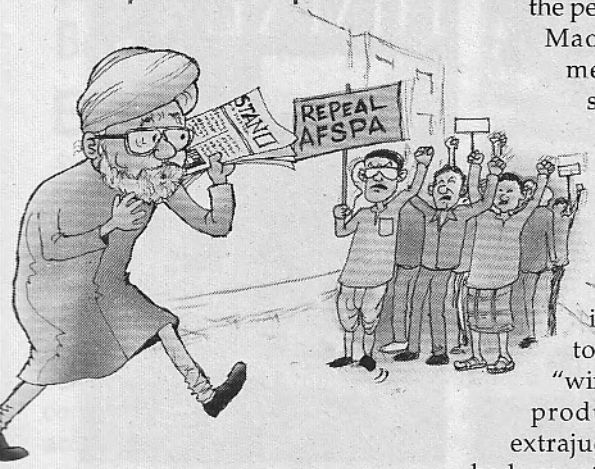
Armymen and policemen



The commentary in the January *Himal*, "India, the need to be unpatriotic," was a brilliant, hard-hitting piece! It says all that needs to be said on the subject, notably that "Delhi's myopic, military-centred solutions have repeatedly resulted in alienation, which in turn feeds militancy". Indeed, the generals must understand that when they kill militants in cold blood after capture, there will be more militants than ever.

The myopic attitude of state security officials was obvious most recently in Nepal, where the army generals believed that there was no alternative to terrorising the people not "to support" the Maoists, which actually meant feeding or giving shelter even under duress. The generals supported Gyanendra enthusiastically every step of the way, from when the latter began showing his ambitions in October 2002; they told him that they were "winning", and every week produced (mostly by extrajudicial executions) "the body count" statistics "to prove it".

Reading the commentary, I was referred back to the excellent article in the December *Himal* by Peerzada Arshad Hamid, "Soldiers under stress". There is a direct and potent link between the stupidity and futility of the exclusive pursuit of "the military-centred solution" and the stress which leads to soldiers killing their comrades and themselves. One of the acknowledged lessons from Vietnam is that long, long before the top brass and the politicians, the soldiers on the ground knew that the policy was not working and adjusted their effort and behaviour accordingly. This is exactly what is happening now in Iraq and Afghanistan, where soldiers on the ground have long since come to the conclusion that the military effort by the West is leading nowhere except to a worsening of the situation. So why should they risk their lives in such an ignoble and futile effort?!

The article by Swathi Mehta in the December *Himal* also caught my eye, with its strong resonances to a pressing need all over Southasia. If only the courts everywhere could act in the strong and impartial way described in the article in relation to the Supreme Court of India! The politicisation, incompetence and corruption of the Indian police are well known and are being widely commented on at the moment in the context of the horrific Noida case; but the Supreme Court initiative means that at last, however belatedly, something substantive is going to be done about the problem. But everywhere in Southasia, police reform at the ground level must be high up the list of "urgent actions required".

Sreeram Chakravarty
Siliguri

Learn from Nepal

From C K Lal's analysis on Bhutani refugees and the apathy of the Indian and Bhutani governments, (*See Himal January 2007, "A republic and two kingdoms"*) we can clearly acknowledge to what extent the Wangchuk regime is reckless, mean and corrupt.

The Wangchuk government should always keep in mind that fresh generation that was born as refugees, who have grown up with courage in heart and rage in mind. Those who were exiled in their early days have also crossed through their teens, learning to associate dissatisfaction and rage with the Druk regime, as they are socially, culturally and politically boycotted from their ancestral homeland. However, they are also a very tolerant group of people.

But if, even now, their voices remain unaddressed, these youth, who currently could be likened to over-inflated balls, could suddenly burst. As such, only two options remain for Thimphu: one is to face the fate of Gyanendra, the former majesty of Nepal; the other is to be ready to send refugees to America, which is anticipating such an eventuality for unclear reasons. Either way, the existence of the Bhutani refugees can no longer be ignored by Thimphu.

Umesh Pokharel
Janakpur

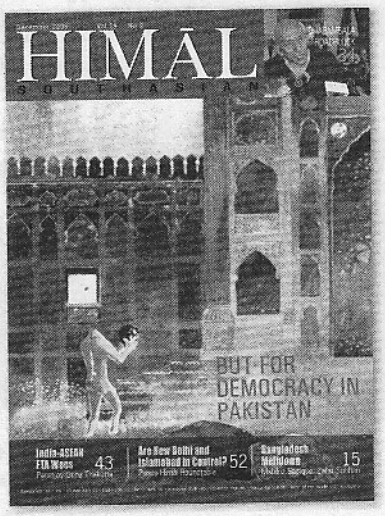
On pickles

On the trial of opening pickle containers, I sympathise. One reason I gave up milk/cream in coffee was those awful little containers that you finally wrench open, and the ensuing air bubble spurts a dollop of the viscous stuff onto your lap. All very embarrassing and trying.

John Friedland
Kathmandu

Send your comments, questions and corrections to editorial@himalmag.com

Democratic values



I was interested to read your back-to-back issues on democracy ("But for democracy in Pakistan", December 2006, and "Democracy: Object of desire", January 2007). On the latter, I have to take issue with the notion that in the Southasian version of democracy, not much importance is placed on the rule of law. If you think about it, rule of law is the essence of democracy, and to say that there is a Southasian version of 'democracy' is meaningless. What next, that the Indian version of an elephant does not need to have a trunk? If you are talking about democracy in the absence of rule of law, you are talking about something else, for which you have to find another name. Democracy is not a piece of software with versions.

The main drawback of the survey on democracy seems to be that its sample universe is too diverse. Sri Lanka and Pakistan are at very different stages on the path to democracy, for instance. As a result, the survey focuses for the most part at the lowest common denominator – ie, the appetite for democracy, which is a very basic question, and the answers are not surprising. Real democracy is so much more than free and fair elections. For instance, the problem with democracy in India is that at the party level there is virtually no democracy. There is no leadership race, the leadership of the Congress is more or less dynastic, and further down the ladder the choice of the candidate to receive the party ticket depends on the whims of the leadership rather than local party associations. So there is a huge democracy deficit within the political party itself, which will have to be fixed for democracy to be meaningful.

The utility of the survey is limited because it cannot go into details, and this is because the five countries chosen are too diverse in terms of their democratic evolution. It would have made more sense, from my perspective, to have compared and surveyed democracy in Sri Lanka, India and, say, the Philippines. Many more similar-ities there – for example, on how democracies deal with separatist movements.

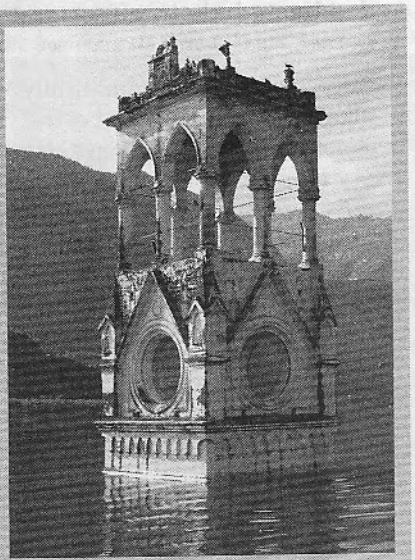
'One person one vote' is only one half of the equation; the other is who gets to stand for an election. Do the parties really give citizens choices in terms of ideology and social philosophy, or are they purely vehicles to acquire power? Now that sort of comparison between reasonably functioning democracies would have been an interesting read.

Dipika Damerla
Canada

Tehri transformation

Thank you for the brief photographic coverage of Tehri Dam in Uttaranchal. There certainly is an important question mark over the construction of the world's 5th highest dam in an earthquake-prone area. Apart from that, if the project is concerned essentially with quenching the thirst of the people of New Delhi and to fulfil the country's power demands while potentially sacrificing the downstream inhabitants, then the Tehri dam can't be considered justifiable.

The extent to which we can harness our natural resources without affecting the surrounding environment, and limiting its repercussions worldwide, should be a public debate immediately.



Such issues are also of significant importance to Nepal at the moment, where a huge hydel power potential exists.

Prakash Tiwari
By email

Cravings

Himal's November issue on food was a joy to read. But every article has now left me with cravings that I am not sure I can fulfil. May be I should be angry rather than pleased!

Srishti Pandey
By email

INDIA/BURMA

Befriending the junta

Burma is the starkest example of a closed society in Southasia. An oppressive regime continues to hold sway over the country. Respect for human rights is, for all purposes, an alien concept. Rule of law, based on universal and just principles, finds no place in the firmament of the generals. What is as striking as the primitive brutality of the rulers is the manner in which they seem to have gotten away with it all. In the wake of ruthless suppression, the democratic opposition has been brave, but till now fairly ineffectual in shaking the system. And the international community, to a large extent, has accepted the fait accompli of a dictatorship in the country.

In the mid-1990s, during the time of the Bharatiya Janata Party government, India joined the league of countries that wanted to be friends with the junta. New Delhi sought to build strong ties – spanning political, economic and even military spheres – with Burma, much to the chagrin of many Indian politicians and liberals, who have long sympathised with the democratic movement. Indeed, this reflected a change in the Indian government's own stance, for it had through the early 1990s put its weight behind the Aung San Suu Kyi-led opposition. The New Delhi government even gave Suu Kyi a prestigious national award, at the cost of embittering ties with the Rangoon government. Leading politicians, including the erstwhile socialist George Fernandes, had open-door policies at their homes for Burmese exiles battling the regime.

So it came as a shock to many, and sparked valid outrage, when the BJP government pushed towards intensive engagement with the Burmese generals. The fact that Fernandes himself was defence minister when the change was effected tells us volumes about the dilemma at the heart of New Delhi's Burma policy. The New Delhi establishment would like Burma to be democratic, but is unwilling to invest political capital into transforming internal politics along the Irrawaddy.

India's policy change on Burma was finally driven by security and strategic concerns, primarily the rising influence of China, the presence of militant groups active in the Indian Northeast using Burmese territory as safe haven, and the need to exploit natural-gas reserves in the Arakan province when Bangladeshi gas was proving to be a mirage. Realpolitik thus clearly emerged as the victor over India's stated commitment to democracy. What helps Delhi policymakers rationalise this realistic yet immoral engagement with the Rangoon generals is the claim that actively boycotting the junta has failed in inducing democratic change; instead, goes the argument, it is time to see if working with General Than Shwe and his cohorts may provide a breakthrough.

AFP

Close clasp: Indian Air Force chief Shashindra Pal Tyagi meets with Than Shwe, November 2006

Remembering the despots

It is open to question whether India will be able to derive long-term gains from this policy – New Delhi cannot hope to match Beijing's proximity to the military rulers, and the pipeline from the Shwe gas fields is in limbo due to opposition by both Burmese dissidents and Indian insurgent groups. But would it be correct, on ethical grounds, to hold New Delhi guilty for engaging with the Burmese government? To be intellectually honest, it would be naive, and even unfair, to expect India to have higher standards than other states when it comes to Burma. After all, India is a proximate state of the region, and cannot hope merely to make democratic noises from the distance of the trans-Atlantic or northern Europe.

And yet it is critical that we do not forget the brutality of the illegitimate military junta in Burma. The people of Burma aspire for popular self-rule as does the rest of the population of Southasia *(see Himal January 2007 cover story, "Democracy: Object of Desire")*, and that wish has to be respected. In this issue of *Himal*, we bring you that dark but overwhelming facet of the junta: the manner in which dissidents are killed and locked up, the corruption and ruthlessness of the rulers, and the consequences and costs of joint economic projects in the realm of environment and human rights. Even if countries are queuing to shake hands with Gen Than Shwe, we must always remember that he and his ilk are the most despotic set of rulers modern Southasia has seen. The general should not have been allowed access to the *samadhi sthal* of Mohandas Karamchand Gandhi.

We have tried to understand India's stated position on Burma, but do not believe that the newfound engagement will deliver what South Block says it will. By abandoning the moral high ground, India will still not manage to compete with Chinese influence on Burma. With no gain on this front, it has disenchanted the democrats who will be defining the Burmese future whether the generals like it or not. It may be that the change in Indian policy will in the long-term push Burma further away from Southasia – not towards China but further towards Southeast Asia. That is a long way to go for a country that is more Southasian than not.

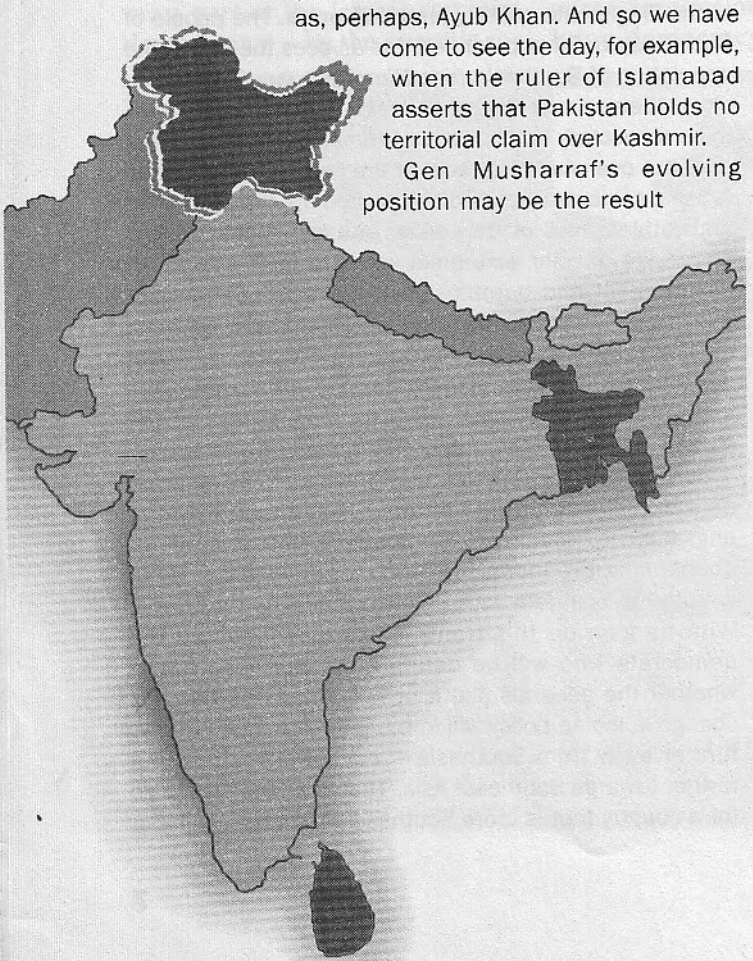
INDIA/PAKISTAN

The year of Kashmir

Never in the past two decades has the situation been as favourable as now for progress on one of the most intractable Southasian conflicts of our times. We are talking of Kashmir.

The non-aggressive style of Manmohan Singh and the freethinking autocracy of Pervez Musharraf have delivered a remarkable and sustained transformation of the Kashmir equation. The international as well as domestic conditions in India and Pakistan appear to be just right to build on the peace momentum. There is also developing opinion among the public Kashmiri figures in Srinagar itself that it is time to accommodate the concerns of New Delhi and Islamabad in order to break the impasse.

Look at Pakistan first. General Musharraf has shown remarkable flexibility. He has given up demands for implementation of the United Nations resolutions of 1948, a plebiscite among Kashmiris on what they would want, as well as third-party mediation. And the general is throwing up innovative ideas for a solution even as he prepares the domestic audience for a compromise. He is telling Kashmiri separatist leaders who would want out of India, and whom Pakistan had been supporting, that *azadi* is a pipedream. And Gen Musharraf is engaging with the moderates of Srinagar. In consistently pushing for more engagement with India, the general has gone further than any other Pakistani leader since as far back as, perhaps, Ayub Khan. And so we have come to see the day, for example, when the ruler of Islamabad asserts that Pakistan holds no territorial claim over Kashmir.



Gen Musharraf's evolving position may be the result of several factors: international pressure, the search for calm on the eastern front at a time when the Afghan front is strife-torn, the realisation that a Kashmir stalemate does not serve Pakistan's economic interests, or even a desire to craft a legacy as a means to thwart the political parties that he has shoved aside but which will doubtless make a comeback. Whatever be the precise motivation, it is undeniable that the general has pushed the envelope on Kashmir.

A constant refrain among Pakistani intellectuals, as well as liberals in India, is that New Delhi has not done enough to reciprocate the general's gestures. The suspicion that India is happy with the status quo, and is willing to wait it out hoping that the dispute will lose its steam, is not entirely out of place. But to say that there has been no movement from New Delhi's side is not accurate, for the handlers of Indian foreign policy have fought several conservative strands, within and outside the establishment, to engage with Pakistan. They have done this even as militant attacks have continued in Kashmir and in parts of India.

Prime Minister Singh's statement that while he had no mandate to redraw boundaries, the two countries could together make the India-Pakistan border irrelevant was a bold departure, particularly given New Delhi's obsession with creating more fences (much disparaged in these columns). The Indian government has also engaged in direct talks with Kashmiri separatist outfits, albeit sporadically.

New Delhi's motivations in pushing ahead with the Kashmir peace process are not difficult to gauge. South Block has arrived at the conclusion that India will not be taken seriously as a global power if its relations with neighbours remain acrimonious and the region remains unstable. The other reason for optimism in the current context is the timing. Two foreign-policy issues have constantly held India back on the world stage – its nuclear programme and relations with Pakistan. With the civilian-nuclear deal with the US accommodating India into the established nuclear order, Prime Minister Singh now wants to move on the next contentious issue. Addressing Kashmir as the main bottleneck in the relation with Pakistan will reflect well on the Indian government and the prime minister's personal report card.

And what of the Kashmiri? As with Palestine, any people fighting for identity amidst a sense of occupation and made pawns to larger geopolitical considerations will find politics a dangerous game, where compromise can easily be projected as betrayal. The easy recourse to violence against those who espouse moderation also constricts matters. It requires the sheer passage of time – and suffering – for politicians to rise to the occasion, even as the ground realities change to allow space for the moderates.

The Kashmiri people on both sides of the Line of Control have undergone a decade and a half of violence and strife, and are ready for a compromise solution. The overwhelming sentiment for *azadi* is accompanied by the

realisation that independence, defined as sovereign statehood, is not possible within the existing geo-political situation. As for moderate leadership, even while radical outfits continue to operate in various parts of Jammu & Kashmir, Mirwaiz Omar Farooq has emerged as the favourite of both New Delhi and Islamabad as a consensus figure. Leader of the All Party Hurriyat Conference, and presently a PhD student of Sufi culture, Mirwaiz has inherited the mantle of high priest of the valley from his late father, Mirwaiz Mohammad Farooq, who was shot dead by assailants in 1990 (see *Himal January 2006, "Himal-Panos Roundtable on Kashmir"*).

The sea-change on Kashmir is reflected in the flurry of activities and meetings that have marked the second half of 2006. Prime Minister Singh's special envoy, S K Lambah, and Gen Musharraf's pointsman, Tariq Aziz, have held hectic bilateral parleys. Mirwaiz Farooq has been moving between international capitals and is in touch with both the Islamabad and New Delhi policy establishments. Even the foreign ministers of both countries have admitted that there has been progress on the Kashmir question. And the broad contours of a Kashmir solution are clear – more autonomy to Azad Kashmir and J & K, on two sides of the LoC, joint control of certain areas, and softer borders that facilitate greater contact between the Kashmiris themselves.

Entrenched interests

The task now for Gen Musharraf and Prime Minister Singh is to deftly move their respective establishments towards accepting this solution. Of course, several complexities and obstacles remain. The general has to deal with sections in the military, intelligence services, religious outfits and civil society that have found easy recourse for six decades on radical rhetoric about Indian occupation of Kashmir. Many sections have developed not just vested but entrenched interests in the perpetuation of the conflict. We are told that when the Foreign Office spokesman in Islamabad reiterated Gen Musharraf's statement that Pakistan had never asserted territorial claim over Kashmir, some journalists walked out of the briefing. On the Indian side, the rightwing parties and intelligence services are expected to oppose, and even subvert, any bold initiative emanating from the prime minister's office and South Block.

While there will surely be attempts at derailing the Kashmir peace process in New Delhi and Islamabad, the real challenge lies within Kashmir proper. Violent outfits, especially those that have wriggled out of the control of Islamabad, are likely to try and sabotage the process. We must expect violence and plan to a) prevent it, and b) work around it. The Kashmiri moderates, led by Mirwaiz, will have to proceed gingerly as they try to develop credibility beyond the support provided from the Indian and Pakistani capitals. They have the hardest task of all, because theirs is the lived reality, whereas things are vicarious for New Delhi and Islamabad strategists.

Let the words of caution and scepticism be given their due weight, but let them not devalue the momentum that has developed over 2006 on Kashmir. There is possibility of breakthrough due to the evolution in international and regional politics, the specific situation in both countries and, most importantly, popular aspiration in Kashmir for peace. Will 2007 see the breakthrough on Kashmir? All Southasians sincerely hope so, and may the moderates win the day!

REGION

Shia-Sunni: A rift engineered and institutionalised

The conflict between Shias and Sunnis, though ancient in its origins, has come to the fore with dramatic intensity on the international stage with the execution of ousted Iraqi dictator Saddam Hussein. Sectarian strife rooted in centuries of hostility between these two sects of Islam has often taken the form of virulent public campaigns and violent clashes, too. Yet never before did it impinge on global consciousness, and consequently in the realm of public affairs, as is happening now after the US-led occupation forces in Iraq overturned the rule of the minority Sunnis – symbolised by Saddam Hussein – and foisted a puppet regime of Shias.

Initially, the US found the Shia-Sunni conflict useful to sustain and boost opposition to Hussein's vestigial forces and reinforce a government that could appeal to the majority Shias. However, as the conflict unravelled and violence between the Shia and Sunni militias spiralled out of control, Washington, DC has come to realise that deepening this divide would weaken its grip on Iraq, and that the militias of both the sects have to be reined-in in order to achieve a measure of order. More importantly, neighbouring Shia-dominated Iran could exploit the conflict to leverage the crossborder Shia axis against US hegemony in the region. This is fraught with dangerous consequences for the US – not only in keeping a lid on Iraq but taking on Iran, too, as it has chosen to do.

If the West, trying to play cop in the tinderbox of West Asia, is now caught in this conflict, Southasia is not unaffected by the Shia-Sunni divide. In the Subcontinent, too, the execution of Saddam Hussein provoked anger and grief among Sunnis, while sections of Shias went about celebrating. This regressive manifestation – jarringly more pronounced and visible now – that characterises Shia-Sunni relations today can be traced to the late 1970s, when Pakistan's General Zia-ul Haq came to power.

Until then, for all the acknowledged religious, political, juristic and other minor differences, the story of Islam in Southasia was largely one of harmony between the Shia

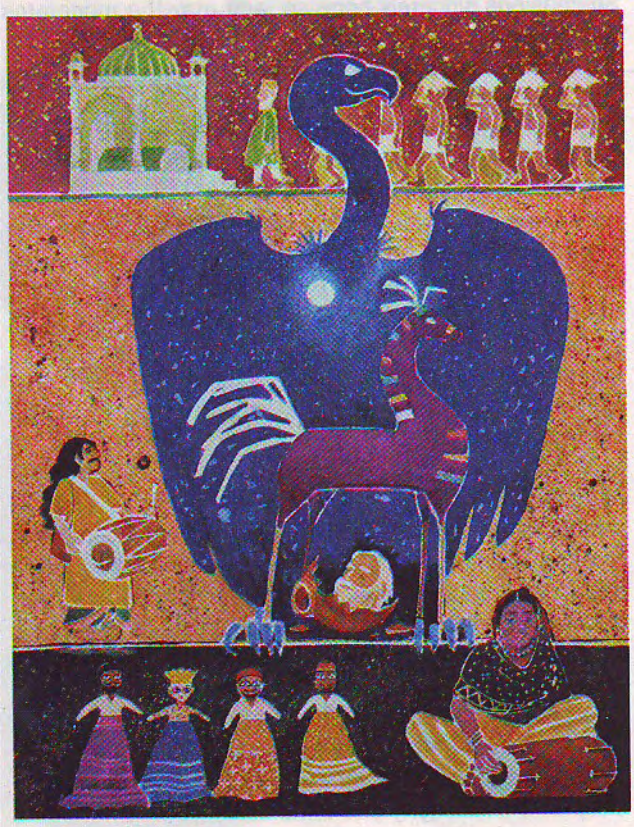
and Sunni. When the sectarian rift did surface occasionally, it was a muted affair and did not involve the two communities as warring factions. Demographics are against the Shia in Southasia, whose spread varies between five and 20 percent of the total Muslim population in different parts, reflecting also more or less the global ratio. There was always the odd report of a fracas on occasions such as Muharram, but generally Muslims in Southasia did not witness overt or violent expressions of the Shia-Sunni divide.

In Pakistan, India

General Zia's drive to make Pakistan an Islamic state during his long rule from 1977 to 1988 triggered the emergence of the sectarian monster. The 1979 Islamic (Shi'ite) revolution in Iran, much like the execution of Saddam Hussein, also provided a fillip to the Shia-Sunni contest in the Subcontinent. Gen Zia infused a Sunni edge to the Islamisation of Pakistan, if only to gain legitimacy for his regime in the eyes and interpretations of a majority of the clergy. There gathered a violent campaign against the Shias, buttressed by demands for declaring them non-Muslims or *kafir*, and the rise of a number of militant Sunni outfits. Thus were the seeds of strife sown in Pakistan, which ripened into bitter fruits of violence, large-scale Shia-Sunni riots, waves of killings, and attacks on each other's congregations that occur with unsettling frequency. The Shia-Sunni rift was engineered, deepened and institutionalised.

In India, there has been negligible bloodshed, fewer killings and clashes – with these confined to the Lucknow region of Uttar Pradesh, besides stray outbreaks in Gujarat – but relations between Shias and Sunnis have been vitiated at the institutional level. In 2005, the Shia set up their own All India Muslim Personal Law Board after breaking away from the parent body. This bodes ill at a time when there is increasing emphasis on the differences that divide the two sects, even as well-meaning leadership of both Shias and Sunnis are working to keep up a dialogue. The rift is out in the open, but probably has not attained virulent and violent forms as in Pakistan because both sects are faced with the aggressive fascism of Hindutva. The danger represented by Hindutva intolerance requires that the Shia and Sunni not let their differences get out of hand.

The Shia-Sunni divide is cause for both reflection and vigorous revival of dialogue between leaders and organisations of the two sects. The argument that the divide is perpetuated by enemies of Islam is denigrating to Muslims – suggesting that they are not autonomous agents who can determine their own condition and intra-faith relationship. Islam, as with any other religion, has its enemies and, perhaps, the challenges and threats it faces are greater. All the more reason, then, that the dialogue between Shias and Sunnis be initiated and sustained at every level, regardless of whether it is for co-existence, reconciliation, convergence or agreeing to disagree.



'Ahmad Khan Kharral'

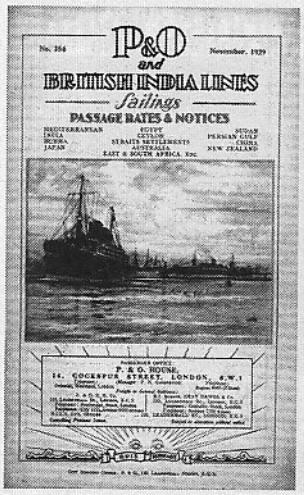
In an old myth of the Subcontinent, a giant bird or demon swallows the moon, plunging the earth into darkness. In this painting by **Sabir Nazar**, however, most of the world is oblivious to the presence of this demon, with life continuing on in regular cycles of night and day. Both the moon and the inky night sky remain within the beast, along with knowledge of the stark fate of those it has devoured. The beast overwhelms the viewer, its large, dark presence dominating the painting. Its wings are lifted, as if it might soon spread them; at the moment that it does so, the entire scene will be engulfed in darkness. But the neighbourhood does not notice. As at the bottom of the painting, people go about amusing themselves; at the top, they work and pray. The bird-demon looks at them hungrily, a malicious smile on its beak.

Ahmed Khan Kharral was a freedom fighter who led a powerful revolt against British rule in the area around Okara in present-day Pakistan. After finally suppressing the revolt, the colonial authorities had Kharral decapitated and his head kept in a pot in their fort. His face now gazes out from a broken vessel, witness to the darkness and the indifference around him.

24" x 36" watercolour

INDIA/PAKISTAN

Shipping restarted



In mid-December, India and Pakistan signed a revised protocol that restored an important cargo-shipping option between the two countries. Now, for the first time in 30 years, vessels from either country will be allowed to lift the cargoes of a third country from each other's ports, and vessels from third countries will be allowed to ply between Pakistani and Indian ports. The new agreement is a revision of the 1975 Shipping Protocol, and is expected to help increase bilateral trade. All it needs now is publicity.

AFGHANISTAN

Last-ditch reconstruction

In an effort to quell rising levels of chaos in the country, the Kabul government is considering a new initiative that has the potential to bring a modicum of stability to lawless areas. USD 76 million culled from the government's budget and from international donors will be used to fund reconstruction projects in 88 districts near the border with Pakistan. These will focus on rebuilding infrastructure facilities for local communities. Some observers note that the project could be one of the most crucial chances the government has to win over those communities that may harbour sympathy for the Taliban, and who live on both sides of the Durand Line.

Zalmay Hewadmal, cultural advisor to President Hamid Karzai, has said that much of the programme's focus will be placed on the most volatile areas of 12 provinces in the country's south, southeast, east and southwest. In these areas, and particularly in the border districts of the south and east, most Afghans go to Pakistan for medical or other needs. "The move was aimed to assure Afghans in the farthest parts of the country that they are citizens of Afghanistan, and that the government was committed to provide living facilities for them," Hewadmal noted. What we have to say is: Better that these are development projects than barbed-wire fences.

REGION

Free media for all

The South Asia Free Media Association (SAFMA) on 11 January helped establish six new regional press commissions, five of which are country-specific, and one a region-wide organisation that will work to protect journalists' rights throughout Southasia. SAFMA president K K Katyal explained that the decision to set up the individual commissions was made during the period of autocratic rule by King Gyanendra in Nepal, at which time the freedom of the Nepali press was severely curbed and SAFMA seems to have felt the need for protection everywhere.

The new 'South Asia Press Commission' will be holding a convention in New Delhi at the beginning of March. Separately, a report released by SAFMA in early January named Pakistan as the country most dangerous in the region for working journalists. Well, what about some Southasian countries – and we know a couple of tiny ones at the least – who do not have journalism of which to speak? Do they count?

PAKISTAN/INDIA

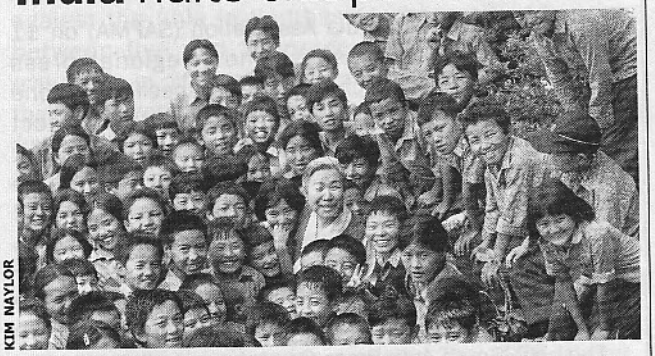
More **Bollywood** in **Pakistan**

Despite a government ban on screening Indian movies in place in Pakistan since 1965, two popular Bollywood films, *Woh Lamhe* and *Omkara*, were screened in December at the Karafilm Festival in Karachi. The festival, which has become Pakistan's leading film event, is garnering fame internationally as a proving ground for makers of groundbreaking cinema in South and Central Asia.

Indian filmmaker Mahesh Bhatt, a regular at the festival since its inception, finds that it has also served as a place for Pakistani and Indian filmmakers to meet and exchange ideas. According to Kara's director Hasan Zaidi, "The festival started off as an experiment six years ago, and was basically meant to highlight alternate cinema and documentaries; but it has now evolved into something bigger." Around 170 films from 37 countries were screened at the festival. Any festival that can break taboos, including bringing Indian films to Pakistan, has to be welcomed.

INDIA/TIBET

India halts exit permits



KIM NAYLOR

On 31 December, the Indian government stopped issuing exit permits to Tibetan refugees, effectively halting the movement of the large number of Tibetans who use India as a stepping-stone before moving on to Western countries.

Tibetans going to India in exile via Nepal are issued Special Entry Permits (SEPs) at the Indian embassy in Kathmandu. The SEPs are issued to those travelling to India in pilgrimage (one month), for education (one year) as well as in other categories. Many Tibetans take the longer SEP, and then apply for a registration certificate once they reach Dharamsala or another Tibetan settlement in India. This certificate later entitles them to apply for an identity certificate, which is similar to a passport, whereupon they are able to seek an exit permit to go to other countries.

After New Delhi informed the Tibetan government-in-exile in Dharamsala of its decision, the Kashag (the cabinet), always aware of host government sensitivities, went as far as to say that the Indian government must have "felt uncomfortable" with the rapidly increasing number of Tibetan immigrants seeking exit permits. According to Dharamsala sources, many Tibetans have migrated to Western countries in recent years, often using the Tibet-Nepal-India route to escape. Currently, there are over 100,000 Tibetans living in India and around 30,000 more living in other countries outside China. Whatever the reason for New Delhi's decision, this is a major event in Tibetan diaspora politics, and its long-term impact may be in the reduction of Tibetans leaving for India via Nepal. Perhaps that was the idea among Indian policy makers looking to keep Beijing happy.

NEPAL/INDIA

Shipping containers and food grains

New Delhi's nervousness regarding a peaceful diffusion of Nepal's Maoists has had it actively involved in facilitating talks between the political parties and the Communist Party of Nepal (Maoist) when Gyanendra was ruling the roost. Since then, India has kept minute-by-minute watch over the negotiations that brought the erstwhile rebels into a peace agreement and into the Interim Parliament in Kathmandu.

Thereafter, New Delhi started providing hardware for the peace process. To begin with, responding to an SOS from the United Nations monitors, it reached into its shipping yards and brought out containers to be used to place the Maoist weapons. These shipping containers have been painted white and gentrified, and are now in the process of being filled with arms in seven rebel cantonments.

OPRSG, UN

And now, in a further show of support for Nepal's peace process, New Delhi has offered to supply food grains to feed Nepali Maoist fighters confined to the same cantonments under United Nations supervision. Indian officials have also offered vehicles and equipment to energise the dispirited Nepali police force. The offers to supply food grains for nearly 30,000 Maoists and to provide 200 vehicles and communications equipment to the police have been made repeatedly. "India always remains committed to supporting all efforts that are aimed at achieving peace, democracy and development in Nepal," External Affairs Minister Pranab Mukherjee said during a December visit to Kathmandu.

INDIA/SRI LANKA

Pilgrims and gelex

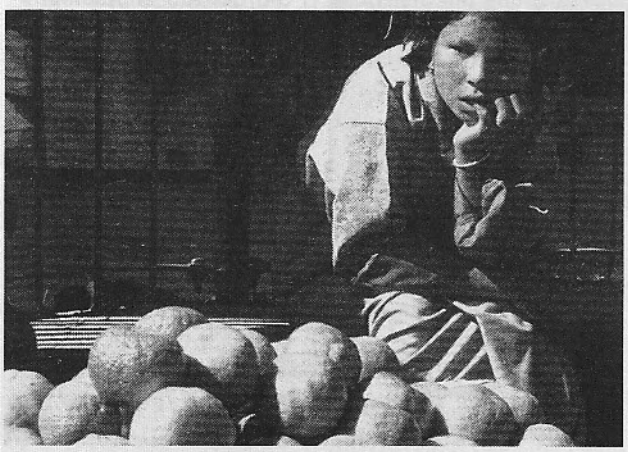
The southern Tamil Nadu island town and pilgrim centre of Rameshwaram is reportedly emerging as a vital channel for the trafficking of explosives to Sri Lanka. The recent seizures of explosives called 'gelex boosters' and other consignments meant to be routed through Rameshwaram have given rise to suspicions that India could be a major source of such munitions for the LTTE. And now comes news that this route is being used by the Colombo government.

In Madurai on 7 December, police stopped a truck for inspection and found that it was carrying 40 cartons of explosives meant for the Sri Lanka Navy, on their way from Nagpur to Sri Lanka. When questioned, the truck's driver showed transport papers for the materials, as well as an official request for the explosives from the government of Sri Lanka.

Such findings have raised new concerns for the ruling Dravida Munnetra Kazhagam (DMK) party in Tamil Nadu, where pro-LTTE sentiments are currently high. Citing potential attacks on civilian Tamils as a consequence, pro-LTTE leaders in Tamil Nadu have raised strident protests against any assistance by India to Colombo.

BANGLADESH/BHUTAN

Bhutani oranges and **Dhaka** bandhs



ORIENTAL CARAVAN

While national strikes and political uncertainty wreak havoc in Bangladesh, the shockwaves are traveling far and wide – including to Bhutan, where the export of oranges has been drastically affected. The Bangladesh-India border has been sealed for months, and Bangladesh – the main market for Bhutani oranges – thus closed off. According to the Bhutan Agriculture and Food Regulatory Authority, the export figure had plummeted by almost 400 percent by the end of December.

INDIA/PAKISTAN

Unrestricted **visas** make good neighbours

A significantly updated and liberalised visa regime is set to be put in place between India and Pakistan, according to a foreign-minister-level agreement signed in mid-January. Designed to allow unrestricted travel anywhere, the policy allows for freer visas for businesspersons and tourists. New options will also be extended to divided families living across the Indo-Pakistani border. The updates will amend the strict 1974 visa agreement between Islamabad and New Delhi, which had allowed for the provision of visas for specific cities for those applicants who showed a verifiable address of relatives or friends. Multiple-entry visas will soon be available for periods of two years.

According to a senior Pakistani Interior Ministry official, both sides have agreed to increase the number of consular offices, and plan to issue over 1000 visas daily to businessmen and tourists. India will open a new visa office in Lahore, while Pakistan will open one in Hyderabad (Deccan). Presently, visas are only issued from Bombay, New Delhi, Karachi and Islamabad.

BHUTAN

Promises, promises

The newly crowned King Jigme Khesar Namgyel Wangchuck of Bhutan recently pledged to renounce the absolute power wielded by his father, Jigme Singye Wangchuck. The 26-year-old also promised to play only a constitutional role in Bhutan's future.

In a speech made before roughly 40,000 Druk citizens, the former prince expressed commitment towards carrying on his father's legacy of transforming the secluded Himalayan kingdom into a parliamentary democracy. "My father has handed over his responsibilities to the people. And now it is our turn to take the country forward by following his legacy," he declared in his first public address since taking power, referring to the draft constitution that would end almost a century of monarchical rule in Bhutan after national elections in 2008.

INDIA/PAKISTAN

Indian chai seeks **Pakistan**

Along with the many crucial issues on Pranab Mukherjee's list ahead of his 12 January visit to Islamabad, the External Affairs Minister seemed determined to make every Pakistani a lover of Indian tea. One of Mukherjee's priorities on the diplomatic visit was to convince Pakistan to let Indian tea enter its market through Wagah, rather than through the current circuitous route by way of Dubai.

India's tea talks with Pakistan were supposed to start coming to a boil as early as last July, when a delegation of tea marketers was scheduled to visit Pakistan. The subsequent Bombay blasts, however, put those plans on the backburner.

MIRJAM LETSCH

The new westward push comes as part of a more general emphasis on rebuilding the country's flagging tea industry. In early January, Minister of State for Commerce Jairam Ramesh announced the formation of a new USD 1.1 billion fund, which he predicted would allow the sector to grow by up to 50 percent in the next half-decade. India will also host its first International Tea Festival in Guwahati this November.

Though India is the world's largest tea producer, it consumes 80 percent of its tea domestically. Traditionally, 90 percent of Indian tea exports have gone to Russia, Iraq, the UK and the United Arab Emirates. Three new focus markets have now been identified – Iran, Egypt and Pakistan. Pakistan is the world's second largest importer of tea, with annual imports of 140 million kilograms. While India's share of this was as low as eight million kg till last year, exports are expected to double in 2006-07 – and to increase many times more, if Indian tea can enter at Wagah.

BANGLADESH/BURMA

Rohingya on the move

GREG CONSTANTINE

In late December, the first group of Muslim Rohingya refugees from Burma was finally resettled, when an initial batch of 13 individuals were sent from Bangladesh to Canada. Currently, over 26,000 ethnic Rohingyas are living in two camps near Cox's Bazaar, where most have been for the past decade and a half. Their stateless status is due to the contention by the Burmese military – and some other Burmese communities – that the Rohingya are not Burmese but migrants from West Bengal.

The United Nations High Commission for Refugees started operating in Bangladesh in 1992, and a memorandum of understanding was signed with the Dhaka government the following year. Since then, UNHCR has been providing the refugees with protection, and has assisted Dhaka in the voluntary repatriation of more than 236,000 back to their homes in Burma. The original number of refugees was 250,000, most of whom were from Burma's northern Rakhine state.

According to a UNHCR official, the International Organisation for Migration will be providing an orientation programme for the refugees being relocated to Canada and will also be bearing the costs of medical tests and transportation. Canada will be accepting another nine Rohingya refugees in late January. No other country has yet stepped up to offer asylum to the group. All in all, the number being resettled is awfully small, and in great contrast to the 60,000 Lhotsampa refugees from Bhutan that the US has agreed to take in.

INDIA/BHUTAN

Renegotiating treaties

As a new king brings promises of change and hope to Bhutan, the country's mighty southern neighbour also seems to be following suit, as it prepares to amend the 1949 India-Bhutan treaty – held out as the document that undermines Bhutani sovereignty by making its foreign policy subject to South Block directives.

To allow the Thimphu government freedom in the outlining of its foreign policy, India now proposes rewriting parts of the treaty that are widely believed to be unfair. Article 2, which demanded that Bhutan be "guided by the advice of the government of India in regard to its external relations", will, according to a Ministry of External Affairs spokesperson, be replaced by a sentiment in the "language of friendly cooperation". In other words, so long as Thimphu does not impinge on Indian interests, it need not consult New Delhi in its foreign-policy decisions.

Article 6, which said that Bhutan is allowed to import "arms, ammunition, machines, warlike materials or stores" only with India's "assistance and approval", will be loosened to permit Bhutan to purchase non-lethal military equipment without prior consent from India.

AFGHANISTAN

Kabul Express halted

After scenes from a Bombay movie about journalists in war-torn Afghanistan were deemed offensive to an Afghan ethnic minority group, Kabul banned the movie from entering the country. In addition, the independent station Afghan TV also imposed a ban on all Indian movies and songs, as retaliation against the discriminatory sentiments expressed in the film.

Kabul Express "has some sentences which were very offensive toward one of Afghanistan's ethnicities, namely the Hazara," said Minister of Culture adviser Najib Manalai. Hazaras, who make up one-tenth of the Afghan population, were implied to be the "most dangerous tribe of Afghanistan," for whom "looting is their business." "They would have looted and [stripped] you," one of the film's characters notes. "Then they would have hit you in the head with a nail. Then they would have sold your car in Pakistan."

All Afghans involved in the making of the film, including the actors who articulated the statements that cause offence, are to be investigated by a prosecutor who will ultimately decide whether any action needs to be taken against them.

Kabul Express chronicles a two-day journey into post-Taliban Afghanistan by two Indian journalists. The film follows them as they attempt to get an interview with an evasive member of the Taliban, and enlist the help of an Afghan jeep-driver in the process. The movie was filmed on location in 45 days under heavy security provided by the Afghan government. For those who saw it, it seemed to have been filmed in one location, given the way the same destroyed armoured personnel carrier from the Soviet era showed up again and again, even as the film supposedly progressed from Kabul towards the Pakistan border.

Blue reds

While the rest of the world applauds the renunciation of violence by Nepal's Maoists, their comrades in India have yet to come around on the evolution of events. In recent issues of *Jung* and *Kranti*, two Communist Party of India (Maoist) publications, Nepal's Maoists have been vehemently criticised for abandoning their campaign so completely and so quickly.

While the Communist Party of Nepal (Maoist)'s signing of the interim constitution and subsequent entrance into multi-party politics have been labelled "opportunistic and anti-revolutionary", particular scorn has been set aside for rebel leader Pushpa Kamal Dahal ('Prachanda'). Indeed, brooding poet P Varavara Rao labelled Dahal's decade-long guerrilla career as short and having had little impact on the international Maoist movement.

Similar dissatisfaction was expressed by CPI (Maoist) central committee member Azad in *Jung*: "Prachanda has sought to ridicule three decades of Maoist movement to share political power in the Himalayan kingdom." Others have expressed the view that Dahal single-handedly decided the future of the party without gauging the (assumably more-fervent) desires of its members.

The Indian Maoists appear particularly upset about the rejection of the prospects of the much-ballyhooed 'red corridor' stretching from Andhra Pradesh to Nepal, which had led to much consternation in 'North Block', where the Indian Ministry of Home Affairs resides. In November, Prachanda had dismissed the idea as "an impossibility". Azad, in apparent retaliation, noted that the Nepali rebel "appears [to be] heavily under the influence of the Chinese government." Δ

An **eye** for an eye, a **city** for a city

While there may be talk of relaxing the visa regime between India and Pakistan, the same goodwill does not seem to apply to the countries' diplomats. Foreign and home offices in both countries have continued to engage in petty one-upmanship this winter. Last autumn, India barred Pakistan High Commission diplomats in New Delhi from traveling to the satellite cities of Gurgaon and Noida. After India did not reconsider its decision for three months, Pakistan retaliated in early January by restricting Indian diplomats to Islamabad, and asking them henceforth to seek permission if they want to visit Islamabad's twin city Rawalpindi or the nearby hill-station of Murree.

The tit-for-tat intensified as India suggested that it might even restrict Pakistani diplomats to precincts of New Delhi. Not to be outdone, Pakistan countered that, since Islamabad also had two parts (rural and urban), Indian diplomats might be allowed movement in urban Islamabad only.

India claims that Gurgaon had never been on the approved list of places Pakistani diplomats could visit without prior notification, and so the matter was of enforcing an existing regulation. South Block also argued that by equating Delhi and Islamabad, Pakistan ignores the fact that Delhi is significantly larger than the Pakistani capital; this evidently implied that there is enough for Pakistani diplomats to do in New Delhi, while the Indian diplomats in Islamabad could be seriously culturally deprived if they were not able to visit Murree resorts or Rawalpindi *dhabas*.

Pakistani diplomats report that they and their families make use of many facilities available in the urban sprawl outside of New Delhi proper. The restrictions also made life difficult because New Delhi's airport is located in the city's suburbs. Islamabad insisted that its decisions were made solely on the haloed principles of reciprocation and retaliation.

This game of petty payback has been brought to a close for now, however, as an agreement has been made to extend diplomats access to two restricted towns in either country. While Pakistan's representatives in New Delhi will no longer be barred from Gurgaon and Noida, Indian diplomats in Islamabad are being granted unsupervised access to Taxila and to Hasanabdal, near Taxila, which houses an important Sikh shrine. Δ

Economic outlook rosy

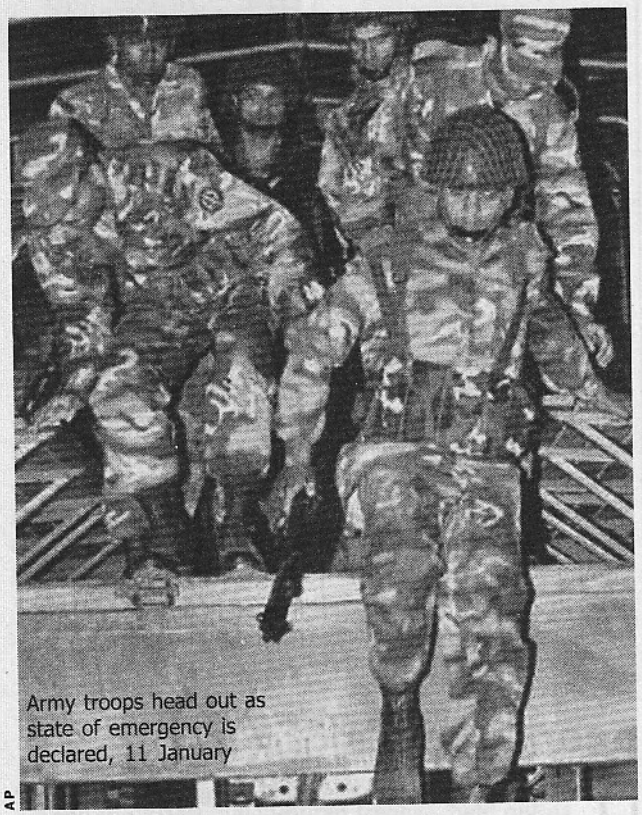
Despite an extreme escalation in conflict in the island nation, the Sri Lankan government is expected to seal development and financial deals worth USD two billion in order to achieve its target growth rate of 7.5 percent for 2007. According to Treasury Secretary P B Jayasundera, 2007 will reap the benefits of the momentum created in 2006. "Overall, 2006 was a healthy year for the Sri Lankan economy," he noted recently. He also confirmed that exports had exceeded eight percent, remittances were over USD two billion, and tourism that continued through the military offensives had added USD 450 million to the economy.

"Except for inflation," he said, "last year was a good year. Government revenue increased and unemployment also declined to 6.3 percent. We are equally ambitious in 2007." For 2007, Jayasundera estimated that official remittances may exceed USD 2.7 billion, and revenue from tourism will increase to up to USD 500 million. Δ

The promise of the interim

Bangladeshis may be sick of the decades of skirmishing between the country's two major parties, but the interim government may not be able to clean house in the way that many hope.

BY **MAHTAB HAIDER**



Army troops head out as state of emergency is declared, 11 January

AP

The unslain demons of Bangladesh's politics have returned to haunt a democracy that the small Southasian state has struggled to preserve for nearly two decades. On 22 January, Bangladesh was supposed to go to the polls to elect a new government. Instead, the elections have been scrapped, the democratic political process has been derailed, and a military-backed interim government now rules the country by fiat. Had the political standoff of the first week of January persisted, there is little doubt that a bloodbath would have ensued.

Over the past three months, the streets of Dhaka have seen a kind of political violence that has become all too familiar. Police and protestors exchanged volleys of teargas shells and Molotov cocktails that left hundreds injured – all the while egged on by political masters for whom any means is justified to achieve power. Transport blockades crippled the economy, particularly hurting the urban poor, who lead a hand-to-mouth existence. The lucrative apparels industry, which contributes to the vast majority of the country's export earnings, was reporting losses of millions of dollars. By 11 January, when a state of emergency was declared and a gentrified coup d'état by a civilian administration took place, the country's politics were perched on the edge of disaster.

At the heart of the protests that bedevilled the elections is a crude power struggle between the two major political parties, the Awami League (AL) and the Bangladesh Nationalist Party (BNP), which had relinquished power in late October to a caretaker government that was to oversee the polls. The former, leading a 'grand alliance', was set to boycott the elections, accusing the arch-rival BNP of rigging the voter list with phantom names during its five-year tenure in power. These contentions have been confirmed repeatedly, including by a recent study by the US-based National Democratic Institute for International Affairs, which reported that the voter rolls did indeed have more than 12 million names that were either "errors or duplicates". The AL also claimed that the BNP and its coalition partner, the religious, rightwing Jamaat-e-Islami, had planted BNP-friendly bureaucrats in both the Election Commission and the interim government that was empowered by the Constitution to conduct the elections.

In a move that may have averted an imminent crisis but perhaps doomed the eventual elections, President Iajuddin Ahmed, appointed during the BNP's 2001-2005 tenure, assumed the role of Chief Adviser to the interim government in the last days of October (*See Himal December 2006, "Trying times for the Bangladeshi democrat"*). After that, Ahmed systematically prevented every attempt by his interim cabinet to ensure the neutrality of the electoral process – including resisting the removal of the controversial Chief Election Commissioner, M A Aziz, who in turn had strenuously attempted to prevent a correction of the erroneous voter rolls.

Enter Ershad

For these reasons, the political parties that made up the AL's grand alliance had reasonable justification not only to boycott the polls, but also to form nationwide election-resistance committees, all of which took

place in the face of heavy state-sponsored intimidation. Over this there can be little dispute. Unfortunately, these were not the reasons why the grand alliance ultimately withdrew its nomination papers for the January elections. The real clash between the BNP and the AL arose over the political allegiance of a former military dictator, H M Ershad, whose autocratic regime they had collaborated to topple in a mass uprising in 1990.

During the last week of December 2006, the Awami League had accepted the flawed voter list, the presidency of Iajuddin Ahmed as well as the scheming of M A Aziz. Just as the country was bracing itself for a major political face-off, the transport blockades and pitched street battles between the cadres of the AL and BNP had looked likely to end. The AL subsequently submitted its nominations to the Election Commission after a few days of intense negotiations.

Then, during the first week of January, the AL and its allies radically changed their stance. They accused the BNP of leaning on the judiciary to resume proceedings of a corruption case against H M Ershad – a member of the League's grand alliance – that had disqualified him from participating in the polls. Ershad is accused of having helped himself to large amounts of state funds through crony contracts and theft, and a slew of corruption cases had been filed against him after he was ousted from power in 1990. The former general, who has held on to a clutch of parliamentary seats in the north, was initially courted by the BNP-Jamaat alliance, and it was presumably in exchange for his promise of loyalty that a number of corruption cases against him were dropped in the run-up to the elections. When Ershad defected to the AL's grand alliance in early January, however, one of the pending corruption cases against him suddenly came up for trial; in accordance with rules that prevent criminals from running for public office, his election nomination was subsequently barred.

Whatever reasons the Awami League and its allies may provide for their boycott of the elections, the reality is that Ershad's exclusion from the polls threw a spanner into their electoral calculations. The grand alliance was clearly not ready to participate in elections it stood a chance of losing.

Further indication is easily found of just how self-serving and ideologically hollow the players of Bangladesh's political arena have become in recent years. The Awami League – traditionally backed by Dhaka's intelligentsia for its secular roots – recently signed a pact with the minor rightwing Islamist party Khalefat-e-Majlish, agreeing to legalise *fatwa*, and to legislate anti-blasphemy laws during its next stint in power. Issuing a fatwa is currently a criminal offence under Bangladeshi law not only because it undermines the state's justice system, but also because it has traditionally been used to perpetuate cruel, outdated, patriarchal practices. What rationale could justify this legal reversal by a political party whose founding fathers had dreamt of and fought for – a secular Bangladesh? The answer is remarkably simple: the Awami League wants to cosy up to the Islamists, not only to woo the 'Muslim' vote bank that won the BNP the 2001 elections, but also to attract millions of dollars in funding from West Asia in exchange for espousing perceivably 'Islamic values'.

And the BNP? During its years in power since 2001, the party has been content to pawn whatever ideals its own founding fathers had, in exchange for a stronger grip on the sceptre of power. Over the past five years, the BNP-Jamaat regime has sanctioned widespread corruption; unabashedly politicised the judiciary, the bureaucracy and the police; and tried every means possible to ensure its safe return to power through rigged elections. As the country's law-and-order situation spiralled out of control due to the accelerating merger between political parties and crime, the BNP-Jamaat alliance tried to appease voters by creating an elite commando unit, the Rapid Action Battalion, in early 2004. The RAB has since killed over 700 'terrorists' in what are widely believed to be false encounters, with an immunity that defiles every democratic ideal. It was also through the political patronage of powerful BNP leaders that radical Islamist outfits steadily grew in power and influence, orchestrating a series of suicide bombings and targeted assassinations of their critics, even as the government continually denied their existence.

National soap opera

While both political parties routinely cite the Constitution to bar each other's moves, they are unequivocally opposed to abiding by any rule of the game that the Constitution specifies. And they are able to justify the use of every means – legal or violent – to capture power.

The level of banality to which the political process has descended is best described by the bitter hatred between the two leaders of the AL and BNP. Sheikh Hasina, who heads the former, inherited her party position from her father, Bangladesh's founder-president Sheikh Mujibur Rahman, who was killed along with most members of his family in a military coup in 1975. Khaleda Zia on the other hand is the widow of Major General Ziaur Rahman, whose four-year presidency ended with his assassination in a military coup in 1981. While both women have served terms as the prime minister or the leader of the opposition in Parliament over the last 15 years, they never speak to each other, and often hurl the most acrimonious of insults at one another through the media.

Sheikh Hasina believes that Ziaur Rahman was among those who plotted and killed her father on 15 August 1975, and frequently says as much in public. At the same time, Khaleda Zia has taken to celebrating her own birthday on 15 August, baulking its observance

The Awami League – traditionally backed by Dhaka's intelligentsia for its secular roots – recently signed a pact with the minor rightwing Islamist party Khalefat-e-Majlish, agreeing to legalise *fatwa*, and to legislate anti-blasphemy laws during its next stint in power.

as a day of national mourning when the AL is in power, and cancelling state mourning altogether when she was prime minister.

During her stint in power from 1996-2001, Sheikh Hasina changed school textbooks to depict her father as the hero of the country's 1971 War of Independence against Pakistan, and the one who made the ultimate proclamation of independence. She also made it mandatory for every government and quasi-government office to hang portraits of Sheikh Mujib, proclaiming him as the father of the nation and issuing bank notes depicting his image. When Khaleda Zia came to power in 2001, she had the textbooks rewritten, and they now depict her late husband as the 1971 war hero and credit him with the proclamation of independence. She also had Sheikh Mujibur Rahman's portraits removed from government offices, and replaced the bank notes with a new issue.

Extra-constitutional intervention

It is against this backdrop that the recent assumption of power by a non-political third force is being seen by Dhaka's middle and upper classes as a 'compulsion of national interest'. Dhaka's influential elite believe a 'massive clean-up' is necessary before the political process resumes, and the interim government, led by a former World Bank economist, has already announced that it may not be able to hold elections for another six months at least. In its first week in power, the interim government made ample use of its powers to arrest without warrant. With the army prowling the streets, over 12,000 people have been arrested, and the crime godfathers are reportedly in hiding. The interim government has also taken steps to separate the judiciary from the executive branch and it now plans to launch a nationwide voter-ID-card project to resolve controversies over the voter rolls.

There is a sense of heady exhilaration among Dhaka's educated classes – a feeling that the interim government will indeed be able to translate rhetoric into reality and stem the country's corruption and political acrimony in one fell swoop. Unable to curb their enthusiasm, a number of editors of influential national dailies – who assume they speak as the nation's conscience – have already stamped their endorsement of the right of a government that – well-intentioned as it may be – is undemocratic and non-political, to make decisions on the people's behalf. For their part, the political parties are playing the waiting game, intimidated by the possibility that the interim administration may punish dissent by probing the links some of them have to organised crime and big business.

In not internalising that this interim government, too, will have its own compulsions, the Bangladeshi intelligentsia may be setting itself up for disillusionment. The Bangladeshi Constitution demands that when a state of emergency is declared, the next parliament must amend the Constitution to ratify the actions undertaken during that emergency. When the interim government eventually lifts its state of emergency to hold elections, it will face becoming extra-constitutional and its members liable for prosecution unless the Constitution is changed by the next Parliament in order to retrospectively justify its actions and to legalise its members' tenure. Amendments to the Constitution, however, can only be made through a two-thirds majority decision in Parliament. This will require the support of both major political parties, as neither is likely to hold a two-thirds majority on its own if existing alliances hold. It was similar circumstances that led former military dictator H M Ershad to form his Jatiya Party in 1986, which swept the sham elections he held and went on to amend the Constitution and legalise his rule.

The first signs of decay are already evident in the current interim government's actions. Detainees have started suddenly falling 'ill' and dying at the hands of law enforcers. Black-money magnates are eluding arrest as the joint forces run window-dressing night raids on brothels. Dhaka's roads are wider because its makeshift kitchen markets have been bulldozed and its hawkers banished, but few of the fortunes made during the tenure of the past BNP government are being scrutinised. There are rumours that the ambitious voter-ID-card project could take over a year to complete, paving the way for a long stint in power of an non-elected government that, as the media has recently found, has no compulsion to be accountable.

Sadly, it seems increasingly that the promised clean-up of the political process, crack-down on corruption and reform of the electoral mechanism are not as likely as they had seemed in the second week of January. This realisation is now percolating through society, and people are reconciling themselves to the fact that they must consider once again the age-old question of 'what can realistically be achieved' in their hopes for the interim government. As this happens, the question is being asked as to whether the citizens of Bangladesh are willing to see their fundamental human rights suspended in a state of emergency perpetrated by a government they did not elect.

Hawks descend on Assam

In the realm of Assamese aspirations, there are important distinctions between 'independence' and 'sovereignty'.

BY **WALTER FERNANDES**

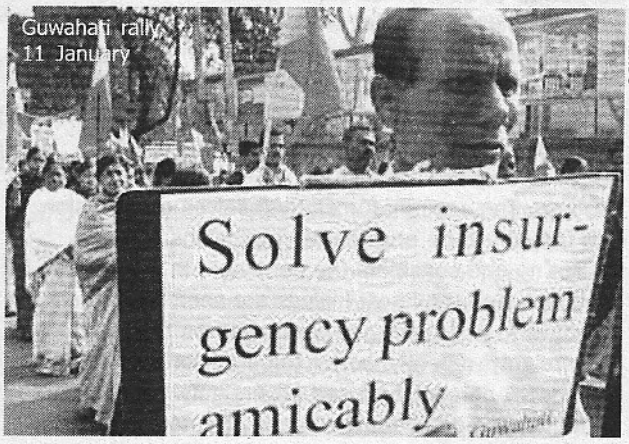
Two years ago, it had looked as though talks between the United Liberation Front of Asom (ULFA) and the government of India would begin, and a solution would be found to a conflict some describe as terrorism for secession and others as a nationalist struggle for space and identity. A good beginning was made when the ULFA issued a manifesto that described its economic ideology and political strategy. The document spoke of the nation of Assam being ready to deal with the nation of India as well as other nations within Assam, and mentioned sovereignty rather than independence. The socialist Assamese nation would have overall control of the economy, especially the tea industry, which makes up 56 percent of India-wide output, but which is controlled from Calcutta.

It had seemed that the ULFA wanted the manifesto to be the starting point for talks with the central government, and for the first time a militant outfit was spelling out its political as well as economic positions. While the political positioning seemed ambiguous and the socialism espoused somewhat dated, the manifesto certainly provided the basis for negotiations. The Centre responded positively, committing itself openly to talks. The ULFA formed the People's Consultative Group (PCG) as a think tank to assist it in the parleys.

Problems began immediately, for within weeks came an army crackdown on the ULFA in a wildlife sanctuary in Dibrugarh District. An explosion attributed to the rebels killed several children at Dhemaji on Independence Day, 15 August 2005. There were explosions in Guwahati and elsewhere throughout the following year, all of which were attributed to the ULFA. The latest act was the killing of Biharis in the Tinsukia and Dibrugarh districts in January 2007. The government has invariably attributed the explosions and killings to the ULFA, without producing adequate proof, and with each blast or killing the possibility of negotiations recedes. The killings of Biharis have now pushed back talks indefinitely.

Hawks on Assam

To understand the players in the Assam problem, it needs to be accepted that neither the ULFA nor the government of India is monolithic. Within each, there are both hardliners and those who accept the need for dialogue. While many political figures in the present government in New Delhi seem willing to keep an open mind, one could not say the same about the security forces, nor the apparatchiks within the Ministry of Defence. Additionally, there is a hawkish mindset among those from mainland India who control the economy of the Northeast, including Assam. The ULFA, too, has its hawks, many of them inhabiting Upper Assam, but not exclusively so.



Guwahati rally, 11 January

THE HINDU

There is a distance in both ideology and the understanding of 'sovereignty' and 'autonomy' between the two sides. The hardliners in the ULFA seem to veer towards independence, while the mainland hawks believe in centralisation, in addition to perceiving the Northeast as a buffer zone to be maintained under the total control of the Centre. There is such a focus on national security and territorial matters that there is no openness to the concept of autonomy. The mainland hawks like to speak of a single Indian culture, which of course reflects the culture of Hindi-speaking India. As one scholar says, Indian-ness is determined by one's Aryan-ness.

This goes against the struggle for Assamese identity that is central to the ULFA cause. While the Assamese people do not support violence, nor some of the other ULFA positions, the demand for cultural and identity-based exclusivity as well as autonomous economy has near-universal support among the population. The majority may not support the hardliners of Upper Assam who talk of secession from India, but the identity issue can nevertheless mobilise the masses, who feel dominated by the Hindi-speaking region.

Many of the attacks which contributed to stalling the peace process have to be situated within this scenario. The Assamese hawks are wary of any dialogue, and it is also true that a long-drawn conflict creates its own vested interests. The low-intensity warfare has been beneficial to the security forces and to those who are involved in the arms and drug trades. Meanwhile, the power centres controlling the economy would have a strong vested interest against rapprochement and consideration of autonomy demands, because that would automatically signal loss of control over the economic levers. Similar vested interests have also developed within the militant groups, with rampant extortion and consolidation of social and political power amidst the insurgency. Some Guwahati analysts believe that many security operations are conducted not because they are needed, but to forestall the dialogue process. The security forces themselves on occasion are thought to be engineering explosions.

But no one considers the hardliners in the ULFA to be innocent, and the latest killings are seen to be their handiwork. In a plebiscite conducted on the matter of 'sovereignty' recently, out of three million Assamese polled, 95 percent opposed sovereignty. Newspapers with little sympathy for the cause of autonomy highlighted this issue. Identifying 'sovereignty' with 'independence', these papers presented the ULFA as isolated from the Assamese population. The killings came two days later, as a message from the ULFA hardliners that they cannot be taken for granted.

Immigrant demographics

The Northeast and Assam have had an immigrant problem, and the focus of the media and the political parties is on the Bangladeshi migrants. In reality, the 2001 census shows that the Bengali-speaking Muslims make up only about a third of the immigrants. In 2001, Assam had four million more immigrants than shown in the 1971 census, and about 1.7 million of those were Bengali-speaking Muslims, the rest being Biharis and Nepalis. The Muslims live mostly in western and southern Assam, while the Hindi-speakers are concentrated in Upper Assam, particularly in Tinsukia.

The Assamese view the growing number of outsiders – whether Bengali, Hindi-speaking or Nepali – as an attack on their identity, and also as a threat to their economy through land encroachments. The immigrants also do low-paid jobs as construction workers, rickshaw pullers and the like. In the context of high unemployment in Assam – about three million is the estimate in a population of 27 million – resentment is easily developed towards them. The Bengali-speaker becomes the prime target as the predominant group in lower Assam, whereas in Upper Assam and Karbi Anglong it is the Hindi-speaking Biharis.

The immigrant encroachments to an extent explain the ambiguity in the muted reaction of ethnic Assamese to the January killings. Most of them condemned the action, but local groups such as the All Assam Students' Union did not call a *bandh*. That call was given by the Bihari-dominated Assam Bhojpuri Association, which received poor response from the locals and was observed mainly on the main highways and in the Barak Valley of southern Assam, where there are a good number of Bengali-speaking immigrants.

There are more complexities under the surface. The Hindu-fundamentalist forces in the state are alleging that the killings were a conspiracy to turn Assam into a Muslim-majority state by sending Hindus away. A daily newspaper went as far as to ask the ULFA why it was attacking Hindu Biharis and not the Muslim Bangladeshis, overlooking the fact that Upper Assam does not have many Muslim immigrants. The overall reaction of the political parties and state bodies was to demand retribution with no talk of a search for peace based on justice. In the process, the thinking that identifies 'sovereignty' with 'independence' is legitimised.

Indira Goswami, the facilitator of the dialogue between the establishment and the rebels, has declared at a press conference that she does not support sovereignty. Meanwhile, the killings have provided the security forces the legitimacy required to take charge of the region, and the Bihar Regiment has been brought to Upper Assam. During the next few months one can expect every Assamese village to feel the burden of threat. The fear will result in resentment, and one can expect the cause of the ULFA to gain sympathisers. Many of the new converts will be hardliners.

The central government takes a large portion of the blame for the renewed descent into violence in Assam. It has maintained an ambiguous position with regard to the PCG as the civil-society interlocutor, knowing full well that the ULFA requires such a group to facilitate the parley. Most of the ULFA cadre who had a political understanding of the issues and would be in a position to skilfully negotiate were killed in the Bhutan operation of December 2003. The equivocal position of the state and central governments towards the PCG was also reflected in the media.

It is important to realise that the ULFA represents the socio-economic and political aspirations of the people of Assam, even as most Assamese do not support the means it uses. But the fact is that the matter of militancy in Assam cannot be resolved through use of the armed forces against the ULFA. The political process has to be re-started, and the national-security issue, as seen through a New Delhi lens, must not be allowed to dominate the agenda. Territory is not the central issue in Assam; it is the matter of identity and autonomy. If repression becomes the main tool, one can expect resentment to grow and violence to follow. The vicious circle in Assam has to be broken through a political process, for which the state side must reactivate civil society.

Constitutional reform for the republic of Sri Lanka

Despite some initial scepticism, a series of high-level committees have formulated some surprisingly progressive proposals for the future of Sri Lanka. Much now depends on how the government's hard-line elements respond.

BY **D B S JEYARAJ**

The APRC mulls the options

Two cabinet ministers flanked Sri Lankan President Mahinda Rajapakse when he met visiting Indian Foreign Minister Pranab Mukherjee in mid-January. One was Mukherjee's counterpart Mangala Samaraweera. The other was Minister for Science and Technology Tissa Vitharana. The latter was present not in his ministerial capacity but in his new avatar as chairman of an all-party forum convened by Rajapakse to formulate proposals for constitutional reform.

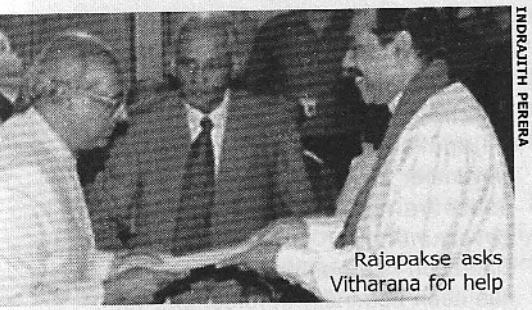
Vitharana's role in the meeting was to explain in depth the recent progress made by Sri Lanka in the sphere of constitutional reform. New Delhi had been exerting pressure on Colombo to evolve a political consensus on such reform among political parties represented in Parliament. This consensus was to include agreement on a scheme of devolution aimed at resolving the Tamil national question. Vitharana, a leader of Sri Lanka's Trotskyite Lanka Sama Samaja Party (LSSP), had played a prominent role in the search for greater devolution, and there could not have been a better man to hold forth on the subject for India's benefit.

Ethnic relations in Sri Lanka have reached a terrible low after Rajapakse became president in November 2005. The February 2002 Ceasefire Agreement between the government of Sri Lanka and Liberation Tigers of Tamil Eelam (LTTE) has been nominally in force, and yet since Rajapakse came to power, an undeclared war has been raging between the security forces and the Tigers. In the past year, the conflict has resulted in the death of more than 3000 people and displaced more than 125,000.

Amidst such a gloomy scenario, the constitutional-reform process has provided the only ray of hope. History may insist that it is premature to pin expectations on the current exercise, since constitutional reform in Sri Lanka has often started with a bang but inevitably degenerated into negative whimpers. But given the fact that few expected the reforms idea process to come even this far, a little optimism may not be entirely unwarranted.

It was international pressure spearheaded by India that compelled Rajapakse to convene an All Party Representative Committee (APRC) in July last year. The president also appointed a Committee of Experts to advise the APRC on constitutional reform. All parties in Parliament except for the Tamil National Alliance (TNA), which has pro-LTTE leanings, were invited. The United National Party (UNP), the main opposition, declined but indicated before long that it would participate if the APRC came up with some concrete proposals. The UNP attended sittings in December after the expert reports were presented to the APRC. It also indicated its preference for the majority report above others.

There is reason in the UNP's scepticism. Various all-party conferences have been held before this without meaningful results. Their meetings have been meandering, time-consuming exercises. Often they have been time-buying ruses for governments entertaining dreams of



INDRAJITH PERERA

Rajapakse asks Vitharana for help

bringing an end to the conflict through military means. As such, there were doubts when President Rajapakse first embarked upon the current exercise.

The majority report

The APRC had representatives from 13 political parties. It was headed by the much-respected Professor Vitharana, while the experts committee was chaired by eminent lawyer H L de Silva. Suspicion that Rajapakse was using the APRC as a 'showcase' to hoodwink the world at large gained ground soon after the committee and its panel of experts commenced sittings in September. Later, de Silva stepped down and was replaced by retired civil servant M D D Peiris. The APRC proceeded aimlessly as expected, with the political parties refusing to budge from their entrenched positions.

The Committee of Experts had 17 representatives. These were mainly lawyers, academics and legal officials specialising in constitutional law. This panel, too, had its divisions. Two broad schools of thought emerged among its members. One advocated maximum devolution within a unitary state. The other was not prepared to go that distance. Since Rajapakse's stated vision – known as 'Mahinda Chintana' – was of a unitary state, the terms of reference entirely excluded the term *federal*.

Through November, pressure mounted to speed up the process of putting together a draft of recommendations for constitutional reform. Rajapakse had reportedly assured Indian Foreign Secretary Shiv Shankar Menon that such a draft would be ready by 15 December. The onus was now on the experts to deliver. As activity was expedited, other rifts within the group appeared on the surface. The expert panel fragmented even further. Of the 17 experts, 11 formulated what came to be known as the 'majority report'. Six of those who endorsed this were Sinhala, four were Tamil, and one was Muslim. Four other Sinhala members of the panel presented another report, described by the media as the 'minority report'. Two other Sinhala members submitted a dissenting report each. Thus, on 6 December, the APRC had presented before it four different reports.

When details of the reports came to light, it became apparent that the 'majority' report, formulated by a multi-ethnic majority of the panel members, also featured the most progressive recommendations. It suggested, for instance, that a senate be set up; that two vice-presidents be designated, from ethnicities different to that of the president; that an internally autonomous zonal council be created for the up-country Tamils of recent Indian origin; that a bill of rights be tabled; that the right to self-determination be acknowledged; and that asymmetrical powers be given for the northeast directly, and for other units too, if deemed necessary by the respective provinces.

The report recommended that the country be called the Republic of Sri Lanka, without explicit reference to the nature of the republican state. Though it did not stipulate whether the state should be 'unitary' or 'federal', maximum devolution of powers was recommended, amounting almost to a proposal of federalism. The province was to be the unit to which powers would be devolved.

On the question of whether the Northern and Eastern provinces should left as one or de-merged, the report proposed four options. One option was of a merged, Tamil-majority northeast with sub-units within it for the Sinhala and Muslim communities. The second was to de-merge the two provinces but to have an overarching apex council linking them. The third was to re-draw existing boundaries and re-demarcate the east, paving the way for a new, Muslim-majority province. The fourth was to keep both provinces merged for ten years and then hold a referendum by which the eastwould decide whether the merger should continue.

Constitutional punditry

While the majority report received the support of a substantial section of national and international opinion, it caused a furore among Sinhala ultra-nationalists. The nationalist-socialist Janatha Vimukthi Peramuna (JVP) withdrew from the APRC and accused the government of backing a condemnable report. As opposition mounted vociferously, President Rajapakse distanced himself from the report. Cabinet spokesperson Anura Priyadharshana Yapa, in a convoluted official communiqué, disassociated the government from it.

APRC chairman Vitharana calmed these troubled waters somewhat by stating that he would compile some fresh proposals for further discussion at the APRC. He said that he would collate the better points made by all four documents into one comprehensive report. Given the contradictory contents of the four reports, to find or forge commonality seemed a near-impossible task. Some expected the final product to be severely diluted in content and form.

The veteran Trotskyite pleasantly surprised the sceptics. On 8 January, Vitharana presented his report to the APRC as a confidential document titled "Main Proposals to Form the Basis for a Future Constitution of Sri Lanka". Discussions on the proposals were scheduled for 22 January. In the meantime, the controversial document found its way into the media's hands. According to media reports, the Vitharana proposals had incorporated the bulk of the majority report. Aside from some significant changes, including the matter of concurrent powers to be granted to both centre and periphery, and doing away with suggestions such as granting asymmetrical powers to the North-East Province and a zonal council for up-country Tamils,

While a wider consensus is important, realpolitik decrees that a bi-partisan consensus of the SLFP and UNP is essential to the functioning of any process of political change.

the Vitharana proposals do not differ substantially from those of that document.

So when Pranab Mukherjee arrived in Colombo on 10 January, the Sri Lankan government had proposals ready to show. Vitharana was made to present at Rajapakse's meeting with Mukherjee, and the professor assured the Indian foreign minister that the final document would be ready in three months. Mukherjee seemed impressed.

Three possibilities

Several rounds of discussions are expected to take place in the coming weeks, in preparation of the final report. According to constitutional pundits, the working paper remains the best effort in proposed reform thus far. It remains to be seen whether the proposals will benefit or suffer from further deliberations. Three developments threaten the future course of the APRC. One is the pressure mounted on Rajapakse by Sinhala ultra-nationalists, and it will be important to watch how he reacts to this pressure. It has been reported that the president is displeased with the Vitharana proposals and that he would like to jettison them. As Rajapakse was elected on a hard-line platform with much support from Sinhala hawks, it may be difficult for him to disregard their influence even if he would like to do so.

Another development to watch is the sour turn in the relationship between the government and the chief opposition. The history of post-Independence Sri Lanka is replete with instances of massive political rivalry between the currently ruling Sri Lanka Freedom Party (SLFP) and the UNP. This rivalry has badly impacted the ethnic problem, as when one proposes a solution the other almost invariably opposes it. The growth of the two-party system in Sri Lanka can be argued to be closely inter-related to the deterioration in ethnic relations.

International observers have identified the lack of a majoritarian or even a Sinhala or Southern consensus as one of the major impediments to resolving the Tamil national question, and the APRC is a result of subsequent international efforts. The committee would not have come into being, however, without the memorandum of understanding signed between the SLFP and UNP last October. While a wider consensus is important, realpolitik decrees that a bi-partisan consensus of the SLFP and UNP is essential to the functioning of any process of political change. Together, these two parties make up almost two-thirds of the present Parliament. They also share 72 percent of the popular vote. Since major amendments to the present Constitution as well as the promulgation of a new constitution both require a two-thirds majority and ratification by a nation-wide referendum, a SLFP-UNP alliance is indispensable.

While the signing of the memorandum of understanding, by which both parties pledged to work together to find a political settlement to the ethnic problem, and the participation of the UNP in the APRC both gave the committee a significant boost, now a new problem has appeared. Between 15 and 20 MPs from the UNP are currently trying to defect to the ranks of the government. Rajapakse is encouraging the defections in order to bolster his majority in the Parliament. The UNP has pointed out that such actions would violate the spirit of the MoU, and Rajapakse has been told to choose between the MoU and the defections. Indeed, a mass defection would jeopardise the MoU, and this in turn would affect the chances the APRC has of forging consensus on constitutional reform.

The third factor that will impact the proceedings of the APRC is the war. If the LTTE responds on a greater scale to the military push by the state security forces, the conflict could intensify and spread. Escalation would alter the political climate drastically, and a major casualty could be the constitutional-reform process. Whatever pitfalls lie ahead, there is no denying that progress has been made on the road to constitutional reform. There is light at the end of the tunnel. Let us hope it comes from a place we want to be.

Gandhi and the general

New Delhi's appeasement of the Rangoon junta is perhaps best exemplified by a ceremony that took place during General Than Shwe's October 2004 visit to India.

BY **AMAR KANWAR**




If you want to see the most brutal dictator in the world at present, go to Rajghat in Delhi, the site where Mohandas Karamchand Gandhi was cremated on 31 January 1948. It is a special sight indeed.

The timing is early morning on 25 October 2004. Senior General Than Shwe, the supreme head of the Burmese military dictatorship, along with his entourage, comes in through the main entrance. The grass is well manicured, the flowers placed by the Horticulture Department are immaculate, and a sickly-sweet smell reminds you that someone has placed incense sticks in all the right places. Hidden speakers gently release Gandhi's favourite hymn into the calm morning air, *Vaishnav jan to taynay kahyeeye*. Translated, the softly intoned words say:

A godlike man is one,
Who feels another's pain
Who shares another's sorrow,
And pride does disdain.
Who regards himself as the lowliest of the low,
Speaks not a word of evil against any one
One who keeps himself steadfast in words, body and mind,
Blessed is the mother who gives birth to such a son.

Appropriately, Than Shwe's wreath is made up of white flowers. Two bodyguards are carrying the wreath, and walk a step ahead of the Supreme Dictator. The bodyguards are in dark suits and ties, clean shaven, smart and tough. They are all wearing new white sneakers. The Supreme Dictator himself is impeccably dressed in a dark suit and tie, but he wears black leather shoes. The entourage moves slowly. General Shwe's aide instinctively flicks a speck of dust off of the back of the bodyguard carrying the wreath – just in case the general sees it and disapproves. Almost everybody looks pleasant, although Shwe has no expression on his face, and the gathered Indian dignitaries seem a little apprehensive.

The Supreme Dictator eventually reaches the all-important spot, where Gandhi's feet would have been when he lay on the funeral pyre. The wreath is placed. It is time for the *parikrama*. The entourage must now respectfully walk around the funeral site, and the general comes back to the spot again. He is still stone-faced at the end of the circumambulation. As he encircles the sacred spot, the volume from the speakers inexplicably rises. A basket of rose petals appears from nowhere.

The photographers ready their cameras. The Supreme Dictator is very particular about his image – he does not like to be seen too often. In person, he seems to be the silent, standing-in-the-background, grim-faced tough sort of character. He is very superstitious, and perhaps also a nervous kind of dictator; he does

not kill simply, but likes to watch his country's resistance leaders bleed to death. He is very aware of the blood on his hands. As chairman of the ruling State Peace and Development Council, or SPDC, and commander-in-chief of the armed forces, Than Shwe is the seniormost leader of the military regime, which he has led since 23 April 1992.

Born in 1933 near the town of Mandalay, Than Shwe is said to be an introvert, who often makes decisions after consultation with his personal astrologers. He worked in the postal service before joining the army's Officer Training School at age 20, where he became an expert in psychological warfare. An army captain in 1960, by 1985 he was promoted to Major General and named Deputy Chief of Staff of the Army. After the bloody crackdown on Burma's pro-democracy student demonstrations in 1988, Shwe became vice-chairman of the then-ruling State Law and Order Restoration Council (SLORC), Deputy Minister of Defence, and the Army Chief of Staff. In 1990, he was promoted to general.

Those who have spent significant time around Than Shwe say that he thinks and acts as though he is a king, and is rumoured to seat visitors at his home in chairs lower than his own – just as did his predecessor, the longtime dictator Ne Win. Than Shwe's family members reportedly prefer to address each other with royal titles.

Blood-red petals

The moment finally arrives. Than Shwe has come back to the place where Gandhi's feet laid at his final resting place. It is the 21st century. Aung San Suu Kyi is still imprisoned. Thousands of political activists, artists, poets, journalists across three generations have been killed, lie in prisons or are scattered in exile across the globe. Blithely, the Supreme Dictator picks up a handful of soft rose petals and tosses them gently into the air. They fall silently on Gandhi. The Supreme Dictator reaches out again towards the basket. There is no still no change in his expression.



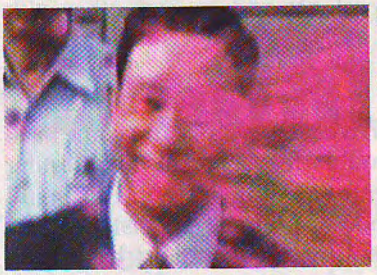

Suddenly, a panicky photographer shouts, evidently having missed the choice moment: "Excuse me, sir, excuse me! Once more! Once more, please!" The general pauses for a moment – *Vaishnav jan to taynay kahyeeye* swells on the speakers and Than Shwe shoots the photographer a quick, loaded glance from the corner of his eye. An aide whispers into the general's ear. The mask remains expressionless. Nonetheless, he obliges the lensman and tosses the rose petals yet again. The aides smile, obviously in relief. The photographer clicks repeatedly.

Confidence-building manoeuvre

As exemplified by Than Shwe's 2004 visit to one of India's most venerated national sites, New Delhi's policies towards its undemocratic eastern neighbour are far from motivated by an understanding of Burma's appalling human-rights record. This past December, another Burmese general visited India – the country's second-in-command, General Thura Shwe Mann. At India Gate, Thura Shwe was allowed to flag off a race dubbed the India-Burma Friendship Car Rally. At the ceremony, the general stood alongside Defence Minister A K Antony and the Indian Army chief J J Singh.

Thura Shwe also toured the National Defence Academy in Khadakvasla, India's premier officer-training school, and visited the headquarters of the Corps of Electrical and Mechanical Engineers, as well as the Tata Motors plant in Pune, which manufactures vehicles for the Indian military. The Burmese delegation reportedly discussed issues including border security and military cooperation. An Indian Ministry of Defence spokesman dubbed Thura Shwe's visit a major confidence-building manoeuvre between the two capitals.

The journey was really just the latest in a string of increased military cooperation and discussions between New Delhi and Rangoon. Just a month earlier, Indian Air Force chief S P Tyagi had offered a multimillion-dollar aid package to Burma's military. Defence Secretary Shekhar Dutt quietly visited Rangoon in September 2006, a trip that J J Singh himself had made the previous November. On 21 January 2007, Pranab Mukherjee, the new Foreign Minister, held confabulations with Vice-Senior General Maung Aye at Burma's new administrative capital of Naypyidaw, increasing India's military aid to the junta.



The hymn is now very loud, shrieking in frenzy. The general picks up the rose petals again and tosses them, again and again and again. Miraculously, the basket of petals never seems to empty; our supply of rose petals is endless, and the general keeps throwing and throwing. He is still throwing them there today. If you want to see the most brutal dictator in the world at present, go to the Rajghat. It is a special sight indeed. The posture is awkward, the face a little strained, but he is still throwing, the petals falling on the *Samadhi sthal* in a quiet flurry.

Thet Win Aung

Despite New Delhi's strengthening of ties with the Burmese junta, Rangoon's crackdown on resistance continues unabated. On 16 October 2006, Thet Win Aung, then aged 34, died in a Mandalay prison. He was serving a 59-year prison sentence for having taken part in organising student protests since 1988, when he was a high-school student. Although students are not officially allowed to form unions, in 1989 Thet Win became Vice-General Secretary of the Basic Education Student Union (BESU), an organisation set up in 1988 without official approval. Two years later, he was dismissed from school and imprisoned for nine months. During much of his time in prison, Thet Win was reportedly severely tortured.

Following Thet Win's initial release, he became a leading member of the All Burma Federation of Student Unions, the unauthorised umbrella organisation for student unions in Burma. He again became involved in publishing leaflets and organising demonstrations, and was forced to go into hiding after the authorities tried to arrest him in 1994. He nevertheless took part in student demonstrations in December 1996 and, in 1998, helped to rally students against the poor quality of education and denial of human rights.

Thet Win Aung was finally arrested in October 1998. The following January he was sentenced to 52 years in prison, which was increased to 59 years after further interrogation. Eight years after he was arrested, police informed his parents that their son had died in prison. The authorities subsequently rejected the request of Thet Win's father to postpone the funeral service by one day and to allow his son's body to be brought back to Rangoon, telling the bereaved that "everything has been arranged".

"We believe that physical and psychological torture inflicted on [Thet Win] by his captors was the main reason for his untimely death," said Aung Din of the US-based Campaign for Burma. The pressure group estimates that there are currently 1600 political prisoners in Burma.

two lost

Win Maw Oo

On 19 September 2006, Burmese activists in Rangoon marked the 18th anniversary of the death of Win Maw Oo, a high-school student who was shot dead by Burmese soldiers during the 1988 student protests. Win Maw Oo was one of the hundreds of protestors killed in Rangoon after the military coup of 18 September 1988.

"I got a phone call from the hospital. She was still conscious at the time," Win Maw Oo's father, Win Kyu, recounted about learning of his daughter's fate. "She gave them the names of her father, mother, home address, telephone number. At the hospital, after the operations, she was put in the intensive-care room. She was unconscious. I had to retrieve her body from a doctor. When I asked the cause of her death, the doctor told me it was due to shrapnel wounds. Only then was I able to retrieve her body. Then, I was told to bury her within 24 hours ... I also had to sign a pledge saying that she was not involved in [political] activities. Her younger sisters and brothers weren't able to see her when we buried her. At the funeral, there were only 25 people at most. We had to do it behind locked doors."

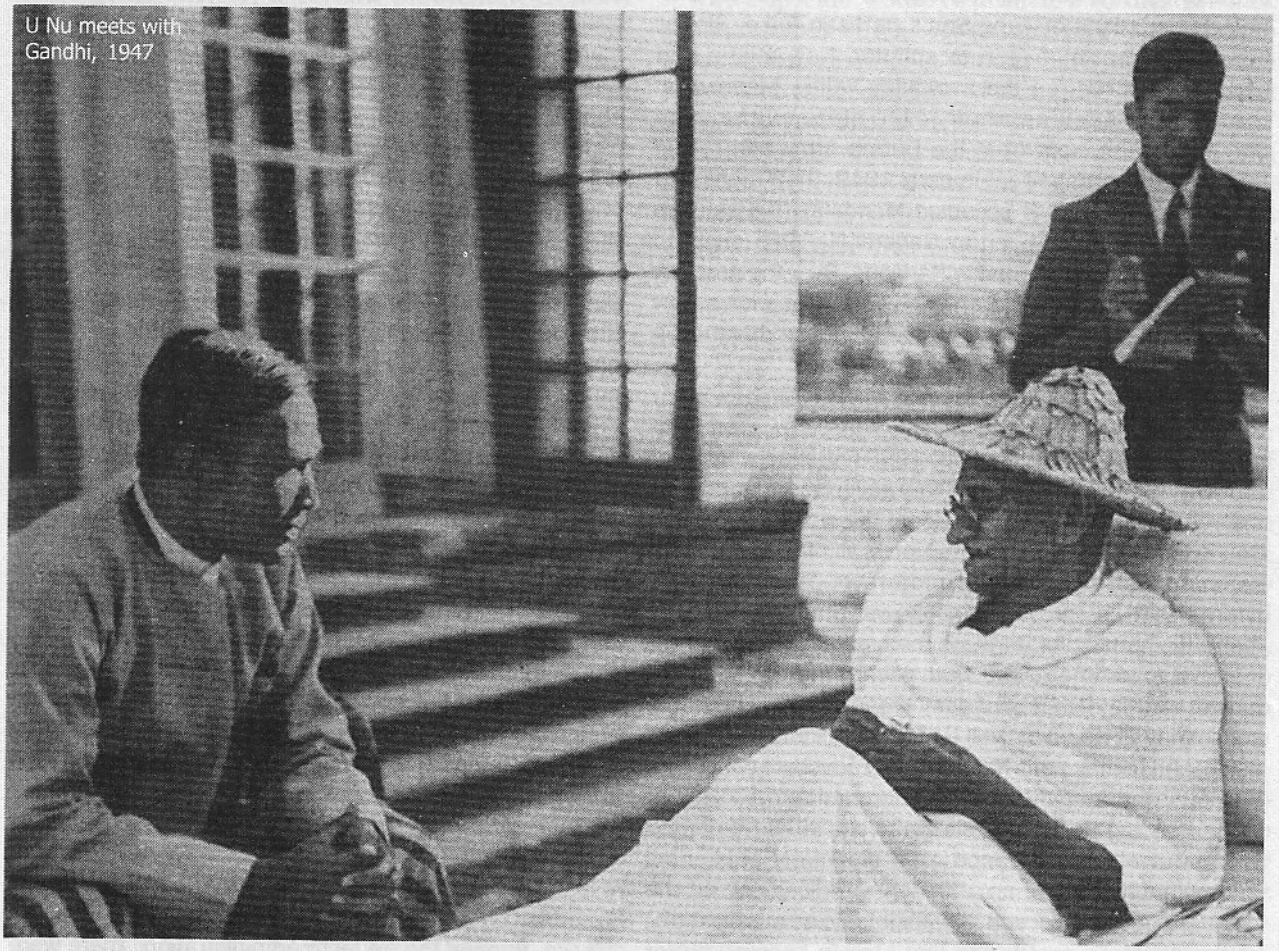
"I still miss my daughter every day," says Win Maw Oo's mother, Khin Htay Htay Win. "Today, I want to cry the way my daughter cried. They said that they opened fire in the sky. But they aimed at her straight. That's why she died straight away. In my heart, my daughter did it for her country; she gave up her life for the country."

Over the monsoon of 1946, as the contest between the Congress Party and the Muslim League was determining the fate of the Subcontinent, a very different fortune for colonial India's erstwhile province of Burma was also being framed.

A little a more than four years earlier, the Fifteenth Imperial Army of General Shojiro Iida had driven the British out of Burma, turning the country into a gigantic battlefield in a vicious fight that led to the complete destruction of nearly every city and town. The radical nationalist fighters under Aung San had first collaborated with the Japanese, and then in the spring of 1945 turned against their mentors, Aung San declaring himself an Allied commander and head of a provisional government.

The returning British at first chose to sideline Aung San, planning for a long period of reconstruction, elections and gradual transfer of power. But Aung San upped the pressure, attracting huge crowds of supporters and quietly threatening a mass uprising. Jawaharlal Nehru insisted that the Indian Army would not be available to quell a Burmese revolt and the British, their hands full with Palestine and India, decided that the prudent thing to do was to quit Burma.

And so they did, in January 1948. But six months beforehand, Aung San, together with most of his Cabinet, had been gunned down in a still-mysterious terrorist attack. The most senior Burmese in the Indian Civil Service, U Tin Tut, a King's Commissioned Officer and



U Nu meets with Gandhi, 1947

BY **THANT MYINT-U**

Reframing the 'Burma question'

It is important that Burma's well-wishers better understand the country's complex history and complicated present, and use creative and sensible ways of negotiating with its military establishment.

slated to head the new Burma Army, would soon be killed as well, by unknown assailants. Even worse, the country's leading communists - including many of the brightest and most capable of their generation - had gone underground and were plotting rebellion. By the time the last of the Yorkshire Light Infantry had sailed away from Rangoon harbour to the tune of "Auld Lang Syne", Burma was already at civil war - a war that has continued without interruption to this very day, the longest-running armed conflict in the world.

For months, the infant Burmese government, under Aung San's friend and colleague U Nu, battled against an array of communist insurgencies, at first depending on the loyalty of ethnic Karen and Kachin battalions, trained by the British and now merged together with the Japanese-trained battalions of Aung San's partisan force. Slowly, however, the army began to splinter. New militia and bandit gangs overran the Irrawaddy Valley. Meanwhile, the Karen, seeking their own state within the Commonwealth, split from the Burma Army and raised their own flag of rebellion. In early 1949, the Karens and the communists jointly occupied Mandalay. The soldiers of U Nu's government, led by General Ne Win, fought to hold the frontline just outside Rangoon. Over the next few years, the fighting would only intensify, but with a new inter-ethnic element, adding to the immense destruction already wrought by the Second World War.

Today, sixty years later, there is a belief among many that the 'Burma problem' is something new. The anti-government demonstrations of 1988, crushed with great brutality; the failure of the military government to respect the results of the 1990 elections; the rise of Aung San Suu Kyi as leader of the opposition - all of these frame a seemingly straightforward picture of 'democracy vs tyranny' and 'progressive change vs intransigence'. For many, the problem of Burma is the problem of the present military government and that government's failure to move towards meaningful democratic reform. There is a sense that all would be well if only the military would step aside, and to make this happen many advocate sanctions, boycotts and long-distance condemnation as a way of pressuring the Burmese generals to see the error of their ways. But all this is based on a singularly ahistorical understanding of Burma's present predicament, of the country's poverty, war and dictatorship. To be more mindful of the country's past is the first step in knowing better how to help Burma today.

The old kingdom

There is no doubting that the Burmese military governments are much to blame. That blame runs deep, not just to the past ten or 15 years but to the very beginnings of army rule in 1962, and perhaps even further back to the corrosive role of militant nationalism during the country's emergence from colonial rule in the 1940s. But we must begin at an even earlier date: 1885, the end of the old kingdom.

It was in 1885 that Lord Randolph Churchill, Secretary of State for India, decided that the kingdom of Burma would be annexed to the British Indian Empire. His hope was for a speedy colonial victory, one which would bolster chances for his Conservative Party in the general elections that November. The expeditionary force under Sir Harry Prendergast reached Mandalay with little opposition and immediately exiled King Thibaw to Madras, and then to Ratnagiri on the Konkan coast. But soon, unexpectedly, a determined guerrilla campaign emerged to fight the British occupation. To crush this would require a further 40,000 British and Indian troops, summary executions and the large-scale forced displacement of entire communities. By the end of it all, in the early 1890s, Burmese society had been turned upside down. The old social structure, one which had evolved in the Irrawaddy Valley over centuries, was no more. Burma, more than any other part of the British Empire in Asia, would enter the 20th century with an abrupt, traumatic rupture with the past.

The Burmese were left with other problematic colonial legacies. With the old order destroyed, the British imported nearly wholesale the governing institutions of the rest of British India, entirely alien to the Burmese experience and political culture. A massive flood of people from all parts of the Subcontinent then entered the country in the wake of the occupation. Immigration on a large scale is bound to have its difficulties in any country, but to have this happen under colonial domination led to a bottling up of tensions that in the 1920s spilled over into violence. The hill regions of Burma, inhabited by minority peoples and comprising about a third of the country's population, were deliberately kept apart by British policy - something which would have dire consequences for the future. Then, the British withdrew almost as quickly as they had come, after only some 60-odd years. Colonialism dismantled Burmese tradition but left behind only the most fragile of institutions for the new, post-independence leadership.

It was into this vacuum that the Burmese army stepped. In the 1940s the army was down to a couple of thousand men, including the Japanese-trained officers of General Ne Win's own Fourth Burma Rifles. They fought back the insurgents and reclaimed territory, all the while expanding, purchasing new arms from abroad, learning lessons, becoming more professional and, in many places, forming the *de facto* administration. There were setbacks, and there was foreign interference. The US, for example, supported remnants of Chiang Kai-Shek's nationalist armies as they retreated into eastern Burma and established opium-producing sanctuaries. Thailand long supported the Karen fighters along its border. And Beijing, in the late 1960s, all but invaded Burma in order to claim a vast swathe of territory for its protégés in the Burma Communist Party. Slowly, however, the Burmese army prevailed, mounting new and ever more brutal counter-insurgency campaigns, and becoming for all purposes a shadow government. In 1962, it was easily able to overthrow U Nu's elected government.

The media soon brought to light glaring gaps in the government's story. The newspaper *Andamans Today* exposed the fact that those arrested and killed in the operation belonged to the National United Party of Arakan (NUPA) and the Karen National Union (KNU), ethnic nationalities' organisations from Burma that have been fighting against the military regime for decades for self-determination and human rights. It was discovered that they had come to India after an agreement with Indian intelligence operatives that they would be allowed a base at Landfall Island in the Andaman and Nicobar atoll in exchange for their cooperation with intelligence gathering along the Burmese coast. One particular Indian military intelligence officer, a certain Lieutenant Colonel Grewal, was found to have betrayed the trust of the Burmese freedom fighters at the behest of the military junta and to have killed six of their leaders in cold blood.

The freedom fighters were kept under illegal detention at Campbell Camp on Nicobar Island in horrific conditions for several months and then transferred to the prison at Port Blair. The Indian Central Bureau of Investigation (CBI) failed to file a charge sheet for a full six and half years. Its representatives told the lower court that they could not file one because the Ministry of Defence was not co-operating with them.

Those that tried to reach the detainees were intimidated. When the Delhi-based South Asia Human Rights Documentation Centre sent the lawyer Henry Tiphagne to assist them, for instance, he was roughed up and denied access. The Calcutta-based Association for Protection of Democratic Rights (APDR) sent a team led by its general secretary, Sujato Bhadra, to Port Blair, but the intelligence agencies did not allow the team to meet the jailed Burmese. Despite the intimidation and lack of access, human rights lawyer Nandita Haksar managed to file a petition for bail on their behalf. The detainees were granted bail, but the Port Blair police immediately rearrested them and put them under police detention.

Two of the freedom fighters were alleged to have absconded in tourist speedboats. The local administration managed to recover the speedboats but they did not give any explanation as to the whereabouts of the missing men. In a bizarre turn of events, lawyer T Vasanda, daughter of the editor of *Andamans Today*, died under suspicious circumstances. Local papers have linked her murder to the fact that Vasanda was helping the Burmese freedom fighters.

Finally, Nandita Haksar filed a writ petition in her own name before the Supreme Court, stating that the Burmese were being kept in illegal detention and that there was no hope of their being put on trial because the Ministry of Defence was refusing to co-operate with the CBI. Within a month, by December 2004, the CBI had hastily filed an untenable charge sheet against the freedom fighters.

The Burmese detainees then filed a transfer petition asking the Supreme Court to transfer their case to Calcutta. While knowing full well that they may not get bail and would probably have to go into judicial custody, they wanted to be put on trial to prove that they were freedom fighters, and they were confident that they would get justice in Calcutta. While the freedom fighters were still in the Andamans, the Indian intelligence operatives tried to divide them and to sow seeds of mutual suspicion. They tried to stop the transfer of the case to Calcutta because they did not want the trial to take place in full public glare.

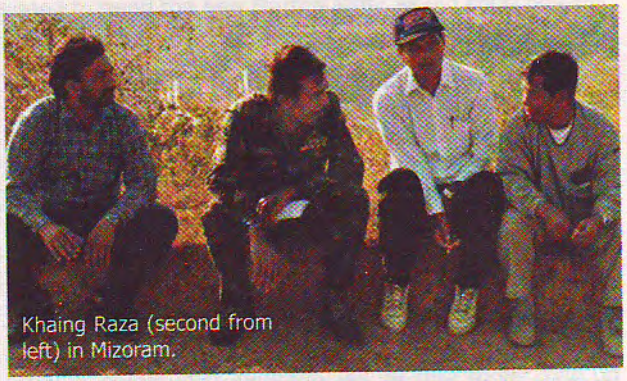
The Supreme Court requested a former solicitor general to look at the case's entire record and then to recommend whether it should be transferred. The senior lawyer recommended that either a trial should be held in Port Blair with the state paying the lawyers' fees, or the case should be transferred to Calcutta. The Burmese detainees wanted the transfer because they had faith in the solidarity of Indian human rights groups. The case was finally transferred in October 2006 to a Sessions Court in Calcutta, and the freedom fighters were put in the Presidency Jail. The case is now before City Sessions Judge Ashim Kumar Roy.

Post-Independence jail

Not long after the transfer, the CBI sought to arrange for the trial to be held within prison. The authorities of the Presidency Jail have been denying access to the Burmese prisoners, and it seems that the intelligence agencies have a hand in this. The freedom fighters are in a particularly vulnerable position as they are foreigners in the country in which they are being held and tried, and most of them do not speak English, the language of the court. Many of them are also villagers who became freedom fighters not through learned ideology but due to the oppressive military rule they suffered.

On 18 December 2006, the intelligence agencies in collusion with the jail authorities are believed to have instigated a clash between the Burmese and the convicts inside the jail. The unsuspecting Burmese prisoners were attacked and some of them were very badly injured. After the skirmish, one of their leaders, Danyalin, was put in solitary confinement. He was attacked there as well. All in all, the detainees' situation is dire.

Citing security reasons, the CBI put in a request with the West Bengal state government that the trial be held inside the jail, away from the public eye. Such a request is inappropriate on the part of the CBI, which is a party to the case and which is in no way responsible for the safety and security of the freedom fighters. The state government issued an order on 15 December that the Burmese prisoners not be removed from jail, for reasons of security. If the trial proceedings are to be held inside



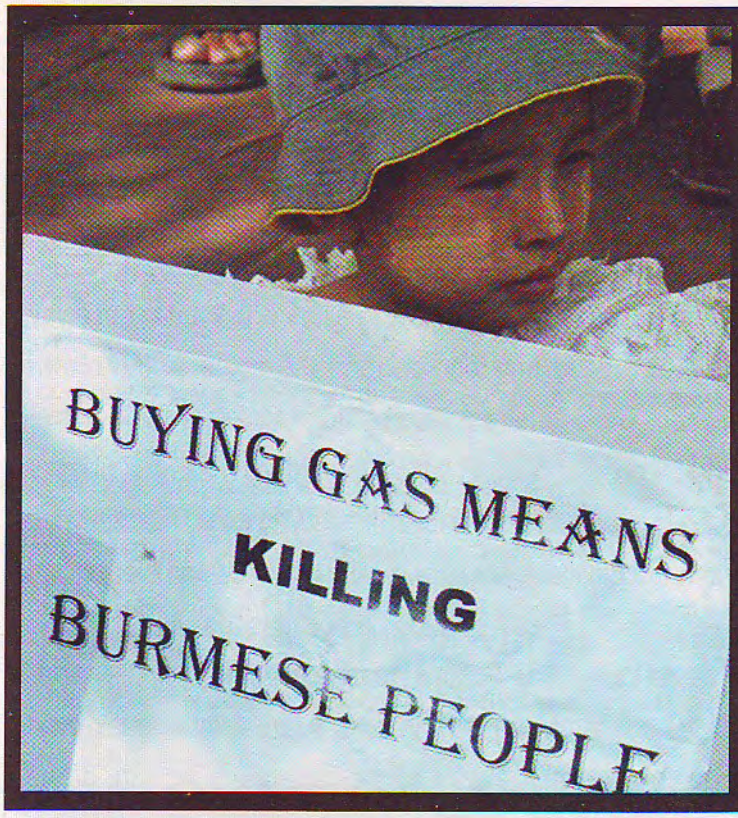
Khaing Raza (second from left) in Mizoram.

jail, it is highly probable that the accused will not get a fair trial. The media will be effectively barred from reporting on the proceedings, and this will severely impact transparency in a case that even otherwise is not getting the attention it deserves from the Indian press and public.

On 29 December 2006, the Association for Protection of Democratic Rights (APDR) organised a press conference at the Kolkata Press Club to protest the maltreatment meted out to the Burmese in confinement and of the sinister plan of the CBI to have the trial held inside the jail. The press conference was addressed by, among others, well-known author and activist Mahashweta Devi and APDR leader Sujato Bhadra. They called for a fair and open trial for the political prisoners. In a recent letter to two Burmese journalists in India, former presidential candidate and legendary Indian National Army (INA) freedom fighter Dr (Col) Lakshmi Sehgal has also expressed her solidarity. She writes, "I feel very disturbed that Burmese freedom fighters are languishing in post-independence Indian jail."

On 1 January 2007, some well-known intellectuals and politicians signed an open letter to West Bengal Chief Minister Buddhadeb Bhattacharjee, requesting him to ensure that the Burmese prisoners are treated with dignity and that their trial is in court as per the direction of the Supreme Court. The signatories include former West Bengal Finance Minister Ashok Mitra, filmmaker Mrinal Sen, writer Madhusree Mukherjee and National Women Commission member Malini Bhattacharya. Burmese democracy activists and organisations based in India submitted a memorandum to the chief minister on the same day asking that he withdraw all charges against the freedom fighters in a gesture of solidarity with the democratic aspirations of the Burmese peoples.

On 3 January 2007, the state government of West Bengal reversed its previous order that the accused not be removed from jail. The order states that the government will produce the prisoners before court on each and every hearing of their case. The date for hearing the charges has been fixed for 29 January 2007 at the City Sessions Court and it is likely that the Burmese freedom fighters will be charged by the court on that day.



Oil in the eyes

The desperation for natural gas in the larger countries of Asia has been a good thing for Burma's junta and bad for the people.

BY **KIM**

Even as Southasia's energy-strapped, fast-growing economies have led many to wonder whether antagonistic neighbours may be pushed together into forced cooperation, on the eastern edge of the region a less optimistic dynamic is playing out. Indeed, the huge natural-gas reserves of Burma have caused many Asian governments to turn a blind eye to Rangoon's continued oppressive and non-democratic tactics.

Burma stands on the world's tenth largest natural-gas reserves, estimated at more than 90 trillion cubic feet (tcf) in 19 on-shore and three major offshore fields. As the economies of South, Southeast and East Asia have soared upwards in recent years, the Shwe 'gas block' in western Burma's Arakan state has instigated intense competition between India, China, South Korea, Thailand, Japan and Singapore. South Korea's Daewoo International estimates that just two blocks from the Shwe gas field together have a reserve of about 20 tcf, equivalent to about 3.5 billion barrels of oil. There are currently four stakeholders in the Shwe Gas Project – Daewoo (which controls 60 percent), KOGAS of South Korea, and two Indian interests, the Oil and Natural Gas Corp (ONGC) and the Gas Authority of India Limited (GAIL).

India has outlined several options for importing gas from the Shwe field, including three land and three sea routes, besides transporting the product in liquefied or compressed states – LNG or CNG. New Delhi's most preferred option would be to construct a pipeline through Bangladesh to West Bengal (*see accompanying story, "Neighbourhood gas"*). Intransigence in Dhaka, however, has led to the formation of several preconditions unacceptable to India: a reduction of the Indo-Bangladeshi trade deficit, transit for trade goods to and from Nepal and Bhutan, as well as a guarantee from India to import more Bangladeshi goods. India's difficulty in changing Dhaka's mind on the pipeline project has led to fraying tempers in Rangoon, where junta officials have urged India to look to alternative plans, including setting up electricity-generation projects near the gas fields.

In December 2005, the Indo-Bangladeshi standoff on the matter led Burmese officials to sign a memorandum of understanding with PetroChina, one of China's largest privately owned companies and its second largest power generator. According to the agreement, by March 2006 PetroChina had completed a survey for a 2380 km pipeline from Kyakphu in Burma to China's Yunnan province. As part of the deal, Burma's military regime would have received a USD 84 million soft loan from Beijing. The pipeline would traverse central Burma's 'Dry Zone', hosting over 25 percent of the country's population, and home to some of the country's most pressing humanitarian needs.

Meanwhile, in June 2006 GAIL announced that it had completed a feasibility study for laying a 1400 km-long pipeline, worth USD 1.3 billion, from Sittwe in Burma to Gaya in Bihar via Aizawl, Silchar,

The junta stands to profit by USD 17 billion dollars from the Shwe Gas Project over its lifespan, which could become the government's single largest source of revenue.

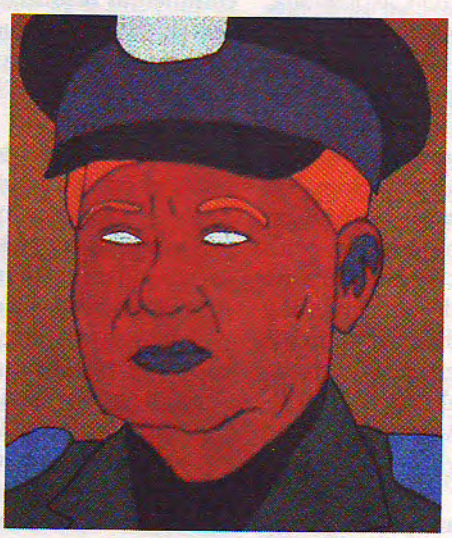
Guwahati, Tinsukia and Bengal. In return, the Export-Import Bank of India would extend a line of credit to Rangoon worth USD 20 million. This gasline would be constructed along the banks of the Kaladan River, where approximately one million people reside, 98 percent of whom lack electricity.

Oil for arms

In dealing with the evolving situation over Burmese petroleum, international oil firms have found themselves on the front lines, wrestling with issues of geopolitical significance and juggling new human-rights and environmental challenges. Weapons and military equipment purchases by the junta have increased substantially in recent years, as the generals have gained significant earnings from the sale of the country's natural resources to the increasingly energy-hungry neighbours of Asia.

The December 2006 indictment in South Korea of 14 Daewoo officials illustrates just how close the relationship between arms deals and natural-gas concessions can be in Burma. In 2001, Daewoo International, Doosan Infracore and Daewoo Heavy Industries allegedly signed a contract worth nearly USD 134 million to provide technology and materials to Rangoon to help build an ammunition plant capable of producing tens of thousands of shells per year for a variety of weapons. From the Shwe Gas Project, Daewoo International is expecting to net profits of USD 86 million per year for two decades.

While China remains the prime dealer of military equipment to Burma, India is currently stepping up both military and energy deals with the junta. This past December, the international watchdog Human Rights Watch released a report critical of New Delhi's proposed military assistance to Rangoon. At the same time, Burma's Military Chief-of-Staff, General Thura Shwe Mann, was reportedly meeting with the leader of the Indian Army's Eastern Command, Lieutenant-General Arvind Sharma, to discuss joint counter-insurgency training exercises. The meeting coincided with the announcement that India had signed a new deal to acquire exploration rights to Burma's offshore gas fields. The Indian Ministry of Defence has confirmed that exporting weaponry to Burma is part of a strategy to establish closer links with the country's military regime, in order to counter China's growing influence in the area.

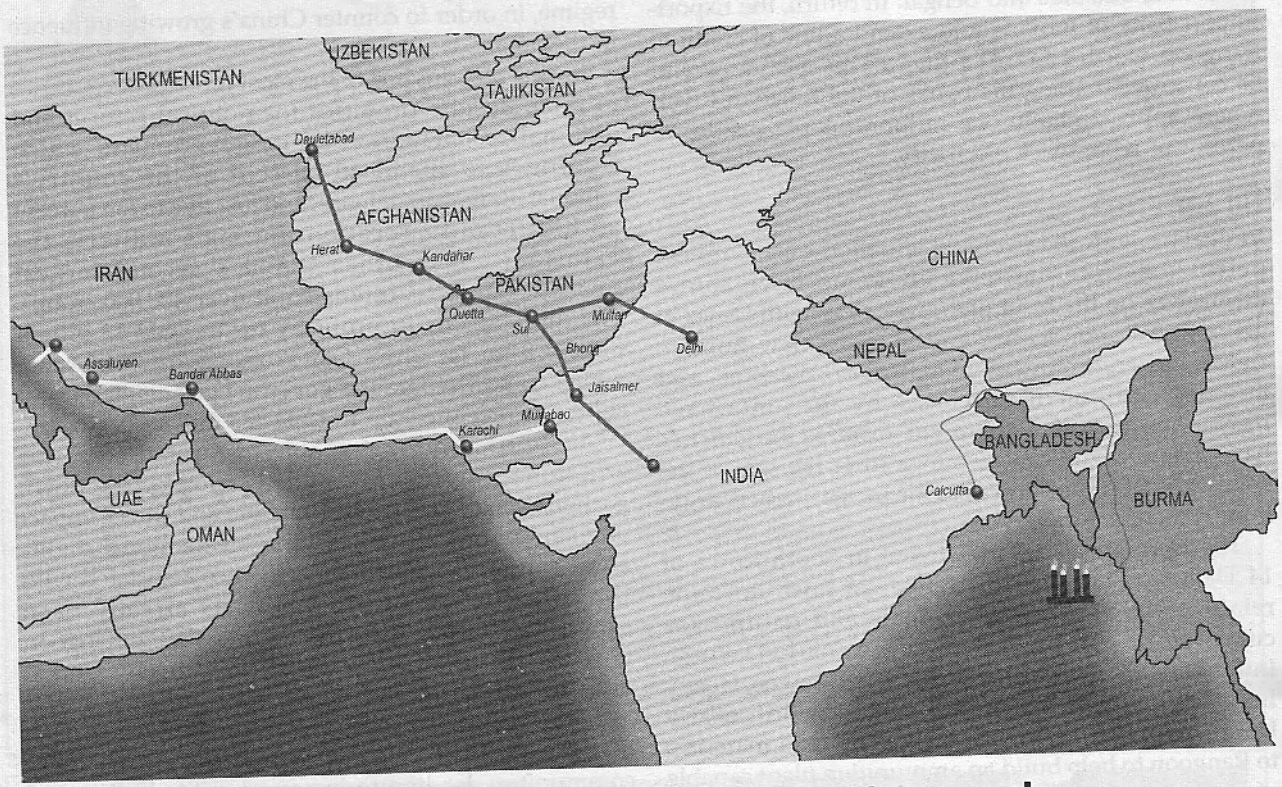


TOBIAS BRUNS

Burma remains one of the most repressive countries in Asia, despite promises for political reform and national reconciliation by its government, which continues to spend 40 percent of the country's national budget on defence, and just five to ten percent on health and education. Burma's military, the Tatmadaw, is Southeast Asia's second largest conventional force, estimated at over 400,000 troops. The junta stands to profit by up to USD 17 billion dollars from the Shwe Gas Project over its lifespan, which could become the government's single largest source of revenue – up to USD 825 million per year.

Aside from not being able to capitalise on this additional revenue, the construction of the Shwe gasline itself could have a dramatic and direct impact on many Burmese communities. Severe human-rights abuses and environmental negligence associated with the construction of pipelines has already been experienced in Burma. In the early 1990s, the Rangoon government partnered with the US company Unocal and France's Total to construct the Yadana and Yetagun pipelines through southern Burma. This massive project had disastrous effects on local communities, leading to increased militarisation and systematic human-rights abuses by the Burmese military – including widespread forced labour, confiscated lands, forced relocation, and instances of rape, torture and extrajudicial killings in the pipeline area. As per information available at the time of writing, the Burmese military has already begun conscripting forced labourers to build military camps and roads near the proposed pipeline routes to India and China.

Meanwhile, in early January 2007, just days after China and Russia jointly blocked a proposal before the United Nations Security Council to censure Rangoon's continued human-rights abuses, the Chinese government landed a new deal to further explore Burma's petroleum resources. Negotiations between India and Burma over gas pricing are continuing, with an agreement expected by the middle of the year. Such is the desperation for Burmese natural gas in India, and such a fear of growing Chinese influence on Burma, that human-rights issues will cut much ice in New Delhi – particularly if the Indian civil society continues to keep mum.



Waiting for neighbourhood gas

An update on India's gas-pipeline options.

BY **SUDHA MAHALINGAM**

Thousands of years ago, in the historic silk-route city of Baku on the banks of the Caspian Sea, ancients worshipped a phenomenon they could hardly comprehend: pillars of fire leaping skywards out of the ground. The flaming columns were in fact high-pressure natural-gas fields that had caught fire and could not be extinguished. We have traveled a long way since those times. Technology has enabled us to tame this gas, pipe it for burning in homes, offices and factories. More importantly, with the advent of the combined-cycle gas-turbine technology, humankind has learned to harness the full potential of natural gas, converting it into electricity, the most convenient form of energy. Being clean-burning, natural gas has acquired salience in a post-Kyoto world exercised over global warming caused by the indiscriminate burning of dirty fossil fuels such as coal and oil.

The ease with which natural gas can be transported by way of pipelines makes it essentially a regional or continental resource. While liquefaction technologies that allow for the fuel to be transported in containers have been around for several decades, and while the cost of liquefaction has been declining steadily over that time, liquefied natural gas (LNG) still accounts for no more than a tenth of the global gas trade. LNG remains an option only where pipelines cannot reach. The big gas consumers – the US and Europe – are crisscrossed by gas pipelines, those in the former carrying the fuel in from Canada and those in the latter from Russia, the North Sea and even Algeria. New pipelines are being built everywhere: the west-east pipeline in China, for instance, recently started supplying Shanghai with gas from Xinjiang, and the newly completed Blue Stream pipeline runs from Russia to Turkey under the Black Sea. Many other such lines are under construction in different parts of the world. For India, too, it is ideal that gas be supplied

through pipelines from neighbouring countries, not least because the price of LNG is firmly linked to crude prices, which in the last two years have not only been volatile, but have distinctly moved to a more expensive bracket. Besides, once constructed, pipelines offer security of supply because piped gas, unlike LNG tankers, cannot be diverted by recalcitrant producer states to other markets.

Natural gas currently accounts for around eight percent of India's energy use. With its energy-intensive growth paradigm, and given technological factors, efficiency and environmental obligations, the country has a virtually bottomless appetite for natural gas, especially for power generation and fertiliser production, both of which together constitute over 80 percent of all gas consumed in the country. Gas is an ideal fuel for power generation because it is converted into electricity more efficiently than coal, diesel or fuel oils and, unlike these, also burns relatively cleanly. Unlike hydropower projects, the use of gas to produce electricity does not displace great numbers of people, and unlike the use of nuclear power it produces no hazardous waste.

Fortunately, the Indian peninsula is ringed by gas-rich neighbours on virtually all sides – Pakistan to the west, Iran a bit further to the west, Turkmenistan to the north, Bangladesh to the east, and Burma to the southeast. In the last few years, substantial offshore gas finds have also been reported by Indian companies in the Krishna-Godavari Basin off the country's east coast. It is estimated that this basin could contain up to 15 trillion cubic feet (tcf) of gas. When brought on-stream, such a reserve could take away the urgency to tap neighbourhood gas. But transnational gas pipelines promise to be to Southasia what they have proven themselves to be the world over: not only energy lifelines, but the cement for geo-political alliances and business ties. Also in favour of piping gas from neighbourhood countries is the fact that the Krishna-Godavari Basin finds are deep-sea, offshore fields: the technological challenge they pose and the cost of extraction renders neighbourhood gas an attractive alternative for the moment.

South Pars to Southasia

Of the three pipeline projects that are under active consideration by the Indian government, the Iran-Pakistan-India (IPI) pipeline is perhaps the most promising. Iran is home to the world's second largest deposits of natural gas – deposits in the South Pars offshore region alone are estimated to contain 500 tcf, a sixth of the world's discovered gas. Especially given the severe impact of international sanctions, energy exports are critical to Iran's economy. They currently account for 80 percent of the country's export earnings.

The logical markets for the South Pars field are the countries closest to Iran. Since those to the west, north and south have substantial reserves of oil and gas themselves, it stands to reason that Iran will have to look east – to Pakistan, India and China. That Iran and the Subcontinent share cultural and historical ties augurs well for clinching commercial relationships. Pakistan's economy, unlike India's, is already heavily gas-based. Its depleting domestic gas reserves spell a vulnerability that piped gas from Iran could mitigate to a large extent.

Southasia has been home to simmering hostility and conflict for many decades now, and this has severely affected the growth potential of both India and Pakistan. The building of transnational energy pipelines in other parts of the world has demonstrated the ability of nation states to put aside political and other differences in pursuit of what is never a zero-sum game. There is no reason why India and Pakistan should not be able to follow that example. As a precedent, the two countries have the specific instance of the Indus Water Treaty, which has weathered political differences and conflicts.

While there are various estimates being floated about the extent of investments required to build the 2700 km IPI pipeline, the least it would cost is USD 5 billion. Such a massive investment would create stakes in peace not only for the supplier and consumers of gas served by this pipeline, but also for the international community of financiers, bankers and energy companies involved in the project.

In 2006, there was considerable progress on the IPI project. After regular meetings between ministers and officials of the three countries to discuss its contours and structure, there is now some degree of consensus on the route to be followed. The pipeline from the offshore South Pars gas field will pass through Bandar Abbas and follow the coast of the Gulf of Oman to reach Karachi, and then move on to Munabao on the Indian border. The fact that this route follows Pakistan's road and rail networks means that security and maintenance will pose fewer problems. The pipe will be 56 inches in diameter, and will be able to ferry up to 60 million cubic meters (mcm) of gas per day to Pakistan and 90 mcm per day to India. This flow will continue for 25 years.

While Manmohan Singh commented on a recent visit to Washington, DC on the difficulty of financing the IPI pipeline, his statement was made in the context of the Indo-US nuclear deal and must be taken with a grain of salt. Disagreements with regards to pricing

As a precedent to the IPI gasline, India and Pakistan have the specific instance of the Indus Water Treaty, which has weathered political difference and conflicts.

Gas markets are such that yesterday's extortionate prices may appear reasonable today and downright cheap tomorrow.

formulae are currently the main obstacle in the path of the pipeline. On this New Delhi and Islamabad are on the same side, an early indicator of how gas pipelines can bring antagonists together. While Iran might insist on linking the rate to the price of crude oil, both Pakistan and India would like to agree on a price range with a set floor and ceiling. In December, UK-based Gaffney, Cline and Associates was tri-laterally appointed to advise on the matter. At deadline there was no public information about the pricing formula recommended by the consultant, although on 26 January the three parties "finally" came to an agreement on the gas-pricing issue.

Pipelines everywhere

Another pipeline project on India's horizon involves the reserves in Burma's Arakan peninsula. India's public sector companies Oil and Natural Gas Corp (ONGC) Videsh Limited and Gas Authority of India Limited (GAIL) together hold a 30 percent stake in Shwe A-1, a field which is operated by Daewoo and said to contain 8 tcf of gas. Four routes have been identified by which Shwe A-1 gas might reach India, the nearest market. Two of them traverse the Chittagong tracts of Bangladesh and make their way west; one enters India by way of its border with Burma in India's Northeast; the last, involving an undersea pipeline to India's eastern shore, has been declared unfeasible due to the region's shifting seabed.

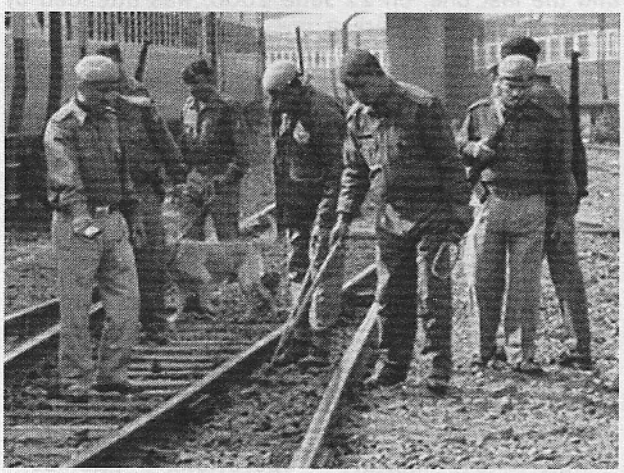
In 2005, a tripartite meeting of energy ministers of India, Burma and Bangladesh had agreed on building a pipeline to reach India by way of Bangladesh. Since then, however, India has been unwilling to cede the reciprocal conditions Bangladesh has placed. The proposal of late has thus been a pipeline that would enter through India's northeastern states, unlocking Tripura's stranded gas reserves along the way.

Opposition to the pipeline from groups both in Burma and in the Northeast, however, has been building steam. The proposed pipeline will traverse Arakan state, one of the poorest regions of Burma, where electric supply comes from diesel generators, that too rationed and only after sunset. This is only one of the areas in Burma that could well use the country's gas to fuel its own development aspirations. Further opposition comes from the fact that the Burmese people's past experience with gas pipelines has not been a happy one. The controversial Yadana-Yetagun pipeline built and operated by Unocal has supplied gas to Thailand since 1998. It was built despite opposition from local communities and has been under the scrutiny of US courts for alleged human-rights violations and use of forced labour. Whether due to opposition or to the difficulty posed by the terrain, an alternative proposal has emerged from Burma. The plan is now to build a power plant at Sittwe and transmit electricity to India instead of gas. If feasible, this is an eminently better option, since it would give the local people a stake in the project through the creation of employment opportunities.

The third pipeline project under consideration is the Turkmenistan-Afghanistan-Pakistan-India pipeline. Doubly landlocked Turkmenistan is home to one of the largest gas reserves in the region. Deposits are currently estimated to contain a staggering 100 tcf, but it is probable that reserves as yet undiscovered contain ten times as much. Until recently, Turkmenistan only exported its natural gas via a pipeline that traveled north through Uzbekistan and Kazakhstan on its way to Russia. A proposal for a pipeline originating in Dauletabad on the Afghanistan border and passing through Pakistan to reach India has been on the anvil for many years. The Asian Development Bank recently declared the project prima facie feasible. The 1680 km pipeline is to run through Herat and Kandahar in Afghanistan, the Pakistani cities of Quetta and Multan, and on to the Indian border town of Fazilka. The construction of the pipeline up to that point is estimated to cost USD 3.5 billion. If it is to be extended to Delhi, it will have to traverse another 600 km. The proposal had gained momentum as of November 2006 when, during his trip to New Delhi, Hamid Karzai expressed a keenness to facilitate an energy bridge to India.

The ultimate viability of the Turkmenistan pipeline will depend on the amount of surplus gas available in the country's fields, over and above what has been committed to other buyers. In the past, Turkmenistan has driven away two interested investors – Bridas of Argentina and Unocal of the US – because of its unstable and inconsistent policy environment. While Turkmenistan's ratification of the Energy Charter Treaty has introduced a modicum of certainty and stability, the sudden death of President Saparmurat Niyazov in December 2006 has left political equations disrupted. India and Pakistan may have to wait for the dust to settle before planning further.

Gas markets are such that yesterday's extortionate prices may appear reasonable today and downright cheap tomorrow. The sooner India, for one, can start accessing gas from its surrounding countries, the better it will be for its energy security. Politics does stand in the way, as Turkmen gas cannot really be accessed until Afghanistan stabilises, and even the IPI pipeline will require enormous confidence-building measures. Given its needs, however, it is vital that India do whatever it can to settle differences with its neighbours and start building those wonderful fuel lines.



AP

Hunting for rebels, looking for peace

A series of blunders by both New Delhi and Assam's ULFA rebels in recent months have certainly complicated the peace process, but all is not yet lost.

BY **WASBIR HUSSAIN**

Assam is bleeding. In the first week of January, armed with Kalashnikovs and other weaponry, rebels of the United Liberation Front of Asom (ULFA) carried out a series of massacres across five districts of eastern Assam, killing 61 Hindi-speaking migrant workers. Close to 8000 of the survivors, most of them hailing from Bihar, have now been moved to about 50 government-run shelters for protection. There is panic, and quite a few of these seasonal migrants who work in dispersed brick kilns and dairy farms, or do odd jobs all over, have taken the train out of the state.

The ULFA, one of the Indian Northeast's most potent insurgent groups, clearly wanted to sow terror in an attempt to force New Delhi to take it seriously. Hindi speakers, after all, are regarded by radical sections in Assam and elsewhere in the Northeast as symbols of the dominant political class ruling the country -- hence, the deliberate targeting of Hindi speakers.

The timing of the attacks might be instructive: the tentative peace talks that began in September 2005 derailed exactly a year later, over preconditions set by both the rebels and the central government. The ULFA possibly wants the peace process resumed, but in terms favourable to it, and hence the need for some attention-grabbing violence in the run-up to Republic Day, 26 January. The ULFA, in fact, called a 17-hour general strike from one in the morning on 26 January to enforce its call for a boycott of India's national day. The ULFA may also have wanted everyone to take seriously its call for a boycott of the upcoming National Games, India's biggest sporting event. The games are to be hosted by Assam in Guwahati on 9-18 February.

The ULFA may indeed have achieved its immediate objective – that of making New Delhi sit up and take notice. Starting with the junior minister for home affairs, Sriprakash Jaiswal, government leaders have also been flocking to the sites of carnage, besides Guwahati. Those visiting Assam included Railway Minister Laloo Prasad Yadav, who himself hails from Bihar and has been its chief minister, Defence Minister A K Antony, and Indian Army Chief General J J Singh.

As expected, a massive joint operation with the army, police and paramilitary has been launched, adding teeth to the continuing counter-insurgency offensive in the state. Maj Gen N C Marwah, the Indian Army commander in charge of the operations in eastern Assam, told this writer

that troops are being dropped from helicopters in remote and heavily wooded areas to pursue the elusive rebels. Four rebels had been killed in earlier operations, while several others, including a seven-member group trying to sneak into Burma through adjoining Nagaland, have been captured along with weaponry. With the government having responded to ULFA violence by raising the stakes, what Assam and the Northeast have in store for themselves in the immediate future is the question on everyone's mind.

Sovereignty and socialism

It has been more than 16 years since the Indian government put the army, police and paramilitary on the ULFA's tail. The counter-insurgency offensive first launched on the night of 27 November 1990, which was meant to rapidly neutralise the dreaded group, continues to this day. Over the years, the ULFA - formed in 1979 with the objective of achieving a "sovereign, Socialist Assam" - has established trans-border linkages, and the Indian security establishment has been openly talking of the group's alleged patronage by authorities in Bangladesh and Pakistan. Indian authorities are convinced that the outfit's top leaders operate out of Bangladesh, a charge Dhaka has consistently denied.

In December 2003, the ULFA's largest base outside India, located in the jungles along southern Bhutan, was demolished, and up to 2000 fighters expelled by an India-supported Bhutani military assault. Today, the group is thought to have major jungle hideouts only in Burma's Sagaing division. (Bhutani authorities, including Bhutan's ambassador to India, Dago Tshering, have denied reports about rebels re-entering Bhutan, although Indian intelligence officials do say that the ULFA has been using places in Bhutan as temporary resting spots once again.) Statistics available from the Assam Police show that between 1991 and October 2006, the Indian security forces had killed 1128 ULFA cadres and captured 11,173. During the same period, 8465 militants surrendered before authorities. Despite these reverses, the ULFA continues to maintain its presence by striking at regular intervals. Unlike targeted assassinations in the past, the ULFA today does not hesitate to trigger off blasts using improvised explosive devices in public places. In early January, for instance, civilians were killed in four explosions set off in the heart of Guwahati.

Prodded by the state government in Guwahati, which maintained that a military solution would be difficult to achieve, New Delhi had agreed to search for a negotiated political settlement. On 7 September 2005, the rebels made the surprise announcement of setting up of a People's Consultative Group (PCG) to prepare the ground for talks. The nine-member hand-picked team, comprising journalists, rights activists, lawyers and academics, was led by Indira Goswami, a celebrated Assamese writer and Delhi University professor, who was entrusted with the task of coordinating between the PCG and the Indian government. She was being assisted by Rebati Phukan, a childhood friend of the ULFA's elusive boss, 'Chief of Staff' Paresh Barua. Phukan had also served as a go-between in a failed peace initiative in the early 1990s.

The PCG held three rounds of talks with the federal authorities in New Delhi, with the first meeting on 26 October 2005 being attended by Manmohan Singh himself. The second round was held on 7 February 2006, and the last one, on 22 June 2006, was attended by Home Minister Shivraj Patil. What did the PCG achieve in these three rounds of 'exploratory talks' with New Delhi?

- It was able to tell the government, from a position that had the sanction of the ULFA, that the rebel group was indeed serious about restoration of peace through an acceptable solution achieved through a dialogue process.
- It pressed for, and argued with the central government about the need to release the five imprisoned leaders, who are members of its 18-member decision-making Central Committee, so they could help prepare for direct ULFA-government.
- It encouraged the government to go for a temporary halt to military operations against the ULFA, which New Delhi did announce in August 2006.

What the PCG failed to achieve was to create conditions for a ceasefire between the ULFA and the government. As a result, violence by the ULFA and the government's counter-insurgency responses - if not full-fledged 'operations' - continued even while the PCG-government talks went forward. According to the Assam Police, between September 2005 and June 2006 the militants had triggered as many as 52 blasts. During that period, more than 40 civilians were killed and 135 injured.

Talks break down

Why did the ULFA carry out violent activities even while indicating its willingness to resolve matters through talks? Security officials feel that the ULFA was buying time by talking of peace while engaged in regrouping and raising money through extortion. At the same time, the ULFA is known to demonstrate its strike potential from time to

The government bungled by not talking in one voice - the army's expression of doubts over the peace process through a press statement was significant and unnecessary.

time, by way of making a point. A much more likely explanation as to the continuing acts of violence is that the hardliners, who may not necessarily be part of the ULFA top leadership, could be unwilling to join the peace bandwagon as yet. The ULFA, of course, denies that the group is divided over peace talks, and an independent assessment is not easy.

There are those in the Indian security establishment who ask whether the ULFA top brass even has the freedom to take independent decisions on starting a peace dialogue to resolve the 28-year-long insurrection in Assam. They ask the question because, in their assessment, the top ULFA leaders are based in Bangladesh and are under the 'care and influence' of the Pakistani Inter Services Intelligence (ISI) and its Bangladeshi equivalent, the Directorate General of Forces Intelligence (DGFI).

Significantly, the issue of ceasefire or no ceasefire was not what led to the stalemate, if not derailment, of the peace process in Assam. What were the reasons the peace process went off track?

- The government of India wanted the ULFA to formally name its negotiating team, while the insurgents responded that for this they needed the five Central Committee members freed.
- New Delhi then called for a firm commitment from the ULFA, in writing, that it was interested in talking peace with the government. The ULFA responded by asking New Delhi to give a written assurance that the group's core issue of sovereignty would figure in the talks.
- The ULFA also insisted on information on the whereabouts of 14 of its members who had gone 'missing' after the 2003 Bhutani military operation.
- The army expressed its doubts publicly through a press statement about the ULFA's intentions, even while the so-called truce was on, suggesting that the Centre was talking in different tongues.

Eventually, as the ULFA violence continued, New Delhi called off its unilateral decision of August 2006 to suspend counter-insurgency operations in Assam, and the security forces were once again put on the ULFA's trail on 24 September.

Hazy outlook

As far as the blame for the return to conflict was concerned, the government bungled by not talking in one voice - the army's expression of doubts over the peace process through a press statement was significant and unnecessary. The government was also ill-advised in sticking to its demand for a written assurance from the ULFA, because if the rebels had not been interested in peace they would not have set up the PCG in the first place. The government could also have set the five detained ULFA leaders free unilaterally, which would have required the ULFA to reciprocate meaningfully.

If the rebels had not been interested in peace they would not have set up the PCG in the first place.

As for the PCG, it made the biggest blunder by formally announcing that it was withdrawing from the process of negotiations when the government resumed military operations in October. It gave the impression that it was nothing more than a group working under directions from the ULFA, without any relevance or role of its own.

The scenario in Assam, and the dynamics for the engagement between the ULFA, the state government and the Centre, changed dramatically after the early January killings. The ULFA-endorsed peace facilitator Indira Goswami has openly expressed her distress at the massacres, and Chief Minister Tarun Gogoi has conceded that the ULFA used the six-week truce to regroup and refocus its strategy. The message coming out now from both the central and state authorities is that there can be no peace talks with the ULFA unless the group announces a halt to violence. This would only mean that the battle is poised to continue for some time, as such a rejection of violence cannot be expected from the insurgents at present.

Despite the depressing outlook, however, there are those who believe that the peace process can be revived and the stalemate broken if New Delhi were to extend a fresh invitation to the PCG for resumption of talks. If the PCG refuses to accept such an invitation, people like Indira Goswami or Rebati Phukan could be approached to act as facilitators in their individual capacities. The Centre would also be advised to appoint an interlocutor or a 'Group of Ministers' to exclusively deal with the ULFA issue. Simultaneously, the government could work out its own modalities for a ceasefire, publicise them, and ask the rebels to reciprocate. The five ULFA leaders could be released if the PCG or facilitators are able to confirm that such a move would lead to direct talks.

Assuming that the two sides agree to look beyond the killing of innocents and actually talk peace, what is it that the ULFA could settle for to bring the curtains down on its armed struggle? Everything hinges on the possibilities on that score. The Bodos, the Karbis or the Dimasas, all major ethnic groups in Assam, can perhaps still be given more autonomy. But can the majority Assamese of Assam also be given autonomy under a new constitutional arrangement? That would, firstly, beg the question of who is an 'Assamese', for if the Bodo, Karbi and Dimasa communities are also to be bracketed under the inclusive term 'Assamese' and regarded as part of the greater Assamese society - which they actually are - will a possible autonomy package also include them? Things are hazy to say the least, and arriving at acceptable solutions to these issues will be no easy task.

'Milakpani te ahibo, sopna te dekhibo'

Nilikesh Gogoi, an Assamese local legend, was shot to death by Central Industrial Security Force troops on 23 January 2007.

BY **SANJAY BARBORA**

Usually, legends have a larger-than-life aura around them. They are masters of all they survey. While this may be the general trajectory, it does not explain how legends are born (and killed) in small towns in far-off places like Assam. Nilikesh Gogoi was a coal trader, a poet, a farmer, a collectivist, an oral historian and a man who resolved conflicts that arose between hill people and authorities. He was, in short, a local legend.

On 23 January 2007, Nilikesh and his two of his business associates were returning from a trip to the hills that border Gelekey in upper Assam. On the way, they overtook a slow-moving jeep manned by Central Industrial Security Force (CISF) personnel. Just when they were about to clear the vehicle in front on them, they were shot at. Nilikesh Gogoi and his pillion rider, Bholu Gogoi, died instantly, but their companion, Arup Saikia, survived the shooting. The fact that the CISF troops felt empowered enough to take these lives in this manner – and expected to get away with it – is a statement about the tragedies that unfold under the Government of India's current security policy for the Northeast.

Nilikesh Gogoi was the undisputed scamp and pixie-king of the Assam-Naga foothills. His universe stretched from Sibsagar town to the villages of Anakhi Imsen – not a very large tract of land, but stable enough to be a storehouse of history, myths and folklore. He crisscrossed the winding Pioneer Road, whizzed across the Lahdoigarh Line, and stumbled around as though borders made not an ounce of difference. Truth be told, he was not too convinced by modern maps and surveying techniques. Over several shots of rum, he would reel off names of villages and towns that were the domain of the Naga people in the olden days. At times like this, his conversations – like his wonderful imagination – would be free from chronological and political fetters. The past, with its myths and immense possibilities of romance, was what could happen tomorrow. Spouting such sentiments, he was irresistible.

Rum and tales

One day, not so long ago, Nilikesh strapped to his back a rucksack belonging to this writer's partner. He then proceeded to take her up a treacherous mountain track to meet with her fellow Naga people, who lived along the frontiers of a plantation complex. He explained to her that he needed her rucksack because he was carrying with him something very

important – a jug of rum, along with stories about how the planters came to the area during the 19th century, cut the forests to make tea chests, and pushed the Nagas further from the valley where they would come to trade. These stories grew bigger and more real as he narrated how the Lahdoigarh Line sequestered the hill people, and how planters brought in troops to secure their precious investments.

Nilikesh's stories, fuelled by a bit of rum, spoke of the times when his ancestors, realising the limits of their power, had made peace with the Naga people and evolved a civilised system of respect for each other's authority. He liked that part of the past. He half-jokingly wore the mantle of a latter-day Supatphaa (Gadadhar Singha), the great Ahom adventurer king of the 17th century, and issued mock commands to his grinning friends. Later, in the course of this rough ride up the mountain, he would look remorsefully at the ground while being berated for his impossible projects. To make up for his almost adolescent trespass, he sang a Naga Bihu song: "*Milakpani te ahibo, sopna te dekhibo* ..." (I shall come to the River Milak, and you will see me in your dreams). That song was a personal anthem of this writer, when my colleague and I walked the streets of Bangkok trying to connect with our Thai cousins. Sitting on the streets of the city with a bewildered audience, we sang his song and it made us proud.

Nilikesh's grasp of history and politics was unparalleled. He kept a critical distance from dominant political parties and organisations. His universe was rather small, but like any good activist, he knew it well. The plantations that dot the landscape of Gelekey, the local marts where people barter their good and incur debts, the small settlements of migrants – all of these were part of his politics and life. He knew that the lines between legality and illegality were ambiguous in the frontiers, and that the presence of a gun blurred those boundaries further. As with any person who has to survive such a predicament, he pushed himself into work that would make life a little more to his liking.

He always believed that legends could not die; they always reappeared in time.

He had a bed and a warm meal ready for him in all the Naga villages along the foothills. To them, he was a friend who could talk to the police and contain the type of conflicts that would arise when Naga villagers would come to the valley markets. For him, the Naga villages were his home. His political strategies were a matter of scale. Of course, he also spoke about the indignities heaped upon the people of Iraq, but he was equally passionate about the collective farm that he had helped to start. He was always in a hurry to point out where history, politics and economy met up in his universe of 40 square kilometres.

Ghosts and spirits

One was always surprised with Nilikesh's natural ability to navigate through the vicious politics that surrounded the various security agencies in the area. For a small place, Gelekey has an inordinate number of people with guns. The government and security agencies would have us believe that this is because there are Naga and Assamese rebels in the area. Even if that were true, the government, not to be outdone, has thrown in its companies of army and paramilitary personnel, thereby making the area a veritable garrison. Nilikesh saw these security forces as temporary trespassers, like the British planters. He charmed them, perhaps even infuriated them, but he always looked right through the barrel of their guns.

His small-town life was always a chaotic run for documents, titles, the occasional conversation with a friend, a few stern words to errant associates; he took all of this – including runs-in with the authorities – in stride. In the evenings, when friends dropped in from faraway places, he would wrap his fingers around a cup of tea and narrate mad stories about ghosts and spirits. For those of us not used to the layered life of Gelekey, it seemed that the ghosts and spirits were all around us. He would taunt these ghosts, as he would taunt the armed paramilitary personnel for their corruption. He was never exhausted, and on such evenings he was nearly unstoppable.

Ironically, that is what the CISF is now saying – that Nilikesh did not stop when ordered to do so. His associate who survived has a dramatically differing story – that they were shot and killed without any provocation. There is talk of a high-level cover up, even as the state government announced a compensation package and arrested one of the accused. As one tries to come to terms with the loss, one realises that this is an unending and vicious cycle of lies and subterfuge. Following all the innumerable loss of lives in Assam, the administration will walk the tired road and hope for things to become a little quieter, before ploughing the barren fields of security and counter-insurgency.

They may reduce Nilikesh Gogoi to another statistical victim of counter-insurgency, but if he were alive he would cackle into his glass of tea. He always believed that legends could not die; they always reappeared in time. This, then, is his time to reappear.

Nilikesh Gogoi's universe has just become bigger. From Palo Alto to Purona Bosti, those who knew him and what he stood for will sing his Milakpani song. Those in power will wonder what this song means. It is a reminder of peoples' histories, passions and dreams that run against ambitious state-driven projects. It is, after all, a simple song about the legends, myths and folklore of the foothills. It is about how our people live despite the conditions imposed upon us, and that, in some wild, wonderful way, justice will be done.

Denial and polarisation

2007 offers little hope of a return to peace in Sri Lanka, as a survey finds alarming support for the escalating war. Meanwhile, those in Colombo who speak for peace and federalism are reviled as anti-nationals.

BY **SANJANA HATTOTUWA**

The undeclared Eelam War IV in Sri Lanka shows no signs of abating. The Ceasefire Agreement, whatever is left of it, is enervated and made more irrelevant daily. Violence in the north and the east increased dramatically in 2006. Thousands continue to be displaced – unable to return to their homes, starving, without access to basic human necessities or redress against repeated human-rights violations. Many more have fled Sri Lanka to South India, bringing back memories of the exodus of refugees in the late 1980s. In Colombo, a draconian government with scant regard for human rights uses the continuing intransigence of the Liberation Tigers of Tamil Eelam as an excuse to clamp down on civil society, NGOs and the media. Legislation enacted in 2006, most notably the anti-terrorism regulations, has stifled democratic rights and civil liberties. Many peace rallies around the country have been routed by thugs and goons affiliated to current members of Parliament.

A growing culture of impunity pervades the country. The establishment of the International Independent Group of Eminent Persons (IIGEP), meant to display the government's interest in investigating high-profile assassinations, killings and disappearances, is only a half-hearted attempt for the benefit of the international community. Supine government advisors, jostling for favour, write long columns espousing military offensives as the only way towards a sustainable peace, with a militarily-emaciated LTTE believed to be more interested in a victor's peace process.

The LTTE, for its part, shows no interest whatsoever in confidence-building measures and actions that could lead to a substantive peace process. The intensity of armed conflict, coupled with the alleged suicide bombings and terror attacks against civilian targets in the south, galvanise the perennial suspicion that the Tigers want 'Eelam' at any cost and will not countenance any other option.

Vanishing middle ground

Given the intransigence on either side, securing a modicum of peace in Sri Lanka in 2007 is going to be possible only through an emphasis on human rights. In this framework, the denial of livelihoods and the large-scale displacement of citizens in the north and east, in the interests of national security, are inexcusable failures of the Mahinda Rajapakse government.

The idea of those in power to cleanse the Eastern Province of the LTTE and position in its place Karuna and his 'political party', the Tamil Makkal Viduthalai Pulikal (TMVP), is extremely disturbing. Concerns raised by local activists and international missions about the Sri Lankan Army's complicity in Karuna's regime of violence in the east are met with vehement denial by the renegade rebel as well as the government. But Karuna is no democrat, and the allegations of extortion, killings and violence, to which the government turns a blind eye, are true. The emplacement of the TMVP would only subject communities in the east to another regime with scant regard for democratic governance.

But then, denial is the order of the day. The government has denied almost every criticism of its conduct since it assumed power in November 2005. The polity and society in Sri Lanka today are increasingly and perhaps irrevocably divided – one camp believes that the actions of the government will foster peace, the other that they will exacerbate the conflict. The middle ground has shrunk immensely. The space in Sri Lanka for constructive dissent and debate on contemporary issues have severely eroded. With the president himself stating that citizens are either with him and the common man in the war against terror or against them both, this is a difficult time for those who oppose such gross over-simplifications. And as polarisation increases, civil society is progressively marginalised – especially those voices in support of a negotiated settlement and the prioritisation of human rights. The festering mix of intolerance and impunity is creating a situation ripe for the escalation of violence.

As noted in the November 2006 report of the Peace Confidence Index (PCI) survey conducted by the Centre for Policy Alternatives, support for a military solution is rising in the Sinhala community. A quarter of those Sinhalese surveyed said they supported a military solution. The poll finds that opinion varies significantly between the communities when respondents are asked about the commitment of the government and the LTTE to a negotiated peace settlement. Many Sinhalese agree that the government is fully capable of and committed to a negotiated peace settlement, and a majority of up-country Tamils feel that the LTTE is committed to finding peace through talks. At the same time, the majority of those polled believe that it is likely a war will resume. A majority of Sinhalese polled also

agreed that the government should expand its military action – including to an all-out war – in order to weaken the LTTE, possibly on account of the (willing and coerced) media blackout on human-rights violations and ground conditions in the country's north and east.

Norway remains unpopular as a facilitator amongst the Sinhalese, the majority of whom are dissatisfied with its role and disapprove of it continued involvement with the peace process. A majority of Sri Lankans believe that it is the government that is responsible for protecting human rights. While 55 percent of the Sinhala community believes that the government has done enough to protect human rights, there is a sharp difference of opinion amongst the Sinhalese and up-country Tamils on this issue; nearly 78 percent of the latter feel human-rights protection by the government is inadequate.

These findings reveal the splinters of a fractured nation. Showing growing support for a resumption of a war (albeit of a Hobbesian nature) that will quickly weed out the LTTE and its threat to Sri Lanka's territorial integrity; they also flag the growing differences of opinion regarding conflict and peace-building between ethnicities.

The victims of this warlike mentality are both human and conceptual. The human cost of renewed conflict is already in the thousands, not counting the thousands of families rendered homeless and hopeless. The conceptual cost of renewed hostilities, perhaps even more disturbing, is the stifling of voices in support of federalism, democratic governance and a rights-based approach to peace-building. Voices such as that of Kethesh Loganathan – a noted Tamil-nationalist intellectual, who at the time of his assassination was the Deputy Secretary General of the government's Peace Secretariat – have already been brutally silenced. Many other people, fearing for their lives, have contemplated exile, or are now censoring their articles and interventions in the media and in public life. The fear of death, palpable and real, stalks many leading peace activists in Sri Lanka today. The generation of this fear has largely escaped international condemnation because of its relative invisibility in light of the visceral atrocities in the north and east of the island.

War for peace?

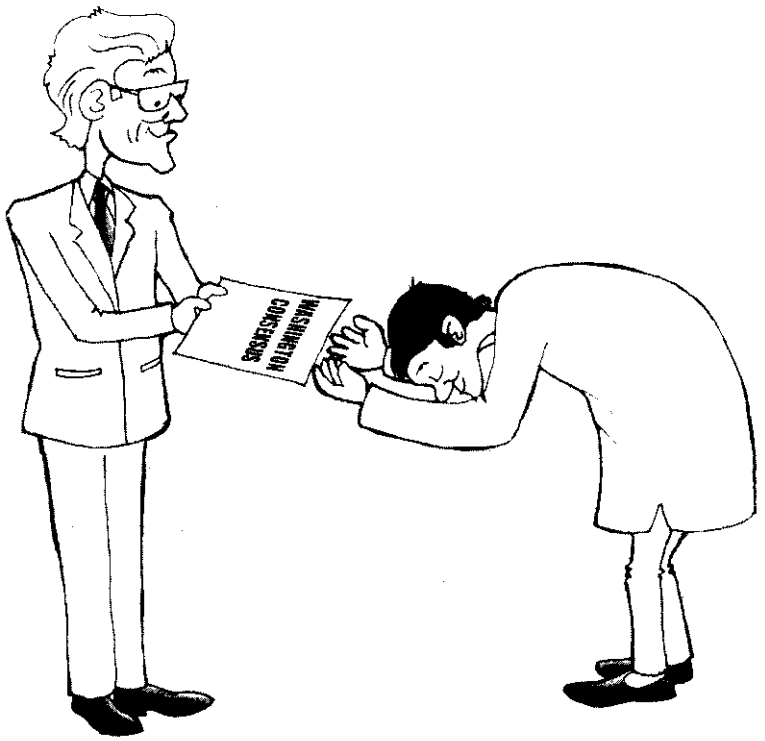
Given such a scenario, how can one maintain optimism and hope? This is a difficult question to answer. The only alternative to the ethnic conflict in Sri Lanka is a federal, negotiated solution that secures the inalienable democratic rights of *all* citizens. To this end, war may not be a mad idea conceptually – if it miraculously goes according to plan, the expectation is that it will 'liberate' tracts of lands and peoples in the north and east, delivering unto them democracy denied for over two decades.

Given the warranted suspicion by many of this ever taking place – not to mention the democratic deficit in the south, and the sordid history of many botched wars-for-peace efforts in the past – war must be considered a bad idea. In other words, military offensives may secure tracts of land, but it is impossible to think that the incumbent government can secure the hearts and minds of those who have borne the brunt of war. And is it not the case that the same problems with governance, corruption, nepotism and lack of delivery of government services that have led to so much hardship and despair in the war-affected areas are borne by all citizens, even those in the south? This must be the central case for federalism – that it is not merely a solution to the ethnic conflict but a means by which to secure better living conditions, better governance, better service delivery, and more accountable, transparent and responsive state institutions in the service of citizens in the south, west, east and north of Sri Lanka.

Regrettably, the articulation of such views in Sri Lanka today immediately relegates the speaker to an increasingly abhorred minority. Worse, this minority is one that is perceived to write and speak in favour of enemies of the state, and is thus to be 'contained' at all costs. And containment involves abduction, torture, the threat of violence and even outright murder. Today, Sri Lanka is not just at war against the LTTE. It is at war with those who support democracy, justice, the rule of law and fundamental rights. It is imperative that the international community support democratic voices within Sri Lanka to ensure that the country does not emerge victorious against the LTTE, only to find that it suffers a severe deficit of democracy. Accordingly, urgent and sustained measures are needed to secure and strengthen rule of law and democracy. And, as noted in the January 2007 report released by All Party Representative Committee (APRC) chairman Tissa Vitharana, we need to develop a more robust idea of what it is to be 'Sri Lankan':

> The right of every constituent people to develop its own language, to develop and promote its culture and to preserve its history and the right to its due share of State power including the right to due representation in institutions of government shall be recognised without in any way weakening the common Sri Lankan identity.

This larger Sri Lankan identity, one we are so desperately in need of today, is founded on respect for human rights, fostered through democratic means, sustained through non-military measures and made possible by meaningful power-sharing along federal lines. It is this simple point that needs to be drilled into the minds of those in power, those with arms in Sri Lanka and those who call for war – this year, and in the years to come.



BILASH RAI

Failure of government to failure of market

While privatisation has led to some important gains in Pakistan in recent years, Islamabad policymakers have been too accepting and uncritical of Western market economics. In particular, regulation in the country's newly liberalised markets needs to be strengthened.

BY **FAISAL BARI**

Throughout the 1990s and into the current decade, the rhetoric of the various governments in Pakistan regarding economic policy and the mantra for success has revolved around privatisation, deregulation and liberalisation – the foundational pillars of the so-called Washington Consensus. Sympathetic Western economists propagated the idea that these three acts have four significant effects. First, they would unleash the potential of private initiative in areas of international trade, as well as in sectors that the private sector had previously been barred from entering. Second, they would make the public sector more competitive by privatising substantial chunks of it, by increasing competitive pressures being offered by private-sector alternatives or by introducing of corporatisation within the public sector. Third, they would limit the losses of the public sector. And fourth, doing so would hopefully allow the government to lower fiscal deficits and possible impacts of explicit or implicit, actual or contingent liabilities.

By the dictates of the Washington Consensus, the role of government is redefined. 'Right-sizing', 'down-sizing' and 'restructuring' would allow the government to remain only in areas where it could actually deliver something, or where its presence was necessary. The 'commanding heights' of the economy were to be turned over to the private sector, and the government was to become a guarantor of a 'level playing field', ensuring that the 'rules of the game' were clear and adhered to by all.

And this was not just rhetoric. The successive governments of the 1990s and early 2000s did indeed pursue these objectives enthusiastically. Trade barriers were significantly lessened: average tariffs were brought down, tariff spreads were reduced, most quantitative restrictions on imports and exports were abolished, and 'negative lists' were trimmed substantially. Most of the industrial enterprises in the public sector have now been privatised; banking, insurance and non-bank financial sectors are now mostly private; and many utilities were privatised. What has been left is slated for privatisation over the next few years. Islamabad has opened up almost all of the country's sectors – barring a few related to defence, nuclear energy and other strategic areas – to private investment. Over the last decade and a half, government expenditures have been trimmed, fiscal deficits have been more than halved and even international debt has been restructured to furnish more fiscal space for the government.

The deeper thinking behind the emphasis on privatisation, deregulation and liberalisation, has been about government failure (as contrasted with market failure) and the inability of government-owned and -operated organisations to resolve issues related to principal-agent problems,

high-powered incentives, hard budgets and so on. But what was not appreciated enough was that the government had entered these areas precisely because these sectors were not very competitive, had significant fixed- and sunk-cost elements, were prone to externalities and other market failures, and had elements of oligopolies or monopolies. So, while pointing out government failure was important, it did not make sense to suggest that privatisation, liberalisation and deregulation would lead to better outcomes in all sub-sectors and under all conditions.

Instead, what was needed was a careful deliberation on market technologies and market conditions and structures in these areas and a consideration of what would be the best of four options. In the first scenario, the government would continue to be the dominant player in the area, but with better incentives for delivering efficiency. In the second, the area would be opened up for competition from the private sector, but with better incentives for delivering efficiency. In the third, the government would be removed from the sector completely. And in the fourth, a sector-specific and/or general regulator would be introduced in the area, irrespective of the constitution of its players. In the forced enforcement of the Washington Consensus, this careful consideration was almost completely ignored. The government went in for major initiatives in privatisation, liberalisation and deregulation, without carrying out a nuanced analysis of the sectors beforehand. This has led to some outcomes in service areas where the state was previously active that have definitely not been improvements over the initial conditions.

Monopoly Control Authority

In the early 1990s, the government of Pakistan decided that it had no business owning, controlling or operating cement plants. It thus decided to allow the private sector to enter into the area, and to privatise all the plants that it owned. By the mid-1990s, most of the transition had been achieved, and the control of the sector was shifted from the State Cement Corporation to the market and private sector. Almost immediately after the change of stewardship, prices in the sector rose significantly, prompting charges that a cartel had been formed to raise prices and that certain players had begun making significantly higher profits.

> The only area where the regulator has been strengthened sufficiently, and is doing well, is in banking.

The charge of cartelisation was not completely absurd. At that time, as now, the industry had plants that were both new and old; older plants had machinery that had been already paid for and so had lower costs; certain plants were following different production technologies and different inputs. But all were coexisting in the same market. At the same time, prices were well above costs of production, and there was excess capacity lying unutilised. The price increases also could not be explained by increases in costs of inputs or changes on the demand side. As such, there was sufficient evidence to suggest that something was afoot in the sector.

The national Monopoly Control Authority (MCA) did investigate the charges, eventually ruling that the sector was indeed cartelised and needed intervention. The ruling was set aside by the government of the time, but since then there have been repeated episodes of price increases and supply disruptions in the cement sector, and allegations of cartels have been commonly voiced in the media. The MCA has subsequently investigated the area multiple times, and there have also been calls for investigations from the National Accountability Bureau (currently Pakistan's main anti-corruption body), but there has not been any definitive action undertaken by the government.

Prices in the sector do show a pattern: stable, high prices for some time, followed by a period of decrease and variability in prices before they again become high and stable. This pattern could be the result of periods of cartel activity (which would explain the stable prices) followed by periods when the cartel breaks down (which explains the erratic episodes). Such patterns are possible when, in a dynamic situation, there are incentives for both forming a cartel and cheating; or when the environment keeps intruding – for instance by unpredictable supply, cost or demand shocks, or changes in expectations. Nonetheless, a more detailed study of the area is needed to be sure about the facts and to figure out what should be done as a remedy.

NEPRA, PTA, OGRA & PEMRA

Herein lies the rub: privatisation of areas with significant non-competitive elements can lead to cartels, monopoly pricing, as well as other non-competitive behaviours and practices that can harm the interests not only of the consumer, but also of other existing and potential competitors as well. In fact, there are certain practices – such as raising rivals' costs, deterring entry, deterring innovation, and so on – that can distort competition for the future as well as the pace and direction of innovation and research and development of an area. To deal with such potential eventualities, at least three elements are needed: sophisticated competition laws that acknowledge the possibility of such activities; a competition authority or sector-specific regulatory

The senior staff in these regulators all have well-paid jobs, they do not do a whole lot, do not have the capacity for the sophisticated work that is needed, and do not have the necessary government backing.

authority that not only has the power to keep an eye on things, but also the power to investigate if any such activity is indeed hampering fair competition and if anyone is using any unfair practices; and a legal system that effectively backs the regulator to give it power and authority to punish transgressors.

While privatisation and liberalisation started in Pakistan in the late 1980s, no changes were made to the competition law and none instituted in the workings of the MCA. There were also no investments made to enhance the capacity of the MCA to detect and investigate issues, and there was no backing for the MCA's role. In fact, it is only within the last couple of years that there has been talk of creating a Competition Authority to replace the MCA, with a revised law and increased powers, resources and capabilities for research, investigation and analysis. But this is still just talk, despite more than a decade of complaints from the cement sector.

In other areas, privatisation started before the creation of a sector-specific regulator and in fact, the creation of the regulator was delayed precisely to allow privatisation to occur before the regulator could have a role in managing it. Even once they were created, the regulators were neither financed sufficiently, given the requisite human resource, nor otherwise allowed the backing from the government that they required. Take the case of Pakistan's electricity sector. Private power generators were allowed to start projects in the late 1980s and early 1990s, before the National Electric Power Regulatory Authority (NEPRA) was in place and could start functioning effectively. Even today, after more than a decade, NEPRA does not have the ability to conduct research on optimal tariffs; does not have detailed information on the cost of production of the Water and Power Development Authority (WAPDA); does not have the capability to analyse most issues related to the optimal mix of energy, topping up policies, policies related to time-of-day tariffs and so on; does not have the ability to validate or invalidate WAPDA's assertions on costs or efficiency, and thus cannot do the job of protecting the interests of consumers, existing and potential competitors, or society as a whole. The government's level of commitment is also apparent in the fact that the post of the head of NEPRA is considered a cushy retirement hangout for army generals.

It is clear that the government is not interested in creating regulators that are well-financed and well-equipped in terms of manpower and hardware, as the same pattern is found in the government's treatment of other regulators. The Pakistan Telecommunication Authority (PTA), the Oil and Gas Regulatory Authority (OGRA), and Pakistan Electronic Media Regulatory Authority (PEMRA), all face the same sorts of problems. The senior staff in all these regulators all have well-paid jobs, do not do a whole lot, do not have the capacity for the sophisticated work that is needed, and do not have the necessary government backing.

Dangerous oversight

There are areas that still do not have effective regulators. Though Pakistan Railways is being corporatised, it is still acting as the sole provider of railway services in the country, and behaving as if it were the regulator as well. Clearly this is not healthy. Private entry has been allowed in the aviation sector, but Pakistan International Airlines, the longtime monopoly provider, is still the main carrier in the domestic sector, and other private companies complain that the government and related authorities allow it too much leeway and that the playing field is uneven. In service delivery, as well as in education, health, water provision and solid-waste management, the government has not even started thinking about regulation in any systematic manner.

The only area in which the regulator has been strengthened sufficiently, and is doing well, is in banking. The State Bank of Pakistan, which holds the power to regulate all of the country's banks, has been performing the function reasonably well. It has been able to deter and avoid many a crisis, or at least to handle them judiciously.

Poor regulation and regulatory environment is not just an issue for the consumer – it creates problems for competitors and can create significant hurdles in the optimal development of entire sectors as it distorts incentives for entry, competition, innovation and R&D. The government of Pakistan, in its haste to privatise, deregulate and liberalise, has focused on getting out, cutting its liabilities and lowering its deficits. In doing so, it has mainly tried to live up to its commitments to the multilaterals. The government authorities have not given much thought to the medium- to long-term impacts of their oversights. In some areas, Pakistani citizens are already seeing the costs of these failings; in others, they are sure to become apparent soon enough. The Islamabad government must realise that optimal regulation is a facilitator of competition and growth, and not merely a 'control mechanism'. Until it does, the country will continue to pay the price for one sort of failure (that of the market) if not for the other (that of the government).

Future students of Nepali society will look back at the period from 2005 to 2007 with awe and bewilderment, for rarely in Southasia has 'history' evolved at such breakneck speed. A few images have come to define this fast-paced political process: the sour-faced Gyanendra announcing the royal coup on national television on 1 February 2005; public protests on Kathmandu streets during 2005-06; the text of the 12-point understanding between the Maoists and the political parties; the first public appearance of Pushpa Kamal Dahal (aka 'Prachanda') in decades; the 19-day countrywide *Jana Andolan;* Girija Prasad Koirala's appointment as prime minister; Dahal's arrival in Kathmandu for a summit meeting with the PM by helicopter and escorted by the home minister; and, at the end of it all, political leaders and interlocutors posing for a photo-op after agreeing on a draft of the interim constitution.

On 15 January, a video image, possibly the most definitive, was added to this list. More than 70 Maoists, many ex-fighters among them, entered the ornate and overcrowded central hall of the national Parliament as members of the interim legislature. It was a moment that symbolised the transformation of a rebel

COURTESY: MADHAV KUMAR NEPAL

On 16 December, those who negotiated the interim constitution pose by the dawn's early light

Nepal's perplexing moment of opportunity

BY **PRASHANT JHA**

An interim constitution is in place in Kathmandu, and with the Maoists placing their arms in containers under the eye of United Nations monitors, the rebels are about to join the government. Successful in the arena of making peace, the octogenarian Prime Minister Girija Prasad Koirala now watches with perplexity as disaffection grips the countryside, and particularly the Tarai plains. There is deep suspicion among many that they will be left behind in the process of constitution-making, even as government administration fails to provide the minimal law and order the public has a right to expect. Something is keeping the country together, and it probably is the confidence the people still harbour that Nepal could be the showcase for representative government in Southasia.

underground force into a mainstream 'parliamentary' political party, even if the topmost leaders chose to stay away from a legislature which they had often described as a fraud on the people, likening it to a butcher's shop. After hiccups and delays over the last few months, the image came at an important juncture, for it reassured both the Nepali people and the international community that the peace process was on track.

Indeed, in the big political picture, Nepal appears to be moving in accordance with the Comprehensive Peace Agreement (CPA) signed on 21 November 2006, which declared the end of the Maoists' People's War and laid out a roadmap for the future. The interim constitution has been promulgated; the process of monitoring Maoist arms and fighters by the United Nations has begun; the interim government, with Maoist participation, will be in place within a few weeks; and preparations for the conduct of the Constituent Assembly elections in mid-June are on. But politics, much less history, is never as unilinear.

The interim constitution, which will define Nepal's polity during the transition period, has come under heavy flak from several quarters. There is scepticism about the arms-supervision process, about whether the rebels will put down all their guns (accompanied by dark suggestions of a weapons-buying spree in the Bihar underground), and whether they have indeed shed their hierarchical, militarist mindset. Serious doubts persist about whether elections can be held in early June, as per the CPA. Excluded communities, and especially the Madhesis in the Tarai belt in the latest instance, are agitated that their concerns about electoral system in place for the assembly polls have not been heard. A group from the eastern Tarai that had fractured from the Maoists (and now has itself also broken into two) has taken up arms to fight the state for its version of 'Madhesi rights'.

Political alliances are in ferment in Nepal today, as the experiments of peacemaking and state-restructuring move in parallel. There is an air of anarchy, with the erosion of the state's authority that has been progressing since the April People's Movement suddenly becoming apparent to one and all. Amidst the cacophony, there has been little public debate on the critical campaign issues that will be part and parcel of the Constituent Assembly debates on restructuring of the state – federalism versus centralism, affirmative action, electoral systems, and myriad other issues on the basis of which the various parties will have to formulate their election campaigns. There is a sense of flux, with even the well-informed unclear about what the immediate future holds. Indeed, Nepal is at a critical, and utterly confusing, moment in its political evolution, a moment that could be used to build or to destroy.

Political constitutionalism

For all the progress over the past year, Nepal's political structure has been in legal limbo. Political changes since April – from the reinstatement of the House of Representatives to the flurry of historic declarations passed by it, such as the one that clipped the wings of the monarchy – have drawn their legitimacy from the Jana Andolan of April, and a consensual interpretation of what it represented. But formal government systems require more than an abstract expression of popular will. While the Constituent Assembly has the mandate to write a constitution for a 'new Nepal', political actors clearly realised the need for a document that would award the present situation legitimacy, draw the Maoists into the mainstream, lay out guidelines for the transition period, and outline a roadmap for the assembly elections.

After intense wrangling and deliberation, the Seven Party Alliance (SPA) and the Communist Party of Nepal (Maoist) agreed on an interim constitution draft in the middle of December 2006. Among other provisions, the detailed statute dealt with the composition of the interim legislature, the rules during the transition period, and the electoral system for the Constituent Assembly. It was decided that the interim legislature would include 330 members – 209 from the present Parliament, 73 new Maoist members, and 48 individuals from civil society, a number eventually split up between the eight parties including the Maoists.

It took a month for the Parliament to promulgate the draft – a delay explained by the lack of preparedness on the part of the state and the United Nations to institutionalise arrangements for arms management so soon, as well as the criticism from various quarters of the interim constitution and the manner in which it was framed. Strikingly though, the draft was adopted in its original form by the House, without taking into account these concerns. The whip was used by the party leaders to force through the document without compromising, a decision they may live to regret with the instability in Tarai heightening the last week of January 2007.

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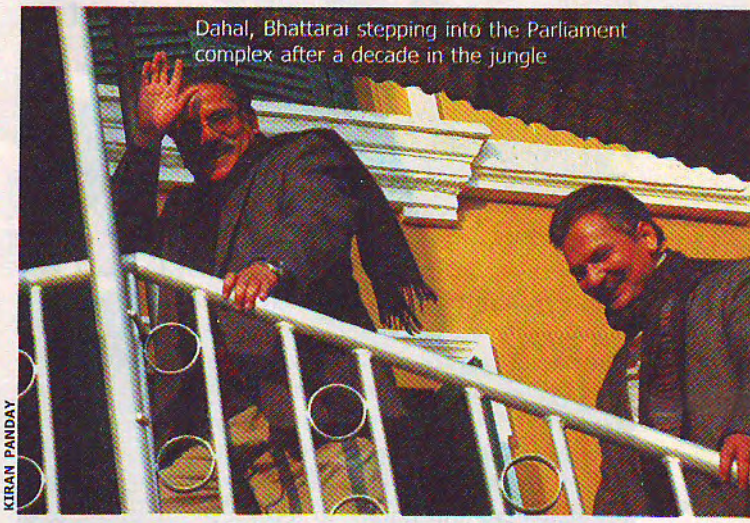
Despite flaws, some of which can be corrected in the interim legislature, the constitution does serve the purpose for which it seems to have been framed – it is an interim document meant to integrate the Maoists into the political system, legally sidelining the monarchy, and providing the basis for future developments.

One major criticism of the statute is that it violates a cardinal principle of liberal democracy – the separation of powers. Under the present system, the executive in command of both the legislature and judiciary. The prime minister plays a key role in the appointment of judges, and even swears in the chief justice of the Supreme Court. This sparked outrage in legal circles, but to no avail other than to alert the public to the dangers inherent in the interim constitution. The suggestion that a three- or four-member council perform the functions of the head of state was ignored, and that role was also given to the prime minister. Additionally, the interim constitution does not have a provision for the removal of the prime minister by a House vote. Some observers suspect that this move was engineered by the Maoists, who see themselves as potential contenders for the prime ministerial position if the frail 85–year–old Girija Prasad Koirala decides to let go of the reins. Indeed, Koirala himself has expressed concern in private and public over the supreme powers vested in his office by the interim statute.

"The April movement was for democracy, not for a totalitarian system. We have created a new dictator to negate the old dictator," argues journalist Yubaraj Ghimire. Others, however, are not as worried. While agreeing in principle with the criticism, political scientist Krishna Hachhethu points out that it was the need to marginalise the king, and keep a check on the judiciary – "a conservative institution" and "an ally of the monarch" – that resulted in making the prime minister all-powerful. Besides, there are enough differences within the disparate eight-party alliance to keep in check any hegemonistic tendencies, say others. Political analyst (and columnist for this magazine) C K Lal points to the exceptional circumstances in the country: "An interim arrangement is by definition meant to tackle an emergency-type situation. In such times, normal theories of political science may not necessarily fit in."

But there are other problems as well. Some analysts claim that the statute emplaces a monopoly of the eight parties, including the Maoists, over the entire political system. This is reflected, for example, in rules put in place for registration of new parties, whereby only those parties that can present 10,000 signatures and that agree with the preamble of the interim constitution will be recognised by the Election Commission. "This is the constitution of the eight parties, not of the people," says Sushil Pyakurel, a leading human-rights and political activist. "In a post-revolution phase, there is often a tendency to see all opponents as counter-revolutionaries, and that is what is happening right now. The eight parties never had the mandate to draw such a detailed constitution and dictate terms. We must be careful."


KIRAN PANDAY

Dahal, Bhattarai stepping into the Parliament complex after a decade in the jungle

Indeed, the eight parties seem to have created some problems for themselves and the country by formulating a detailed interim constitution. The elaborate nature of the draft has undermined faith in the Constituent Assembly as the proper venue for resolving issues. Groups left out of the consultative process, and whose demands have not been addressed, suspect that the interim constitution will be presented as fait accompli and will form the core basis of any future text, in which case they will lose out. The fact that the interim period may last as long as three years, if not more, adds to the worries of these groups. Some observers suspect that it is the Maoists who pushed for a long text, for they are unsure about whether they will be able to muster the required numbers in the Constituent Assembly to have constitutional clauses of their choice.

The lack of broad-based consultation is most clearly reflected in the fact that all vital elements were essentially decided by Koirala and Dahal and their deputies, with other leaders merely acting as rubber-stamps. It may have been impossible to negotiate the draft constitution by committee, but it is also a fact that in focusing only on bringing the Maoists in from the jungle, the festering unhappiness of numerous communities around the country was not paid heed to.

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purpose for which it seems to have been framed – it is an interim document meant to integrate the Maoists into the political system, legally sidelining the monarchy, and providing the basis for future developments. Politicians argue that the fact that disparate political forces could agree on a common text is in itself a remarkable achievement. Indeed, the text does accommodate divergent interests, which also possibly explains its detailed nature. But there is no denying that there is one problem inherent in the elaborate statute, which has the potential to set society spinning out of control: the document's lack of 'inclusion' and failure to recognise the plurality of the populace.

Madhesi cauldron

Across the political spectrum of Madhes – inhabited by communities of the Tarai plains – the anger is palpable. If MPs from the Nepal Sadbhavana Party (Anandi Devi), representing Tarai aspirations, presented their objections to the interim constitution in Parliament, the Madhesi Janadhikar Forum, a recently formed political outfit, burned copies of the document outside. The Janatantrik Tarai Mukti Morcha, a Maoist splinter group led by Jai Prakash Goit, continues its armed rebellion in the south of the country. A breakaway faction of the JTMM, led by Jwala Singh, has embarked on a separate armed campaign. The more radical of these groups have the stated aim of creating an 'independent' Tarai, a slogan which is seen by most as a bargaining chip in order to get the hill-centric Nepali political structure to at long last listen to the Tarai people as full citizens rather than half-citizens.

While many of these groups do not necessarily have a coherent set of demands, the common theme is the exploitation of Madhesis by the mid-hill elite throughout history. In the present context, two objections come to the fore: the absence of any specific reference to federalism in the interim constitution, and a blatantly unfair and unrepresentative electoral model for the Constituent Assembly.

Excluded communities in Nepal, especially the hill ethnic groups and Madhesis, blame the Bahun-Chhetri-dominated Kathmandu-centric nature of the state for the history of suppression they have undergone. While the statute does make a reference to the need to restructure the unitary model of the state, the need for a federal system has not been explicitly recognised, which has angered groups representing these communities. The fact is that this is merely an interim draft, and the debate on federalism has not yet even begun to take into account the myriad complexities of the country. It is indeed the Constituent Assembly that will deliberate on the specificities of the federal structure, but this argument does not go down well with these groups. "The entire political and constitutional system has been changed in this document. Why do the leaders remember the Constituent Assembly only when it comes to the issue of federalism? They clearly don't want to commit themselves to devolution or share power with the regions," says Anil Kumar Jha, a leader of the Nepal Sadbhavana Party (A).

While a firmer reference to a federal structure may be enough to assuage the discontented, what is proving to be more contentious is the electoral system for the Constituent Assembly. At present, the CPA and the interim constitution provide for 425 seats in the assembly, with a mixed electoral system. 205 members are to be elected on the basis of the 'first past the post' (FPTP) system from the same electoral constituencies, which were in place for the earlier Parliament; another 204 members are to be elected according to proportional representation (PR), wherein parties will nominate additional members to the assembly according to the percentage of votes they poll. Another 16 individuals, possibly representing the intelligentsia and other groups, are to be nominated to the assembly.

Many of the smaller groups, along with some larger parties – including, claim its leaders, the CPN (Maoist) – were initially demanding a completely PR-based system. This would, they argued, facilitate the inclusion of minorities in the constitution-making exercise, as such a system is more conducive for parties that are in a position to garner a sizeable vote share at a broader level, but not to win in constituencies on their own. The system could also have required the major parties to make their lists of candidates inclusive and representative of population groups.

The choice of the mixed electoral system has thrown up two broad sets of objections. Analysts point out that in a context in which parties do not have a good track record of representing and moderating aspirations of different groups, it may have been more prudent to introduce a completely population-based proportional representation system in the first place. Groups representing Dalits, women, the hill–ethnic Janajatis as well as Madhesis are concerned about the selection of candidates under both systems. They are demanding an equitable share not only during the ticket-distribution stage for the FPTP system for 205 seats, but also want the parties to commit themselves to a list that is representative of diverse population groups – and prioritises the marginalised communities

– under the PR system. In their public statements, the parties claim they are willing to do so, and even to frame rules in this regard in consultation with the Election Commission.

But it is the second objection that seems more difficult to manage. Madhesi groups, as well as many independent observers, have always felt that the present demarcation of constituencies violates the principle of equitable population representation, given that the number of people in electoral districts in the Tarai far outnumbers those in the majority of hill constituencies. For instance, in some constituencies in the south, more than 100,000 people send in one candidate to the erstwhile Parliament, while in Manang, in the upper reaches, there are less than 10,000 people in an entire constituency. "This has always been a recipe for Pahadi [hill] domination," argues Bijay Kanta Karna, a Madhesi activist. "It just shows the vote of every Nepali is not given equal value. And the Madhesis bear the brunt of this discrimination. The proposed electoral model, with the same constituencies, will only perpetuate the discrimination." In addition, the lack of fairness is compounded because the very parties who win through the FPTP system are also to choose the members for the 204 proportional representation seats.

The solution to this quagmire could entail going back to the table and redrawing all constituencies in a more equitable manner. Others suggest that a positive 'gerrymandering' of the electoral districts of the Tarai belt, or adding more constituencies in the plains, might be able to provide a quicker way out. There is another possibility – that of adding more seats under the PR list, which would be reserved for communities that have low representation among the elected members. While some bigger parties, especially the Nepali Congress, appear unwilling, it may make sense to go back and even examine the possibility of a 100-percent proportional system for the entire election exercise, which could give more space to smaller outfits. rather than have a mixed FPTP and PR system.

The proportional system has its problems, including the fact that people do not get to choose specific individuals, the decision being left largely to the choices of party bosses. Irrespective of what model would be best, the political actors must recognise that there is an extremely urgent need to think about the issue, look at various options, and change the electoral system. To claim, as some leaders are prone to do, that these issues will be discussed in the Constituent Assembly is to miss the point, for the idea is to ensure all communities feel represented and have a say in the assembly in the first place.

But considering alternative models seems like an academic exercise at present, given the eight-party government's intransigence. Major political leaders are clearly unwilling to change the electoral system, whether for fear of losing a handle on (from their perspective) a tried-and-tested system, or for fear of opening up a Pandora's Box. Says Jhalanath Khanal, a senior leader of the Communist Party of Nepal (Unified Marxist-Leninist) and a key negotiator in the peace process: "We do recognise the inequity inherent in the present demarcation, which should be changed at some point. But we also need to stick with our commitment of holding elections by mid-June, since a delay might encourage reactionary forces. So we have decided not to change the electoral system for now, and go ahead with what is already agreed upon."


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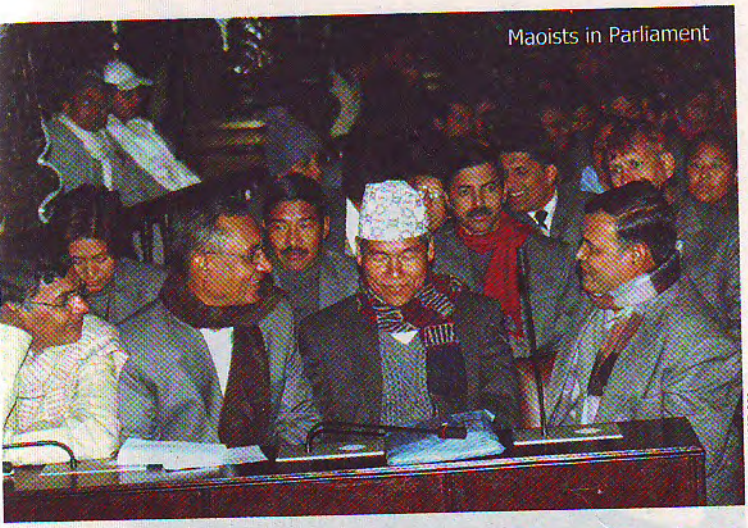
What complicates the situation further is that the ferment in the Tarai often has more to do with the memory of being historically suppressed than with substantive demands. There is also the all-too-familiar 'nationalist' dimension – some Kathmandu commentators claim that India must be playing a part in inciting trouble in the Tarai, as a strategy to undercut Maoist influence in the belt. Sources in the Indian Embassy, however, deny this claim. "Look, Nepal is proving to be a rare success case for Indian diplomacy in the region," says one embassy official. "Our entire

'The state must remember that no one is willing to die for a bright future, but there is no dearth of people willing to die for a bleak past.'


Maoists in Parliament

KIRAN PANDAY

strategy is aimed at creating a stable neighbourhood. Why would we incite trouble so close to our border?" Others flag off the possibility of a royalist hand in stirring trouble.

It is indeed possible that the palace may take advantage of the instability, as could some renegade Indian intelligence agency or Hindutva groups intent on the retention of a 'Hindu kingdom' – howsoever impossible that may seem to most. But the issue is fundamentally domestic, and will need to be addressed in Kathmandu and the towns of the Tarai – not by pointing fingers at New Delhi or the Narayanhiti Palace. Beneath the clutter and noise of the ever-increasing number of splinter groups lies anger about real and perceived discrimination, accumulated over years, which is being tapped by outfits at a time of political assertiveness all around.

While hill ethnicities had found their voice since the introduction of democracy in 1990, the Tarai people had remained quiet and felt progressively stifled. When they realised that they had gotten a raw deal yet again with the flaws in the interim constitution – which would prevent fair representation and deprive them of a chance to shape the future state structure – these groups rose up to assert themselves. The assertion is indeed a positive sign, as it is important that the marginalised speak up and claim their rightful share in all spheres. But unfortunately, there is a danger of it descending into politics of violence. This is partly because the political culture is such that government does not seem to respond to moderates, and also becasue of growing perception among some groups that they have to raise the gun to be heard. This is politically naïve and dangerous, besides being morally questionable. One can only dread the chain reaction such a mindset can potentially set off if discontent groups – from the far-westerners and Dalits of the hills and plains to Tharus – come to believe violence is the way to go.

The present flux can also be attributed to the fact that the problems are just at an airing phase in Nepal. The extreme diversity of the populace and the growing identity-based assertion have created complexities – as soon as there is a question of power-sharing, the need for cohabitation becomes obvious. The present system is finding it difficult, for a host of reasons, to accommodate these divergent aspirations. The fact that all this is happening even as the process of bringing the Maoists into mainstream politics is just taking shape restricts the space available to the state to act.

The state seems to have little clue about how to politically manage these sentiments, though there are reports of back-channel communications with the armed groups of the Tarai. The fact that these militant groups are offshoots of the Maoists has not helped matters. The former rebels are reported to be most resistant to the idea of the government engaging with either or both factions of the JTMM and thereby giving them any sort of legitimacy. Senior Maoist leaders have been heard advocating stringent action by security forces against the JTMM, and Dahal has rebuffed the idea of talking to these groups by dismissing them as 'criminals'. Ironically, the entire Tarai issue has had the unintended consequence of making the Maoists look and act a part of the establishment and state structure, which was in a sense the aim of the present process. The challenge of running a country such as Nepal, much more difficult than spouting rhetoric unaccountably and behind the barrel of the gun, has hit the former rebels straight-up in the face.

It is clear that such a strategy would only exacerbate the situation. What is needed instead is active political engagement. Notes C K Lal: "The government just needs to listen to all groups. If they listen, they will realise that no major party has a Madhesi chairperson or secretary; that out of the 500 or so political appointments since the Jana Andolan, less than one percent have been Madhesis. Right now, the situation is at the level of grievances. If not heeded, it will translate into demands, which will soon become conditional and then turn non-negotiable. The state must remember that no one is willing to die for a bright future, but there is no dearth of people willing to die for a bleak past." After a decade of senseless violence, it is time that custodians of the Nepali state – now including the gentrifying leaders of the CPN (Maoist) – learn that lesson, and address the anger that is spreading across the plains.

Interim challenges

Even as the Tarai emerges as the centre of attention, it is important to remember that a peace process is still in progress in Kathmandu and beyond. The interim period, which will see an innovative political arrangement with Maoist participation, is expected to throw up its own set of challenges.

All eyes will be on the Maoists, and their transformation from a rebel force to a part of the state structure, which will require reconciling the radical

demands of their frontal organisations with their role in government (including the post of 'senior deputy prime minister'). The fact that top leaders of the party, including Dahal, ideologue Baburam Bhattarai and military commander Ram Bahadur Thapa ('Badal') have not joined the interim legislature may provide an alarming clue to Maoist strategy. With the top leaders outside, the Maoists clearly plan to play a dual role, by being in the government as a ruling force as well as on the streets as a radical opposition.

While there may be some differences in the number of arms given up by the erstwhile rebels and the government's own estimation of the number, the process of arms monitoring is nevertheless expected to move smoothly. For something that was considered the major hurdle till a month ago, 'arms management' is now regarded as a problem that has been surmounted, just as the Indian 'go-ahead' for United Nations involvement is no longer talked about even though New Delhi's acquiescence was seen as all-important till the middle of 2006.

The expectation that 'arms management' will be smooth has fundamentally to do with the fact that the Maoists – at all levels, though with a difference in degree – have come to terms with the need to engage in popular politics. Reports that the Maoists are sending in newer and younger recruits to the cantonments, while keeping soldiers of the People's Liberation Army (PLA) outside, may have an element of truth to them. But it is important to keep things in perspective. As Deepak Thapa, a scholar on the Maoist movement, explains, "There is little difference between political and military cadre in such parties. Many PLA members are out because they will be used for party campaigning during the Constituent Assembly elections." The assurance regarding the disarmament process also has to do with confidence in the involvement of the United Nations in the monitoring. The UN team, which is headed by long-time international peace-maker Ian Martin, former head of Amnesty International, is expected not to make compromises on international standards of disarmament, nor to allow the Maoists to take shortcuts.

The other challenge is the weakening capacity, reach and authority of the state. There is currently an air of anarchy in the country, with groups blocking roads and bringing the country to a halt at the slightest pretext. These groups have various demands, and believe that this is the time, with the state in a relatively weak position, to make their demands heard. Part of the problem can also be ascribed to the continuing demoralised state of the Nepal Police, which does not have the political backing to take action for the sake of maintaining a base level of law and order. Home Minister Krishna Prasad Sitaula, who is seen to have acted admirably in the difficult task of ensuring the 'safe-landing' of the Maoists, is given failing grades

For all their differences, parties know that anyone seen as playing the spoiler in the peace process will lose credibility and support, perhaps irreparably.

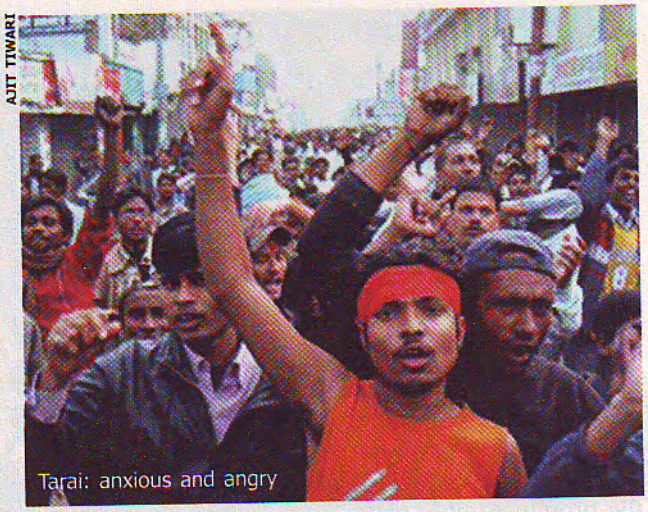
for his inability to maintain a semblance of administration in the country. This has resulted in more lawlessness than there might otherwise have been.

Many observers are worried about the anarchy. "There is a total erosion of the authority of the state. And civil society, with its unreasonable demands on the state, is only pushing it further towards death," says journalist Ghimire, referring to the populism resorted to by many civil-society faces, with some of the prominent ones being perceived as apologists for the Maoists. The lack of a minimum level of state administration has political scientist Hachhethu concerned as well: "In the past year, our big success has been the transformation of the Maoists into a mainstream force; our biggest failure has been in the realm of governance."

The frail health of the octogenarian Koirala is also a major source of concern. The prime minister has weak lungs from 45 years of chain-smoking, and is extremely low on physical energy and stamina. *What after Girija?* is a question doing the rounds not only in Kathmandu political circles but across the country. Koirala has indeed emerged as the tallest leader over the past few years – standing up to Gyanendra's designs, getting all parliamentary parties on one platform, becoming indispensable to Dahal and other Maoist leaders in their movement towards mainstream politics, and handling the delicate interim phase with what became the trademark astuteness of a near-recluse.

But Koirala has centralised power in his own person and has no known lieutenant to which he can hand over the reins. What would happen to the process if he were to be incapacitated? While there is bound to be a succession struggle, analysts are confident it will not now derail the process. Thanks to Koirala himself, the difficult phase of getting the Maoists on board is over, and foundations for the political evolution ahead have already been laid. As it has done ever since it facilitated talks between Dahal, Koirala and others in 2003, and whether anyone likes it or not, India is expected to play an important role in ensuring that the situation remains on track in case of turbulence generated by Koirala's withdrawal. The decision-making mechanisms have thus far included a cast of characters, and a more collective form of leadership can take charge and push the process forward.

There is apprehension – with good reason, given past experiences – that the king, in alliance with the army, may try some other tricks to subvert the present process. But the cohabitation of an opportunist army and an unconstitutional monarch has probably seen


AJIT TIWARI

Tarai: anxious and angry

the end of its day. The top generals of the Nepal Army have of late come to understand that the king can protect neither their personal interests nor the army's institutional concerns. Furthermore, officers in what remains even today at best a semi-professional army have become too used to plum United Nations blue-helmet assignments to risk one more misadventure. Within the army, there is a substantial presence of officers, especially at the mid- to lower levels, who are not ensconced in the royal network and will no longer play along with any future royal assertiveness. Koirala's decision to appoint Rukmangat Katuwal as army chief – despite his role in promoting Gyanendra's designs during the year and a half of autocracy through pseudonymous articles in local papers – is widely suspected to be a ploy on the part of the prime minister to keep the generals from derailing the peace process at the time when they may have feared for their perks and privileges. It is crucial, however, that the political parties remain vigilant as far as the rightist reactionaries are concerned. This is true primarily because Gyanendra has shown repeatedly his inability to understand the writing on the wall, and he may yet feel he can make another bid for power when anarchy takes over the land.

In the months leading up to the Constituent Assembly elections, it is natural that the competition for political space at the ground level will take on increasingly confrontational overtones. How this dynamic is kept from affecting the unity between the topmost party echelons will be critical in ensuring whether Nepal stays on the peace track. "There is bound to be competition at all levels, but what we will witness is more partnership with less conflict at the top, and less cooperation and more conflict at the ground level," says political scientist Hachhethu. Others believe that this inter-party competition already exists and will only become more civilised within the framework of a healthy multiparty system, in which the Maoists will be a recognised part of the political structure. In the scramble, all parties, including the

Maoists if they want to emerge as a popular force, will have to rely on argumentation and dialogue. And for all their differences, parties know that anyone seen as playing the spoiler in the peace process will lose credibility and support, perhaps irreparably.

The biggest challenge will be to keep on the rails a political process that has already achieved so much – relieving the Nepali people of a king's autocracy, a ruthless military and a brutal insurgency. The next step towards the larger goal of restructuring the Nepali state is the election of the Constituent Assembly, slated for mid-June. The alliances, debates and issues around the polls will shape Nepal's future.

Sambidhan Sabha

In mid-winter, amidst swirling fog infused with a heavy dose of smog, Kathmandu Valley is rife with speculation about whether the elections can indeed happen on that schedule. Some believe it is logistically impossible to hold polls so soon, given the enormity of the administrative exercise–by-laws need to be enacted, local election-support committees are not yet established, officials and even political workers have not returned to the villages, fresh electoral rolls have to be prepared, citizenship certificates have not been distributed to a large section of the populace, and security forces are not yet in place. Security forces of course means the police, because the Nepal Army, with its experience in elections past, is disqualified for its recent adventures.

There are others who believe that if there is political will, the logistical issues can be surmounted with relative ease. "If the government decides to devote even 10 to 15 percent of its employees to the task of election preparation, it can definitely be organised," emphasises Hachhethu. "The three main political parties have nationwide networks which can be easily activated, and they can help in the task of voter education. Add to this the advances made in the realm of science and technology, especially electronic voting machines. June is feasible."

More than logistics, the timing of the polls will depend on the political will of the key players. If the Nepali Congress, CPN (UML) and the Maoists decide that they do want the elections in June, administrative hiccups can surely be overcome. Though the leaders of all three profess their commitment to the agreed timetable, the capital's political grapevine is filled with conflicting versions of the intentions and calculations of these parties.

Some sources, involved with negotiations between Prime Minister Koirala and Dahal, say that both leaders are indeed firm on holding the elections soon, but for different reasons. Koirala is keen because of two different factors – he feels that the Nepali Congress is in a strong position to win, and also that a successful completion of the Constituent Assembly elections will firmly cement his political legacy in the history of

Ironically, the entire Tarai issue has had the unintended consequence of making the Maoists look and act a part of the establishment and structure

modern Nepal as the person who stabilised the society and rid it of autocracy and 'revolution'. Dahal, on the other hand, hopes that the elections will make the Maoists a fully legitimate force. He also knows that prolonging the interim period will leave his cadre edgy, besides making politically difficult the task of managing the divergent ethnic aspirations that the Maoists encouraged through the 'People's War'. According to this school of thought, the CPN (UML), as the main left party, would also be keen to go in for the polls because it retains the strongest base among its committed cadre, who are ready and willing to come out in force now that the gun is in the process of being removed from the political arena.

But there are other observers who are equally convinced that all parties – except perhaps the CPN (UML) – will be open to the idea of pushing the election dates as soon as the Maoists join the interim government. The Maoists would be willing to do so because they will continue to have a share in the power structure to a level not plausible, according to these observers, as per their popular base. Delaying the assembly elections would give the CPN (Maoist) time to transform the party structure from a militarist to a political one. At present, anecdotal information from the districts of Nepal indicate that the Maoists command a fairly limited vote share, contrary to the publicity they have received and the bravado the rebel leaders exhibit. Most importantly, if Girija Prasad Koirala is truly keen on saving a ceremonial monarchy – which he has thus far advocated – and feels the country would not vote that way in the present situation, he may be amenable to pushing elections to a later date. This would be based on the expectation that the acceptance of the king as a constitutional force will be

OPRSG, UN

greater if more time is allowed to lapse – since the appearance of anarchy will lead to some having second thoughts about the institution, and the memory of Gyanendra's excesses will have receded.

The timing of the polls will also be determined, to some extent, by the shape and strength of alliances. In Nepal's decade-long democrtic interlude, the most unlikely coalitions have been formed, with the result that very few observers today are willing to hazard a guess about which way political equations are headed. It is possible that the Sher Bahadur Deuba-led Nepali Congress (Democratic) will merge with its parent party, Koirala's Nepali Congress. There is also talk of a republican front, composed of the left parties. If the left vote is split, the beneficiary is bound to be the Congress, which has prompted a few left activists to exert pressure on the leadership of the UML and the Maoists to forge some kind of an understanding. Despite narrow differences between the two parties at the policy level (the Maoists having given up the use of the gun), such an alliance goes against political wisdom. This is because these left parties are ultimately competing for the same political space and have a bitter history that cannot be shelved this early – the memory of violence by Maoists against UML cadre being still raw.

Some insiders point to an unlikely behind-the-scenes understanding that is showing signs of emerging – that between the Nepali Congress and the Maoists. The Maoists need the NC, for they realise that partnership with the Congress is the only way to achieve international legitimacy and credibility. The Congress, for its part, sees the Maoists as an effective counterpoise to undercut the political base of its main electoral rival, the CPN (UML). However, despite the permutations and combinations being worked out in different party offices and speculation elsewhere, it is entirely possible that the main parties may opt to go it alone and test their strength.

The more important question is not whether the Constituent Assembly elections are held in June, but the implications of the polls not being held as per schedule. Nepal has not had a particularly pleasant experience with extended interim periods, especially if one looks back to the 1950s, when the country saw a decade of instability and royal interventions – this was also the period during which the promise for elections to a Constituent Assembly was never fulfilled. Instead, there was political regression amidst the growing anarchy. "If polls are not held on time, it will shake the people's confidence in the present process, and give rise to suspicion about the motives of the parties," says journalist Ameet Dhakal. "With all parties claiming to be the true representatives of the Nepali *janata* at present, the sooner their strength is put to test, the better for the polity."

It is also important to remember that the interim state has neither a truly representative legislature, nor a democratically elected government. The interim constitution is flawed and lacking in some basic values of liberal democracy, such as independence of judiciary and separation of powers, and so the longer it remains in place the more harm it may do. The draft was put together as a way to bring the Maoists out of the jungle. It does not incorporate the crucial values of 'inclusion', which the Constituent Assembly needs now to address. This is why, some observers argue, it is vital not to postpone the assembly polls. If that were to happen, they would have to be rescheduled according to the Nepali climato-cultural calendar – after the monsoon and following the Dashain-Tihar festivals of mid-autumn.

At the same time, there are voices that point out that the aim is not only to have polls for the sake of having polls, but to make the process as inclusive as possible. In the present context – in which several groups are unhappy with the electoral system and other provisions, with some even threatening to disrupt polls – it may make more sense to first create a more conducive environment, even if this means a delayed schedule. "If the eight parties decide to go in for elections without addressing the concerns of protesting groups, it will not be a free and fair poll, and would give rise to future conflicts," warns activist Sushil Pyakurel.

It is when the polity overcomes this broad set of challenges – flaws in the interim constitution, trouble in the Tarai, political competition and wrangling, the continuous process of Maoist transformation, preparations for the polls – that Nepal will finally move towards a Constituent Assembly. The logistics seem manageable; the Maoists are not about to opt out; and the trouble in the Tarai as well as the disgruntlement of so many communities would be addressed if the eight parties were to agree on either a full proportional election, or a formula to make up for the non-representation in the FPTP 205 seats – either by reconfiguring constituencies or remedying the gap in their allocation of the 204 proportional seats. This seems a small 'price' to pay for the opportunity to build a new future for the country. And that new future will be built when the assembly takes decisions on certain key issues – the status of monarchy, the nature of the federal system if it is to be a federal one, positive discrimination and what kind in a country of minorities, security-sector reform, the electoral system for the long term, economic and foreign (including neighbourhood) policy – that warrant and necessitate considerable thought and preparation.

It is indeed a perplexing moment in Nepal's history, with a cacophony of voices and perspectives reflecting the confusion that characterises this unique Southasian peace process. But it is a rare and beautiful opportunity as well, where the populace and their political representatives can look forward to shaping a country of their choice. More history will be made, and more images captured.

'Sezophilia' and the coming mutiny

India is on horseback
Pepsi-Cola in one hand, clutching condom in another
Third armed with Rampuri knife, in fourth the 'Hari Om' banner
What a seductive, dashing fellow, India on horseback.
– Ashtabhuja Shukla in *Bharat ghode par sabar hai*

New Okhla Industrial Development Authority (NOIDA) falls in the territory of Uttar Pradesh and is administered from Lucknow. But for all practical purposes, it is an extension of the New Delhi metropolis. This teeming township is the brainchild of Sanjay Gandhi, *enfant terrible* of the Nehru-Gandhi dynasty. He conceived Noida as an urban cluster that would take the "immigrant load" off the stately boulevards of New Delhi.

At the height of his megalomania, during the years of dreaded Emergency (1975-1977), Sanjay initiated a brutal beautification drive to free the Indian capital of what he called "filth". He wanted the streets of New Delhi safe for his People's Car. Though he failed to produce a single piece of his pet vehicle, the ideology that he let loose has begun to canter. Consumerism, chauvinism, criminality and communalism are the four arms of the monster astride the horse called Growth – with an upper-case G, as in Globalisation. This beast tramples over the weak, the marginalised, the poor and the differently-abled, even as its rider gloats over the devastation it has wrought in its wake. The village of Nithari on the outskirts of Noida is a testimony to the cruelties of this brute *(see accompanying story, "Questions about Nithari").*

Masala chai in earthen cups is a thing of ridicule, but sweetened soda in a plastic bottle is a badge of honour.

It is tempting to dismiss the horrors of Nithari as an aberration. It is even more convenient to make a scapegoat of the culprits. Explanations of personal pathology have the strange effect of transforming perpetrators of grisly crimes into victims of human failings. But the ease with which Moninder Singh Pandher and his servant Surender Koli are accused of engaging in horrifying acts of molestation and murder of children is a symptom of a much deeper malaise, a social disease slowly eating into the innards of Southasian society. It is dreadfully difficult to describe a devil, and superstitiously dangerous to name it; but call it 'Sezophilia', as in paedophilia, to understand its nature. Sezophilia claims many victims as it matures, but it begins to devour migrants from the moment its initial symptoms manifest.

Sezophilia is named after Special Economic Zones (SEZs), hybrid territorial entities that enjoy more 'liberal' economic laws than does the rest of a country. Deng Xiaoping is credited with having pioneered the concept in the 1980s, with an eye towards letting capitalism enter gingerly into the world's strongest communist bastion. The disease has since completely transformed the People's Republic of China; now it is a safe haven for exploitative capitalists from all over the world. As a Johnny-come-lately to the liberalisation, privatisation and globalisation race, India wants to do in two years what China took two decades to achieve.

According to the Indian government's investment policies, SEZs are deemed to be foreign territories for the purpose of trade, duties and tariffs. New Delhi has already created over 200 SEZs across the length and breadth of India, and wants to have many more to encourage the Salems and Tatas of the world to feel welcome and safe in Nandigram and Singur. A multi-partisan consensus seems to have developed over the desirability of SEZs. The Communist Party of India (Marxist) wants them in West Bengal and Kerala, Congress (I) would love to have them all over the place, and the Bharatiya Janata Party cannot do without these enclaves in Gujarat and Rajasthan. The Samata Party of Amar Singh would do anything to let moneybags have their way in Uttar Pradesh.

SEZs have thus all too quickly become fait accompli in India. These territorial creations seem to be compulsions of a future Southasia, as states of the region vie with each other for ever-elusive foreign investment currently flowing towards Thailand, Vietnam and other ASEAN countries. At this juncture, attempts need to be made to understand the symptoms of Sezophilia so that social treatments for its debilitating psychological effects can be devised before it is too late.

Contempt for the powerless

The logic of SEZ-based economic growth assumes that 'back-the-winner' is the best

strategy for countries mired in poverty, lack of savings, low investment, slow growth and low consumption leading to stagnancy and deprivation. This is the reasoning that sometimes makes race-horse breeders shoot the infirm in the stables. State-of-the-art technology, competitive pay packages and cutthroat completion make SEZs oases of 'excellence' in the desert of mediocrity. Even when there is acute shortage of drinking water in New Delhi, sprinklers on the Noida golf course – said to be among the best in the region – run on as usual. Were it not for the objections of the super-rich in their designer houses, the Noida administration would have built a kilometre-high building to mark the arrival of India on the global capitalist map.

Another manifestation of Sezophilia is the creation of urban agglomeration sans urbanisation. Urbanisation implies development of secondary associations. In an urban settlement, trade unions, social clubs, cultural associations and professional organisations take the place of institutions of primary bonding such as family, neighbourhood, clan, caste or tribe. In settlements that grow around SEZs, every individual of some means is a ruthless dictator, unwilling to submit to any association that he cannot dominate. Pandher probably thought that he could lord over Nithari village with relative ease, so he built his *kothi* away from the dwellings of his equals.

The third symptom of the social disease is even more insidious, as 'Westoxication' (the fixation on symbols of the West) is understood as the only method of modernisation. Masala chai in earthen cups is a thing of ridicule, but sweetened soda in a plastic bottle is a badge of honour. Eating *puri-bhaji* from a leaf plate is infra dig, but gnawing at stale meat in a burger is posh. These innocent symptoms hide a deeper contempt for the powerless than visible on the surface. The modernised elite begin to treat the laggards as lesser beings. The victims of Muktsar in Punjab were rag-pickers. The women and children of Nithari were poor immigrants from Bihar, Bengal and Nepal. They were aliens for the comfortable classes of Noida – the administration, the police, the media, and the civil society did not think of them as being worthy of their attention. The establishment was forced out of its slumber only when the court poked in its nose and wanted an answer concerning the whereabouts of a missing teenager girl from Uttarakhand. At least 40 victims appear to have been devoured in Nithari alone, but the Indian intelligentsia refuses to recognise it as the manifestation of a lurking disease worthy of serious attention.

The fourth manifestation of this social pathology strikes its victims who flock to SEZs like moth to flames. They either die by its intense heat – as when their children are run over by speeding SUVs, which the police refuse to record even as accidents – or are condemned to live in the darkness below the lamp. Pandher and Koli attracted their victims with promises of sweets or a seat on the sofa at the screening of DVD movies. Born and brought up in tightly-packed *bastis* where one cannot survive for a single day without blindly trusting the neighbours, these children were betrayed by their gullibility. Attracted by the opportunity to take a peek at heaven – for that is precisely what they presume to be inside the *kothis* – they were consumed by the fire of hell that resides in the houses of the rich without conscience.


REUTERS

Migrants on the margins

Without cheap migrant labour, the horse of growth will starve and the engine of capitalism will grind to a halt. Capitalism thrives by creating migrants – it evicts poor cultivators from their farmlands, marginalises the unskilled by introducing high-tech manufacturing and forces organised labour to accept contract employment. The result is invariably the same: helpless, hopeless and desperate drifters at the margins of cities begin to flock to saviours on horseback. In Bombay, organised crime shelters and exploits migrants from Purvanchal and Udipi alike. In New Delhi, they rush to dealers of vote-bank politics for protection and are often mistreated and abused in return.

Like a swashbuckling knight astride a stallion, Manmohan Singh is busy spreading the gospel of globalisation everywhere. It seems that the ruling clique in New Delhi has accepted the inevitability of thousands of Nitharis, as hundreds of SEZs are built to produce millions of Pandhers. Perhaps that is the price a passive population has to pay to catch up with those ahead. Or there may be a far more destabilising outcome: mutiny of the masses, which will destroy islands of prosperity in the sea of poverty. Indira Gandhi learnt quickly the lesson of neglect of the masses. Her heir and super-premier, Sonia Gandhi, seems to be besotted with the legacy of her brother-in-law Sanjay. Even if only one of the 'million mutinies' gets out of hand, there is no telling the fate of globalising India – and by implication, the entire Southasia.

Questions about Nithari

How serious is our engagement with the trauma of the Noida killings?

BY **ASHIS ROY**

NARENDRA BISHT

It's a village surrounded by villas. Nithari. A "well-concealed eyesore", according to one newspaper account. It is inhabited by migrant labourers, some employed as domestic servants in the surrounding bungalows and some as drivers and fruit vendors. About two years ago, the children of the village began to go missing. Family members reported to the police but received no response. The parents of one of the missing girls were told that she must have eloped. Despite the number of complaints, the police did not register even one case. Newspaper reports now suggest that the villagers knew that something was amiss in D-5 of Sector 31, Noida. They suspected the cook who stayed in that house – Surinder Kohli, also known as Satish – of having designs on their children. Homeowner Moninder Singh Pandher was rarely seen and neighbours had always been discouraged from entering his house. When 20-year-old Payal went missing, investigations led the police to Surinder. And then, unexpectedly, out tumbled confessions of sexual assault and the murder of six of the village's missing children.

As the media picked up the story, it emerged that Moninder had studied at the elite institutions of Bishop Cotton School, Shimla and St Stephen's College, Delhi. He drank a lot, said one of his relatives during a television interview; he was absolutely fine, said a friend from school on NDTV channel's *We the People* programme. He was employed in Joseph Cyril Bamford, a construction and agricultural equipment manufacturing company, was married but separated from his wife, and was a loving father – who could not have done such a thing, said his son. Television programmes described the incident with the headlines 'Children of a lesser God' and 'Noida Killings: India's Shame'. Upon finding the remains of their children, the aggrieved and outraged parents attempted to destroy the house. "There was blood in the bathroom inside the house," said one of the parents; "The police don't want us to go in." In the midst of all this, the younger brother of Uttar Pradesh Chief Minister Mulayam Singh Yadav, Shivpal Yadav, who visited Nithari to offer condolences, said, "Such incidents keep on happening." Such a blasé statement does seem fitting after the neglect with which the children's disappearances were treated for so long.

The news regarding Nithari has changed. *Nithari* has entered the imagination: it is now a landscape of the mind. It has subsumed the accused. The case is no longer about Surinder and Moninder Singh. Could Nithari have happened without them?

A question dogs the mind: Why didn't the police do anything? According to some reports, the residents of the village even hired a private investigator when their children went missing. He too pointed at Surinder and Moninder. Even then, the local police *thana* was not bothered. On the episode of *We the People* devoted to the Nithari killings, Director General of the Bureau of Police Research and Development Kiran Bedi lamented glaring oversights such as this, and suggested that they occur because the police are not trained. Another panelist was Rajat Mitra, a psychologist heading Swanchetan, an NGO that works with the Delhi Police in the area of crisis intervention. He said that when children go missing in many other countries, the police are immediately on the lookout for paedophiles. Mitra

felt that people like Moninder are diabolical in nature, irrespective of their socio-economic backgrounds. Was background important here?

By saying that the Nithari atrocities are 'India's shame' and that the missing were 'Children of a lesser God', are we giving the victims and their families their due? Is such media portrayal of the incidents the only way we have of trying to understand the lives of the residents of Nithari? Moninder lived in a villa while his victims came from what could be called a slum. What if there had not been a class divide? Would the media's representation of the case be the same? As reflected in the coverage that we consume, is it our desire to do away with the shame highlighted by the press, and then to move on? Or is there some way that we can become neighbours to the residents of Nithari?

Some of the families of the Noida victims have received compensation, the amount of which was raised from two to five lakh INR. The Congress Party, the Bahujan Samaj Party and the Bharatiya Janata Party have criticised Mulayam Singh Yadav's UP government on various fronts and demanded that the chief minister step aside and hand the case over to the Central Bureau of Investigation. People who have been through trauma related to violence on their children, such as Naresh Gupta, CEO of Adobe India, whose toddler son was kidnapped and then found last year, and Neelam Katara, who is fighting a legal battle to punish the murderers of her son Nitish Katara, have also visited Nithari.

What do the residents of Nithari feel? What is their sense of rage, impotence, anger, and despair? How does it feel to be part of a group of people who knew that something was happening around them, that their missing children might have been through unspeakable suffering, that others were probably in danger? Who tried to do something about it, but could not? Some have identified their children, others are hopeful of finding theirs. What sort of trauma does a separation like this create? What sort of mourning can there be after such horrific deaths?

Why is it that, till the time of writing, there has been no effort to extend any mental health services such as counselling or therapy to these people? What compensation is money for their loss? How long are people going to continue to visit the victim families at Nithari, or to want to visit them? When the visitors stop coming, what good will their visits have done? What does one say to parents who have seen the severed limbs of their child, who are left with the knowledge that their child was sexually abused and then slaughtered? The media has reported experiences of auditory hallucinations by the residents of Nithari, as a symptom, as an aftermath. What do the villagers hear? And will *they* be heard? Or will the discovery of their lives and their tragedy be an accident – something happened upon by chance, a small anomaly that might have been overlooked – like the finding of Payal's cell phone?

Pornographic CDs have been recovered which contain footage of Moninder. The torsos of the bodies are missing. Have they been eaten? The bodies had been dismembered in an identical manner and the vertebral columns split. These are some of the bits of information and fantasy that have made the rounds. A section of the media wants to 'enter' Moninder. After announcing, "And now we will enter the mind of Moninder Singh," the anchor of *We the People* turned to Moninder's childhood friend, who told the audience that the man was absolutely normal. A sociologist on the same programme said that Moninder was just one of many, a part of the system of organ trade. The organ-trade theory is suspect because it requires more specialisation, for instance in storage equipment, than what the findings suggest.

More questions: Were the duo born to do this or did they make a choice? Can we make sense of the lives they have led? Is it enough that they be convicted and sentenced? As a society, where are we left after that? What was the reality they inhabited and how did they construct a reality that involved not only having sex with children but mutilating and killing them? And if the Noida killings were connected to the organ trade, what are the social conditions that sanction this?

In his book *The Anatomy of Human Destructiveness*, Erich Fromm, a psychologist with a psychoanalytic orientation, writes about sexual and non-sexual necrophilia, the desire to be close to corpses and to dismember them. Some of the questions that he deals with pertain to the manner in and the degree to which specific conditions of human existence are responsible for the quality and intensity of a person's lust for killing and torturing. According to Fromm, the passion for transforming something from alive into 'unalive' is something that surfaces only in humans. What quality do people possess for whom this becomes an active interest? In Fromm's words, it is the manifestation of a feeling of nothingness within. This form of love with the dead is a wish to do away with life. To end all. To have to kill. To return to where one started, by destroying – repeatedly. The necrophilious desire is not the same as the sadistic desire, for which control over the object of desire is imperative. For a sadist, the victim needs to remain living, whereas for a necrophiliac, the person needs to be destroyed and dismembered. What perversion compels a person to indulge in such intimacy as the sexual act and then to dismember the body? Is this an attempt to 'do away with' both the crime and the compulsion? What creates such an urge? What sort of a life does such a person live?

The media now reports of dead bodies being found elsewhere. The terror of the serial killer has spread. What will become of Nithari, what legacy it will leave, is difficult to say. If something has happened at the margins of society, near the capital of the country and in a culture that predominantly sees it as shameful, it is

imperative to understand what is being said about it. Is Nithari an isolated incident or is it reflective of a deeper malaise? Does the periphery reflect how the centre functions?

The Noida Bar Associates has refused to defend Moninder Singh Pandher and Surinder Kohli. A recent newsreport suggested that the two might be sent to a psychoanalyst. Their existence is difficult to comprehend. People have necrophilous fantasies but seldom act them out. And yet the presence of these fantasies cannot be denied. Is there a tendency in humans and society to transform life into a commodity?

Dostoevsky said, "It is not by confining one's neighbour that one is convinced of one's own sanity." Does Nithari force us to see aspects of ourselves that we would otherwise not want to address? Not to recognise the shame would mean to ignore a lot. Processing the shame is not easy. What about the trauma of the residents of Nithari? How does it feel when people come and poke at your sense of loss to get something out of it? Will this happen again? If it does, will it be hushed up? Will we be more cautious? How will people assimilate this experience, especially those of us who have been brought closer but who have the luxury of distancing ourselves? Are we fascinated with dead things? In our expressions of horror, shock, despair and indifference, we are all participating in the drama of the events. But that is the extent of our participation. Ours is not a serious engagement with Nithari's tragedy and the trauma it has caused.

And what about Surinder? I seem to have forgotten him. The media obsesses over Moninder Singh, but wasn't Surinder the one who confessed to assaulting the children? What assumptions do we make about him? How is it that his family has hardly been talked about? What about the choice he made? But he is not one of 'us'. He is not that close: he is not threatening. Moninder is. Threatening not only to our security but more so to the image that we nurture of ourselves and the likes of us. Between the accused, we choose Moninder; and from the victims, the word *Nithari* suffices – concealing both our ignorance and our indifference. It's true: Nithari, at best, is a well-concealed eyesore.

Nithari is not independent of Moninder, Surinder, or any of us. Events like these evoke in us the need for a sense of closure. Socio-political conditions, however, are complex, and to insist on closure is often to simplify and falsify them. The final picture is yet to be seen as far as Nithari is concerned. The effort here is not to try to escape the complexities, but to elucidate them. We have a tendency to create 'others' in such a way as to maintain a positive view of ourselves. Is there a way that we can avoid doing this?

And yet, isn't only intellectualising the issue tantamount to killing it? To seek to know without seeking to understand? To truly experience understanding, we would have to experience a fragmentation of our selves. We would have to listen to both – the self and the other – even as we try to locate, in Nithari, 'Moninder, Surinder and I'.

The poor poetry of industrialisation

The Communist Party of India (Marxist) in wonderland.

BY **ADITYA NIGAM**

The West Bengal Chief Minister and the ruling Left Front (LF) government's former poet-commissar, Buddhadeb Bhattacharya, translator of Mayakovsky, is busy with another kind of poetry these days. He is transposing the 'poetry' of industrialisation – as it happened on the soil of England – onto the land called Bengal. Dazzled by the dreamworld of capital, Buddhadeb has been quick to shake off the shackles of his earlier convictions and seek aesthetic pleasure in his new role as the 'Commissar of Industry and Progress'. For quite some time now, Bhattacharya has been trying to convince prospective investors to take the leftists at their word when they say they really are in favour of neo-liberal reforms: "We are realists and we know it's either reform or perish." Progress, he understands, entails the death of all that is archaic – revolutionary convictions and agriculture, for instance.

Rapid industrialisation is the only way forward, and Special Economic Zones (SEZs) are the quickest way to industrialise. The idea of SEZs has been directly imported into India – and indeed into West Bengal – from China, and from the neo-liberal's point of view, such units are the important first step in the direction of the brave new world of capital. Eventually, these enthusiasts intend to extend to the entire country the facilities enjoyed by SEZs – tax holidays, exemption from labour laws, unrestricted import facilities, cheap land taken over from Adivasis and peasants, and the freedom of unrestrained exploitation of natural resources.

China is Bhattacharya's immediate inspiration and justification; but alas, unlike in China, he has a democracy to deal with. The process of industrialisation that Bhattacharya and his party, the CPI(M), have initiated would be every bit as ruthless and violent as it is in China – but for this fact of democracy, which allows the peasants to manifest their resistance.

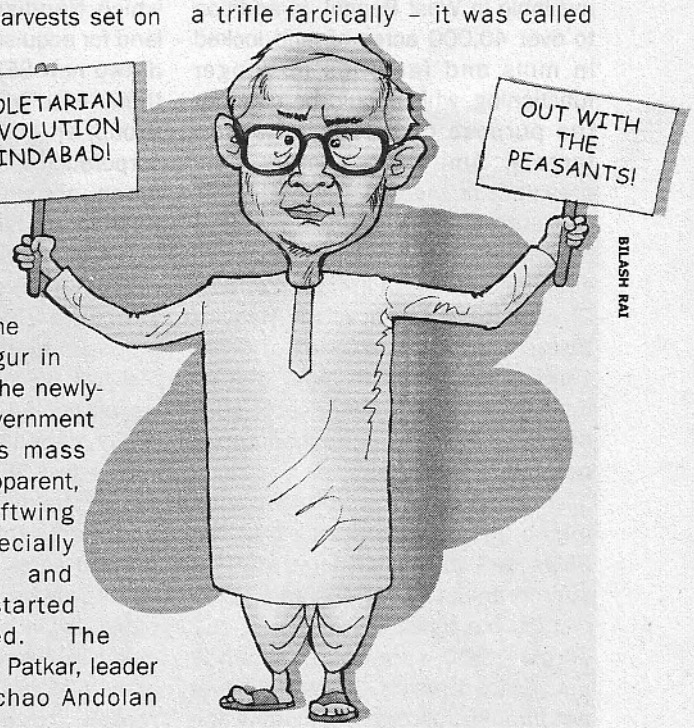
Thus it happened that on 1 December 2006, several thousand police and paramilitary troops descended on a small and obscure place, the name of which very few outside the state of West Bengal had heard of: Singur. They came to fence off an area of 997 acres of prime agricultural land in Hooghly District so that it could be handed over to the Tata conglomerate, who would establish on it a plant for the manufacture of cheap cars.

What happened in Singur revealed in a flash to all of rural Bengal the plan for the much advertised industrialisation programme: The peasants would be dispossessed at any cost to clear the way. The police fired teargas and rubber bullets at the protesting villagers. They were beaten up and their paddy harvests set on fire. For the peasants did not give up their land voluntarily.

The anger among the local population has been building up ever since the news of the Tatas' plans for the factory reached Singur in May 2006, even as the newly-elected Left Front government was taking oath. As mass discontent became apparent, various smaller leftwing organisations, especially Naxalite groups and intellectuals, started becoming involved. The involvement of Medha Patkar, leader of the Narmada Bachao Andolan (NBA) and the National Alliance of Peoples' Movements (NAPM), helped draw attention to the issue, while the active championing of the cause of the peasants and sharecroppers by the Trinamool Congress leader Mamata Banerjee brought in the dimension of electoral calculus.

Weak wicket

The Bhattacharya government has been claiming that the acquisition process has been transparent and democratic, and that of the 997 acres required for the project, the consent of the owners had already been acquired for 952 acres by December. These owners – so claimed the LF government and the CPI(M) leader Brinda Karat – had not only given their consent, but were enthusiastically queuing up for the attractive cash compensation package. In a show that smacked of manipulation, the CPI(M) even got these villagers to set up an organisation to "support industrialisation". Revealingly – and a trifle farcically – it was called



BILASH RAI

'Pragatisheel Swechchha Jomi Bikreta, Shilpa Sthapan O Shahar Unnayan Committee (Committee of Progressive, Voluntary Land-Sellers, Supporters of Industrialisation and City Development)'. These people were apparently dying to give up their land at prices far below the market rate for the noble cause of industrialisation!

Be the case of the 'land-seller' as it may, what about the animal called the sharecropper? What about the people who work the land but do not own it? What about those for whom the CPI(M) had in the early 1980s devised the well-known 'Operation Barga', to protect their tenure by means of registration? By the time Singur happened, however, the landless peasant/sharecropper had all but disappeared from CPI(M)'s horizon. When cornered, the party's leaders said they had ensured that the landless would be given jobs in the factory. Given that all labour laws are null and void within an SEZ, it was left unclear how CPI(M) would ensure that the job guarantee would be affected.

Critics have pointed out that even government statistics show 333,372 hectares of fallow and 119,146 hectares of uncultivable land available in West Bengal, in addition to over 40,000 acres of land locked in mills and factories no longer functioning, which could be used for the purpose of setting up a new factory. Amitdyuti Kumar, vice-president of the Association for the Protection of Democratic Rights (APDR), also refers to a memorandum submitted by the CPI(M) MP Santasri Chatterjee, president of the Hooghly District chapter of the Centre of Indian Trade Unions, to the local district magistrate, demanding use of such premises for the establishment of new industrial units.

Interestingly, Chatterjee's memorandum also states that the Birlas were given 744 acres in 1948 in order to set up Hind Motors in the district, but that they only used 252 acres - 500 acres had remained unused for 58 years. Critics argue that automobile factories, including the Tatas' own, do not need such large parcels of land. They also point out that, even by Tata Motors' estimates, there is no way the project will generate more than 2000 jobs. Yet the number of people losing livelihoods, including sharecroppers, is likely to be in the region of 15,000.

The government's claim that the Singur land is good only for single-crop cultivation, or that it is wasteland, has also been shown to be false. Most of the land concerned is fertile multi-crop land, and the government's claims on the matter seem to be based on land records that have not been updated for decades. Noted leftwing historian Sumit Sarkar recently affirmed, after a visit to Singur, that most of the government's claims are indeed highly questionable: neither was the process of acquisition democratic and transparent, nor was the claim that the land was single-crop correct.

Outsiders, insiders

Singur was still creating a stir when a major eruption occurred in the Nandigram area of East Midnapore District. Here, in early January, the villagers were up in arms, as news reached them of an order by the Haldia Development Authority, under which Nandigram falls, identifying land for acquisition in the preparation of two new SEZs in the area. One of these is to be set up by the Salim Group, an Indonesian multinational corporation that was at the centre of much controversy last year, as Buddhadeb had committed it 5000 acres of land without consultation with other government functionaries. The drastic amendments he proposed to existing laws in order to facilitate these acquisitions, however, were rejected by a unanimous vote of the state assembly.

The two SEZs in the Haldia area will involve much more land than did the Tatas' venture - somewhat over 14,500 acres to begin with. As the leaked news reached Nandigram, panic set in and preparations were made on a war footing for the possible arrival of police and paramilitary forces, to implement the land acquisition. The rage of the population fell on the local CPI(M) cadres, who had to flee for their lives. An angry crowd also set the local party office on fire and put up roadblocks in the approaches to the village. Sumit Sarkar's report on Singur laments that the word *cadre* has become a term of abuse in local parlance. The party's response to this outburst was to mobilise more 'cadres' from neighbouring areas and to launch a pre-meditated counterattack in which at least six people were killed.

In the course of its troubles in Singur and Nandigram, the CPI(M) leadership needed a scapegoat by means of which to discredit the struggle against its policies. They found this in the figure of the 'outsider', a representation that encompasses anyone who is not directly affected by the land acquisitions. The outsider could be Medha Patkar, the local Naxalite activist, students or intellectuals from Calcutta, or even local activists of parties such as the Trinamool Congress and the Socialist Unity Centre of India (SUCI). This is a strange argument for the communists to make, given that not one of their unions in any factory could have been set up without the active support of people from 'outside'. But more to the point, might one be pardoned for asking, Are the Tatas and the Salim group of industries 'insiders'? Is Buddha Babu, who committed other people's land to these companies against the will of the owners, an insider?

Though there is an apparent calm for the time being, the West Bengal countryside is simmering, and much will depend on whether Mr Bhattacharya and the CPI(M) are prepared to rethink their strategy of rapid industrialisation. Agriculture in its present form might not be the best option, but if the rationale behind industrialisation is that it will create more jobs, it is clearly misplaced. Does Buddha Babu have any other strategy in mind, and will he act on it before irreversible damage is done?

NAYPYITAW

Dictatorship by cartography

Burma's artificial new capital is people-proof.

BY **SIDDHARTH VARADARAJAN**


Bungalow-style housing...


... and apartment buildings

Vast and empty, Burma's new capital will not fall to an urban upheaval easily. It has no city centre, no confined public space where even a crowd of several thousand people could make a visual – let alone political – impression.

Naypyitaw, then, is the ultimate insurance against regime change, a masterpiece of urban planning designed to defeat any putative 'colour revolution' – not by tanks and water cannons, but by geometry and cartography. 320 kilometres to the south, Rangoon, with five million people, is home to one-tenth the country's population. But even if that city were brought to a standstill by public protests and demonstrations,


The ceremonial gate at the entrance to the city

The grand reception hall in the Ministry of Defence complex, where foreign dignitaries are received

Burma's military government – situated happily in the middle of paddy fields in the middle of nowhere – would remain unaffected.

Of all the possible reasons why the junta chose to relocate their capital to this isolated, dusty place, this is perhaps the most plausible. And judging by the pace and scale of construction underway here, the transfer of capital is intended to be as final and irrevocable as the grip on political power of the Tatmadaw, the Burmese military.

On 6 November 2005, at a time and date apparently chosen by an astrologer close to Senior General Than Shwe, the process of shifting Burma's seat of government to a vast but barren tract of land near Pyinmana village in Mandalay Division officially began. A little more than a year later, every single ministry has moved here. Naypyitaw is still very much a work in progress, but the amount of road-building

Colourful apartment blocks

and construction that has been completed is nothing short of impressive.

In terms of spatial design, the emergent city is reminiscent of Islamabad or Brasilia. A 'hotel zone' with several luxury establishments has come up on the city's 'outskirts', a district that the capital's planners say will eventually become "downtown". Further in, a number of brightly painted apartment buildings line the left side of the road, all of which are occupied by civil servants. And finally there is the government district, with ministries separated by a distance of what seems like several kilometres. In the military zone, the four-lane road makes way for one of eight lanes, purpose-built to allow small aircraft to land and take off. Later this year, Rangoon-based embassies will be offered plots in the new capital, and eventually all will be expected to make the move.

While it is likely that Naypyitaw will ultimately grow to fill in the empty spaces between the ministries and to develop the usual civic amenities one associates with a capital, it will always lack the urban cadences and unpredictable rhythms that characterise city life in Rangoon or Mandalay. And this is precisely what makes the new capital so attractive to the generals.

Scholars such as Michael Aung-Thwin and Sunait Chutintaranond have argued that the shift from Rangoon is not irrational but part of a historical tradition. Rulers of the region, they say, have long moved their capitals in order to regenerate their kingdoms. One example from within Burma is that of King Mindon, who moved his capital from Amarapura to Mandalay – a city built for the purpose – in 1859, only to have his son, Thibaw, defeated and exiled by the British. Some thousand years earlier, Burma's most illustrious ruler, the great Anawrhata, had begun his dynasty from Bagan.

Judging by this history, Naypyitaw may not remain the country's capital forever. But there is no doubt that it will endure longer as a city than the regime that ordered it built.


The road to Naypyitaw from Rangoon


The Ministry of Planning and Economic Development


Bungalow-style rooms at the Royal Kumudra Hotel in the city's hotel district

Indians need no longer worry that their country has 'made it', when *The Times* of London advises Chancellor of the Exchequer and Prime-Minister-in-waiting **Gordon Brown** to pay heed to New Delhi's new status on the world stage as he headed out east in mid-January. Things have come to such a pass with the rise of Great India that *The Times* leader writer is quite unabashed on the need for Britain to court India: "He [Mr Brown] also has to deploy charm to convince India's leaders of how much they have in common with what used to be described as the 'West' in the Cold War era (when Delhi affected neutrality). Tony Blair has spent much of his time in office seeking to make Britain a 'bridge' between Europe and America. Under Mr Brown, Britain can also be, and should want to be, a bridge between India and America." Note: Brown is being asked to act as bridge not between Asia or Southasia and America, but India. Okay, we get the message!

Interesting idea. *Madyee.com* is a **consumer-report website** that has just been launched in Pakistan, and visitors do their own ratings. Though many of the products are not yet rated – Chhetria Patrakar went straight for PIA but found no one had dissed it yet – there is enough indication that the site will prosper. Good to see that the site also goes crossborder, and so there is a consumer report on the Govinda starrer *Amdani Athanni Kharcha Rupaiya*: "The performance was not too good but this movie can be seen once." Expectedly, Shoaib Akhtar has got good reviews, as has Air Blue, Pakistan's energetic private airline. For Aamna Shariff (and CP does not even know who she is), there is no review in on her yet. Let's Google her. Okay, she started her career a few years ago with the teleserial 'Kahiin To Hoga', where she plays the role of Kashish. "Viewers were roped in by her immense talent and charming personality. A designer's dream – Aamna brought to television the latest trends of India." Aha, so that's where she gets all those nifty outfits!

Chhetria Patrakar hears that ***Newsline***, the monthly out of Karachi, published by a women's cooperative and stridently independent, has come under attack from the authorities for their December 2006 cover on the Pakistani military, titled "Soldiers of Fortune". Go to *www.newsline.com.pk*.

There was only the venerable Pakistan Television at the turn of the millennium. Today, **Pakistan's airwaves** are a cacophony of more than 50 channels, all of them almost certainly losing money. The big players in television, besides the state-owned PTV, are Eye (broadcaster of Hum TV), Aaj TV, ARY, Geo and Indus. Many of these companies have multiple channels. For example, Eye has a food channel called Masala, and Indus has just opened MTV Pakistan from an old office building in Karachi. Other music channels include Aag of Geo, ARY's The Musik, and Aaj TV's Play. Meaaaanwhile, everyone is waiting to see how the powerful proprietors of the *Dawn* daily are going to do with their up-market all-English DawnNews TV, which will also do business.

For those of who you wanted to know how these channels are faring, the reporter **Talib Qizilbash** reports in *Newsline* that this is boomtime for the successful channels. "Across Pakistan," he writes, "A competitive economic environment coupled with strong consumer spending has catapulted the advertising industry to new heights." Apparently the telecom industry as a big spender on advertising is bullish, especially with the entry of two new companies, Telenor and Warid, with aggressive promotion of their services. Banking, too, is an energetic advertiser on television, while the construction business is just beginning to kick in. So what of the rates? Qizilbash reports that when Geo launched, it was selling ad time for between 5,000 to 10,000 rupees per minute, and now they are quoting tariff rates at 75,000 rupees per minute at prime time. ARY One World and Indus Vision are asking 60,000 rupees per minute, while Hum TV and Aaj TV are at 45,000 and 38,000 rupees respectively for a 60-second prime time spot.

Up and coming Bollywood actors Dia Mirza and Kunal Kapoor are apparently going out, which they have a right to, and that is not what CP is interested in. Instead, it is the English copy in the *Hindustan Times* of 8 January: "What's with our Dia Mirza and Kunal Kapoor? They entered the show separately and exited ditto too." Huh? Is this, like, the only in Mumbai that talking like this is permissible? Tell na!

Tunku Varadarajan was born in New Delhi, grew up in Lucknow, taught law at Oxford, gave it all up to become a reporter for *The Times* of London in Madrid and then New York, and is now named Assistant Managing Editor of *The Wall Street Journal* in NYC. But he writes well! In February 2003, he wrote in a column in the WSJ a critique of the Indian and Pakistani cricket teams:

There is no team more compelling to watch when on a roll, more mesmerizing for the neutral fan, than Pakistan.

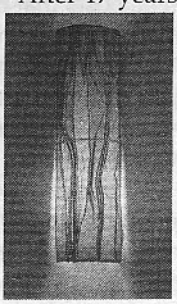
Dashing, occasionally dirty – they've been known to scuff the ball, illicitly, with their fingernails, so as to get it to swing unplayably in the air – they are perhaps unique in world of sport as being the most talented team in a game, yet the most unloved. The Pakistanis are viewed with a mixture of awe and loathing. They squabble onfield, hector umpires, swear at opposing players, have a history of throwing matches (for money), and generally comport themselves in ways that might be described as ungracious. Such is their talent, however, and their panache, that one is always surprised when they lose ... The Indian team, by contrast, is genteel. Bookish, almost geeky, they are often accused of having a 'Hindu' diffidence. A couple of the players are computer programmers, and one of the team's fast bowlers – Javagal Srinath – is celebrated as the fastest vegetarian bowler in the world. Steak has never passed his lips, nor an unkind word, not even when he fells a batsman with a quick ball to the helmet. By contrast, a Pakistani bowler, were he to knock an opposing batsman down, would glower, then grab the ball back, the quicker to hurl it at the batsman again. A telling contrast in cultures.

Here's another piece of good prose that Chhetria Patrakar just came across, though this is not complete in itself. It is from an essay by Shuddhabrata Sengupta titled **"The Ghost of the Middle Ground"**, in the team blog *Kafila.org*, which describes itself as a space for critical engagement at a time when "the space of critical public discourse has been so completely colonized by the corporate media". In any case, Sengupta is writing about the death penalty handed down to Mohammad Afzal Guru by the Indian Supreme Court for what is known as the 'Parliament Attack':

There is undoubtedly a customary chill in the portents of December in Delhi. In December 2000, the absurd theatre of the now almost forgotten attack on the Red Fort was built on the foundations of a bizarre script. The plot featured a corpse that had undergone a post-mortem identity crisis (the dead Kashmiri 'terrorist' called 'Abu Shamal' turned out to be a migrant youth from Western Uttar Pradesh). A harvest of mobile phone numbers found miraculously at the scene of the crime written on a slip of paper instantly delivered suspects. An unexplained connection in the form of a link between the prime suspect, 'Ashfaq', a Pakistani illegal immigrant, (currently awaiting, like Mohammad Afzal Guru, the execution of a death sentence in Tihar Prison) and a man called Nain Singh, who happens to work as a field officer with the Research and Analysis Wing of the Cabinet Secretariat (and in whose house 'Ashfaq' stayed for months) lingered on like an obstinate ghost. In addition there were other now familiar props like identity cards and computers.

Shekhar Pathak is a historian and journalist, and editor of the Hindi journal ***Pahar***, which comes out of Nainital. He sent around the following message for 2007, titled "Dreaming a New Year":

Wishing you a very creative, green, peaceful new year.
Let the equity come and hunger go.
Let the smile come to the faces of all the children of the planet.
Let the poetry flow and the music vibrate.
Let the nature start believing human beings.
Let the surplus go to the poor
And wilderness remain in many corners.
This may be a dream.
But let me dream like this.



"After 17 years of making commercials in Bombay, I wanted to do something which reconnected me to the earth," writes Jenny Pinto. And so she moved to Bangalore and immersed herself in her first love, paper crafts. "As raw material, I use only natural fibres that are waste from agriculture and the rural cottage industry. Banana, mulberry, kora grass, jute, sisal ... wonderful fibres that make beautiful, strong paper." Jenny has created one vertical lamp, with a shaft of paper that lights up the way you have never seen paper luminescent like that before. She writes, "I have given the lamp the name TLSA – **Traveling Light South Asia** – as it's simple to pack and go." But she warns, make sure you always use a CFL, as normal bulbs will burn the inner paper. And if you have the time and inclination, look up *www.jennypinto.com*.

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apfanews
Working for your right to information

It is always important to give a thought for the **Lhotshampa**, the over-a-lakh Bhutani refugees who no one seems to care for. And yet, there is a website that is not bitter, that focuses on news and opinion, and seeks to do justice for all Bhutanis, including the Lhotshampa in exile. It is important to give this website maximum coverage. It is APFAnews, at *www.apfanews.com*. Write the editors: "Our aim would be for the development and promotion of democratic principle and values in the country, focusing especially on the issues of undemocratic activities, human-rights abuses and implementation of the 'un-guaranteed' but stated press freedom in the draft constitution."

– Chhetria Patrakar

Indian blogs and MSM

Blogs reflect opinions missing in the mainstream media, but both blogs and mainstream media reflect the blinkered nature of the middle class.

BY **SHIVAM VIJ**

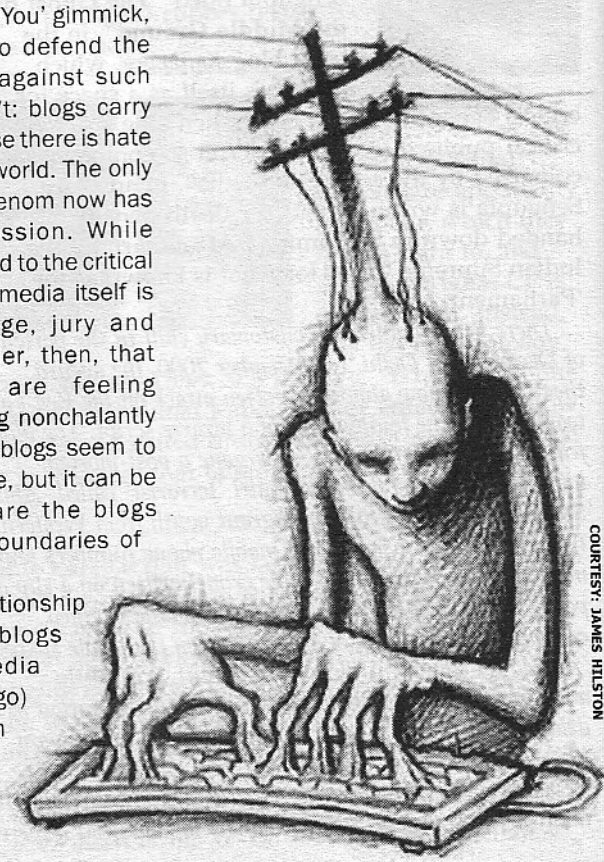
Since they didn't find Bush or bin Laden newsworthy enough to put on their year-end cover, *Time* magazine decided to name "You" the person of the year. 'You' is anyone using Web 2.0 technologies - web platforms that allow for ordinary individuals to be both creators and consumers of media, thus empowering anyone and everyone. The Indian media jumped on this bandwagon, including 'You' in a number of its own year-end lists. This could have been an opportunity to look into issues such as the digital divide, Jurassic-era e-governance in the time of Web 2.0, or even what Web 3.0 would entail. But the overarching concern in the mainstream papers and online was that 'bloggers can write anything they want without fear of law'. Reminders were also ubiquitous of cases such as that of the social networking site Orkut, which has been getting in trouble in India this winter for its 'Dawood Ibrahim fan club'.

Such coverage of new, web-based media, especially on the part of Indian television channels, perhaps came from the experience of having been at the receiving end of unflattering if not sometimes slanderous comments on a blog called 'War for News'. This blog (from *web log*) is almost dead now, as the journalist who runs it is rumoured to have been found out and threatened. 'War for News' would pronounce regular judgements on the coverage of events on TV news and make comments about the capabilities of a reporter or the pronunciation of an anchor that were not taken kindly. What was worse, the blog would refuse to censor objectionable anonymous comments on its posts that often had to do with who was sleeping with whom. The blog claimed to be committed to free speech, but it left a bad taste in the mouth of those at the receiving end of its attentions.

"Why is there so much hate and venom on blogs?" "Why do blogs hate the mainstream media?" I was asked these questions on a TV show the day *Time* came out with its 'You' gimmick, and I was expected to defend the blogging community against such charges. But I wouldn't: blogs carry hate and venom because there is hate and venom in the real world. The only difference is that the venom now has a medium for expression. While everyone else is exposed to the critical eye of the media, the media itself is used to playing judge, jury and executioner. No wonder, then, that senior journalists are feeling uncomfortable at being nonchalantly criticised. Anonymous blogs seem to cause the most unease, but it can be argued that these are the blogs that help push the boundaries of fearless speech.

The conflictual relationship imagined between blogs and mainstream media ('MSM' in blogging lingo) because of the criticism conventional media often faces in the blogosphere ignores the fact that many bloggers in India and across the world are journalists. Indeed, the writer and most readers of 'War for News' were journalists. Recent instances in which plagiarism in film reviews and other articles in the Indian press have been brought to light by bloggers perhaps can also be explained by this close cohabitation. If there is a war, it is as much within as it is without. But the relationship of cooperation between blogs and MSM is one that is often not acknowledged: journalists in India and the world over follow blogs for story ideas, leads and contacts and to track what their audiences are interested in.

Apart from this more recent spate of coverage, there have been some other occasions on which blogging has made news. One instance was when bloggers created a collaborative tsunami help site in 2004. This not only collated information from the world over but also had Indian bloggers visiting and reporting on tsunami-hit areas for their blogs – sometimes relaying information via



COURTESY: JAMES HILSTON

SMS where the Internet was not accessible. On another occasion, a management institute sent two bloggers a "legally notarised email" in an attempt to intimidate them into deleting certain posts critical of it. The bloggers made this a public issue, and their outrage gained wide sympathy and brought irreparable disrepute to the institute. In the brouhaha that followed, the management institute even managed to pressure the employer of one of the bloggers into sacking him. The incident established an important precedent for commercial organisations dealing with bloggers. Many Indian companies, especially in banking and telecommunications, now hire specialised Internet marketing agencies to watch what people are saying about their services online. Those expressing dissatisfaction with a company's services are often approached directly in order to provide solutions to the problems they have faced.

In a third case, the Indian government arbitrarily ordered internet service providers (ISPs) to block 17 websites last year. Four of them were blogs hosted on Google's Blogger service – essentially sub-domains on *www.blogspot.com*. Incompetent as they were, and unable to censor specific sub-domains, the ISPs blocked *www.blogspot.com* as a whole, thus impeding access by the entire country to millions of non-Indian and Indian blogs. The government and ISPs took a week to correct the mistake, after bringing themselves international embarrassment which included somewhat exaggerated comparisons with Internet censorship in China.

What was common to all three cases was that a few dozen bloggers had come together to share information and resources and to petition government officials or file Right to Information applications - all over the Internet. This was like 50 journalists working on one big story, together and at the same time. The term *collaboration* is too mild to describe the excitement of such an experience. In the case involving the management institute, the bloggers that united in protest managed to unearth information about actions that the institute engaged in that were even more questionable than those that had originally caused offence.

These are examples of what is somewhat pompously called 'citizen journalism', a phenomenon mainstream media outlets in India and the world over are desperately trying to co-opt. TV channels, for instance, have begun asking viewers to send in pictures of newsworthy events or stories on video tape – such materials are used particularly in times of calamity. But on an average day blogging is hardly journalism, and although the media features stories from time to time in which 'prominent' bloggers are displayed like exotic animals in a zoo, none of these have been able to capture the mood of the Indian blogosphere or to analyse the place it holds as alternative media.

Libertarian cartel

Perhaps it is difficult to understand the world of blogging if one has not experienced the bliss of creating a media platform single-handedly in which one is writer, editor, and marketing agent all at the same time. Blogging truly begins to excite once one's site has a hit counter, which tells how many people have visited and from where, and who has read which posts. The stereotype that bloggers are lonely individuals sitting in dark rooms and typing away to catharsis is untrue as bloggers actively participate in a public sphere. As Rebecca MacKinnon, former CNN journalist and co-founder of the blog aggregator 'Global Voices Online', famously said, "We use the Web not to escape our humanity but to assert it."

Instead of repeating ad nauseaum that blogging is trash, as *The Times of India* does, the mainstream media should be interested to see what this 'sphere' is actually up to. What are the concerns, motivations and trends it reveals? If the blogosphere is an *adda* – and it can well be likened to a teashop where people meet and discuss the day's news over a cuppa – what is being said there?

What is perhaps most fascinating about the Indian blogosphere is the great presence here of right-wing voices - far greater than is to be found in the mainstream English media. Many bloggers, for instance, have long insisted that the India-Pakistan peace process ought to be scrapped, as Pakistan has not given up the use of terrorism as a state policy. When the Bombay train system was bombed in July, these blogs seemed to say "We told you so." This stands in direct contrast to the insipid way in which the media toes the South Block line on relations with Pakistan, at the present time in an indulgent tone.

Debates on economic policy in India often centre on whether or not profit-making public sector units should be privatised. A group of bloggers who would insist that the answer is obvious have organised themselves into what they ironically call "the libertarian cartel of Indian bloggers". Given that they bring to pubic attention an ideology that has few takers in India, it is no wonder that the "cartellians" have their critics. The blogosphere allows ideologies such as libertarianism to surface because writers here are independent individuals who need not follow an agenda set by an editor or a big media house. This is only one example of issues, debates and ideologies found on the web that are absent in mainstream media. Comparison with the blogosphere brings to light the uncomfortable truth that much of the B JP-voting middle class does not find its perspectives reflected in the Indian media in English, which is largely dominated by various shades of left-liberal opinion.

Of course it is not only when it comes to right-wing views that the blogosphere provides a space for issues and opinions that otherwise do not receive coverage. The Blank Noise Project, started by Banglore-based photo-artist Jasmeen Patheja, is one example. On the eve of Women's Day, Patheja's site invited visitors to write posts on street sexual harassment, abuse that is suffered by virtually every Southasian woman but which receives next to no space

National boundaries do not exist on the Internet: why do Indian bloggers act as if they do?

or airtime in conventional media. The web thus once again became a space in which people frustrated with a problem could become the media themselves. The Blank Noise Project soon expanded from its origins on the internet to become a movement on the street, and the coverage it attracted on primetime news brought the issues it raised to much wider attention.

When the Indian government announced its intention to extend reservations to the Other Backward Classes, coverage on TV channels and in newspapers was overwhelmingly in opposition. Many publications and programmes recalled the protests against the first measure to bring about reservations for OBCs in 1991. Images of a student immolating himself that year were played and replayed, as if the media were calling students out into the streets: can we have some protests please? The protests did come some ten days later, but until then there were only taking place on the web, and especially on blogs. It was perhaps the first time in India that an internet protest became the lead story in a paper: "Mandal II is being fought in Cyberia". But among the voices the MSM missed, and it seems deliberately so, were those that defended the government's move. These included a new site called 'OBC Voice', written by a Banglore-based copywriter and definitely the best blog to be found on the subject. At a time when the media - conventional and online - was piling wholesale on to the anti-reservation bandwagon, OBC Voice had stepped in to fill a gaping void in the counter direction.

Bombings in Bombay and Delhi tend to receive much attention in the blogosphere while those in Guwahati do not. This is once again a reminder of the insular nature of the middle class. The insularity of the Indian blogosphere becomes even more apparent when one realises that events in the rest of Southasia, let alone in the wider world, are immaterial to it. Even diasporic blogs rarely write about the politics of the countries from which they are written unless it directly involves the Indian diaspora. National boundaries do not exist on the Internet: why do Indian bloggers act as if they do? Perhaps it is not surprising that international news has been a dud as far as the Indian media is concerned: Indians don't want to read it. To draw lessons from citizen-generated media for mainstream media and vice versa, and to have more and better discussions between the two, would surely lead to the broadening of public debate in India. It is time that the two media put personal differences aside to pursue the wide world of journalism that awaits them.

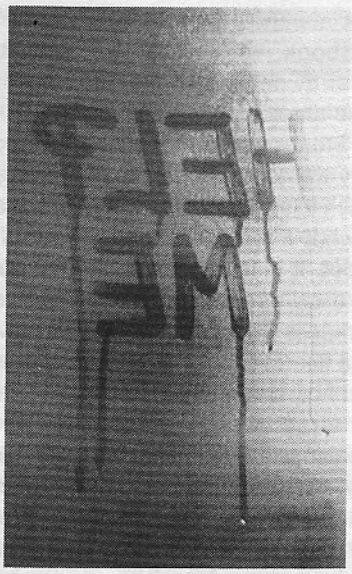
Fictional testimonies and real darkness

BY **UMA MAHADEVAN-DASGUPTA**

In Raj Kamal Jha's first novel *The Blue Bedspread*, readers stood on a Calcutta balcony and watched the snow fall; in his second book *If You Are Afraid of Heights*, we climbed onto the back of a crow to float up towards the top of an impossibly tall building; in *Fireproof*, his third and most unsettling novel, we stand on a street and *thud thud thud*, a strange rain of bodies begins to fall around us.

Jha's dreamlike, elliptical prose speaks directly to his readers. It compels us to go beyond his fantastic images and see what is only too real – to see not just the edifice rising endlessly towards the sky, but also the narrow service lane choked with garbage wrapped furtively in plastic bags, a dreary place where hardly anyone ever goes, and at the end of which we will discover the body of a child who has been raped, murdered, and thrown to the bottom of a canal.

Fireproof
by Raj Kamal Jha
Picador India, 2006



Not a pretty sight, and neither are the methods of Jha's prose pretty – one reason why his writing tends to attract extreme reactions. He won't just tell you that the baby has no arms or legs; he'll add, "None of the four, not one, neither left nor right." He'll play with words, use capital letters in the middle of sentences to drive a point home, draw us into the most ugly dreams. "An arm shoots up from within the toilet bowl, grabs me, pulls me down." No, not pretty.

But how powerfully his novels work to force the reader's attention on to things easily ignored or forgotten – not only the violence in the world outside, but also the brutality within the human heart. Welcome to the Ahmedabad of Jha's *Fireproof*, a book whose front cover has on it neither the title nor the author's name, only the words *HELP ME* in reverse, in block capitals drawn darkly on the grainy blue of the book jacket, with parts of the word already fading out of existence and the *E* dripping inkily, desperately, down the page. Even before they appear in front of the central protagonist, the words challenge the reader with their sharp immediacy. Did people call out? Did we hear? Would we have...? – Already the uncomfortable questions are forming in our minds.

The novel begins with an opening statement addressed to the reader. It is only in the sixth paragraph of this statement that we learn who is speaking. These are the voices of dead, those who were killed "beginning the morning of February 28, 2002... killed in ones and twos, sometimes in groups of three, four. Sometimes thirty, forty, fifty, sixty, seventy, eighty. At one time, even ninety."

Chilling, but that's just the prologue. We then move into the novel itself, which is narrated by one of the living, a man waiting for his wife to deliver their first child. "In a hospital that night," as the dead have told us, "where we lay dead and dying in the city on fire." The hospital (which, don't forget, is located on a road named after Mahatma Gandhi) is already filling up with the victims of that night's violence. Chapter by painful chapter, the novel tells the story of a childbirth gone terribly wrong, the anguish of the father, the awkward kindness of hospital staff, and the silent tears of a not-quite baby. All the while, the voices of the murdered whisper from the footnotes.

Early in the novel, the prose comes up chokingly against the horror of what happened: "That night it was that night," says the narrator. But the story comes breaking out of him like a torrent. Almost physically, he yanks out all adjectives "until there is glass dust on the floor, dust so fine it reflects nothing." And thus he begins his pages-long, cold, clinical, and nevertheless deeply anguished description of the not-quite baby whom he calls It-him.

Style has never really been Jha's strong point; his strength is substance, and in this novel he serves up great, raw, visceral chunks of it. We already know about the numbers who died, we remember the photographs – the face of someone pleading for his life, a hand holding up a sword. But in Jha's book we find individual stories that go beyond the images and the numbers to show us the heartbreakingly ordinary details of people's lives. The boy who went out to buy some flour, the old woman who swept the floors of people's houses, the doctor who wanted to do an MD but couldn't make it despite two attempts, and who earned a little extra money by running a private practice instead. Unflinchingly, the novel asks those infinitely difficult questions: what happened, exactly? How did it happen? To whom did it happen? What did they see? What did they hear? Where did they run? What did they say when they begged for their lives?

And how could it have happened at all?

These imagined testimonies form the blazing core of the novel. The perpetrators are not named – they are

called A, B, C and D, all the way to Z - and this is one of the ways in which this fictional account of the violence marks its difference from non-fictional reports and analyses of the atrocities of that day. Nor are the dead named - the opening statement offers a set of binaries instead, such as "bird beast, black blue, Hindu Muslim, Muslim Hindu, fire ice..."

It is for non-fictional accounts to record the survivors' testimonies, list out the dead, identify the accused, frame charges and hand out convictions. What, then, is the role of fiction? In May 2002, Jha, a newspaper journalist himself, wrote a non-fictional account of his visit to Gujarat. It was structured as a show-and-tell description of things he discovered during his visit, including a child's textbook, an IIT research paper, and the empty gaze of four Muslim boys at the Shah Alam relief camp. The report appeared in the Indian Express on 13 May 2002, titled "I Went To Gujarat As A Riot Tourist And All I Got Was This." Already, within the crisp newspaper format of the report, one could sense the stories struggling to emerge, clamouring *insistently to be heard* - the uterus that marched for justice; the child's textbook, with what Jha calls its "first-owner-may-have-been-burnt-alive smell".

Stories wanted to tell themselves, they wanted the open space through which to surge into the world, and that is what *Fireproof* is most powerfully about. It is fiction, after all, that can take us deepest into the heart of darkness; imagination that can give us a fleeting sense of what happened and how it must have felt. Fiction can redefine words and give new meanings - "Friendship," for example, now stands for the moment "when both of you watch the fire burn." Only fiction can make the human body fireproof. Within the democratic space of the novel, even the dead can speak - and they do speak to us, directly, in matter-of-fact tones, from the other side of the violence. They speak from the footnotes of every chapter, from under water, inside ice and across worlds; they challenge us from the empty pages of a schoolbook, from the blank face of a watch, and from the cover of this book itself, saying, demanding, "HELP ME."

Not least of all, if justice still remains to be done, perhaps it is fiction's turn to see what it can do. Not only to let the dead tell their own stories, but also to let them write a new story in which they can begin to set right the wrongs that have been done to them - and restore the moral fabric of our world so that corpses needn't rain down on the streets again. This is the important, audacious project at the heart of *Fireproof*.

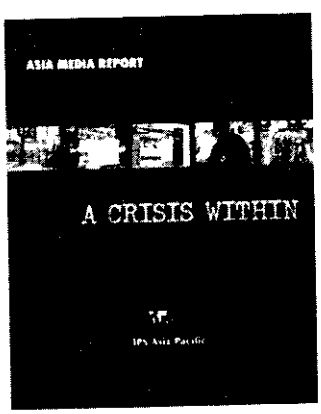
Repression, co-option and triumph

BY **ANAGHA NEELAKANTAN**

A controversial cover of *The Economist* last year asked, with not much self-reflexive irony, "Who killed the newspaper?" The suggestion of death seems, in hindsight, grossly exaggerated. *Asia Media Report: A crisis within* explores a more specific and far-reaching concern: the death of news as we know it.

This is familiar ground. The large-scale takeover of news outlets by big-money corporations and the concomitant rise of infotainment to cater (advertisers insist) to the needs of a mythical dumbed-down 'market' have been widely lamented, as have the problems of cross-ownership and consolidation, and the challenges of reporting and publishing news under repressive regimes or in otherwise hostile environments.

But this multi-part, multi-author report, commissioned and published by Inter Press Service Asia-Pacific, is not just a hand-wringing ode to a lost cause. It presents articulate essays on specific trends in countries across the region, including how news for people living in Burma is produced in exile, and how entertainment in Pakistan comes increasingly in the form of spiritual teachings that are both arch-conservative and designed to attract urban youth. Also included are assessments of the 'media environment' in different countries, such as under dictatorship in Nepal, and amid the lure and power of money in India and Thailand. And in each analysis, the report makes strong empirical arguments for its premise: that free, responsible media is indispensable to the success of any democracy.



Asia Media Report: A crisis within
edited by Johanna Son, Satya Sivaraman, Suman Pradhan
IPS Asia-Pacific Centre Foundation, 2006

Political repression is the straightforward part of the story. Under next-to-impossible conditions, Burmese journalists in exile produce news for their fellow citizens back home. During King Gyanendra's dictatorial rule, Nepali journalists fought back with metaphorical or absurd editorials, printed gibberish when a defiant blank space was not allowed, sang the news on FM radio, and more.

Where politics is violent and enmeshed with economic interests from the most local to the highest

national level, it becomes less easy to identify a single 'enemy of the fourth estate'. And yet, though the suppressor and its affinities may change from region to region, the results remain the same for journalists who challenge the local status quo: physical attacks and murder.

A less deadly – but more depressing – response to corruption in politics and the state's dismissal of its citizens' concerns is discussed in an essay on the Philippines. Here, it is argued, entertainment does not just rule the roost, but even the news takes on the forms, methods and outcomes of entertainment – from the indiscretions and media-whorishness of TV stars, to the peccadilloes of politicians. Politics itself has become a spectator sport, says author Antonio P Contreras, and the knee-jerk clinging to entertainment is how Filipinos maintain their sanity in a country plagued by crises. It is, he says, a "postmodern" state of spectacle. This defence of "bad [proletarian] taste" makes a modicum of sense, but it is still a way of encouraging people to revel in their powerlessness while letting the media off the hook with regard to its role in keeping the state accountable.

More insidious than political repression, or the wholesale abandonment of the idea that media – and its lower-end consumers – have a role to play in keeping civic concerns in the limelight, are financial influences and considerations. *A Crisis Within* examines two ways that big money leaches away the media's sphere of influence. In Thailand, under former Prime Minister Thaksin Shinawatra, the power of money indirectly dictated what could and could not be covered in the press. Thaksin's vast empire included advertisers whose non-participation could bankrupt publications.

In India and Indonesia the situation looks even worse, and here business has, for the most part, not gotten into bed with politics. The report explores the manner in which once-respected Indian publications have undergone a "Murdochisation", whereby editorial space and time are treated as products to generate revenue, and news is limited to items that are sensational, feel-good, lifestyle-oriented and jingoistically nationalist, but which rarely present the realities of the majority of the population. In India the greater the strides the economy appears to make, the more conservative the media becomes by compulsion or by choice.

In Indonesia, despite a boom in local television and radio, ownership – and cross-ownership – of media remains with a handful of people with close connections to the upper political and economic strata of society. The report sees cross-ownership of media as undermining the content presented to the Nepali public as well.

A thousand ways around

But not all is gloom and doom. *A Crisis Within* also examines creative responses to restrictions on media. The case study of China's respected *Caijing* weekly shows how a non-negotiable editorial emphasis on detailed, irrefutable research findings, a strict separation of editorial and marketing roles, and a wealthy but hands-off ownership together allow a publication the roles of watchdog, whistleblower and respected analyst.

Often, the report shows, the path to editorial freedom lies in adopting a new business model. The example is given of the attempt of the Malaysian *malaysiakini.com* to turn into an economically viable long-term product a website that began as a mere space for dissenting opinion following the arrest of then-Deputy Prime Minister Anwar Ibrahim in 1998. Seven years later, Malaysiakini still relies on occasion on donor money, and its online subscription drives have not always been successful; nonetheless, it continues to exist.

A Crisis Within is valuable also because it contains cautionary tales about what happens when radical or underground media outlets are institutionalised. An analysis of the case of *Hankyoreh*, the 'citizen-owned' Korean daily, shows how an editorial stance, when it sticks to a particular line of dissent and does not respond to changes, can become ossified – even to the extent that a publication which has its origins in a popular civil movement comes to be associated with the state, or is left behind by competitors that now cover the same social issues but more comprehensively. Palestinian media, which before the Oslo accords were signed played an important role in political consciousness-raising, should in the freer environment of recent years have been discussing how to build the Palestinian state. Instead, they continue to focus largely on the dynamic of 'evil Israel vs poor, victimised Palestine'.

One introductory overview of the report rightly points to the irony that although – or perhaps because – radio is a cheap medium with enormous reach, it is tightly controlled across Asia. Here, Nepal's proliferation of community radio stations provides a notable exception, though India and Sri Lanka are mentioned as being likely to follow suit. In Thailand, the report notes the "mushrooming" of community radio, despite the fact that community access to frequencies (which by policy are under public ownership) is heavily restricted.

The next edition of IPS's report, if there is one, would do well to include comparative analyses that for now are left to the reader. There are also a few noteworthy omissions in the case studies: the Korean *Ohmynews* 'citizen journalist' model, and the challenge posed by Al Jazeera TV to Western-directed coverage of the Arab-speaking world. However, these are minor gripes. The case studies, general country essays and media indicators in *A Crisis Within* are well-written and informative, and some of the illustrations are witty and could have replaced a few pages of pontificating.

In every instance here, erosion of the independence of media is accompanied by a lowering of the volume of discussion about citizens and their rights. The many illustrious writers present a uniformly liberal front and do a good job of showing, rather than telling, why media and its freedoms need to be "defended by maximum application", even when not under overt threat.

On the way up

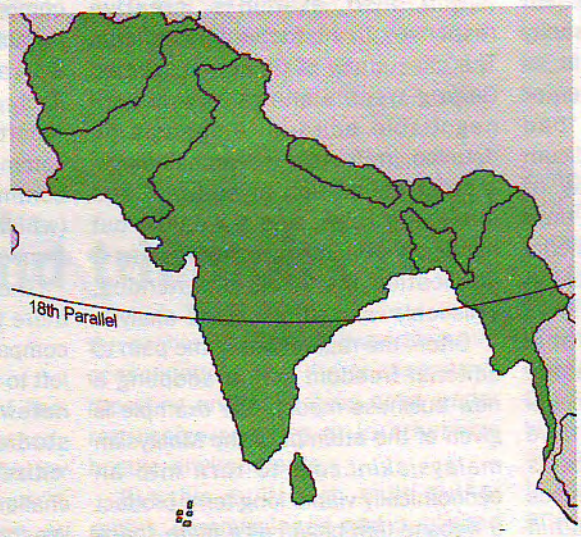
KANAK MANI DIXIT

The southern watershed

Arreh! Arreh! Kya baat!

Readers who have a Hindostani (Hindi-Urdu) heritage will have no difficulty following those exclamations, but they never stop and consider that these are alien terms to those from the Southasian South, whose categories of population do not fall within the Hindostani umbrella or its shadow.

Not only North India and Pakistan, but the entire Southasian North, with linguistic affinity to Hindostani (including Bangla, Nepali and Akhomia in that Perso-Sanskritik fold), form part of the demography which will understand an *arreh* ('now, hold on') or a *zindabaad* or *murdabaad* ('up with, down with'). Besides, they have been exposed to Hindostani films and television for so long that they do not think twice in saying *'haan'* or *'achha'* to indicate agreement. Things are completely different for the South Southasian, and the quicker those in the north know this, the better.



When SAARC conclaves are held, large or small, there is a subconscious bonding between those who come from the Indus, Ganga and Lower Brahmaputra/Jamuna watersheds. Whether you are Kashmiri or Bangladeshi, you will accept the other person's *Arreh bhai!* or *O sahab!* over the dinner table without batting a Northern eyelid. There is a taking-for-granted condescension inherent in the descent to Hindostani, which takes the Maldivian, Sinhalese or Malayali for granted.

All this, by way of introducing the topic of the day: all of Southasia's problems seem to emanate from the north. If the future of our region were to be left not to the Delhis, Islamabads and Dhakas, but to the societies who drink the waters of the Kaveri, Godavari and Mahaweli, we would probably have had a differently evolved Southasia. SAARC would today be a strong organisation striding the world stage, putting the ASEANS and the OAUs to shame, and the SAARC Secretariat would be a spic-and-span glass tower of sky-scraping dimensions, with suited-booted modern *babus* (another North Southasian term) rushing hither and yon – rather than the sad, dank two-storey structure of today, without central heating in the Kathmandu winter, and serving as nothing more than a conference servicing centre.

And so the proposal, that organising Southasian regionalism be left to the region south of the 18th parallel. Look at all that would happen: Kashmir would stop being a festering wound, no one would be talking of river-linking, the barbed-wire and steel pylons would be dismantled on the India-Pakistan and India-Bangladesh frontiers, Afghanistan would be trading with India through Pakistan, Bangladeshi natural gas would sell in India, the same for Nepali hydroelectricity, and 'crossborder militancy' would end.

"Learn from the South" should be the rallying cry for the Southasian future. The SAARC summit, when it is finally organised in Delhi, we hope in April, must think out of the box. To begin with, let us do away with the pretentious speeches, including the umpteenth one by Mohammed Abdul Gayoom, who has been there from the start even as kings, presidents and prime ministers have died around him, been exiled or entered crotchety retirement.

What the Fourteenth SAARC Summit should do when *Theeru* Manmohan picks up the chairman's gavel in New Delhi is to do away with all the embarrassing pomp and ceremony of the summits past. No more long speeches – every summitteer president, dictator or interim prime minister to be limited to five minutes each. Then, announce a "Learn from the South Southasia Plan of Action", which would be guided by the need to "take lessons from the Kavery, Godavari and Mahaweli watersheds and assorted atolls and islands, in the understanding that the linguistic diversity and the absence of Hindostani hegemony has meant that the southern society has less historical baggage, less hierarchy and more collaborative processes, which will lead to better regional relationships in Southasia and, ultimately, the ability to achieve the Millennium Development Goals..."

If we can do that, we will finally be heading towards the Southasian Century. *Kya baat!* Ooops!

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