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SOUTH ASIAN

June 2000

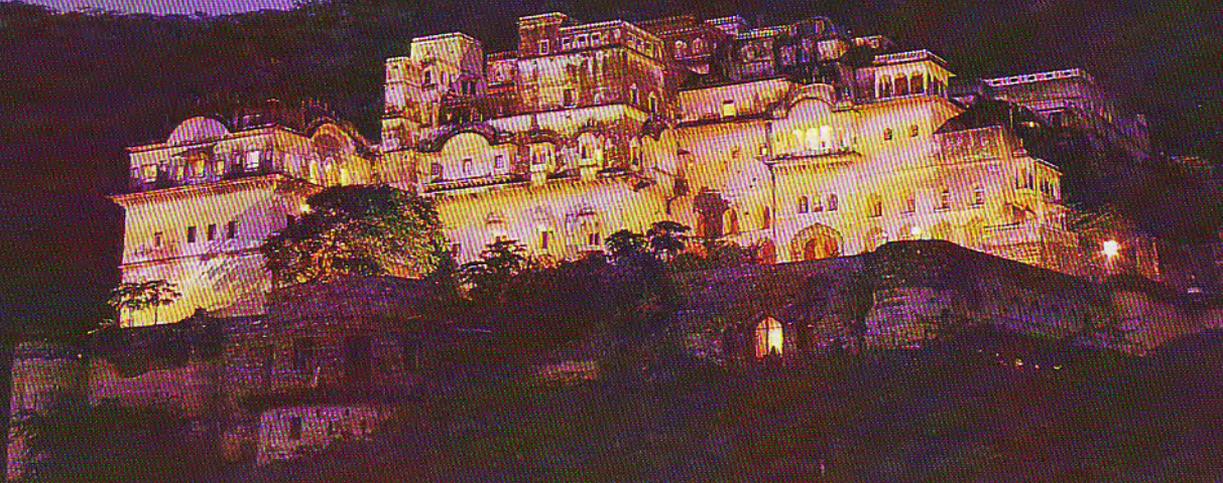
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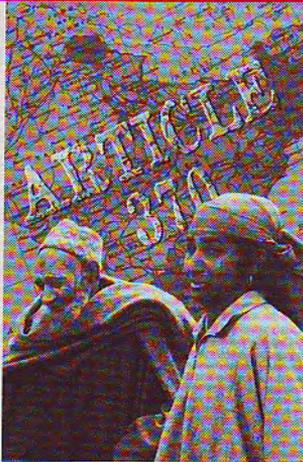
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Article 370 Lost Clause

Autonomy for Jammu and Kashmir, promised by Article 370 of the Indian Constitution, has been diluted over the years. Can it be revived? Does it hold the answer for a federal India, and South Asia?

Himal on Kashmir



Over the last four years, Himal has covered the Kashmir issue extensively, including giving it four full covers. Writers have included the late Eqbal Ahmad, and Samina Ahmed, Idrees Bakhtiar, Praful Bidwai, Kent L. Biringier, Tapan Bose, Navnita Chadha Behera, Syed Talat Hussain, Iqbal Jafar, Harish Kapadia, Zaigham Khan, Rita Manchanda, Ravi Nair, Rashed Rahman, Varun Sahni and P. Stobdan.

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Beauty & the Drought



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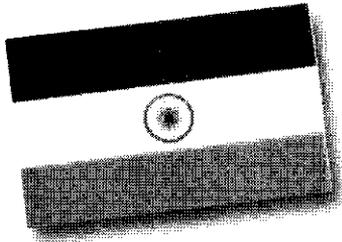
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SRI LANKA'S PETITION

THE DYNAMICS among the countries of South Asia has changed dramatically with Sri Lanka's open and unabashed call for New Delhi's help for military and, failing that, humanitarian assistance for a possible evacuation of its troops from the Jaffna Peninsula.

The relations between the members of SAARC have long belaboured the fiction of one-country-one-vote. When it comes to sheer geopolitical weight, it is the economic power, population size, geographical spread and centrality, as well as military might of India, that overwhelms. Unlike the European Community or ASEAN, the SAARC region is dominated by one power like no other, to the extent that even satellite imagery of



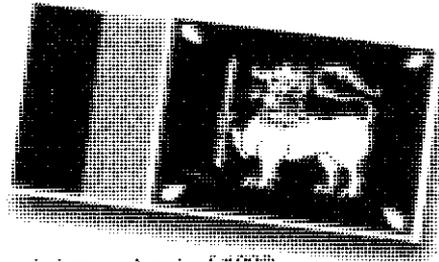
South Asia essentially defines the coastline of India.

This overwhelming India-centricism of South Asia becomes obvious when a crisis as overwhelming as Sri Lanka's current one overtakes. Colombo, one of the more 'self-confident' capitals of SAARC, has openly called for military support from New Delhi, essentially pleading it to act as regional policeman. While some aspects of the the India-Pakistan relationship have their own dynamic, this Sri Lankan invitation is bound to lead to a readjustment of expectations and obligations all over South Asia. The Sri Lankan example demonstrates that when push comes to shove and a crisis as critical as national bifurcation looms, governments of the region (barring Pakistan's) will have no compunction in asking for Indian involvement—military intervention if necessary. Realpolitik and governmental survival will override all other considerations, including those of national, cultural and historical exclusivity. 'Sovereignty', in a sense, to be saved by inviting its wresting.

The lesson from the Sri Lankan request for Indian military assistance will be particularly instructive for Nepal (with its officially open border with India) and Bangladesh (with its much longer—porous—border with India), because these countries do not even have the psychological across-the-waters distance of a Sri Lanka removed from the South Asian mainland.

There has not been an instance quite like this when, late in history, a South Asian state has gone all-out seeking military help from neighbour India. Situations have come close to it, though. In Nepal, India brokered the deal whereby the Nepali

Congress took over from the feudal Ranas in 1950. The Indian armed forces came powerfully to the aid of the Mukti Bahini in 1971 and helped deliver Bangladesh as an independent country. Also in 1971, India and Pakistan both sent arms (and India, pilots) to help the Sri Lankan army put down a Marxist uprising by Sinhala youth. 1988 was when Indian commandos rescued President Maumoon Gayoom from the clutches of a brief uprising. Most significantly, in 1988-89, the Indian Peace-keeping Force was despatched by Rajiv Gandhi to Jaffna, with a brief to help the Sri Lankan Tamils but ending up instead fighting the LTTE until the ignominious retreat of 1990.



While each of these instances had New Delhi reaching beyond its territory to intervene in a neighbouring country, in none of them (other than in the case of little Maldives) had a sovereign state voluntarily requested aid to keep itself together. While this turn of events will have mightily pleased the hardline strategists in New Delhi, what this means for the relationships between the countries of South Asia, and whether it will enhance India's own standing as a regional and Asian power, will be seen in the days ahead.

As the pragmatist would say, perhaps the make-believe equation of the past *should* change. The smaller countries of the region know that India has the military might, and they might as well make use of it when a crisis threatens the very existence of the state—and India will not be found wanting in making its move, all other conditions remaining equal. If India is the regional protector of last resort, then why not give Colombo the credit for having called a spade a spade?

But the situation is perhaps a bit more complex than that. Will we now need a new model for regional cooperation, now that the fictional equality among the large and small within SAARC has been so effectively given the lie? What will be the stance of New Delhi vis-a-vis its neighbours, with proof now of what the smaller countries will do when the chips are down?

Before any of these questions are answered, the world and South Asia will first have to await a denouement in the north of Sri Lanka. ▽

TAMIL NADU, TAMIL EELAM AND GREATER EELAM

by D.B.S.Jeyaraj

SOUTH ASIA'S longest war in Sri Lanka escalated over the course of May to a point where the military balance in the island's north has shifted dramatically in favour of the Liberation Tigers of Tamil Eelam. The LTTE operation launched last November, titled *Oyatha Alaigal* (Unceasing Waves), has by now engulfed the greater part of the northern mainland of Wannai, and vital areas in the Jaffna peninsula, including the Elephant Pass, the strategic isthmus that links the mainland to the peninsula. Military experts predict that in the coming weeks, the LTTE would overrun most of the peninsula, helped no doubt by the deep demoralisation that has set in the ranks of the government forces. So much so that, there is now increasing talk of a new state emerging on the South Asian horizon, that of the Tamil Eelam. What seemed impossible some years ago, is now seen as even likely.

Of course, Colombo's writ of sovereignty runs in all parts of the island, at least in legal terms. But the reality is that the writ is under severe threat from sections of the Tamil people, who have been alienated from a united Sri Lankan ethos for quite a while. Discrimination amounting to oppression was what led the Tamils to demand a separate state in the first place, in the beginning through non-violent means, later and till today via a concerted armed struggle.

Eelam is the ancient Tamil name for the island of Sri Lanka. Modern Tamil separatism, however, is confined to the territorially contiguous Tamil-dominated Northern Province (96 percent Tamil) and the Tamil-majority Eastern Province (42 percent Tamils). The Tamil Eelam demand is for a sovereign secular state encompassing both these provinces, which amount to 29 percent of the island's territory and 62 percent of its coastline.

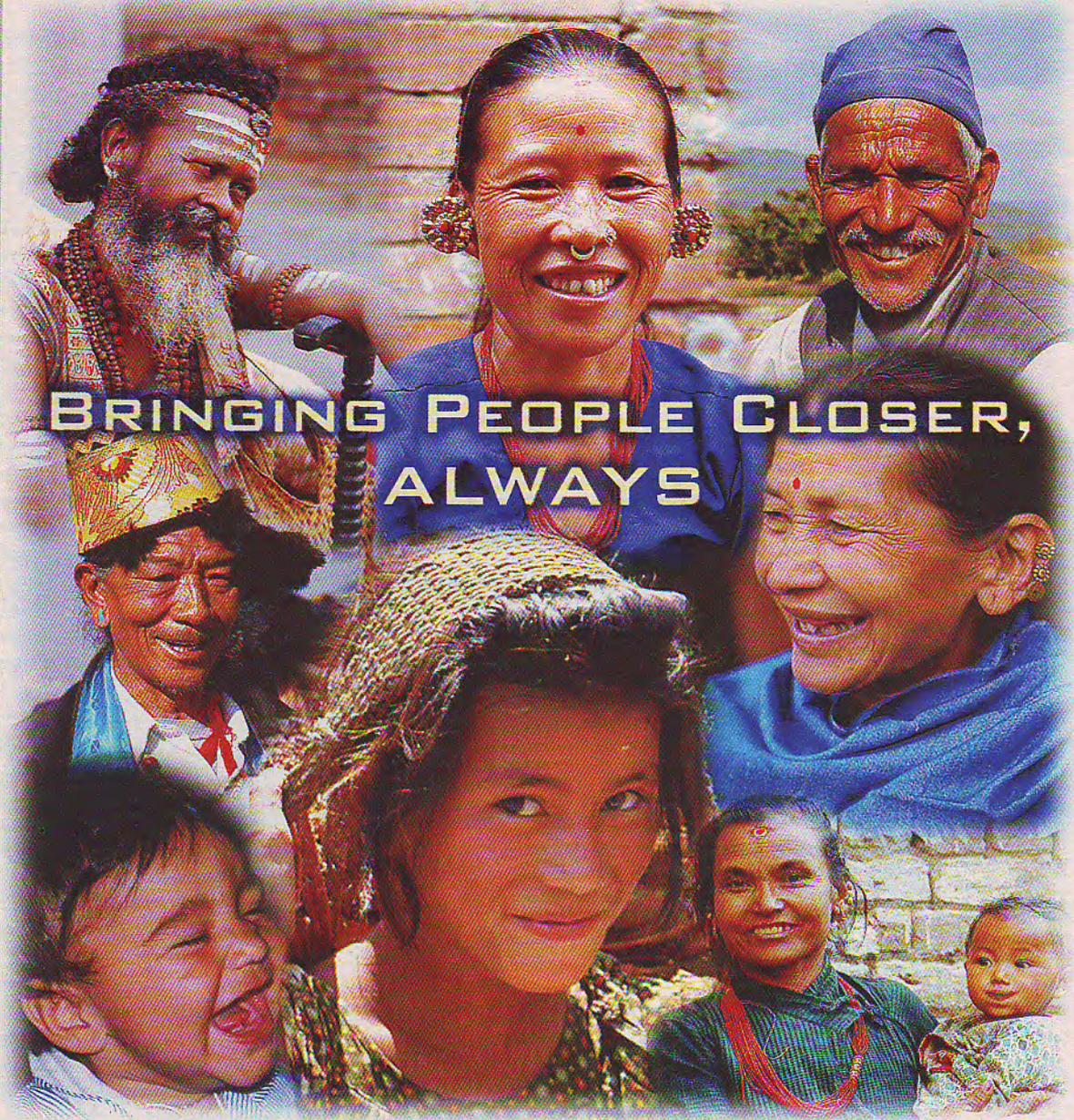
Interestingly, although speculation about the imminent birth of Tamil Eelam is rife amidst friend and foe of the LTTE alike, the Tigers themselves have given no overt indication about proclaiming a separate state. It is highly unlikely that the LTTE supremo Velupillai Prabhakaran would attempt a unilateral declaration of Tamil Eelam at this stage, primarily for three reasons. Firstly, the LTTE has gained ground only in the north and it is yet to

expand its control over the east, where the strategic harbour of Trincomalee is situated. The demographic structure of the east, its terranean links to the Sinhala provinces, and the fact that military personnel from the north would be redeployed here, make the prospect of LTTE hegemony over the east somewhat problematic.

Secondly, despite its recent successes in conventional warfare, the LTTE is as yet a guerrilla organisation that has yet to prove its capability of retaining the territory acquired. In the final analysis, the boundaries of a state are defined by its military capacity to prevent aggression. Thirdly, the international environment is not conducive for the declaration of an independent state. The Tigers may have accomplished magnificent military feats, but they are yet to achieve much on the geo-political and diplomatic fronts. With no country expressing support for Tamil Eelam, including the two who matter most, India in South Asia and the US internationally, clearly opposing such a division of Sri Lanka, the LTTE realises that the declaration of Eelam at this juncture would be ill-advised and counter-productive.

Three strands in India

In spite of these considerations against Tamil Eelam, the perception that such an independent state is nearly upon us has triggered off a political controversy of monumental proportions within the larger neighbour to the north. The Indian reaction can be summed up in three broad categories. One line of thought is for the birth of Tamil Eelam, and its recognition and support by India. Needless to say, these proponents are openly supportive of the Tamil Tigers. A second school of thought wants New Delhi to intervene diplomatically and help bring about a peaceful settlement, which would not only ensure the unity and territorial integrity of Sri Lanka, but also equal rights and protection for the Tamils. There is some variance of opinion within this rank about the LTTE—some want New Delhi to accommodate the Tigers, others want them excluded. (To recall, India officially proscribed the LTTE as of 14 May 1992, following the assassination of Rajiv Gandhi at Sri



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Perumbudur in Tamil Nadu on 21 May 1991. On 14 May this year, the ban was renewed for a further two years.)

The third strand of Indian thought is profoundly hostile towards the LTTE. While expressing lip service to the concept of equality for the Tamils, the proponents of this viewpoint want India to involve itself unambiguously in the annihilation of the LTTE. Sinhala hawks, too, subscribe to this elimination agenda, but without wanting to help usher in Tamil rights. Those in India who seek New Delhi to go after the LTTE, do so on the grounds that the birth of Tamil Eelam would pose a long-term threat to the unity of India, meaning that it would foster a movement towards secession in its Tamil Nadu state. The Sinhala hardliners are only too willing to exploit this fear, to urge New Delhi to fight the Tigers. The Sinhala chauvinists, if anything, have been historically consistent in pursuing this line, more so now that they find themselves at a dead end after having continuously responded to Tamil grievances and aspirations through the use of repressive force. Knowing the repercussions of a deteriorating 'Sinhala' army, these elements want India to do its dirty work.

Tamil Nadu is the Indian state closest to Sri Lanka, and is home to 55 million Tamils who share a common heritage with the Sri Lankan Tamils. Thus a sovereign Tamil state in Sri Lanka, goes the argument of so many Indian analysts, would mean the stoking of separatist fires in Tamil Nadu for a Greater Eelam—a strong enough case then for the Indian army to intervene and crush the Tigers. But these vocal armchair warriors are not even aware of the Jaffna environment, as betrayed by statements like "we must bomb the LTTE positions in the jungles of Jaffna". (Jaffna is not wooded.) It is not entirely a coincidence that most Indian hardliners on this issue are from states other than Tamil Nadu. In fact, they tend to be mostly from North India, far from the killing fields, joined to be sure by a few from the south who are not really enamoured of the LTTE, and seek its end.

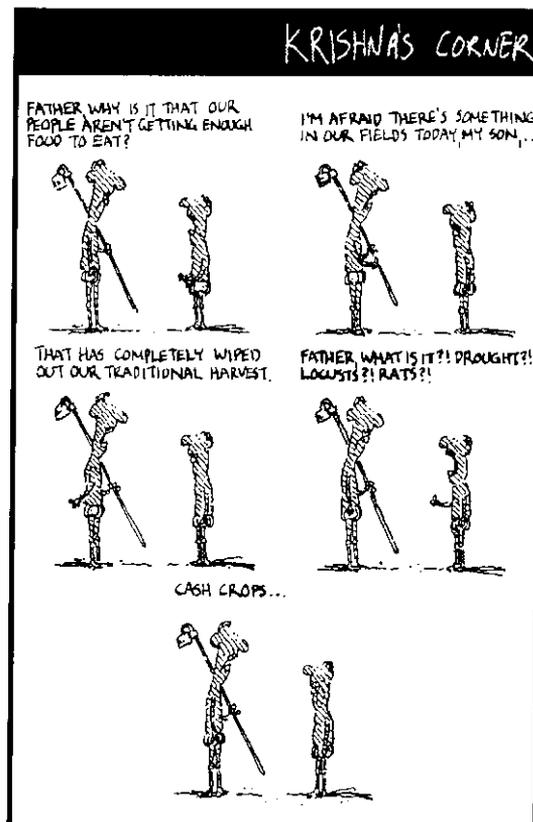
The apprehension that the creation of Tamil Eelam would encourage Tamil Nadu to secede and merge into a pan-Tamil state is, if anything, too futuristic. Those Indians who argue for Indian military intervention all tend to accept that the Tamils of Sri Lanka have been victimised for years, and are in need of urgent help. But, most interestingly, their prescription is not a separate state of Tamil Eelam under the LTTE, rather the crushing of the Tamil armed struggle in India's interests. They ignore the

fact that the Tamils live within a united Sri Lanka, not out of their own free will, but out of compulsion.

Unlikely union

Before the Sri Lankan Tamils are asked to sacrifice their democratic aspirations on the dubious altar of Indian unity, it would be prudent to examine the validity of the fears expressed about Tamil Nadu's secession. One can understand the motivations and compulsions of Sinhala hardliners when they stress this aspect, but it is puzzling to find Indian commentators dwelling on this. Such paranoia can only mean that these analysts have neither understood the basis of India's own unity, nor the transformed nature of Tamil nationalism in India. They also seem oblivious to the strong undercurrents of Sri Lankan Tamil nationalism and its aspirations, as also the differences between Tamil Nadu Tamils and Eelam Tamils.

Unlike Pakistan, independent India opted for secularism as its core value—multi-religious, multi-linguistic and multi-ethnic in its dimensions. And despite the tensions and prophecies of doom, India has flourished as a united country. When linguistic problems arose in India, the device of language-based states helped alleviate them. The most vibrant



separatist movement to emerge within India was in Tamil Nadu, or Madras as the state was known then. This Dravidian separatist movement was propelled by anti-Brahmin, anti-North Indian notions.

But when China attacked India in 1962, the Dravida Munnetra Kazhagam (DMK) led by CN Annadurai demanded that his party be included in the "roll call of honour" to defend India. Subsequently, the DMK also realised that its "Dravida Nadu" cry, while eliciting some support, would have to be abandoned if it were to win the state elections. Besides, the other Dravidian states of Kerala, Andhra Pradesh and Karnataka, remained un-enthused by the Dravidian ideology. The DMK that had 15 seats in the 1957 assembly elections, won 50 in 1962, after it tore down the secessionist plank. Rather than be opposed to it, Tamil nationalism found it easier to assert itself under the aegis of Indian unity.

There were times when the Tamil identity reasserted itself with vehemence, as when the Centre decided to impose Hindi on the state in 1965, triggering a mass agitation headed by the DMK. Two years later, in 1967, the DMK rode the crest of a wave to capture power in the state, and went on to adopt Tamil as the state language, along with English. The state also changed its name from Madras to Tamil Nadu. (Two years ago, Madras city itself underwent a name-change, and is now 'Chennai'.) In recent times, rather than any exclusive Tamil sovereignty, the DMK has been seeking regional autonomy. Moreover, the political parties of Tamil Nadu are now important players at the Centre, with the power to make or mar governments. The current Bharatiya Janata Party-led National Democratic Alliance has eight ministers from the state.

Tamil Nadu's is thus the unique case of a state with a once-flourishing separatist movement having metamorphosed into a powerful votary of national integrity. The state has come a long way from the days when people would immolate themselves for the cause of 'Mother Tamil'. Economically, Tamil Nadu is taking good advantage of being part of India, what with the computer

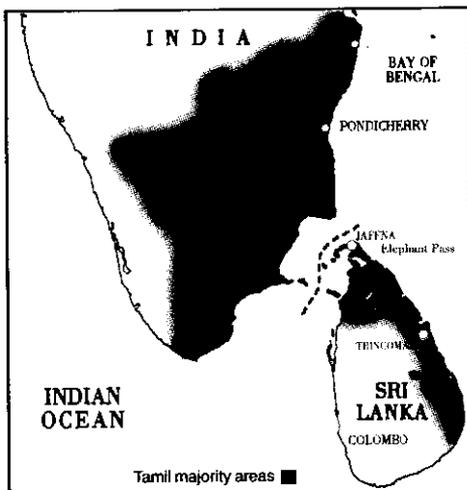
revolution and the opening up of the economy. Indeed, it would seem that the Tamils of Tamil Nadu are quite willing to bask under the Indian sun.

Against this background, there is nothing that can be done with the fear of Tamil Nadu seceding from the Indian state in the wake of an Eelam in Sri Lanka, but to dismiss it. The half-baked assertion by many non-Tamil commentators that the "simple" demonstration effect of Tamil Eelam would incite the Tamil Nadu Tamils to opt for it, is arrogantly puerile and indicates nothing but a misplaced sense of ethnic superiority – by individuals who view Tamilians as "mindless morons" who "think with their blood". Neither do these analysts seem to understand that little Tamil Eelam would not be able to entice or absorb Tamil Nadu, numerically and geographically. Moreover, it is hard to imagine the culturally richer Tamil Nadu willing to accept Tamil Eelam leadership when it comes to its own future, much as the head will not be wagged by the tail.

Likewise, neither does it seem likely that if ever Tamil Eelam becomes a reality, those at its helm would seek to promote secessionism in Tamil Nadu. The Sri Lankan Tamils know only too well that any untoward provocation by them would prompt India to move in and perhaps even annex the nascent state to prevent long-term consequences. Besides, the new state will be heavily dependent on India, which will be its 'protector'. The Hindu-Tamil heritage will make Tamil Eelam India's staunchest ally in the region. After a debilitating armed struggle that has sapped all their resources, the Sri Lankan Tamils, known for their common sense and pragmatism, would hardly opt to waste their energy promoting a separatist struggle in Tamil Nadu against all-powerful India. Also, the Sri Lankan Tamils, numbering at a maximum of about three million, would prefer to retain their identity across the Palk Straits rather than be subsumed within the larger mass of 55 million Indian Tamils. To be realistic, then, while a Tamil Eelam would continue to have cultural, social and economic bonds with Tamil Nadu, a political union does not seem possible.

Monolithic mindset

The evolution and growth of Tamil nationalism in Tamil Nadu and in Sri Lanka have taken different paths and cannot be compared. In Tamil Nadu, it was based on issues of social justice with heavy overtones of casteism. When avenues of redressing them through affirmative



discrimination became available, the separatist tendencies were enfeebled. An irony in Tamil Nadu is that the very same elements who protest against ethnic quotas in higher education for Tamils in Sri Lanka, are enthusiastic supporters of caste-based quotas in Tamil Nadu. Also, there was no discrimination against Tamils in India as in the case of Sri Lanka. The Sri Lankan Tamil's cry for secession developed as a reaction to Sinhala hegemonism.

Furthermore, in spite of linguistic and ethnic affinity, the Sri Lankan Tamils have never subscribed to the Dravidian ideology. Their political development was different, and rooted in the prevailing context within their island. At no point have the Sri Lankan Tamils ever considered a merger with Tamil Nadu or the larger India seriously. A Greece-Cyprus enosis was never on the cards. Another point of interest is that the Sri Lankan plantation Tamils or those of recent Indian origin, have never opted to throw in their lot with the indigenous Sri Lankan Tamils. There is a convergence of interests, but never a total oneness of interest. All these subtle nuances of the ethnic attributes of the Tamil people seem lost on those (of the 'north') seeking to label all Tamils as being part of one monolithic mindset.

Tamil pride

It cannot of course be denied that developments in Sri Lanka would have their impact on Tamil Nadu. The emergence of Tamil Eelam would certainly arouse Tamil pride in the state. This, in turn, would fuel some amount of Tamil chauvinism. When the courts vetoed the state government's efforts to make Tamil the sole medium of instruction in Tamil Nadu, Tamil scholars lamented openly that while "Eelam Tamils were on the verge of establishing a state, Tamil Nadu Tamils could not even get their children educated in Tamil". There are also other Tamil Nadu grievances, such as the refusal of neighbouring Kerala and Karnataka states to share river waters equitably with it; the sustained efforts of Kannadiga chauvinists to prevent the installation of a statue for the great Tamil poet Thiruvalluvar in Bangalore; and the violence perpetrated against Tamils in the border areas of their state by extraneous elements.

These issues of Centre-state relations and inter-state rivalry have caused resentment in recent times, leading many Tamils to question the concept of a united India. However, these are passionate outbursts lacking serious intent. The birth of Tamil Eelam will certainly make

the Tamil Nadu Tamils more assertive of their Tamil-ness and may inculcate a militancy in their interaction with others, but it is extremely unlikely that secessionism would be fomented.

There is indeed a secessionist line of thought within the state, but these represent a negligible group of "toothless" separatists excited by the LTTE, and are vicariously releasing their dormant sentiments by supporting the Tigers. Stimulated by Tiger successes, these elements have become emboldened to put out posters and issue pamphlets on behalf of the Tamil cause. Using the supposedly harsh verdicts delivered at the Rajiv Gandhi murder trial as a rallying point, these sections have managed to whip up some extremist opinion.

While not denying that in Tamil Nadu there is indeed a lot of interest and pride over the exploits and successes of the LTTE, one must also keep in mind that there is also another large and powerful segment that is resentful of the LTTE and Tamil Eelam. Developments such as the LTTE fighting against the Indian army, and the killing of Rajiv Gandhi, have to a great extent queered the pitch for the Tigers in Tamil Nadu. There was no major reaction in Tamil Nadu when the exodus of 1995 occurred and the Tigers moved out of Jaffna peninsula.

Another point to consider is that whenever they deemed it appropriate, the powers in New Delhi have created an impression that they are bowing to the dictates of Tamil Nadu, when actually they were doing nothing of that sort. For example, the help provided to the Tamil militants in the pre-1987 period, was a deliberate central government decision, even though it was passed off as an act to assuage Tamil Nadu's concern. This became obvious when Tamil Nadu found it unable to prevent the IPKF from battling the Tigers just a few years hence. At the present juncture, too, New Delhi's hands-off policy has only a little to do with Tamil Nadu's pressure, and more to do with enlightened national self-interest. This point needs to be understood in Colombo as well, where the Sinhala perception is that Tamil Nadu's pressure has constrained India from helping it militarily.

A blunder by the LTTE in the early years, perhaps not totally unavoidable, was that it allowed itself to get embroiled in the political undercurrents of Tamil Nadu. The Tigers found the Dravidian separatists and ideologues of great assistance, for they provided money, shelter and propaganda support. A consequence of this was that the Eelam struggle was perceived to be a part of the anti-Brahminism of the Dravidian ideology. But in the Sri Lankan reality, there is a total absence of anti-Brahminism among Tamils.

This unfortunate identification of Tamil Eelam nationalists with anti-Brahmin elements in Tamil Nadu only helped alienate the Brahmin elite all over India, and Tamil Nadu in particular. The constant anti-Brahmin venom spouted by LTTE journals overseas made matters more difficult. This estrangement of the Indian Brahmin elite, the most influential segment of national Indian society, is the biggest handicap faced by the LTTE in wooing India.

Even though Tamil Nadu is arguably insulated against separatist tendencies presently, the ongoing conflict and the Indian government's acts of omission and commission arouses extreme reactions in Tamil Nadu. Wrong moves by the powers in New Delhi fuel hawkish sentiments in Tamil Nadu at times. A case in point is the symbolic breaking of a TV set by the present Chief Minister M. Karunanidhi to signal his protest against what he called false propaganda by Doordarshan television to malign the Sri Lankan Tamils in 1988. Karunanidhi also refused to welcome the Indian peace-keeping force on its return home after "killing my Tamil brethren", in 1990. More recently, when stories of India supplying arms to Colombo began appearing in the Indian press, Karunanidhi threw a tantrum saying fellow Tamils were going to be hunted down. This, and other developments, indicate that allowing this problem to fester will certainly

have some impact, but not serious enough to foment secession.

The anxiety to prevent fragmentation of states in the interest of South Asian regional stability, is a legitimate concern. But it has to be remembered that no majoritarian regime can continue to oppress a minority segment on the basis of numerical superiority. Post-colonial tensions within the boundaries of states defined in pre-colonial times can only be resolved through creative new arrangements. If the unity and territorial integrity of states are inviolable, then the structure of those states should, if necessary, be imaginatively modified to accommodate as much internal autonomy as possible. If secessionism is to be prevented, the aspirations of a nationality wanting to secede should be realised within the parameters of an associative structure. The nation-state has to be reinvented.

Under these circumstances, the best possible course for India would be to mediate in the Sri Lankan situation to bring about an amicable settlement. That would help douse secessionist tendency in that country, if any. It would also help subdue political passions in Tamil Nadu. New Delhi has already signalled its preparedness for this role. India will step in if requested by Sri Lanka as well as the LTTE. The need of the hour is for India to seize the opportunity if and when it arises. ▲

LONG VIEW FROM NEW DELHI

by Ashok K. Mehta

HOWEVER EARNEST her intention to end the 17-year-old ethnic conflict in Sri Lanka, President Chandrika Kumaratunga's strategy of "war for peace" has backfired. Armed with a huge mandate for peace, she devised a political-military strategy designed at the very least to break the military stalemate and offer the LTTE a credible and promising package. Two things went wrong. Her choice of delegates for peace talks—all of them Sinhalese—and the inordinate delay in presenting the devolution package to the LTTE. The result was that the LTTE broke off the talks and started the "third Eelam war".

The cornerstone of the military strategy up till then had been effective command over the Eastern Province including Trincomalee and selective control in the northern peninsula, where the LTTE held Jaffna town while the Sri Lanka Army (SLA) occupied military bases around the Palaly airport, Kankesanthuri and

Point Pedro harbours, as well as maintained offshore island garrisons. Neither side contested the unspoken demarcation of territory, and it was a live-and-let-live situation.

The government's response to the declaration of war by the LTTE was the "war for peace" strategy: altering the balance of power in the north by capturing Jaffna in December 1995 and extending government control over the whole peninsula for the first time since the Indian Peace-Keeping Force left in 1990. In other words, the LTTE were banished from their heartland. While the SLA kept capturing more ground in the north (and losing some in the east), it got overstretched and ran out of steam. In late 1999, after four years of regrouping in the jungles, a revitalised LTTE struck back with vengeance. In six days it captured the central Wannai sector, territory the SLA had taken 18 months to occupy. By now, the LTTE was no longer the ragtag guerrilla group of the past

but a seasoned conventional army equipped for the first time with tanks, artillery, and a naval force of Sea Tigers, which has become the scourge of the government's navy. And of course, the Tigers have their human bomber force.

In sharp contrast to the energetic LTTE, the SLA was demoralised and wracked by desertions, mutinies and collapse of command and leadership. The government ignored the military debacles until the inevitable happened last month: Elephant Pass was captured and the 17,000 strong garrison forced to withdraw to Jaffna. The wily Tigers had been nibbling at this fortress since last December, and this was their first gold medal in the war. This was also the single biggest military catastrophe for the government, for the fall of Elephant Pass opened the floodgates to Jaffna.

Tamil tsunami

It is a mystery why neither the Indian media nor the New Delhi government took serious notice of these "Unceasing Waves" (the LTTE code name for the war), which had the potential of engulfing India's own southern flanks with its tsunami. The stormy events south of the Palk Straits found India wanting in anticipating and shaping its response to avert a crisis that was soon by its quayside. This sluggishness was obviously the result of the "hands-off Sri Lanka" policy, the about-turn by New Delhi after it burnt its fingers with the IPKF. Even the debate that did follow the LTTE's juggernaut missed the woods for the trees. Revival of the debate that had swirled around the IPKF a decade ago clouded considerations of India's national interest. Security of the state was subordinated to the security of the government at the Centre, dictated by partisan political compulsions.

With the LTTE—a banned "terrorist" organisation in Sri Lanka, India, the United States and Malaysia—marching inexorably towards Jaffna, some Tamil allies of the BJP government openly supported secession, creation of an independent Eelam, and military help for LTTE. Quite unmindful were they of what this would do to India's brave stand on secessionist tendencies and terrorism used for that purpose.

As for Colombo, when the war between 1995 and 1998 was going well for it, India's non-interference was loftily lauded. But now, with the serious reverses, it has rushed to New Delhi for help. India's official response to this most serious politico-military crisis was forced when the convalescing Sri Lankan Foreign

Minister Lakshman Kadirgamar, after meeting the Prime Minister Atal Behari Vajpayee on 3 May, blurted out to the waiting media that he had made a request for Indian help, which was under consideration. It is widely thought this request pertained to military (read 'humanitarian') assistance in the contingency the SLA had to be evacuated from Jaffna.

In 1971, 1984, 1987 and at least once in the 1990s, Sri Lanka sought and was given military assistance (except in 1994). Foreign Minister Kadirgamar committed the first mistake by going public about this most recent request, and this seriously curtailed India's flexibility of response and made it incumbent on New Delhi to explain how far it was prepared to go. In both his initial statements to the press and in Parliament, Foreign Minister Jaswant Singh avoided specifics but confirmed Sri Lanka had made some requests, which were being given urgent consideration. Singh made no reference to Eelam. Singh said that Norwegian mediation was not workable, and his only positive offer to Sri Lanka was regarding humanitarian assistance, details of which remained undisclosed.

The sum and substance of policy statements and utterances from New Delhi could therefore be clubbed under four Nos:

- No military intervention.
- No military assistance.
- No mediation unless both sides request (and the LTTE never would).
- No Eelam.

India's silence on the need for an immediate start of negotiations and end to the fighting is both uncharacteristic and surprising. As the battle for Jaffna rages, refugees have started pouring into Tamil Nadu. LTTE cadres have infiltrated Jaffna town and the peninsula will soon be bristling with them, and there is bound to be spillover northward across the straits. This twin threat—refugees and LTTE—has the potential of reviving the mayhem seen in the 1980s and 1990s in Tamil Nadu, no matter how faint the pro-LTTE factor after Rajiv Gandhi's assassination.

There is hardly anyone (except Sri Lanka) who wants India to revisit the IPKF route. But all this for the wrong reason: they believe that the IPKF blundered and the intervention (which, remember, was at the invitation of Sri Lanka) failed. Truth be told, the IPKF was not permitted to complete its task because India's coercive diplomacy proved ineffectual. At the time, there were strong geo-strategic reasons, which do not obtain now, for India to follow a proactive policy.

But short of sending Indian soldiers, ruling out military assistance as a policy option was unwise given the LTTE's blitzkrieg in the last six months and India having zero leverage over it.

From official pronouncements and loud thinking, one can cull two unarticulated strategies on the part of New Delhi. First, is the need for restoring a military situation that is amenable for the two sides to move to the negotiating table. But what one can gather is that there is a belief that the fall of Jaffna town will not break up Sri Lanka—the town was after all with the LTTE in 1995. What this mindset forgets is the fact that today, it would be Jaffna *plus* Elphinstone Pass and other key bases in the hands of the LTTE.

The second strategy, and more dangerous, is that the idea of Eelam may not be so bad, and it may not trigger off a greater Eelam roping in Southern India. There is no doubt that this kind of 'Brahmanical' assessment emanates from Tamil leaders at the state and the Centre. To begin with, this kind of thinking overlooks completely the effect Eelam had on the integrity and unity of Sri Lanka. The biggest imponderable here, of course, is the limits to the military and geographical ambitions of the LTTE and its leader Vellupillai Prabhakaran. It is vitally important not only for Sri Lanka, but for India, that Eelam be written off here and now as both unachievable and unsustainable.

Lankan Dien Bien Phu

That having been said, India cannot shy away from its responsibility in reconciling Sri Lanka's unity with the just aspirations of the Sri Lankan Tamils. New Delhi sometimes gets carried away with the argument that the ethnic conflict is an internal affair of Sri Lanka, which is where the contradiction surfaces between national and political interests.

LTTE is the world's premier terrorist force, now organised like a conventional army. It is known to be assisting various no-holds-barred terrorist groups in the Subcontinent, and even to this day maintains an elaborate network of agents in Tamil Nadu. Within Sri Lanka, the Tigers have wiped out all their Tamil opponents in the quest to being the sole representative of the Tamils there. India cannot be seen to be associated with an internationally banned group.

As of this writing, Jaffna remains a powder keg. The question is: what after Jaffna's inevitable fall? Will Prabhakaran accept the ceasefire offered by Kumaratunga? Or will he go for Palaly air base and the two harbours? It

would seem that the LTTE will try to take the airport and the harbours as these constitute the infrastructural ingredients for Eelam. But does the LTTE have the military capacity to take on 30,000 soldiers holed up in fortress defences? The answers to these questions will be available only when the events reveal themselves on the ground. The key to understanding the impasse is the correct assessment of the military capabilities of the two sides.

After Kadirgamar made the first mistake by going public over his plea for help, Kumaratunga may have made the second by rejecting the LTTE offer of a ceasefire, safe passage and talks just before the battle for Jaffna was joined. She may have been able to cut her losses and negotiate a more honourable ceasefire, but she chose to take a gamble despite the fact her army's spirit was broken. A fresh consignment of military hardware may not be enough to shore up the morale of the SLA regulars.

The last ditch battle in the Third Eelam War will be fought around Palaly, already under artillery attack. Unless the Tigers call it a day at Jaffna, which is unlikely, Palaly could turn out to be Sri Lanka's Dien Bien Phu, the historic 1954 battle which ended French colonial rule in Vietnam. If that happens, some Sinhalese are talking about a scorched earth policy and doing a Chechnya or a Kosovo on Jaffna. Which would only mean the ethnic war would go on for another 20 years.

There is possibly one way out of the disaster: for Kumaratunga to give Jaffna to the LTTE in return for ceasefire and talks. The equation will change if Jaffna is lost to the LTTE. This is the most acceptable ground situation to restore a balance of power favourable to the LTTE (and yet not dishonourable for the SLA), from where it can proceed for talks from a position of relative strength. The inevitable hitch in the heat of battle will be bringing sanity to the LTTE and its inexorable focus on a zero-sum outcome.

This is where India would come in, requiring not just its Tamil and RAW (Research and Analysis Wing) connections to get the LTTE to come sit across the table, but using its effort to bring all the weight of international diplomatic pressure to be also brought on the Tigers. The outlines of a strong and sincere devolution package will be a prerequisite for this process. Unfortunately, New Delhi seems unwilling to dip into the quagmire, and so this way to a solution too is still-born.

The last hope for rescuing Sri Lanka from harakiri must lie with Lord Kadirgamar, who is worshipped both by Tamils and Sinhalese.

WAR AND PAIN

PRESIDENT CHANDRIKA Bandaranaike Kumaratunga's "war for peace" has gone awry in recent weeks. Stark reality dawned on Colombo only after the 23 April fall of the Elephant Pass army complex on the narrow isthmus of land linking the Jaffna peninsula to the northern mainland. "He who holds Elephant Pass controls Jaffna," has been the conventional military wisdom that the Tamil Tiger leader Velupillai Prabhakaran is all set to prove, while the government forces are fighting back-to-wall to hold on to Jaffna.

In July 1996, when Mullaitivu, a major facility on the northeastern coast, fell with an estimated 1200 soldiers losing their lives, Deputy Defence Minister Anuruddha Ratwatte had nonchalantly explained it away by saying that reverses are inevitable in all wars. Again, when other camps in the war zone, notably Kilinochchi, an important bastion south of Elephant Pass, was taken over in September 1998, there was an inexplicable inability on the part of both the political and military leadership to see that the LTTE was tightening the noose round the military's jugular. The present Tiger onslaught began in November 1999, when they captured 10 army camps in the northern Wanni mainland in just five days, but the Colombo government, as in the past, was slow on the uptake.

It was only when Elephant Pass fell, with the Tigers freely using heavy artillery and ammunition captured from government forces, that Colombo opened its eyes and desperately rushed to obtain foreign assistance and procure urgently needed arms. A government that was boasting that it would militarily weaken the Tigers before sitting with them for negotiations, suddenly found the tables reversed. Full-fledged diplomatic ties with Israel were hurriedly resumed, much to the chagrin of the Muslim allies in Kumaratunga's ruling coalition. Israel, which had trained Lankan forces in mid-1980, was unceremoniously shunted out in 1991 when then president Premadasa had ordered the closure of the Israeli Interests Section in the American Embassy at Colombo.

With the latest LTTE offensive on, the Kumaratunga government, first elected in 1994 on a peace plank, has been forced to put the country on a war footing. Taxes have been hurriedly raised, and development plans suspended to help pay the USD 800

million needed for urgent buying of weapons, principally the Israeli Kfir fighters and heavy artillery. The army has admitted that the Tigers had at least one artillery piece with a longer range than its own howitzers. The government has clamped Emergency law, including strict press censorship, claiming supremacy of national interest over normal democratic freedoms. While nobody disputed the gravity of the situation with the Tigers at the gates of Jaffna, it is fair to ask whether the political interest of the rulers is being mixed up with the national interest. Given that parliamentary elections must be held by October at the latest, this possibility is not as far out as it may seem.

Meanwhile, there is no escaping the fact that the war had been badly managed over a considerable period of time. While one faction of the government believed in a military solution, another had been shouting itself

As the war has progressed, the military commanders have stopped dismissing the Tigers as "only a guerrilla group unable to take on the army in a conventional war".

hoarse about peace. The army command, in the meantime, has steadfastly maintained that peace will not be possible without "crushing the LTTE". Like the Tigers, the Sri Lankan army has for long been short of manpower, with thousands of desertions yearly. Calls for peace by a section in government have not helped the army's recruitment drive any. There had been allegations of widespread corruption in military procurement, but rather than nab the guilty all this did was to slow down the purchase of badly-needed hardware. Everything then had to be perforce speeded up as Jaffna slipped away.

Colombo's embarrassment becomes more acute when the strength of the government forces is compared to the LTTE's. Sri Lanka's forces are 120,000-strong, though it must be said that actual combat troops number only around 20,000. The rest are support forces, or soldiers used to hold territory that has been won over. On the other hand, the LTTE has no more than an army of 10,000 hardcore fighters, going up to 30,000 when you include child soldiers used

for back-up. As the war has progressed, the military commanders have stopped dismissing the Tigers as "only a guerrilla group unable to take on the army in a conventional war". The fact that they can, is being abundantly demonstrated even as Himal goes to press.

Given the unequal balance of power between the combatants, and the fact of the government's monopoly of air power, the results are indeed hard for Colombo to justify. But it must not be forgotten that the Tigers do command a formidable resource base, quite apart from their captured weapons. They are bankrolled by the Tamil diaspora, estimated at 850,000 living in Western Europe and North America. They are in many businesses both illegal (drug peddling, gun running, human trafficking, etc.) as well as legitimate. The LTTE owns a fleet of ships, employed both for ferrying military hardware as well as for commercial cargo carriage; as also many other businesses including restaurants.

On the much-debated question of Indian intervention, it has to be said that New Delhi certainly has a moral obligation to help Sri

Lanka in its time of need, if only for the reason that it had played a significant role in making LTTE the formidable force it is today. While India's publicly proffered "humanitarian aid" is of little consolation to Sri Lanka, there are hopeful signs of something better as this is being written. While Prime Minister A.B. Vajpayee must contend with the popular empathy for Tamils across the Palk Strait in Tamil Nadu, New Delhi clearly seems to understand the security implications of a militant-run Tamil State close off its southern coast.

These are mean times for Sri Lanka. At the altar of war, old scores are being settled, and wounds getting the salt treatment. When the Tigers were ejected from Jaffna in December 1995, amidst all fanfare, Deputy Defence Minister Ratwatte was elevated from lieutenant colonel to general. So now when things have gone wrong for the general, a Colombo newspaper rubbed it in by reprinting the five-year-old picture of Ratwatte handing over a ceremonial scroll to the president for the Jaffna victory. Even good memories turn sour. ▲

THE TIGER'S TRAP

by *Shastri Ramachandran*

IN THE last 15 years of the Tamil-Sinhala conflict, the Liberation Tigers of Tamil Eelam have been prisoners of their militarised, brutalised and violence-driven pursuit for a separate homeland. But the LTTE has no less effectively trapped the governments of Sri Lanka and India, with both being hard put to either tame the Tigers or bring them to the negotiating table on their terms. As the situation unfolds on the ground in the Jaffna peninsula, there is no wishing away the fact that the Colombo government will have to sue for peace. There are compulsions for Chandrika Kumaratunga to create conditions that enable her government to resume the process of talks towards a negotiated settlement. In all this, India's role as facilitator's facilitator will be critical.

Internationally, Colombo is coming under increasing pressure to settle with the Tamils and recognise their right to an autonomous homeland within the framework of a Sri Lanka where they and their language have equal and non-discriminatory rights. From the United States to the European Union and from NATO to New Delhi, there is now a conviction that this is an unwinnable war which must be ended through negotiations. It was an expression

of this growing worldwide concern that British minister Liam Fox brokered an accord between Chandrika's People's Alliance and the opposition United National Party of Ranil Wickremesinghe on a bipartisan approach for ending the ethnic war.

Although that accord collapsed, there have been other international efforts with both New Delhi and Washington persisting in pressing for revival of the peace process. France gave up after a peripheral attempt at mediation, and it took some time before the Norwegians decided to take up the challenge at the behest of the US. Not only is Norway an important member of NATO and a dependable US ally, it wears an internationally acceptable pacifist face and has a track record of brokering peace accords, the latest and most notable one being in West Asia. The arrival of Norway as facilitator, with political changes at home not in any way affecting the direction of the initiative, marks a major departure.

Norway's facilitation is acceptable to New Delhi because it expects to be kept informed of developments at every stage. Norway is also acceptable to both Colombo and the Tigers. While it is one with the world community in accepting the designation of the LTTE as a

“terrorist organisation”, Norway has proved hospitable to Sri Lankan Tamils, including refugees, and has built an excellent rapport with Tamils some of whom have trusted lines of communication to the LTTE.

New Delhi is without doubt the most important “international” point of reference on the Sri Lankan crisis, and if Norway and others have been enabled to proceed thus far it is because of the Indian government’s acquiescence. There is no need for South Block to point out that anything unacceptable to it can and will be torpedoed—this is understood and accepted in Colombo and other capitals. Though it may be politically incorrect to say so, Sri Lanka does fall within India’s sphere of influence and any rapprochement process not sensitive to New Delhi’s concerns has little chance of success. While India’s stance on the crisis may evolve as developments unfold, one constant is that South Block’s sensibilities cannot be trifled with if Colombo wants a lasting solution.

One surprise development preceding Colombo’s SOS to New Delhi and other capitals was the radical Buddhist clergy meeting the Indian high commissioner in Colombo and seeking Indian military and other assistance to end the conflict. Such a request implied that Indian intervention would of necessity have to be on the side of the Sri Lankan and Buddhist establishment to crush the Tamil rebels. This was the same Buddhist clergy that had uncompromisingly opposed Indian intervention in Sri Lanka in the 1980s and some of whose monks had threatened self-immolation against Indian presence on the island.

As far as the Sri Lankan approach to Pakistan for support is concerned, used cynically to motivate New Delhi to involve itself more deeply, there was no way Islamabad would have got sucked into the mire. In fact, Pakistan is not in any position to come to Colombo’s assistance, given its economic situation and the over-stretching of its men, resources, materials and weapons from Afghanistan to the borders of Jammu and Kashmir.

Fortunately, use of the Pakistan card did not push New Delhi any further than it intended to go, or was pragmatic for it to go. Given the experience of the Indian Peace Keeping Force, obviously India could not even afford to even think in terms of sending troops. Supply of arms also had to be officially ruled out because it would go to the Sri Lankan army for use against Tamils, which would have been something explosive in Tamil Nadu. Besides, any overt

action in favour of Colombo would have led to a revival and strengthening of political links between Tamil groups and Sri Lanka and Tamil Nadu.

New Delhi is of course aware that it alone can lean on both the Kumaratunga government and the Tamil Tigers to proceed to negotiations—one way towards a solution is to keep pushing for talks and de-emphasising the military aspect of the confrontation. The Indian government can enable and facilitate third country “intervention” or “mediation” without actually getting sucked into the conflict itself. It has indeed managed to work itself into

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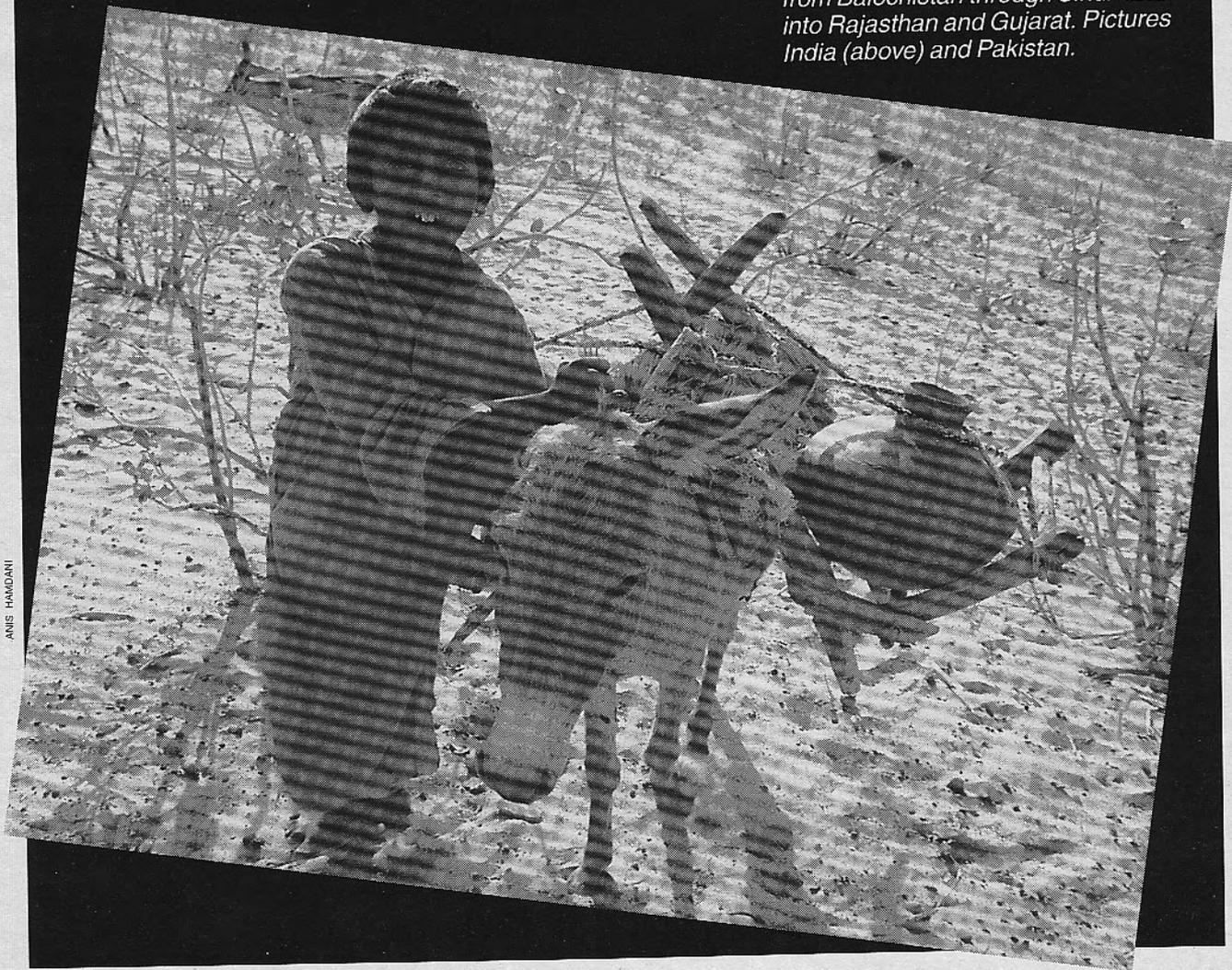
such a position, and this is well reflected in the stated position of New Delhi: the Indian army will keep out; attempts for a peaceful resolution of the conflict must be pursued; the unity, integrity and sovereignty of Sri Lanka must be maintained; the welfare of Tamils and their demand for Eelam must be kept “in mind”; and that all minority interests have to be safeguarded. All this is also being scrupulously mindful of sentiments of regional parties in Tamil Nadu, which are prone to fly off the handle at the slightest excuse.

Thus far, the Indian government has handled itself well in the evolving crisis in Sri Lanka—in terms of tackling the over-zealousness of Tamil Nadu allies; activating Washington and letting Colombo to develop a new equation with an Israel which is willing to assist the Kumaratunga government; working quietly behind the scene for international facilitation; allowing the Norwegians to feel that they have a free hand as facilitators; and making both allies and the opposition in Delhi feel that they have been brought into the picture. As matters unfold, New Delhi should remain the facilitator of facilitators, combining diplomatic activism with political dexterity, where its power and influence are felt and seen, but not exercised in a way that would claim more costs than were paid during the misadventure of 1987-90.

COURTESY THE HINDU

Weather, wind and tragedy know no borders, and the drought that hit the Northwestern Subcontinent extended in one devastating swoop from Balochistan through Sindh and into Rajasthan and Gujarat. Pictures India (above) and Pakistan.

ANIS HAYDANI



Vajra (literally-flash of lightning), is an artists' condominium, a transit home for many, providing a base during months of hibernation and creative inspiration. Its isolation, graphic splendour and peaceful ambience, make an ideal retreat from the clock of pressure.

Ketaki Sheth
Inside Outside.

I stayed a week at the **Vajra**, by which time I had become so fond of it that I stayed another.

John Collee
The London Observer.

Vajra, a serene assembly of brick buildings, grassy courtyards, ivycovered walls and Hindu statuary is a calm oasis overlooking, chaotic Kathmandu.

Time



in Kathmandu, the Vajra

Swayambhu, Dattu Bijyaswori, PO Box 1084, Kathmandu
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The Indian Army,
Kashmiri youth, and
teargas in Srinagar

PIAA-INDIA

The people were to rule, not a foreign or indigenous monarch. This is reflected in the Constitution which begins by taking its authority from, "We the people of India". And Article 370 of that Constitution raises the fundamental issue of whether territory should get priority over people.

by **Ajit Bhattacharjea**

Chasing Article 370

Continuing differences over Article 370 (originally numbered 306-A) of the Indian Constitution represent much more than disagreement over the autonomy to be enjoyed by the State of Jammu and Kashmir. From the day the Article was drafted in October 1949, it became the point of collision of sharply opposing viewpoints on whether the new India would be kept together by a centralised authority, as in the past, or by the consent of its peoples.

During the struggle for independence, national leaders were pledged to secure democratic governance and a federal structure responsive to the ethnic and cultural diversity of the country. The people were to rule, not a foreign or indigenous monarch. This is reflected in the Constitution which begins by taking its authority from, "We the people of India". The most eloquent expression of this view came from prime minister Jawaharlal Nehru in a speech in the Lok Sabha on 7 August 1952, justifying the special status given to Jammu and Kashmir but going further in defining the relationship between Central authority and outlying areas in a democratic polity. His words merit recall, though he himself was not always able to resist opposing pressures. He said:

"So while the accession [of Jammu and Kashmir] was complete in law and in fact, the other fact that has nothing to do with the law remains, namely our pledge to the people of



Kashmir—if you like to the people of the world—that this matter could be affirmed or cancelled by the people of Kashmir according to their wishes. We do not wish to win people against their will with the help of armed force; and if the people of Kashmir wish to part company with us, they may go their way and we shall go ours. We want no forced marriages, no forced unions.”

But a powerful section of the ruling Congress party, led by the formidable deputy prime minister and minister for home affairs and (former princely) states, Sardar Vallabhbhai Patel, believed that a country of India’s size, history and complexity required to be held together by adequate centralised power and authority, and force if necessary. Concessions to ethnic or regional sentiment were seen as injurious to national unity, paving the way to secession and break-up, as experienced so often in history. They saw themselves as inheritors of British colonial and Moghul imperial tradition, when the right to rule emanated from the monarch, not the people.

The smooth manner in which governmental power was transferred from British to Indian hands on 15 August 1947, with no change in the administrative structure, reinforced this approach. It came naturally to the senior bureaucracy, which retained its colonial powers and privileges. The need for a strong Centre was accentuated by the horrors of Partition and the desire to ensure against a repetition; though the Congress leadership had itself accepted the right of Muslim-majority areas of British India to secede and form Pakistan.

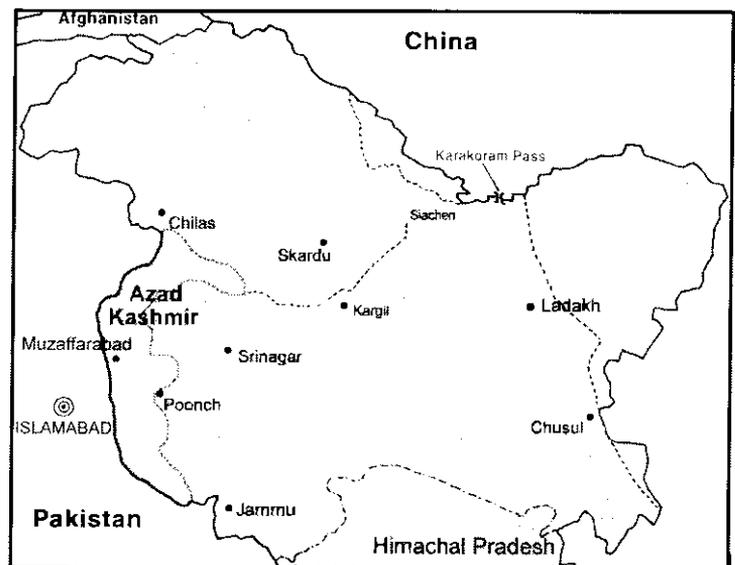
The Constituent Assembly debates, and the Constitution itself, reflect this polarity. While few, if any, foreign constitutions promise the array of rights to citizens specified in the Indian Constitution, the case of empowerment of the people at the grassroots was overlooked. Instead, it validated the system of top-down administration laid down by the British rulers in the Government of India Act of 1935. The institution of centrally-nominated provincial governors was retained and the controversial Article 356 gave them the authority to place their states under Central rule, a power that came to be used frequently to negate federal autonomy.

The controversy over Article 370 brought underlying differences into the open. When reluctantly joining the Indian Union in October 1947 to secure military help to defend Srinagar against irregular Pathan lashkars let in by Pakistan, Maharaja Hari Singh had limited accession to three subjects: defence, foreign affairs and

communications. His state retained authority over everything else. The Maharaja, who had nurtured visions of independence when the British quit, was reluctant to cede more authority than he had to. Sheikh Mohammed Abdullah, the first popular head of government, was equally anxious to retain maximum autonomy. He needed constitutional buffers to provide space for the Muslim-majority state, with its unique cultural and ethnic traditions, from being engulfed in Hindu-majority India. His party, the National Conference, had gained support with a manifesto promising radical land reform and other measures that could be impeded by conservative provisions about right to property in the Indian Constitution.

On its part, New Delhi needed to offer anything short of independence to enable the Sheikh to justify to his people the decision to join India, and join in fighting Pakistan. To win over the Kashmiris despite the religious appeal of Pakistan was a major victory for Indian secularism scripted by Jawaharlal Nehru. When Partition riots were still raging in North India and Indian troops joined National Conference workers in resisting the Pathan lashkars encircling Srinagar, Mahatma Gandhi told a prayer meeting: “It is on Kashmir soil that Islam and Hinduism are being weighed now...My sole hope and prayer is that Kashmir would become a beacon light in this benighted Subcontinent.” But the price of allowing Jammu and Kashmir to fashion its own domestic constitution and resist New Delhi’s right to take the government under Article 356 seemed too high for the conservatives, headed by Sardar Patel.

Differences with Nehru on Kashmir had already led to Patel’s offer to resign from the government in December 1947. He resented the prime minister’s decision to remove Kashmir from his charge and place it under a separate





Son of the Maharaj

Karan Singh, son of Maharaj Hari Singh, has been an on-again off-again player in Kashmir politics. For a while, he was chairman of the committee on the autonomy for Jammu and Kashmir. Back in 26 July 1996, he had spoken to Ritu Sarin in The Indian Express on the subject. We reprint excerpts:

“The issue of state and regional autonomy (within the state) are inseparable because if you demand more autonomy for J&K via-a-vis the Centre, you have to be prepared to give autonomy to the regions also. And the people who demand regional autonomy must also be prepared to support autonomy for the state. For the first time in 50 years a serious effort is being made to solve the dual problem: one, what is the relationship of J&K with the rest of India and, two, what is the relationship be-

tween Jammu, Kashmir and Ladakh within the state? Both these things have to be sorted out if we have to get an abiding solution.

The only consistent policy the government has followed is to erode, as far as possible, the autonomy of J&K. They thought it was in national interest to erode this J&K autonomy, but the situation is much altered. Now everyone realises that the concept of all authority, all wisdom and all ability being concentrated in New Delhi and in South Block, is no longer valid. Autonomy is no longer something which is against the mainstream, though J&K is still a special case, the only state with its own constitution.

This is a good time to re-establish J&K's autonomy, of course, within the framework of the Indian Constitution. There should be no fear on that account. After all, if we are going to restore autonomy to J&K, it is going to be in the broader national interest. If the people of the state are satisfied, it strengthens national integrity and the Government of India. ”

Art. 370 of the Indian Constitution

(1) Temporary provisions with respect to the State of Jammu and Kashmir.

Notwithstanding anything in this Constitution,-

(a) the provisions of article 238 shall not apply in relation to the State of Jammu and Kashmir;

(b) the power of Parliament to make laws for the said State shall be limited to—

(i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for that State; and

(ii) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify.

Explanation.- For the purposes of this article, the Government of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharaja's Proclamation dated the fifth day of March, 1948;

(c) the provisions of article 1 and of this article shall apply in relation to that State;

(d) such of the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may by order specify :

Provided that no such order which relates to the matters specified in the Instrument of Accession of the State referred to in paragraph (i) of sub-clause (b) shall be issued except in consultation with the Government of the State :

Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government.

(2) If the concurrence of the Government of the State referred to in paragraph (ii) of sub-clause (b) of clause (1) or in the second proviso to sub-clause (d) of that clause be given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon.

(3) Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify :

Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.



minister for Kashmir Affairs, Gopalaswami Ayyangar, and formally objected when a decision by Ayyangar was not referred to him. Nehru replied: "The present issue related to Kashmir. This raises all matters of connected issues—international, military and others—which are beyond the competence of the State's Ministry as such... All this was done at my instance, and I do not propose to abdicate my functions in regard to matters for which I consider myself responsible." Patel promptly tendered his resignation. It was not pressed, and within days the two leaders swore to work together as they wept over Gandhi's assassinated body. But differences remained.

Patel was scandalised when the draft of Article 370 was placed before him by Gopalaswami Ayyangar. He wrote: "You can yourself realise the anomaly of the State becoming part of India and at the same time not recognising any of these (constitutional) provisions," adding resentfully, "if you feel it is the right thing to do, you can go ahead with it." He was also unhappy with moves by the Abdullah Government to take over land without adequate compensation. Later, he complained that the Government of India was abrogating its duties in Kashmir.

On the other hand, Sheikh Abdullah was upset by the Article being described as a "temporary provision". He tried to give it permanency by convoking the Jammu and Kashmir Constituent Assembly in 1950, where he emphasised the special treatment given to the State in the Indian Constitution. Apart from Defence, Foreign Affairs and Communications, he declared, "We have complete freedom to frame our constitution in the manner we like... while safeguarding our autonomy to the fullest extent according to the best traditions and genius of our people..." Jammu and Kashmir went on to elect its own Sadr-e-Riyasat, thus denying New Delhi the power to appoint the Head of State and use him to topple the State Government. Article 356 did not apply to the state until the latter's rights were eroded in subsequent years.

Sardar Patel saw no reason for changes in the administrative system. He believed in continuity and had his way as Home Minister. He was well served by the senior bureaucracy, for whom he ensured the rights and privileges they enjoyed under the British. Trained in the colonial mould; they did not share Nehru's vision of government by consent. Whittling down the special rights enjoyed by Jammu and Kashmir under Article 370 became, and remains, a Home Ministry obsession.

The inaugural session of the Jammu and Kashmir Constituent Assembly was the high point of the autonomy enjoyed by the state under Article 370. In November 1952, the State Assembly elected Yuvraj Karan Singh, son of Maharaja Hari Singh, as Sadr-i-Riyasat, as a gesture of compromise with the old regime. It was in this capacity that Karan Singh dismissed Abdullah from office eight months later. He acted under the authority of the State Constitution; recourse to the Centre through Section 356 was not required. The Home Ministry had found another way to dismiss an obstinate state government. Abdullah was charged with disloyalty for suggesting that the Home Ministry was under the influence of the Hindu lobby, particularly vociferous in Jammu, and questioning the finality of Kashmir's accession (which Nehru had conceded). He is also known to have discussed Kashmir's future with US officials. The Sheikh was holidaying in Gulmarg when he was detained at midnight. The operation was organised by B.N. Mullick, director of the Home Ministry's Intelligence Bureau. Nehru claimed ignorance of the details but went along.

Towards the end of his life, Jawaharlal Nehru seemed to realise that he had been misled by the Home Ministry into doubting Abdullah's loyalty. He had him released and sent on a mission to Pakistan. The Sheikh was in Muzaffarabad (in Pakistan-held Kashmir) when informed of Nehru's death on 27 May 1964. He rushed back to Delhi and wept bitterly at the cremation. But now there was no obstacle to the erosion of Jammu and Kashmir's special status. Local leaders who owed their jobs to New Delhi cooperated in persuading the state Assembly to go along. The title and powers of the Sadr-i-Riyasat were abolished and replaced by a Centrally-appointed governor, as in other States; the title of Prime Minister accorded to the head of government was replaced by Chief Minister; officers from the Central cadre took over senior positions. Article 370 survived, but the Home Ministry's overriding authority had reduced it to a shell.

Increasing signs of popular discontent in Kashmir as well as other parts of the country have yet to persuade India's ruling establishment that the remedy lies in relaxing its grip; the usual response is to deploy more force. Article 370 raises the fundamental issue of whether territory should get priority over people in a democracy. For 50 years, the Home Ministry slogan of "national interest" has triumphed over Nehru's distaste for "forced unions".

With Nehru's death, there was now no obstacle to the erosion of Jammu and Kashmir's special status. Article 370 survived but the Home Ministry's overriding authority had reduced it to a shell.

The principle and the realpolitik

by Navrita Chadha Behera

Kashmir has moved a long way from enjoying the pride of place in newly independent India to being regarded by many Indians as a bad penny, a state which wants to secede and start the process of breakup of the Indian Union. Little do they realise that Kashmir stands not as a problem but as a potential answer to the problems of the Union. For Art. 370 of the Indian Constitution, granting special status to Jammu and Kashmir state, is a sound and thoughtful example of an innovative political and constitutional mechanism geared to the social realities of India's plural and diverse polity. It has the seeds of an alternative model of state-making—a path that was not taken by the nationalist leadership of modern India.

The reluctance of the politicians to countenance autonomy as promised by Art. 370 was indeed why Kashmir is today perceived as a problem. At the same time, there can be no forgetting that the same lofty principle embedded in the article—providing autonomy to sub-identities—was not followed by the Muslim leadership of the Kashmir Valley with regard to the Hindu and Buddhist minorities of the state. Much as the Indian state has sought to impose its worldview on Kashmir, so did the Valley leadership try to force its idea among the sub-identities of the state. This had a crucial role to play in ensuring that the problem remained unresolved.

Back when the Constituent Assembly of newly independent India contemplated the federal Constitution, Art. 370 was devised to recognise the fact that Kashmir was 'different' and to give it political autonomy. Specifically, the provision guaranteed a special status whereby no provision of the Indian Constitution other than Article 1 (bringing it under the territorial jurisdiction of India) was made applicable to the state. The Indian Parliament could legislate only on the three subjects of defence, foreign affairs and communications, and Kashmir retained important cultural symbols,

such as its own flag, political titles such as Wazir-i-Azam (Prime Minister, instead of Chief Minister) and Sadr-i-Riyasat instead of Governor. Jammu and Kashmir had its own Constituent Assembly to draw up a state constitution, and the special position was further cemented by the Delhi Agreement of 1952, which vested residuary powers in the state, conferred special citizenship rights for the 'state-subjects', and abolished hereditary rulership.

Prime Minister Jawaharlal Nehru had clearly gone a long way in accommodating the sensitivities of Kashmiris by adapting the Indian Constitution to suit their special requirements. Why then did it not work, and why have they twice tried to break away from India? The answer will be found in the relationship between Art. 370 and the ideology of the Indian State, as well as in the realpolitik that lay behind the drafting of Art. 370.

Jawaharlal and Sheikh

Nehru regarded Kashmiri identity as an asset for the Indian nation but only as a subset of the Indian identity, bound by the logic that the Kashmiri identity, like all sub-national identities—Tamil, Punjabi, Bengali—must be integrated into the larger nation. While he was willing to pay the price demanded by Sheikh Abdullah, of maximum political autonomy for the state, he would not do so at the cost of the Indian nation. This was why, whenever Kashmiri political aspirations clashed with the interests of the Union, the latter prevailed. For example, when Sheikh opposed the merger of the state forces into the Indian Army, the Central leadership dismissed his demand. During negotiations on Art. 370 in 1951-52, when the National Conference persistently argued that the Jammu and Kashmir Constituent Assembly was a sovereign body, independent of the Constitution of India, the Centre rejected this position.

The Centre, in fact, took it for granted that the state would be integrated into the Indian

Union. Accordingly, Art. 370 was projected as a temporary provision. Gopaldaswamy Ayyangar, member of the drafting committee, expressed the hope on behalf of everyone in the national Constituent Assembly that "in due course, even Jammu and Kashmir will become ripe for the same sort of integration as has taken place in the case of other states". In placing the Delhi Agreement before the Indian Parliament, Nehru conceded that "there is nothing final about this". Once he withdrew the offer of plebiscite for Kashmiris to determine their destiny, and began viewing the role of the United Nations in the state as unwarranted interference, the shift in his position was clear. He then went on to insist that Pakistan, the United Nations and other world powers must accept the basic fact that Kashmir had become part of India in October 1947. At home, Nehru sought closer integration of Jammu and Kashmir.

Sheikh Abdullah, on the other hand, insisted that the special provisions accorded to his state could alone be the source of growing unity and closer association between Kashmir and India. He said: "Enlightened opinion in India recognised the vital human urges of Kashmiris and . . . afforded them opportunities of achieving their political and social objectives. This mutual accommodation of each other's viewpoint, which has been accorded constitutional sanction, should not be interpreted as a desire for separatism . . . History has taught us that false notions of uniformity and conformity have often led to disastrous consequences in the lives of many nations."

But Sheikh faltered on home ground. He was not prepared to concede to Jammu and Ladakh those very rights and privileges which he demanded from the Indian State. While insisting upon an autonomous status for Kashmir, within its boundaries he created a unitary state with a clear concentration of powers in the Valley. He thus missed a valuable opportunity of creating in India an alternative model of a state, along the lines of Art. 370.

Pre-colonial suzerainty

The basic demand that sub-national identities show allegiance to the overarching national identity necessarily creates a dominant-subordinate relationship, the recipe for conflict. This is because the modern nation state perceives sovereignty as indivisible. Art. 370, on the other hand, was perceived to be precisely the mechanism or formula for sharing sovereignty so that Jammu and Kashmir would retain internal sovereignty. If not a co-equal position with the Indian identity, Sheikh Abdullah had expected,

at the very least, a special, autonomous status for the Kashmiri identity.

Interpreted in this manner, Art. 370 came close to defining the pre-colonial, indigenous political situation in India, which was characterised by a loosely woven web of suzerainty as distinct from a sovereign state. Back then, the flexible chains of authority had matched the fluidity of social boundaries. Linking the pre-colonial past to the future, Art. 370 offered the potential and vision of creating a federation from below, whereby the states would come together and vest some common powers in the Union. Instead, what was created was a post-1947 Indian federation which was top-down and centralised. If a reaching back to the pre-colonial political terrain was what may have provided the most natural way for Indian politics to evolve after Independence, the Indian Constitution locked in place the centralised British model for ruling India.

If Nehru and Sheikh had both adhered to the letter and spirit of Art. 370 at the national and state levels, history in all India may have taken a different course. But as it turned out, Sheikh resented the Centre's attempts to integrate Jammu and Kashmir and explored the idea of an independent Kashmir. That did not materialise, and he was imprisoned in 1953. Successive central governments, often with the complicity of regimes in Srinagar, then systematically dismantled Art. 370. Its deep erosion may be illustrated by the fact that presently out of 395 articles in the Indian Constitution, 260 are applicable to Jammu and Kashmir. The remaining 135 are those for which there are identical provisions in the Constitution of Jammu and Kashmir.

In 1975, there was an opportunity to resurrect Art. 370, when negotiations between Indira Gandhi and Sheikh Abdullah led to an accord. But Mrs. Gandhi, riding a popularity wave after the victory in the 1971 war, was not prepared to make significant concessions, even as a much-chastened Sheikh was keen to be back in power after nearly two decades in jail. Sheikh was told in no uncertain terms that the clock could not be turned back by restoring Art. 370, and so the Kashmir Accord ratified the constitutional integration of Jammu and Kashmir. Even the symbolic designations of Sadr-i-Riyasat and Wazir-i-Azam were not allowed to Kashmir, and all it got was the continued presence of

"History has taught us that false notions of uniformity and conformity have often led to disastrous consequences in the lives of many nations."
- Sheikh Abdullah

(seen with Indira Gandhi, below)



A Fully Federal India

EVEN THOUGH it has survived mostly in its non-implementation, Article 370 of the Indian Constitution retains the power to excite the imagination because it provides a pathway to true federation of the modern Indian State. Thus, the Article's importance would potentially reach far beyond providing autonomy to Jammu and Kashmir, and provide the policy-makers of India with the confidence of using it as a tool to extend federalism in law and in spirit at a time when, complementarily, regionalising tendencies are apparent in Indian politics.

A primary cause of alienation in India today is the organisation of the nation-state, which emphasises a single, presumably unified, entity. Whereas it has become clear that this kind of homogenising cannot incorporate India's diversity... Jawaharlal Nehru's hope that the forces of modernisation would gradually sweep away the primordial loyalties of individuals and communities has been belied by the live dynamics of Indian politics, where instead such loyalties have been strengthened and exploited for every kind of political mobilisation. The nation-building project which sought to create a pan-Indian identity has gone awry.

The Central mindset that diversity is a threat lies at the root of the various secessionist movements by sub-national groups. The alternative therefore seems to lie in devising a matrix where all sub-national identities coexist and together make up the Indian identity. The Indian State would develop a loose confederate character, a 'federation of federations'. This decentralisation would include social, economic, political and cultural arrangements. The radical reworking scheme would have to be bottom-up, whereby the states and regions may feel that they have voluntarily come together to create a new Centre.

Along the lines of what Art. 370 proposed to do for Kashmir, the Seventh Schedule of the Constitution may be reworked whereby only matters of national importance such as territorial security, foreign affairs, communications and currency fall within the Centre's jurisdiction. The President of India's power to impose central rule on states would be permitted only under circumstances of war or financial crisis. An inter-state council would ensure regular consultation and coordination among the states and between the Centre and states.

This is not enough. The states of the federation must themselves become federations and devolve power to sub-state units and Panchayati Raj institutions, which go right down to the village tier. While panchayats have by now been accorded constitutional legitimacy in India, new sub-state formations such as elected regional councils, autonomous hill councils or autonomous tribal councils must be set

up depending on the specific features and requirements of each state.

The agenda for rethinking the philosophy of Indian nationalism and overhauling the federal and political architecture is ambitious. But is it utopian? The Indian State is presently in the midst of a historical widening and deepening current of regionalisation. Having successfully mobilised the linguistic, ethnic, cultural and regional identities in the states in the 1980s, regional political parties are now engaged at the Centre stage. Since the United Front government of June 1996, comprising 13 regional and state-based parties, the formation of the Central government has devolved to the regions. Even as a votary of the monolithic Hindu nation-state, the present Bharatiya Janata Party government, formed in 1998, is itself a coalition of 16 political allies, out of which at least six are avowedly regional outfits, from Punjab, Tamil Nadu, Maharashtra, Andhra Pradesh and Haryana.

This dramatic shift from a dominant party system to minority and multiparty coalitions at the Centre and states reflect the evolving regionalisation of the last two decades. Clearly, as the regional takes precedence over the national, in the future regional forces may actually help in holding the Indian polity together by allowing, as one scholar said, "a device for managing social and regional pluralism". States have thus emerged as the new pathways to power, a decisive change from the first three decades of Independence when the Centre was the avenue of choice.

Liberalisation and economic reforms are aiding and accelerating this shift of power from the Centre. This is happening as the states compete to attract foreign investment and establish tax structures and institutional mechanisms for clearance of projects. After industrial deregulation, the number of industries remaining under central government control has shrunk to only eight.

With regard to the structures of the states themselves, the process of evolving a participatory multi-level governance has been ushered in by the 73rd and 74th Constitutional Amendments, according constitutional status to panchayats as institutions of self-government at the district and sub-district levels. The introduction of this third stratum in governance has opened new vistas of opportunities of local self-government.

While the third layer is thus ready, the creation of a response structure of governance at the second level may well lie in learning from the spirit of Art. 370—its methodology of creating intermediate state structures and, in some cases, in application of the specific model of the article in these states and territories.

Art. 370 in the statute book, but in a truncated form. Thus was the principle of Art. 370, once again, sacrificed at the altar of realpolitik.

Another opportunity for placing Art. 370 on its rightful pedestal came more recently, in 1996, when Sheikh's son Farooq Abdullah was voted back to power by an overwhelming two-thirds majority on the plank of political autonomy. This election had been called after years of violent secessionist movement led by Kashmiri youth, fighting the imposition by the Centre of its political choices on the state. Farooq and the National Conference promised to revive the Delhi Agreement so that "the people of J&K state get their due honour and dignity".

The State Autonomy Committee, appointed by Farooq Abdullah's government, recommended that Art. 370 be restored to its pristine form, under which the Centre's powers were limited to defence, communications and currency. The Committee suggested that the best course was for the President of India to repeal all orders not in conformity with the Constitution (Application to Jammu & Kashmir) Order, 1950, and the terms of the Delhi Agreement of 1952. And the final settlement so arrived at should be made "inviolable" by making it a "part of the un-amendable basic structure of the Indian Constitution".

While this recommendation offered a sound and viable political strategy to fulfill the popular urge for self-governance, the sincerity not only of New Delhi but Srinagar itself was in doubt. As far as the latter was concerned, it was significant that all members of the State Autonomy Committee, other than its Chairman Karan Singh, belonged to the National Conference, and its deliberations were neither inclusive nor participatory. (Karan Singh resigned in July 1997 due to political differences with Farooq Abdullah.) No critic of the state's autonomy or leaders of the opposition parties were represented in the Committee, and no formal talks were held with active or former militants or their political representatives.

Even after the submission of the Committee's report in April 1999, and endorsement of its recommendations by the state cabinet, there has been little public debate either at the state or at national level. Nor have formal negotiations between the state and the Central government representatives begun. The National Conference's support for the BJP-led government at the Centre has not helped its credibility on the issue, given the latter's stand on repealing Art. 370 and the Hindu right's commitment to a single 'monolithic nationhood' for all India.

Farooq's critics have argued that he revived the agenda of autonomy only to cover up his non-performance in office and to bargain with the Centre for more funds. Whether the state and central governments would seize this opportunity to remodel the centre-state relations and create a new kind of Indian federation, remains to be seen.

Political azadi

The future of Kashmir, of course, does not refer to autonomy alone, especially given that there is a militancy in place, the Indian state's continuing repressive measures, and the additional matter of 'sub-Kashmiri' identities of Jammu and Ladakh. A long-term and cohesive approach towards resolving the conflict situation in Kashmir would therefore have to be three-pronged. Firstly, there should be short and medium-term measures for dealing with the militancy, revitalising the government structures and rebuilding civil society. In the longer term, and there is no getting around this, there must be a thorough restructuring of the state's relationship with the Indian State. Finally, the inter-community relationships *within* the state must be adjusted by replacing the unitary power structures of the Jammu and Kashmir Constitution with a new, multi-level 'federal' balance.

The secessionist movement's runaway success during 1989-91 had to do with the overwhelming support of Kashmiri Muslims. However, the movement had been checkmated by 1994 due to the vehement opposition to this goal by the people of Jammu, Ladakh and Kashmiri Pandits, together comprising nearly half of the state's population. Within the Valley too, the militants failed to channelise mass support for their cause, and subsequent criminalisation and degeneration of the militant ranks led to popular disillusionment. The indigenous character of the insurgency was sullied as Pakistan managed to marginalise the Jammu Kashmir Liberation Front with the help of the Hizbul Mujahideen and later replaced the Kashmiri cadre with foreign mercenaries whose agenda and ideology had no room for the Kashmiris' political aspirations and goals.

Through all this, the Kashmiris remained deeply alienated from the Indian State and their longing for *azadi* stayed intact: the Centre was singularly unable to address this critical aspect. With vision and political strategy both lacking in the Srinagar leadership, New Delhi itself shied away from grappling with the socio-



Iron-Man Vallabhbai

economic and political issues driving the insurgency. New Delhi and Srinagar both had the opportunity to change course after the state assembly elections in October 1996, but they failed to capitalise on that window.

Despite the constant bloodshed and growing disillusionment, however, the political battle of winning the hearts and minds of the Kashmiris is not completely lost. Indeed, on many parameters, the situation is better than it was in the 1990s. Despair and dejection among the populace has not turned into popular sympathy for the militants. People are generally averse to violence, and foreign militants enjoy little popular support. The honeymoon with Pakistan is over and Islamabad is no longer viewed as the 'patron' of the cause. It was the popular yearning for a humane, accountable and efficient civil administration which made the people participate in the electoral process in 1996.

It is important not to let the people down. Failing them again will irreparably damage their faith in the political mechanism and push them, once again, into the hands of those who preach violence. The National Conference government urgently needs to streamline the institutional mechanisms for redressing the people's grievances and activate its cadres to rejuvenate the political channels at the grassroots level.

The most serious challenge being faced by the Farooq government is to reverse the increas-

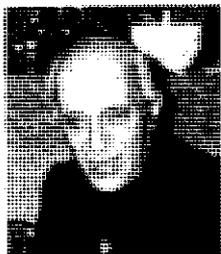
ing and deepening communalisation of the polity and society in Jammu and Kashmir. The whole spectrum of developments in the arena of high politics—Islamisation of the azadi plank; marginalisation and replacement of the militants of Kashmiri origin with the 'Islamic warriors'; the militants' inroads into the Muslim-dominated districts of the Jammu region and the series of massacres of Hindus; religious 'cleansing' of the Valley and eviction of the Pandit community; the changing political alignments, particularly the National Conference-BJP alliance; the voting patterns of Jammu and Ladakh regions in the last two general elections—all point in the same direction.

Most alarming is the proposed internal restructuring of the state into eight provinces carved along a Hindu-Muslim axis. This would legitimise the changing relationships forced on the communities—Kashmiri Muslims and Kashmiri Pandits, Ladakhi Buddhists and Shia Muslims, and Hindus and Muslims in Doda district—at the household, *mohalla* and village levels. All of these are dire forebodings. The complicity of the ruling political parties—the National Conference in the state and the BJP at the Centre—complicates the situation even further. Both fail to recognise that to give sanctity to religious nationalism and accord primacy to the political demands of communities based on their religion would not only strengthen the divisive forces within the state but also help Pakistan justify its claim on Kashmir on the grounds of the two-nation theory. A wiser strategy to satisfy the popular urges for self-governance lies in a thorough restructuring of the state's relationship with the Indian State and in creating new federal relationships within Jammu and Kashmir.

Kashmir's special status lies at the centre of this debate. Notwithstanding the fact that the National Democratic Alliance at the Centre does not endorse abrogation of Art. 370, the BJP leadership continues to advocate the divisive agenda on the grounds that the provision has hampered Kashmir's integration into the Indian mainstream. Some ideologues also suggest changing the 'state-subject' definition and altering the demographic profile of the Valley by settling large number of Hindus and Sikhs there. This pernicious strategy would certainly be counterproductive, and fortunately it will be difficult to implement.

The healing touch

Given the fact that, on the larger arena, the Indian State is willy nilly developing a confederate character, it would be the most natural ex-



Even Pandit Nehru played realpolitik.

Redrafting exercise

The Indian State is under growing pressure for a redrawing of the political map. This demand is partly due to the increasingly assertive voices for regional and sub-regional identities within states, and partly because of the unwieldy and unmanageable size of India's larger states, where certain regions have flourished and others stagnated. In all, the demand for new states and/or administrative units exist within 14 states of the Union. These include Uttarakhand/Uttaranchal, Bundelkhand (with Madhya Pradesh districts), Purvanchal (Rohilkhand and Bundelkhand) and Bhojpur in Uttar Pradesh; Mithila (Bihar); Kodagu (Karnataka); Kosal Kajya (Orissa); Maru Pradesh/Marwar (Rajasthan); Gorkhaland (West Bengal); Bodoland (Assam); Jharkhand (Bihar, Orissa and Madhya Pradesh); Chattisgarh, Gondwana and Bhilistan (Madhya Pradesh); Telangana (Andhra Pradesh); Vidarbha and Konkan (Maharashtra); and Jammu (Jammu and Kashmir). Others seeking separate administration include the Garo tribals and Hmar tribals in Meghalaya and Assam, and Kukiland and Zomi tribals in Manipur, while the people in Karbi Anglong and North Cachar region too demand better democratic treatment and more representative polities.

tension of this trend to reach back to Art. 370 and give complete autonomy to Jammu and Kashmir. This could mean reverting to the 1952 Nehru-Abdullah Agreement as spelt out in the State Autonomy Committee Report. It would be a forward-looking approach towards shaping Jammu and Kashmir's relations with the Indian State. This and not the much-violated past record must guide the plan for the future. The Centre would have jurisdiction over territorial security, foreign affairs, communications and currency, and all residuary powers would be vested in the state. The Governor should be appointed only with the consent of the state government, preferably from a panel of names suggested by the latter. The nomenclature of Wazir-i-Azam for Chief Minister and Sadr-i-Riyasat for Governor may also be restored because of their immense symbolic value. The jurisdiction of other provisions regarding the Election Commission, All-India Civil Services and the Supreme Court may be left open for renegotiation.

In the final analysis, there are only two choices. The first is to provide a healing touch to the Kashmiri psyche, meaningfully address the Kashmiris' social and economic grievances and grant them 'political azadi'. Though this may fall short of territorial independence, the expectation is that when the time comes to decide they will voluntarily opt to stay within the Indian Union. The second option is for New Delhi to continue using its coercive apparatus to force submission of the Kashmiris despite the volume of blood already shed. The best way to address secessionist and separatist demands lies not in fighting or suppressing the manifestations, but removing the *raison d'être*.

There is no doubt that it was the imposition of political choices on the Kashmiris by successive Central governments and violent repression of local dissent which forced them on the path of secession. The solution, therefore, lies in creating a political system that allows a healthy social, cultural and political space for the Kashmiris through full-fledged and ungrudging application of Art. 370. But this will not be enough. An adjustment between the Centre and Jammu and Kashmir *must* be accompanied by creation of a federal structure *within* Jammu and Kashmir with three autonomous units in Jammu, Kashmir and Ladakh.

Meanwhile, the leadership in New Delhi and Islamabad should view the conflict from the people's perspective and not simply as a territorial dispute. If only they 'let go' of their iron grip over the respective territories of Jammu and Kashmir under their control, they might

The Kashmir divides

The long-standing dispute over Kashmir between India and Pakistan has restricted the understanding of the problem. The Jammu and Kashmir State is equated with Kashmir Valley, and the Valley with Kashmiri Muslims. The 'Kashmir issue' is thus presented as an intractable 'territorial dispute' between two belligerent neighbours, or, at best, as the Kashmiris' struggle for an independent state of Jammu and Kashmir. Little is known about the plurality that exists within Jammu and Kashmir, with diverse communities such as Gujjars, Bakkarwals, Kashmiri Pandits, Dogras and Ladakhi Buddhists—for whom the right of self-determination as demanded by the Valley inhabitants holds little appeal. Even less is known about their political aspirations, with each community engaged in a little battle for its socio-cultural identity and creating its own political space. Thus, in Ladakh, the Buddhists of Leh are arrayed against the Kargil Muslims, and in Jammu the Gujjar versus Pahari issue has acquired political overtones. Meanwhile, the Pandit community has been banished from the Valley. It is wrong to subsume these diverse communities and their inter-relationships under the sweeping and overarching category of 'the Kashmir conflict'. Kashmir is much more richer, complex and multi-layered than that.

win back the loyalty and affection of the Kashmiris in a way that may prove more lasting than the forced integration being tried out on both sides of the border. The blueprint for reconciliation between Jammu and Kashmir and the Indian State within a 'federalist discourse' presented above could be accompanied by a similar exercise across the Line of Control, with Pakistan allowing complete autonomy to the areas in Azad Kashmir and the Northern Areas under its control. This would create room for a meeting ground within an inclusive framework of co-confederation, with India and Pakistan sharing 'twin sovereignty' over a demilitarised and unified Jammu and Kashmir, as it was under Dogra rule during the colonial period. Internal autonomy for Jammu and Kashmir and Azad Kashmir and the Northern Areas and a porous border creating spaces for free and visa-free social, cultural and commercial relations within twin Indian and Pakistani sovereignties would "confer azadi, self-determination and democratic rights on both".

The task is no doubt enormous, but so has been the historical pain of Jammu and Kashmir. The political will of the Indian polity to remodel state structures and transform the relationship with the sub-national identities is also on test. Mahatma Gandhi's words bear a ring of truth even today: "Kashmir will be the title as well as the test of India's future." ▽



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Disinvesting loss-making entities

HALF A century ago, India was partitioned. With the Muslim League violently pressing its demand, the Congress saw the inevitability, and agreed. One proposed, the other accepted. Partition, then, became responsible for the tragedies that unfolded in Punjab and Bengal, two of the most vigorous and resourceful provinces of undivided India, as also Sindh.

But when it came to Kashmir, where he had his roots, Jawaharlal Nehru was determined not to allow the application of the two-nation principle. Jinnah, on the other hand, was determined to take Kashmir. Sardar Patel, hero of the present Home Minister of India, L. K. Advani, had this to say when Pakistan came into being: "The poison has gone out." He then went after the cherries (the princely states), and was committed to ensure that they all came to India. Scruples were shed. In Hyderabad and Junagadh, the Sardar used the 'people's principle'. The Nizam of Hyderabad and the Nawab of Junagadh were put on the mat for their desire to join Pakistan, and the two states were annexed to India by police action—on the basis of 'people's desire'.

In Kashmir, however, this desire did not count. The 'ruler's desire' to stay with India, under pressure from a Pakistani-sponsored invasion, was all that mattered. The Indian army went in, trying to recover lost ground. They were partially successful. Nehru agreed to a UN plebiscite, only to later rescind. The Kashmir problem was born...

Fifty years later, India says it is determined to recover all of Kashmir. Pakistan says Kashmir as a Muslim-majority state should merge with it. So, this fight is all about two national egos, with Kashmir merely a manifestation. What can Pakistan offer its Muslim brethren in Kashmir when it could not keep the Bengalis from feeling cheated on all scores? How can India justify its huge military spending on Kashmir, when it let Punjab and Bengal go for a song?

As a Bengali, as a resident of India's remote Northeast, and as an Indian taxpayer, how can I feel comfortable with the huge military and political investment that Delhi is making in Kashmir. Why should I accept the Partition of Bengal in the first place, when Nehru was not willing to accept the Partition of Kashmir. The indivisibility of our homelands is dear to each one of us.

Northeast India is rich in resources—tea, timber, oil, gas and minerals. Yet Nehru had no compunction in leaving Assam to its fate in the face of the Chinese advance, even as he remained committed to defend every inch of Kashmir from Pakistani aggres-

sion. Kashmir does have handicrafts, dry fruits, houseboats and carpets to offer—but no strategic mineral reserves. The Northeast is India's gateway to Southeast Asia. Strategically, both areas are important to the Indian nation-state, but Kashmir has secured much greater emotional weightage for the mandarins in Delhi.

If it is true that the government believes in disinvestment in loss-making entities, Kashmir should be the first on the list. I risk the ire of the chauvinists as I say all this, but should I care? Look at the price to be paid—a South Asia doomed to possible nuclear war just because the satraps in Delhi and Islamabad are spoiling for a fight to the finish on Kashmir. Why should India make a heavy military and political investment in Kashmir, when so little in terms of foreign exchange earnings come from there? They say Kashmir is great for tourism, and I say the rest of India is just as beautiful. If you can shoot *Roja*, the film, in Himachal and pass it off as Kashmir, obviously other hill regions are just as good as the Valley.

This is not to suggest that India give away its Kashmir to Pakistan on a platter. After the genocide in Bangladesh, Pakistan has no moral right to ask for Kashmir. If Bengali Muslims, more than 65 per cent of undivided Pakistan's population, could not get justice in Pakistan, the Kashmir Muslim, much smaller in number, will never get it.

But Delhi will have to let Kashmiris decide their fate. After all the atrocities of the Indian security forces, the Kashmiris, allowed to express themselves without fear in a plebiscite, will obviously vote for independence. India feels that this would unleash the dominoes, but nothing of the sort will happen. If Kashmir thrives as a small, successful nation-state in South Asia, (in any case it is the Valley we are talking about, since Jammu and Ladakh will opt to stay with India), it will encourage some states in Pakistan to think of going the same way. Pakistan was born on a principle that was untenable. Religion has never succeeded as the organising principle of a nation-state. The wars in West Asia, the break-up of Pakistan, the strains in relations between India and Nepal, the two World Wars in Europe—all prove that holding a common religion doesn't make for a conflict-proof scenario.

Religion will work neither in Kashmir, nor in Pakistan. India should not worry, and let the Kashmiris decide their fate.



Autonomy in South Asia, and Kashmir

Centralised control keeps federalism at bay in South Asia, but Art. 370 provides a formula for good governance all over because it comes closest to providing representation to group identities.

by *Aswini Kant Ray*

Kashmir has remained a disputed South Asian flashpoint for over half a century, a period that has seen three rounds of open war and more abiding low-intensity proxy hostilities. The human casualties of the Kashmir conflict continue to mount, even while it bleeds the economies of the two countries. Fuelled at one time by the Cold War, the dispute has long since outlived the superpower rivalry and now has all the potential of engulfing the two newest nuclear-weapon states in a devastating military confrontation.

A resolution of the problem of Kashmir, one which would allow it autonomy through full implementation of Article 370 of the Indian Constitution, would not only defuse this singular threat to peace and security, it would also carry with it an answer for so many problems of governance elsewhere in South Asia. Kashmir, thus, would be converted from a Subcontinental flashpoint into a model for a political re-structuring of the region that will at last deliver social and economic advantages to the people.

Peace prescription

As things stand on Kashmir, there seems to be an increasing preference for an operationally unachievable military solution. Political negotiations are being made to seem unpatriotic. Internationalisation of the dispute, originally pushed by India, which took it to the Security Council, and later by Pakistan attempting to invoke third-party mediation, has proved equally unproductive. The interests of the Kashmiris, have dictated the policies of Islamabad and New Delhi. Now completely

delinked from the zero-sum relationship of the Cold War superpowers, the Kashmir problem has turned into a zero-sum game between India and Pakistan.

No prescription for peace in Kashmir will work if seen to be inspired by one or the other state, or pushed by the international community. This is why, to begin with, a solution must be sought through non-official intellectual initiatives, ideally including individuals and institutions from all the countries of South Asia. Such an independent initiative would thus work between Pakistan's manifest attempts to internationalise the dispute and India's desire to limit it to bilateral negotiations. Such a non-official regional initiative would sanitise the prescriptions from the politically explosive stigma of 'capitulation' to the domestic adversarial traps or Western dictates.

The case for such an effort on Kashmir is both compelling and propitious, but it must be conceptually and theoretically unambiguous so as to avoid misinterpretation, and it must draw upon the historical experience of the dispute so as to avoid mistakes. As far as history is concerned, the disputed status of Kashmir is among the most critical unresolved problems of a Partition carried out on religious lines. The problem was exacerbated by the Cold War, which aborted the post-colonial nation-building agenda by promoting an alien version of national security.

However, Kashmir is only the most visible example of how the mystique of national security has obstructed the process of nation-building all over South Asia. This is not only true with the case of East Pakistan until the emergence of Bangladesh, but also with the Pathan, Baloch, Sindhi, Muhajir, Shia and Ahmediya in Pakistan; in India, the tribal areas in the Northeast and the hilly Himalayan region, along with the assertion by new ascriptive group identities elsewhere; the problem of the Tamil-speaking people of Sri Lanka; the hill tribes and the Biharis of Bangladesh; the many hill and tarai communities of Nepal, which fall outside the dominant Bahun-Chhetri grouping; and the Lhotshampa and Sarchop of Bhutan, similarly situated outside the ruling circle.

Given such an unfinished agenda of nation-building in all or most countries of the region, therefore, Kashmir's resolution may provide answers to be adapted to situations all over. Such a solution would restore the human dimension of nation-building and provide a structure for delivering sustainable social and economic progress, to begin with within India and Pakistan.

Group identity

A resolution to the Kashmir problem, which is also to provide answers for the rest of South Asia, must necessarily be based on the articulation of group identities in the region. At a theoretical level, it is difficult to pinpoint any one group-identity that is universally applicable as an indispensable attribute of the larger national identity. All over the world, there are diverse characteristics that unify people and have them asserting the right of national self-determination and statehood. These identities can revolve around language, religion, geography, or even common enmity. Often, the group identities are simply imagined or politically engineered, hence susceptible to manipulation.

It was the consensus around a linguistic reorganisation of the federal Indian state that helped reinforce the legitimacy of the independence struggle under the Congress leadership. The Muslim League's assertion of religious identity as the basis of nationalism led to Partition, but language/culture retained its place as the primary building bloc of group-identity within independent India. The linguistic organisation of states as units of the federation has been the institutional basis for pan-Indian nationalism, even though there is unhappiness with the inadequate levels of operational autonomy. While new groups have staked claims for separate statehood within India, few have contested the legitimacy of the linguistic index in state formation.

In sharp contrast to India, Pakistan opted for religion as the basis for its national identity, showing scant sensitivity to linguistic and cultural aspirations of its people. The secession of its eastern wing, based on linguistic-cultural difference, sharply underscored the inadequacy of religion as the exclusive basis for the nation-state, and this all-inclusive definition of group-identity has remained contested from the very start. The secessionist movements in Sindh, Balochistan and among the Pathans of the Northwest underscore this. Today, Pakistan remains in disequilibrium because the underlying need for group identity—unfulfilled by religion—remains to be structurally addressed.

The cultural aspirations of the Bengali, Telugu, Oriya, Bihari, Tamil, Malayalee, as well as Sindhi, Pathan and Baloch alike, as those of the Kashmiri, are considerably shared within their respective religious divides. Language groups in the two countries, even when divided by religion, are generally found to be clustered in certain geographical regions, which makes for easier federal legislation and administration. For this reason, too, language provides the most viable taxonomy of social classification in South Asia, and any exercise in structural legislative and administrative reform must consider this fact.

Social engineering

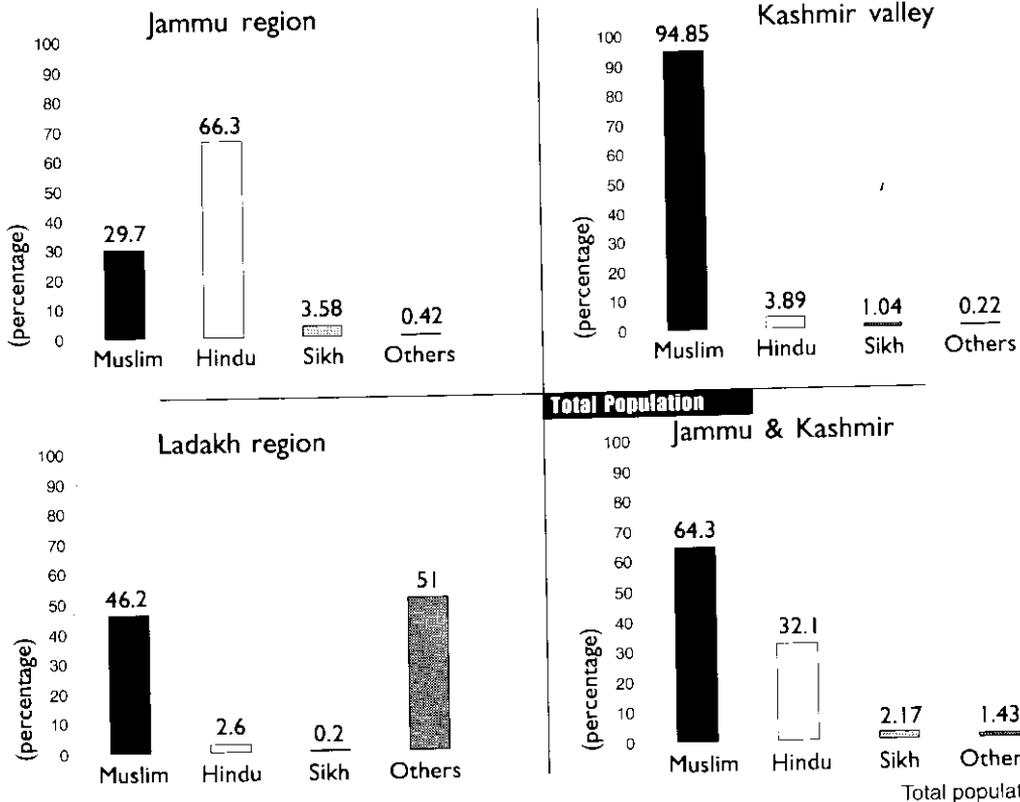
On normative, historical, political and pragmatic grounds, therefore, the case for language as the primary basis of group-identity is clear, particularly if we seek good governance for the people. However, the task becomes suddenly complex if we try to conceptualise such group identity as 'nationality', axiomatically involving the rights of self-determination and statehood. This would surely open a host of centrifugal demands within almost every sovereign state, and not only in our region. At any rate, the political and intellectual consensus across South Asia is against allowing such an option of national hiving off.

Given this problem of equating group identity with nationality, the problem of competing group identities within India and Pakistan, including those based on religion and language, would be considerably mitigated by making a distinction between citizenship and nationality. For, as long as the fundamental rights of citizens—as citizens, irrespective of any other identity—are guaranteed by the respective sovereign states, the salience of group-identities based on other criteria could be considerably blunted, both politically and in popular imagination. And this is what Art. 370 would allow us to do in Kashmir, providing the population with an autonomy that would guarantee their right of exclusive citizenship while withholding the option of full independence.

It is this limited formula for social engineering, fully in conformity with the liberal-democratic agenda, then, which would provide space for resolution of the Kashmir dispute. For, democracy is all about providing institutional and political underpinnings so that a threshold level of rights are provided to citizens, as citizens. The resolution of the Kashmir dispute, to be politically attractive on the popular plane in Pakistan and India, including Kashmir, must reinforce this democratic agenda. A threshold



The Kashmir problem has turned into a zero-sum game between India and Pakistan.



level of human rights must be provided to citizens within their respective sovereign states based on their group identities, such as the Kashmiri.

South Asian future

The aspiration for regional autonomy so as to maintain cultural distinctiveness, as articulated in the Art. 370 of the Constitution for Jammu and Kashmir, is one that is shared by most Indian states and people. This same aspiration also exists within Pakistan. Ironically, rather than reading it correctly as a constitutional provision that seeks to provide for the demands of group-identity and sub-national autonomy to go with it, Art. 370 is resented by many in India for portraying the asymmetrical links of the states with the Indian federation. The assertion of regional autonomy, as envisaged in the Instrument of Accession and institutionalised through Art. 370, is perceived as a threat to national unity. Many in Pakistan, of course, continue to contest the very legitimacy of the Accession, and of Art. 370. However, this mindset against the Article in both countries does not alter the reality that it holds out an answer not only for a Kashmiri future, but an Indian, Pakistani and South Asian future. Rather than as a roadblock, the

provision must be seen as a facilitator to guide the devolution of power within the nation-states of our region. Art. 370, or a politically renegotiated substitute autonomy package, should be extended to both sides of the Line of Control in Kashmir, while taking proper account of the differential aspirations of the populations of Jammu and Ladakh. After this is done, and the powder keg of Kashmir finally defused, the next step would be to implement the letter and spirit of the Article all over the constituent states of the Indian federation and the provinces of Pakistan.

All the people of South Asia would have a stake in such a resolution of the Kashmir problem, in which the people of Jammu and Kashmir would have sub-national freedom to exercise their right of group-identity for the sake of good governance and development. An autonomy agenda designed using Art. 370 would finally politically undermine the mystique of the territorial border as a metaphor for national security. In the bargain, if the popular aspirations for regional autonomy in governance and developmental options are promoted, the present flashpoint of Kashmir would be transformed into a beacon for the true emancipation of the people in each of our countries.



No dominoes will fall

THE RELEASE of the leaders of the All Party Hurriyat Conference is welcome. But why in the first place were they put under detention, just after the parliamentary election in 1999 were over? And why have they been released in instalments? Union Home Minister L.K. Advani has said that the release was not a casual action but was "an initiative towards peace and normalcy in Kashmir". Citing the example of talks between the Government of India and the Naga rebels and Bodo militants, he expressed his government's willingness to talk to the militants in Kashmir "on every demand, legitimate or perverse".

Asked about the demand for restoration of pre-1953 position in Jammu and Kashmir, Advani said talks could cover even this aspect, the basic parameter being the need to remain within the Indian Constitution. This is certainly a distinct advance over the traditional Bharatiya Janata Party position, which has held that abrogation of Article 370 is the solution to the Kashmir problem, and over the recent statements by the leaders of the Jammu BJP and by other members of the *parivar* in which they have equated the demand for autonomy with that of *azadi* and treason.

But is this advance far enough to the ground where the Hurriyat can reach? Can it afford to accept the terms of settlement that Farooq Abdullah's National Conference has been demanding from the Centre? There are obvious and formidable difficulties on both sides to changing their declared stands too drastically. Despite much media speculation, not much is known about the groundwork done by mediators preceding the release of the Hurriyat leaders. Yet, some tentative suggestions may be made to whosoever may care to consider them.

The release of the Hurriyat leaders should not necessarily be linked to a settlement, and even if no basis is found for talks they are entitled to remain free unless they break a specific law. In fact, the other political leaders in detention against whom there are no criminal charges should also similarly be released.

Talks at any level should be held without any pre-condition on either side. When prime minister Narasimha Rao, in an earlier time made an offer for unconditional talks, the Hurriyat unfortunately re-

jected it and demanded trilateral talks which included Pakistan. The fear then was that the offer of unconditional talks might never be repeated. Besides, the suggestion of trilateral talks could be made at the beginning of the bilateral talks with the Centre, so it should not be put forward as an obstacle. Moreover, the Hurriyat leaders could continue to have talks with the Pakistani government through its High Commission in New Delhi, as they had been doing.

This time, the Government of India must be urged not to insist on the condition of the parameter of the Indian Constitution; just as it has set no conditions for talks with the Naga rebels. As the talks begin, the government can try to convince the dissidents why it is not possible or desirable to transcend that parameter. The first item on the agenda, formal or informal or at the track-two level, should be de-escalation of violence on both sides. At the very least, there should be an agreement to end violence against innocents. Let nobody be threatened or killed for religious and political belief.

An atmosphere needs to be created for a multi-layered dialogue on a variety of related problems which were put in a cold storage awaiting final agreement about the status of the state, but which have complicated a settlement on the main problem itself. The question of inter-regional relations within Jammu and Kashmir and return of migrants to the Valley, if tackled, would actually facilitate a discussion on the status of the state.

Unlike the days of Jawaharal Nehru, Indira Gandhi and Sheikh Abdullah, there is no single leader or party in India or in Jammu and Kashmir to take up decisions on behalf of the respective people. Therefore, widespread consultations at the national level (with non-BJP parties) and the state level (with non-Hurriyat parties in Kashmir Valley and the leadership in Jammu and in Ladakh) must proceed on all related issues before a breakthrough is made.

Finally, India-Pakistan talks need not be postponed indefinitely. The recent peace initiatives at the non-official level, one may hope, will recreate the Lahore spirit in which a meaningful dialogue can be resumed between the two estranged neighbors, inseparably linked with shared history and future destiny.

The Andorra Model as Final Solution

Both India and Pakistan seem to be upset over the prospect of 'autonomy' in the state of Jammu and Kashmir, but what they do not like may be what is good and necessary.

by **Khaled Ahmed**

Article 370 of the Indian Constitution bestowed on the Indian state of Jammu and Kashmir a 'special status' because of the terms of accession of the territory to India in 1947. 'Special status' meant more autonomy to the territory than was given to other states in the Union. In Pakistan, Azad Kashmir was also given 'special status'. Its constitution has a prime minister in parallel to the Pakistani prime minister and there is an article in it pointing to a condition of 'abeyance' till the territory in Indian control joins Azad Kashmir.

But neither India nor Pakistan, fighting over the territory, could afford to allow the Indian-held state of Jammu and Kashmir and Azad Kashmir the freedom to evolve their own solutions. From 1953 to 1986, India issued 42 constitutional amendment orders that virtually negated the 'special status' under Article 370. In the Azad Kashmir Constitution, an article vests all power in the prime minister of Pakistan. Another article disallows political parties propagating the 'third option', that is, the option of an independent state of Jammu and Kashmir, from taking part in Azad Kashmir elections.

The government of Chief Minister Farooq Abdullah in the state of Jammu and Kashmir wants the 'special status' of the territory restored. A report of the State Autonomy Committee (SAC) presented to the state legislature in February 1999, asked the Union government

to go back to the 1952 agreement between Sheikh Abdullah and Jawaharlal Nehru, which pledged all powers to the state legislature, barring external affairs, defence and communications. The post-Kargil environment in India under the Bharatiya Janata Party government hardly allows the Union to give a fair hearing to the SAC recommendations. The truth of the matter is that the question of 'autonomy' in the Indian-held territory has begun to point to a 'final solution' to the Kashmir dispute between India and Pakistan.

Both India and Pakistan seem to be upset over the prospect of 'autonomy' in the state of Jammu and Kashmir. Praveen Swami writing in *Frontline* (1 April 2000) warns of a US-masterminded conspiracy behind Farooq Abdullah's latest initiative. He suspects the SAC report of being inspired from abroad and cites a meeting between the chief minister and Farooq Kathwari, "a US-based Kashmiri secessionist", who heads the Kashmir Study Group in New York. He suspects the BJP government, with whose approval the meeting took place in March 2000, of being 'complicit' in the secret plan to divide the state on religious lines. He looks with suspicion at the BJP policy of releasing the members of the "secessionist" All-Parties Hurriyat Conference (APHC) as that might serve to create Kashmiri consensus for a "final solution".

In Pakistan, the release of the APHC leaders has aroused suspicion despite a pledge by

some of them that "no discussion can be held with India under the Indian Constitution". Writing in the Lahore daily *The News* (17 May 2000), Pakistan's former army chief General Mirza Aslam Beg stated: "Through a political manoeuvre, India has released the APHC leaders and showed a gesture of holding negotiations with them. In this context, the statement of the APHC leader Syed Ali Gilani is very meaningful: 'The geopolitical realities and political logic demand a solution of the Kashmir problem, whether it be right of self-determination, the autonomy of Kashmir, division on the religious basis, or a return to the pre-1947 situation'. This is in sharp contrast to the statements in the past, which reflects India's machinations."

It will not be long before Pakistani writers too latch on to a 'US conspiracy' behind the Kathwari meeting. (*On the contrary, at least one member of the Musharraf government expressed interest in the Kathwari 'solution' to this writer recently - KA*). Indeed, Pakistan is rapidly parting ways with the US on the issue of Kashmir. Not long ago, Pakistan advocated 'third party mediation' (read the US) in India-Pakistan talks on Kashmir, perhaps not completely realising that the Americans now favour a solution along the Line of Control (LoC) in Kashmir. The American think-tanks also favour Kashmiris as the third party in the dispute and have taken note of the view that the Indian-held territory will have to be given more 'autonomy' than India approves, and that this 'autonomy' will have to be guaranteed by both India and Pakistan. Many Indian voices have supported this 'solution', the latest being that of Karan Singh, the son of the acceding maharaja Hari Singh, who suggested in his article, "A breakthrough is possible" in *The Hindustan Times* (27 April 2000), that an "internal dialogue" with the Kashmiri leaders was necessary and that "we will at some point of time necessarily have to talk to Pakistan".

Alastair Lamb in his book *Unfinished Partition* (1997) takes note of what he calls a solution of the Kashmir dispute on the "Andorra model". He traces this model in the statements of early Indian leaders like Jayaprakash Narayan and Rajagopalachari, and the views expressed by later influential opinion-writers like Khushwant Singh and Kuldip Nayar. Andorra is a small principality lying on the border of Spain and France. A 'coprincipality' since AD 803, Andorra was given an

'independent' constitution in 1993, which greatly reduced the power of France and Spain over it.

Applied to Kashmir, the Andorra model would have India and Pakistan agreeing to declare the LoC as the international border, then jointly guarantee 'independence' of the Valley. In this arrangement, India annexes Ladakh and Jammu, and Pakistan annexes Azad Kashmir. The 'Kathwari meeting' is supposed to have approved the State Autonomy Committee Report (1999) that some tehsils of Ladakh and Jammu with Muslim majorities be included in the new 'autonomous' Valley. A number of respected Indian writers had earlier recommended a 'soft border' between the two sections of Kashmir after making the LoC a permanent border without, of course, supporting Alastair Lamb's Andorra approach.

India and Pakistan are weighed down by the negative jurisprudence of the Kashmir dispute and are unable to grasp the real import of the situation in Kashmir after a decade of India's military assault and Pakistan's suicidal *jihad*. The 'final' solution, when it comes, will not be to their liking. The 'autonomy short of independence' promised to Farooq Abdullah by prime ministers Narasimha Rao and Deve Gowda before the 1996 elections may have led to an unexpected conclusion, but this is the conclusion that India and Pakistan will finally have to accept after the post-Kargil triumphalism in India and the 'compensatory' passion for *jihad* in Pakistan have decayed into another absurd, 'nuclear-leveraged', deadlock. In the interim, the momentum of the developments inside Kashmir will look like a US conspiracy to both.

Flowers for Kashmir.



MARTIN A. SUGARMAN/KASHMIRI PARADISE (NET)

“Pakistan and India want Kashmir for themselves.”

Released from jail on 4 May, Mohammed Yaseen Malik is the charismatic and straight-talking leader of the All Party Hurriyat Conference (APHC), and chairman of the Jammu Kashmir Liberation Front (JKLF). He talked to Himal over phone from Srinagar. Excerpts:

Do you see Article 370 as contributing in any way to a resolution of the Kashmir problem?

The question does not arise. Article 370 came into being after the Instrument of Accession was signed, which had guaranteed the people of Kashmir the right to choose their own future through a plebiscite. That was not held, so the Article is redundant. Moreover, it was supposed to be a temporary measure and is quite invalid now, especially when the Indian government has abrogated its provisions. The Kashmir issue is a human issue and has to be resolved taking the aspirations of the people of Kashmir into consideration.

But the Indian government seems to be holding out an olive branch by releasing the APHC leadership, and the chief minister is citing the Puri Commission report as a model.

The Indian government has put a precondition that the APHC leadership abandon their agenda and talk within the framework of the Indian Constitution. That is not acceptable to us because we do not see ourselves as an integral part of India.

What do you think of Pakistan's proposed solution to the problem? Is it acceptable to the APHC?

Pakistan wants Kashmir for themselves, just like India wants Kashmir for themselves. The JKLF stands for total independence for Kashmir but there is an important proviso. A democratic decision is acceptable to all. If the people of Kashmir are allowed to

decide their future in a free and fair manner, and they opt for union with either India or Pakistan, we will go along with that.

What is your response to the argument of some in India that if Kashmir is allowed to go, it will have a domino effect on other constituent units?

We feel that is not a sound argument. Kashmir was never legally a part of India, so there is no question of comparing it with the other units. Real integration is not a question of keeping someone with you by force. Besides the integrity of the Indian nation-state is surely not so fragile that it will fall apart just like that.

What implications will a resolution to Kashmir have on the rest of South Asia?

If Kashmir is resolved, it will make for permanent peace and stability in the whole region and allow it to develop. But as of now, we cannot talk of any form of resolution

because there appears to be no scope for tripartite talks to discuss the future of Kashmir. The Indian government refuses to provide a forum for talks because of its precondition of holding talks only within the Indian Constitution. As for implications for other parts of South Asia, the problems of Kashmir cannot be compared with the domestic problems of Pakistan or India. Kashmir is a separate entity and a special case. It is an internationally recognised disputed territory so the question of it being compared to other states within nations does not arise.



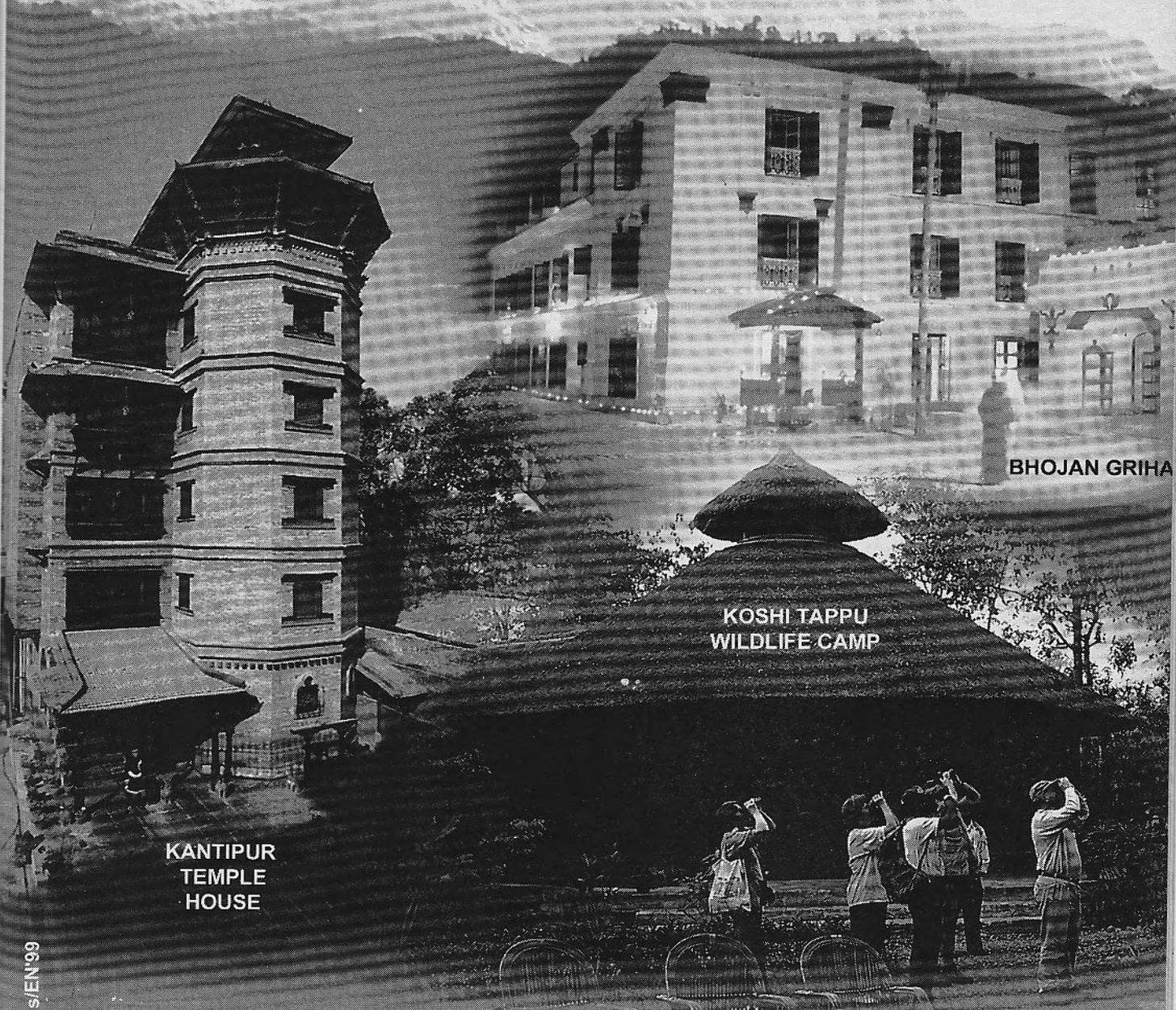
(Khushwant Singh on Kashmir and independence, see page 40)



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A conflict of paired minorities

“One can explain India's weakness by India's greatness,” says **Stephen P. Cohen**, head of the South Asia Programme at the Brookings Institution in Washington DC. He shared some insights into the India-Pakistan relationship and how India sees itself, with Islamabad-based research scholar, Sarahh Bokhari. Excerpts:

How would you define the India-Pakistan conflict?

India and Pakistan are engaged in a 'paired minority conflict', which is a type of dispute in which each party thinks of itself as a minority whose interests are threatened by the other. It is very hard to construct a dialogue between such parties. The Sinhalese and Tamils in Sri Lanka each see themselves as threat-

ened minorities. The Sinhalese perceive an ideological, political, cultural and civilisational threat from Tamils, whereas the Tamils face the prospects of defeat and expulsion or dominance by the majority Sinhala. The latter have been reluctant to make concessions to Tamils and vice versa, and now the country has become polarised, with extremists on both sides exercising a

veto over moderates. Similarly, Arabs and Israel both act as threatened minorities within the same territory—they use force against each other to protect themselves. Pakistan sees itself as a threatened minority due to being one-sixth the size of India, due to having lesser capabilities in the conventional military build-up, and for the very reason that it was carved out of India.

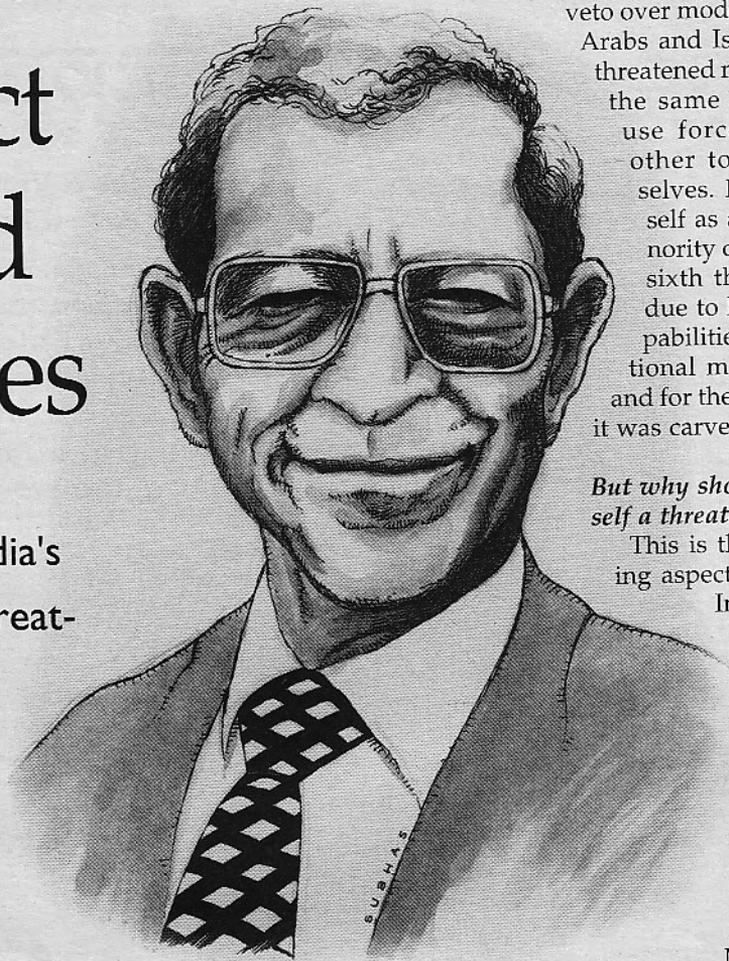
But why should India see itself a threatened minority?

This is the most interesting aspect of the problem.

India considers itself a threatened minority because there is no single majority Hindu culture; it envisions itself as being encircled by outside powers.

Moreover, India lost its strategic ally, the Soviet Union, after the Cold War ended, which made it feel further threatened. When a crucial international supporter disappears, the sense of encirclement and threat intensifies.

To take it one by one, Indian culture does not have a majority. The notion of a Hindu majority culture is an artifice, advocated among others by the BJP and the RSS. There is no single dominant caste of Hindus. It is only a BJP ideological construct to maintain that Hindus are in a majority. Indian society is diverse, which does not give it a unified sense. However, there is an underlying cultural unity, and in modern times, both during the nationalist movement and more recently, Indians have begun to create an Indian identity. The RSS would give a Hindu flavour to this identity, but the Indian films and the mainstream



nationalists are secular in their orientation.

Secondly, India has always felt encircled. Many Indian strategists and intellectuals consider their country to be surrounded by a larger alliance of outside powers and, hence, a threatened state. Pakistan is seen as being a part of this encirclement. Originally, the Indian nationalists regarded the British division of India and creation of Pakistan as a device to weaken India. Later on, the US was substituted for the British, and it was seen trying to interfere and stop India from emerging as a major power. China too has always been considered as an outside power out to enfeeble India. Thus, in the 1990s India perceived Pakistan, China and the US as uniting against it. The recent 'green wave' of Islam is again regarded as a threat.

An almost comical aspect of this perception could be seen during the height of the great expansionist period of India's foreign policy after Pakistan was divided in 1971. Back then, India even perceived a military threat from Bangladesh, and some Indians seriously regarded Bangladesh to be a part of an encirclement strategy. Nepal, too, was considered to fall in the same category. India maintained that Nepal is helped by China, and that Pakistan's ISI is acting in Nepal, in Bangladesh and all around South Asia to contain India. Even the Voice of America was considered a strategic threat to India, and New Delhi interpreted the US interest in Sri Lanka as yet another strategic threat.

What explains this thinking that outside powers are always trying to keep India down?

There is again the sense of insecurity, but there is also a cultural argument. Samuel P. Huntington's thesis fits in very well with Nehru's and some BJP perceptions. India has a legacy of being a great civilisation, and Indians think that other civilisations are jealous of India. One can explain India's weakness by India's greatness. Similar argu-

ments can be found among the Israelis, Arabs and Sinhalese. Of course it seems rather contradictory in the case of India because of its size, but the same sense of deep insecurity in very large states was notable in post-world war Germany and even in post-revolution Russia.

What confidence-building measures would address this kind of problem?

Most of these types of conflicts are intractable in the short term. A long-term process is required to restore confidence of one or both sides so that they deal with each other realistically. A fundamental problem in these conflicts is the reluctance to make concessions. Once you see yourself as a threatened minority forced to make more concessions, you feel yourself moving down the slippery slope of making further concessions. When India or Pakistan sees itself as making more concessions than the other, it wants to pull back.

The two countries have seen brief periods of equilibrium in their relationship, when neither felt threatened by the other. However, this equilibrium lasted maybe for a day, a week or a month, and quickly disappeared. And as soon as the equilibrium stage passes, both again feel threatened, and the deals struck previously are broken, whether it is the Lahore process or any other.

A process of mutual concessions should begin. The problem is in determining who should do it first. Indians have their own arguments. They maintain that if they are the first to make concessions, then Pakistan will bring in the Americans and the Chinese, and India would be made to give more and more, particularly on Kashmir. Confidence-building measures or CBMs are considered as a preliminary to get this process started, but I have my doubts. Confidence-building is not what people should be looking for; what is required is a mechanism to verify agreements. As Reagan once said with reference to the Soviet Union, "Trust but verify".

Can the US ever play the role of mediator?

Back in 1992, I concluded that there was no possibility for normal India-Pakistan relations without the help of an outside party. After the nuclearisation of the region, it does not seem likely that either would take the bold step of making unilateral concessions. A peace process between them, managed by an outside power, is one possibility. Clinton seems to be personally inclined to this role but he is seven years too late. If he had started it in 1993 or 1994, there might have been considerable progress by now. Neither the nuclearisation of South Asia nor Kargil might have happened. Japan, for one, might want to play a role in South Asia because it understands the effects of nuclear war.

Do you think India wants a collapsed Pakistan?

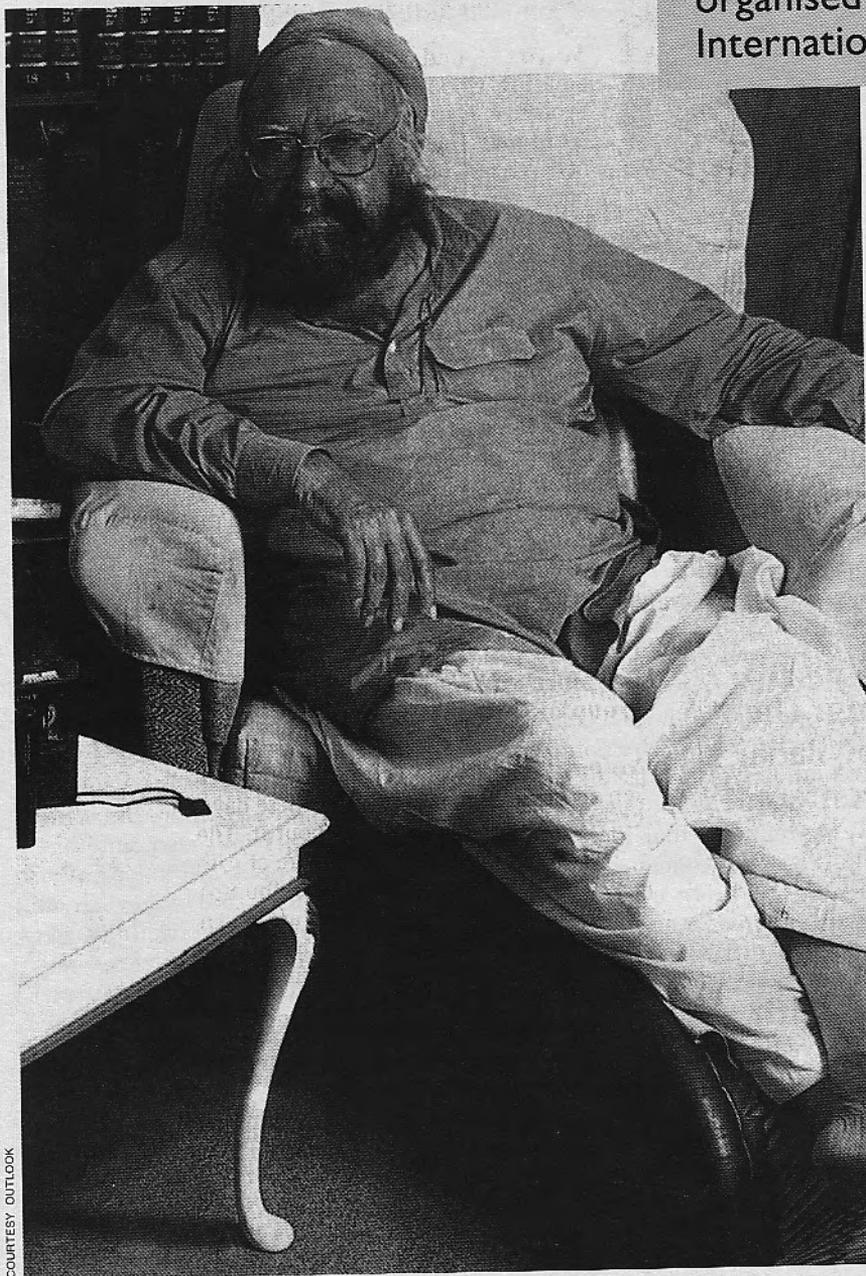
In South Asia, there is a lot of talk of Pakistan collapsing or Pakistan as a failed state, but I doubt that Pakistan will fail. There have been alarming discussions in India about which is the best way to bring down Pakistan: economically, militarily or by internal disorder. But most Indians believe that a weak Pakistan is preferable to a disintegrated one. India's internal problems could be made worse by a failed Pakistan.

What about the Kargil fiasco?

Kargil was like the Japanese attack on Pearl Harbor. It was militarily a brilliant operation, but a strategic failure. It has also embittered the Indian public. Diplomatically, it demonstrated that American involvement could be useful in a regional crisis, but the chief responsibility rests with the two countries, not with the Americans. India and Pakistan have the most to gain in a normal relationship, and the most to lose through continuation of their paired minority conflict, where each vies with the other in inflicting and absorbing punishments. ▽

Khushwant in Karachi

Khushwant Singh went from Delhi to Karachi in late March to address a seminar on "Peace, Goodwill and Fellowship", organised by Rotary International.



COURTESY OUTLOOK

“*Assalamulaikum!* This is a ritual greeting between Mussalmans, and I think it is a very important greeting between the people of India and Pakistan. You will agree that at no time in the 52 years that the two nations have been independent, have we been closer to war as today. We have fought three wars and are preparing for a fourth, which I have not the slightest doubt will be the final one because there will be nothing left of either you or us.

On that low note, (let me start by saying that) I represent no one. I am a half-writer of some books, but my roots are in this soil and I have great ambition to somehow prevent the spread of hatred between our two countries. I am also a manufacturer of jokes; in fact, the main factory of jokes against my own community, the Sardarji jokes.

Speaking about the impressions my countrymen have about Pakistan, there is one point that is always harped upon—our common past and heritage, that we speak the

same language, we are the same race, our style of living is the same, we wear the same dresses, our mindsets are the same, we eat the same of kind of food. You are almost entirely Muslim, we are predominantly Hindu. But our Muslim minority of 14 percent, perhaps in numbers, equals the entire population of Pakistan itself. We have a lot in common.

Despite all this, something does not allow us to become close to each other. Today we have in common many negative aspects, which are more important to talk about than the heritage we share. Our two countries are the most corrupt, poorest, the most violent, and the most ignorant. Some international organisations report that both of us share the distinction of being amongst the top 10 in corruption and violence, civic violence. I am mighty pleased to see that in corruption you were ahead of us by two cases. But somehow I do not believe this because for every case of corruption in Pakistan, I can match that with eight cases in India.

I read about your ministers and other people being put in jail, and having large estates in England and large accounts in Swiss banks. But that is chicken-feed compared to what our politicians have done to our country. We have had one prime minister, described as Mr. Clean, and he made a neat 65 crore rupees on one deal. We had another prime minister who had to bribe only four members of Parliament out of the 540 to rule the country for five years. I can name at least two dozen chief ministers who have really done 'well' for themselves.

We have had a lady chief minister who blew up exactly 100 crore rupees at the wedding of her foster son, and she wore a belt on her sari, studded with diamonds and jewels, worth more than a crore. She still is holding her head high, she's still described as the *amma* of her state, and is a formidable force not only in her own state but also in the rest of the country.

We have the case of the Bihar chief minister who has been charged with an enormous sum of bribery. But not only did he win his way back into power, he also put his illiterate wife in the chair as chief minister. I do not think you can match this kind of thing.

We have in our Parliament and state assemblies, many who have been elected while they were still in jail, and who have come back to be sworn in as ministers. All this is a marvel. We have had one of the ablest and honest of men, Dr. Manmohan Singh, losing in the last election. While a lady called Phoolan Devi, once convicted of the murder of 22 men at one go, won.

The question to really ask ourselves amidst this abysmal state of affairs is, what has happened to us? In

both our countries, we have a leadership pool of high intelligence (the worthy minister who spoke before me gave a very lucid and, if I may say, brilliant defence of the indefensible), and yet how has it happened that we are the poorest and the most illiterate people in this world?

I think the answer is very simple—we brought it on our own heads. Our successive governments, instead of going in for building more roads, railways, schools, hospitals and whatever the countries needed, have been buying arms, manufacturing guns, fighter aircraft and submarines, all that we cannot afford. If you spend all the money in weapons of destruction, how can you expect to provide the people sustenance of any kind?

Kashmir as real estate

We are being told that the problem is Kashmir. I agree. But I think it has become an excuse for both of us. I have my own solution which would not be acceptable to either India or Pakistan, but I have put it across with as much candour as I can. We have treated Kashmir as real estate, a property to be divided between India and Pakistan. Kashmir is not a problem of real estate, it is a problem of people, and they are neither Indian nor Pakistani. They are Kashmiri. And in our discussions, neither of us have talked to the Kashmiris about what they want.

You accuse us of not holding the plebiscite that we undertook to do before the UN. You are right, we did not follow the undertaking, what is more, we are not going to have a plebiscite for a simple reason. It is really clear that if the people of Kashmir are given the option of choosing either India or Pakistan, they will opt for Pakistan, for the Muslims are in majority there. If given a third choice without India or Pakistan, but as a state

of their own, I have not the slightest doubt that they will opt for the third.

Now, the complication is that the Kashmiris are not one people. They are four different ethnic and linguistic groups of which one lot is with you, and they have no choice but to stay with you. Another lot is Buddhist, predominantly in Ladakh, and they will not come to you. Jammu again is slightly doubtful because apart from the one district of Dodha, it is Hindu. There is no question of them ever wanting to come to Pakistan. The crux of the problem is the Valley of Kashmir, which is over 90 percent Muslim. And without doubt, on these people's decision about their future depend the future of India-Pakistan relations.

My suggestion has been repeated many times—that if our countries behave like civilised countries, you would accept this possibility: give the Muslims of Kash-

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mir the right to decide their own future. Unfortunately, it is too small an area to be an independent state. It is only 70 miles long and 30 miles broad; it cannot be viable as a separate state. Its only possible existence as a fully autonomous state depends on the support by India and Pakistan. And do not think it is such a big problem, that we cannot get together and say we will give the Kashmiris total independence of you or us. They will allow anyone they want in the state. If they don't want an Indian to come in, they will not give him permission, and if they do not want a Pakistani, they will do the same. This is the quote I use to support this point of view:

*'Jo bhi aye, meri ijazat hai aye,
yeh koi jannat nahin hai, mera watan hai.'*

Let the Kashmiris decide for themselves. If it is such a big problem for us to get together, then let there be a dialogue not between two, but three. If this is acceptable to the Kashmiris, we will set up a council of Kashmir with two people from the valley, one from Pakistan, one from India and with an official from the UN presiding. But with an undertaking from this autonomous state that there would be no migration of minority communities from the state.

We have already had large numbers of Kashmiri Pandits who have gone away to Jammu and also the recent incident of a massacre of a whole village of Sikhs. There can never be a one-way traffic—migration of populations are very dangerous. We learnt that lesson in 1947, 10 million people had to be changed hands across the borders and one million people were massacred. We cannot afford to have that situation repeated even on a small scale. This autonomous state I keep proposing should give a guarantee to the Kashmiri Pandits and the Sikhs that they will be rehabilitated in the state and given complete security.

I do not know if there are any takers for this. We go on and on having endless talks. Pakistan is right that India is dragging its feet. I would say we are open for a dialogue, but Pakistan's dialogue only means "you give us the Valley", and the Indians know that only too well.

The Force of Love

I would like to make one another point that may offend some, but this is my pet aversion or obsession—intolerance of other people's opinions.

I think the main 'culprit' is the way we interpret our religions. Instead of being a unifying force, a force of love as it was meant to be, a force to solve social problems, religion has become a divisive and backward-looking force. We hear about your problems, the predominance of the mullahs, the madrassahs and what they teach, their constant declaration of *jihad* against non-Muslims like me, but we too have similar problems in our country.

We have had a resurgence of Hindu fundamentalism, after containing Sikh fundamentalism. We had that madcap Bhindranwale, who said kill all Hindus be-

cause he felt they were anti-Sikh. I have a recorded speech, and I'm not exaggerating, in which he spoke about the length of the beard we should have, and whether we should colour it or not. He prescribed the kind of dress you had to wear; you could not enter the Golden Temple wearing a sari because that's a Hindu dress, you must wear a salwar kameez, but it did not occur to him that it could also be a Pakistani dress. This kind of pernicious thing caught on even amongst the educated classes and that was the amazing thing.

We could contain (Sikh fundamentalism), but Sikhs are only 2 percent of the population of the country. They can make a nuisance of themselves, but not do much more. But when it comes to the Hindus, who form 85 percent of the population, we're suddenly reversing it and talking of Ram Rajya, the old legendary times of Hindu greatness. And laying down rules and laws of dress and behaviour based on anti-Muslim sentiment. Reviving memories of Muslim invasions, destruction of temples. This kind of thing has caught on.

We now have a religion-based government: the Bharatiya Janata Party represents a Hindu right-wing group. Supporting them are more fundamentalist groups. Their basis is the Rashtriya Swayamsevak Sangh, which calls itself a "cultural organisation"—part of its 'culture' included the murder of Mahatma Gandhi. They take part in anti-Muslim riots, and their 'culture' is wont to ban any expression of opinion—films, books—and the government has had to kowtow to it. We have the Vishwa Hindu Parishad, which is slightly more intelligent, and half a dozen other organisations which have some 300 mosques on their lists meant to be destroyed since they were built on the ruins of Hindu temples.

This is the kind of atmosphere that we are facing. It has to be fought by the Hindus and it is being fought. You have to fight it from among the people whose group throws up this kind of challenge to the community. In India, the people who are holding back this kind of fundamentalism are the Hindus themselves. Why I especially mention this is that if the Kashmir problem results in a large number of migrating Hindus and Sikhs, then the hands of the right-wing Hindus will start the same thing again. If Kashmir goes to Pakistan because of the Muslims, they will say, what are the Muslims doing here (in India), why are they not in Pakistan.

You have to stand up to that kind of talk and answer them with reason and goodwill. I will sum up what I think should be the message, on behalf of my countrymen:

*Phala phoola rahe, ya rub,
Yeh gulshan phoolon ka
Mujhe is baaghi kay har phool say
Khushboo-e-ya rub.* ”

(Transcribed by Amber Rahim, Karachi.)

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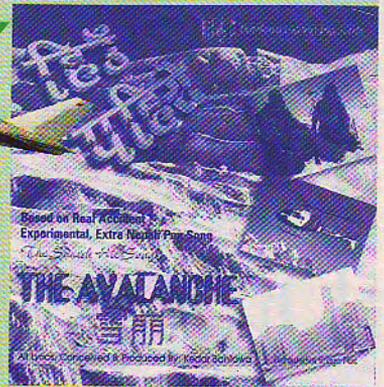
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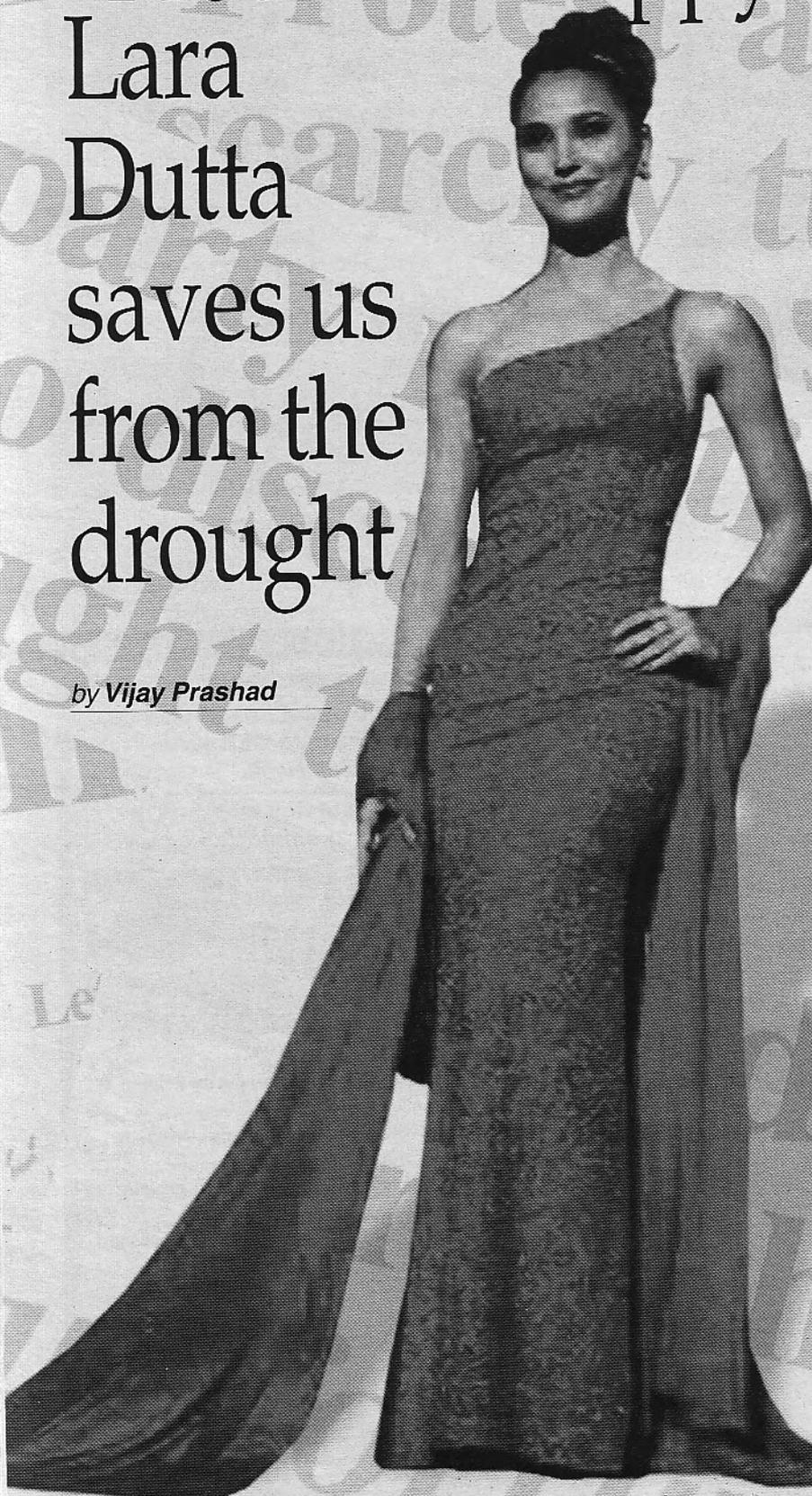


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"Proud and happy" Lara Dutta saves us from the drought

by Vijay Prashad



Upon hearing that Lara Dutta (21) won the Miss Universe pageant on 13 May, I conducted a small, unscientific poll. I asked several of my South Asian friends in the United States if they had heard the 'sensational' news: most had, this within hours of the announcement in Nicosia, Cyprus. Then I asked a host of non-South Asians, and I checked the US newspapers. I drew a blank. No one seemed interested.

So what is Miss Universe, this annual pageant that makes the Indian media go all barmy ("Lara Dutta's sister says she used to love posing for photographs as a child")? And even bring forth this frothy homage from Prime Minister ABV: "I wish to congratulate you on your winning the Miss Universe contest. Your success is a tribute to the Indian woman and her aspirations for excellence."

Founded right after World War II, the Miss Universe jamboree is the junior partner to the Miss World contest. The latter was created by Eric and Julia Morley in 1951 as a promotional device for Morley's company, Mecca, which he likes to call a "leisure group"—travels, entertainment, etc., all, of course, at a high price. In 1970, Julia Morley had this brainwave of coining the phrase "Beauty with a Purpose", thus thrusting what was essentially a parochial British television event into the world stage.

The Miss Universe contest, in comparison, was much smaller, and remained far less 'prestigious' until CBS television and the maverick New York City real estate developer Donald Trump took over the enterprise in late 1996. They chap-eroned the contest into the age of liberalisation, in direct rivalry with the UK's Miss World. It is funny, therefore, to hear Trump on the contest: "There is nothing to compare with the Miss Universe organisation. We have a rich history of bringing together some of the most impressive, beautiful and interesting

women from many backgrounds and cultures and then helping them achieve their goals."

With the fall of the Berlin Wall, US capital and its media outlets have been on a global binge. The reach of the American (and Australian, courtesy Murdoch) media is now incredibly long, and there is a move by many of these outlets to extend their market share in places like India (where, as Lloyd Bentsen, US treasury secretary in Clinton's first administration, put it, the middle class is "the size of France").

CBS-Trump's Miss Universe contest conceived of something called "Big Event Television", a hugely promoted stunt that draws a large viewership who will then be turned on to ancillary programmes and products through expensive advertisements. There are a host of promoters who sign up eagerly to push their products to a world for which these pageants had become something of an opiate, the Bread and Circus of capitalism.

Svelte and elite

It took the liberalisation process, started in 1991, to bring forth the crowns of beauty onto the svelte and elite women of India—a mite conspiratorial perhaps, but there's more than a grain of truth in the linkage. Indian models, of course, were no strangers to the gushing at the winner's podium. The model Reita Faria was the first of the lot, when she became Miss World in 1966, followed by six semifinalists and finalists ('70, '72, '75, '78, '80 and '91). Meanwhile, at the 'lesser' Miss Universe, six semi-finalists and finalists ('66, '72, '73, '74, '90, and '92) were clearing the ramp for Sushmita Sen's victory in 1994, the year in which another Indian, Aishwarya Rai claimed the Miss World title.

The flash flood continued—Manpreet Brar (Miss Universe runner up, 1995); Diana Hayden (Miss World, 1997); Yukta Mookhey (Miss World, 1999); and now Lara Dutta, the new Miss of the Universe!

The 1990s ushered in the Indian beauty, that vehicle of desire who

could arouse in the gullible Indian consumer a craving for products most beautiful. The creation of desire, it is said, transforms luxuries into necessities.

Not only do the beauties serve as effective ambassadors for global firms, they also do a star turn for bourgeois nationalists. Sushmita and Aishwarya saved India from the Surat plagues and the Bombay riots of 1994. Now Dutta saves India from the drought. Foul images of the Third World get erased by waxed images of radiant women. Reality can be easily occluded by glamorous television. After Ms. Dutta went delirious at her crowning, *Femina's* editor Sathya Saran wrote in *The Economic Times*, "Today, reality has overreached the dream. The country is proud, happy. But not surprised."

What nonsense. Most of the 'country' had no idea that this graduate of St. Xavier's Mumbai had spent the last three weeks in war-torn Cyprus as part of a campaign to revive the tourist industry on that island (Cyprus spent a cool USD 7 million on the effort). In Nicosia, protests outside the basketball stadium decorated like a Greek amphitheatre ensured that we did not forget the trials of the world while celebrating this shallow kind of universalism. A banner proclaimed that "we want schools and hospitals", driving home the point, particularly in the case of Ms. Dutta's mother country, that her victory does little to shore up the pathetic situation of

health care and education in India.

The final question asked the contestants during the pageant was, "What would you say to those who condemn the contest as an affront to women?" Ms. Dutta's answer appealed to the judges: "Pageants like Miss Universe give us young women a platform to foray in the fields that we want to and forge ahead, be it entrepreneurship, the armed forces, be it politics. It gives us a platform to voice our choices and opinions and it makes us strong and independent as we are today."

Of course, Miss Universe Dutta is entitled to her own high opinion, but what is of interest was the three options she chose: business, the military and politics. Money, Gun (or Nuclear Bomb) and Power. A true daughter of her times, shall we say? △



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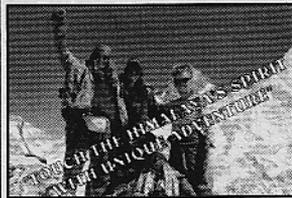
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As the Indian cricket writer managed to upgrade his column from the last page to the first, he missed on his way the most important story of his life. Or did he choose to? Sure, he has now gone to town about the match-fixing scam, but why did he not tell us the story as and when it was happening all these years, much much before the weekly *Outlook* broke it in 1997?

Why, indeed, the silence? Did he want to not spoil the fun, while overfeeding us with the great exploits and grand failures of the stars, by reporting what seems to be the sad truth, that cricket was better fixed than the WWF's fights? Or was it simply that he felt his beat did not allow him to write about the fixer's world? Or was he too much in awe of the star, basking in that proximity enjoyed by the sports writer? Or, perhaps, he just did not know?

Granted, the cricket writer was never meant to be the investigative reporter. But when he is actually spending much of his time with a group of pampered young and not-so young men, who are not beyond intrigues and gossip, it is impossible that the word was not out there. But the reporters preferred not to tell the *hundred of millions* cricket fans

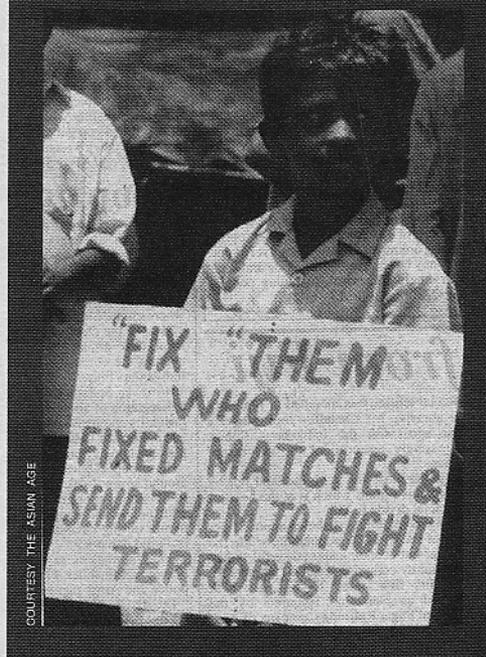
of South Asia that anything was untoward. Year after year, match after match, over after over, the fiction of probity was kept alive, without a whiff of questioning.

While the other sportswriters remained stuck to the back pages, the cricket reporter received his promotion to the front-page the day "Kapil's Devils" walked away with the World Cup in 1983. Our cricket scribe revelled in his new-found status, continued to write drably, and yet more patriotically about the game. He whined when India lost, went orgasmic when Pakistan got licked, groaned when an Indian missed a century, and castigated the umpires. He knew all about the North-South-West-East basis on which players got selected, and his box stories would be on these lines—"Azhar's cap missing", "Ganguly's goggles stolen, Bengalis enraged" ...

The only thing he kept from us for two decades and more was the information that the matches were fixed. Now, when yesteryears' shady deals come tumbling out of the closet in a breathless rush, we know for sure we have been taken on one hell of a ride. When you put

Shame of the Cricket Scribe

by Shanuj Vayot Cheruvakodan



COURTESY THE ASIAN AGE

together all the attention paid to the game by, as we said, hundreds of millions, when you calculate the billions of manhours spent by India and all South Asia on the sport—live, on radio, on television—then the scale of the crime becomes clear. A crime surely committed by the players, but with full complicity, it seems, of the cricket press. The formative years of a whole generation in the Subcontinent was spent following the game and idolising the stars, and the young boys (and some girls) thought cricket was even more than a game, it taught him about life itself, and its literature gave him diction. Except, now we find out, it seems to have been less than a game, more a bookie-pulled puppet show.

In a region so lacking in heroes in the modern age, bereft of mahatmas and pandits, cricket did provide what we thought were role models, upright men in white who were able to stand up to pressure and hit one for the South Asian gipper. But now the value of our trust and enthusiasm has been made a mockery of as stories 'break' by the day, and more icons bite the dust. Forget the adults, it is the young ones who have been left devastated by such betrayal; they are

no longer sure whom or what to believe. If cynicism were to rise exponentially among the next generation, part of the answer will have to be sought in all the heroes who have overnight turned into villains during the spring-summer of 2000. But yet, our reporter continues to forsake his reader; he has done little to clear the confusion, other than add on with dramatic allegations.

Who then shall give us the correct story? Maybe India's finest cricket writer could, R. Mohan, now exiled to the Gulf after *The Hindu* sacked him for his alleged bookie connections following the *Outlook* story. Amidst the mediocrity in the much-hyped cricket journalism, Mohan was the exception. The fact that he at the very least knew of the racket, demands that he come clean with the story. He is the one man sports editors in India could goad to write, and it is surprising that none's taking his name these days.

But that has been the problem with Indian cricket writing, most of it has always missed the point. ▽

NEW YORK-BASED Bengali author Amitav Ghosh was interviewed by some Benaras Hindu University Department of English students recently in—Varanasi. All of what he had to say to Banipranta Mahanta, Somdev Banik and Namrata Rathore in a long interview, which was printed in *The Hindu Literary Review* of 21 May, was interesting, but I would like to excerpt this bit as I think it applies to all South Asia: “If you ask me what the most important problem that faces India today is, I would say that people do not really try to do what they do really well. Or to achieve some kind of excellence in what they are doing, or pour their heart, their mind, the entirety of their whole existence into what they are doing. The people who do it in India are very few. And most of them are musicians.”

MUSHAHID HUSSAIN was riding high during the time of Nawaz Sharif’s latest stint in government, as his information minister. The highly cerebral and articulate former journalist and expert on geo-strategic affairs, particularly on central Asia, lost favour with his peers when he became too much of a band-leader for Nawaz’s increasingly autocratic proclivities. That having been said, it has to be acknowledged that while Mushahid may have loved his power, he was not corrupt. His wife is a lecturer, and when he stopped doing the lucrative foreign news agency assignments after joining politics, he was living in university housing. After the Pakistani coup, Mushahid was kept in jail for six months, and only on 27 March was he ‘released’. Well, actually he is now under house arrest, living in his sister’s house, and allowed a one-hour walk in the garden every day. In Pakistan, no one is campaigning for him, as the Sharif family is concerned about Mian Sahab wilting in Attock Jail, while the Pakistan Muslim League hierarchy will not go to bat for Mushahid (as he is seen as an outsider). Without a charge, a capable Pakistani is being kept away because he would talk and make life difficult for the Chief Executive. Not enough reason to keep him incarcerated.

UNABASHEDLY DOING ‘development’ journalism when so many have given up, it is good to see that *Grassroots* (“reporting the human condition”), published by the Press Institute of India and edited by its



director Ajit Bhattacharjea and Vichitra Sharma, has made it past the first-year marker. There are congratulatory messages by India’s president and prime minister to prove the point, but it is the solidly reported pieces from all over dealing with issues as varied as panchayati justice, “Bangladesh schools that Bill did not visit”, water harvesting (that suddenly very important topic) in Rajasthan, and the receding grasslands of Bihar, which makes one wish the monthly 16-page tabloid well. (Subscription is INR 180 pa, send to Press Institute of India, Sapru House Annex, Barakhamba Road, New Delhi 110 001. (email- pii@ndf.vsnl.net.in) I would celebrate *Grassroot’s* first year by reprinting this picture (bottom left) from its May issue, by Reshmy Kurian of the National Institute of Design of Ahmedabad, which seems to catch a finely choreographed moment of women concrete slurry couriers at work.

FROM ‘DEVELOPMENT’ journalism to ‘mainstream’ journalism, increasingly globalised and catering to quite a sizeable chunk of a rapidly expanding consumerist class in Bharat Mahaan. I present facing pages 48 and 49 of the 8 May issue of *India Today*, left column reading

“Sizzler of a State” (“Sachets of water cost Rs 3 each, taps in swanky hotels run dry, trees are seared—there is no respite.”) Right hand side shows shapely beauties showing lots of skin, astride a well-endowed swimming pool, and the ad is for sinks and cisterns.

AS FAR as India today is concerned, I have this problem that I know now one can solve. It is the inability to make a lofty analysis of the current Indian condition by starting a sentence with, “In India today...” That’s because this terms has been hijacked by—you guessed it—*India Today*, the weekly magazine. I know that this problem has existed for the 25 years that the magazine has been around, but does not make the problem any easier. The only way out is to use punctuation, “In India, today, as I was saying, there is a magazine called *India Today*, which does not allow one to get right to the heart of the matter

by saying, 'It is impossible to talk about India today without tripping on *India Today*'."

SEE, HOW technological fixes that seem just the answer to our ills come back to haunt us. The Farakka barrage in West Bengal just before the Ganga enters Bangladesh, was meant to divert water to 'flush' the Hooghly, and thus far it is only the Bangalees downstream who are shouting, whereas India has stayed the course citing rights of the upper-riparian. Well, now we know from the *Hindustan Times* that Farakka has destroyed the hilsa (fish) population all along the Ganga river system since it became operational in 1975. You used to get hilsa all the way upstream through Bihar, Uttar Pradesh and as far as Delhi-on-Jamuna, but not anymore. Shall we get more technical fixes in place, such as opening up the Farakka sluices to allow hilsa through? Bangladesh, for one, would not mind.

WHILE THERE is a lot of self-censorship in South Asia, and don't we know it, it is the Sri Lankan press, which ever since the 'Third Eelam War' took a turn for the worse last month, has been facing the brunt of officially imposed censorship. The picture printed by *The Hindu* shows a Colombo man reading *The Sunday Times* of 21 May.

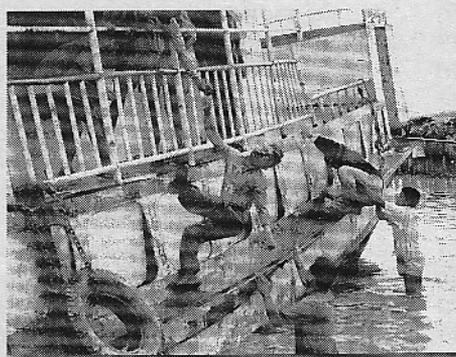


OVER across in Dhaka, here is wishing Ekushey TV well, South Asia's first non-governmental terrestrial and satellite television channel. May it show the way to an alternative, more sensitive, but always professional (and where necessary, absolutely journalistic) television, in an arena monopolised by the super-commercial private sector on satellite, and governmental media on satellite and terrestrial. What difference will Ekushey make? Time will tell...

NOW, let me share some good words about Chief Executive Musharraf. He is a singular coup leader for being so willing to be questioned on live television by a clearly (if not hostile, then skeptical) press. It was on 24 May, when PTV beamed down on all South Asians the press conference from Islamabad, and Musharraf speaking extemporaneously on all issues including corruption, downsizing of government, elections, PIA, the blasphemy law, elections, provincial discrimination and Kashmir. Whatever the circumstances and exigencies of the situation, the fact that the man is a social liberal came across (he

even used the term 'progressive' once). However, at least in the outside-Pakistan media that I read, there was not enough analysis of his response on the two areas which are critical at this point: on the blasphemy law, Musharraf was not able to justify why he backtracked, although he was disarming enough to say that going into "confrontation" with the religious leadership on a matter as "inconsequential" as that seemed not worth it. On whether Musharraf would go in for elections in three years time as the cut-off set by the Supreme Court, the world media reported with alacrity the fact that the general had said, "Yes". But if you watched the press conference, you would have noticed that in two earlier questions the commandante had waffled and even implied that he may go back to the high court if the situation desired.

KUENSEL, OF Bhutan, continues its crusade of subtly reminding the newly-emerging Druk classes of the dangerous path of unbridled modernity. The editorial on the 6 May issue of the weekly reported on how during a "social football match", the older veterans were running like spring chicken, while "the younger men quickly buckled under physical exhaustion". Writes the editor: "(This) brought home the message that the luxuries of development could easily result in a decadent generation... As physical comfort becomes a goal, the Toyota way of life, and other amenities more easily available, we are suffering a fast deterioration in fitness... Just one generation removed from a farming life, many young Bhutanese, especially the so-called educated, are becoming poor representations of the hardy mountain race we claim to be."



LASTLY, A good bit of news photography, but I wonder if the editors of *The Independent* of Dhaka should have opted to present this particular picture, that too in full colour on the front page top of the 4 May issue. A ferry which had sunk on the Meghna was dragged to shore, and the picture shows the process of bringing the bodies out from the vessel. As always, photo editing is a skill that requires

both technical and human sensibility, something that we have tended to neglect at our social peril in media.

- Chhetria Patrakar

When time runs out...

A jargon-conquering guide for those who want to understand why South Asia went nuclear, and why it should not have.

This is a remarkable book for several reasons. It pulls together into a coherent and persuasive whole everything you wanted to understand in nuclear politics—whether it be CTBT, Recessed Deterrence, Second-strike Capability and No First Use (versus No First Strike), or Nuclear Weapon Free Zones (NWFZs), De-alert, the NPT, evolving security relations between and among Pakistan, China, the US and India, and much more. After a couple of careful readings (it takes at least that, given the book's rigour and attention to detail), you begin to understand how South Asia got into this awful mess (from abstinence to ambiguity to enhanced insecurity), at what cost (not just to our economies but to our values), and at what mutual peril.

Since Kargil, which, mind you, is the only large-scale conventional engagement ever to have taken place between two nuclear states, the "short fuse" of the title has grown shorter. The seeming casualness with which our leaders have been exchanging nuclear threats is misleading—they are actually indulging in the classic deterrence dynamic of leaving the other side in "no doubt". The book shows how unreliable this dynamic is, how prone to misreading are the signals, quite apart from the constant danger of accidents. (One nugget is a box item titled "Ramshackle Deterrence?")

The reminder that time is running out is particularly important after the Clinton visit of March 2000, which has had the effect of spawning further complacency in India on the dangers of nuclear war, helped along by the Indian president's reprimand to Clinton that the Subcontinent is not "the most dangerous place in the world". The Americans clearly disagree, and quite rightly

so. We have been lucky in the first 50 years of the nuclear age that there were no further nuclear tragedies after Hiroshima and Nagasaki (Bidwai and Vanaik discuss the many close shaves). The odds may be against South Asia that this luck will hold, given the volatility, emotionalism, and frequent brinkmanship of the India-Pakistan face-off, the physical proximity of the military and population centres of the two countries, lack of experience in managing the new nuclear relationship, and the current unwillingness of India to even talk to Pakistan. The danger will grow every day as the two countries weaponise and deploy.



**South Asia on a Short Fuse:
Nuclear Politics and
the Future of Global
Disarmament**

by Praful Bidwai and Achin
Vanaik
Oxford University Press

reviewed by **Prabhu Ghate**

If the movement for nuclear sanity is to grow in the Subcontinent, it is important that this sense of time running out is kept alive in the public consciousness. This book should play an invaluable part in doing so. It is written by two scholar-activist-journalists, who marry careful research and a comprehensive understanding of the vast and complicated subject as scholars, with the controlled moral outrage of the activist. All this is coupled with the ability to write readably, unlike some of the jargon-ridden, self-serving, tub-thumping books that have appeared recently by the so-called "strategic experts" of the Realist

School. Although most of the discussion is about India, because, as they demonstrate, Pakistan's role has been essentially reactive, the book will be of widespread interest on both sides of the border. Also, by adding a voice from the South to the case for global disarmament, *South Asia on a Short Fuse* will interest participants in the disarmament movement worldwide, and students of international relations everywhere. Unusual for a book from India, it is un-selfconscious in its use of ethical arguments.

Indian scientocrats

Bidwai and Vanaik trace the roots of India's shift from ambiguity to open nuclearism—a shift brought forth by domestic factors, most importantly the emergence of the belligerent, exclusive nationalism of the Sangh Combine. The Sangh was stepping into the vacuum created by the frustrations of an elite class disappointed by India's failure to become a great Asian power and the inability to take its 'natural' place at the high table of nations. Some foreign analysts have placed exaggerated credence on the non-existent Chinese threat, and on India's reactions to the "hypocrisy" of the nuclear weapon states (NWSs). As the authors state, when India went openly nuclear, these hypocrisies had already started to operate towards the prospects of global nuclear disarmament.

While the NWSs need to be constantly needled to get them to move faster on global disarmament (as the group of seven countries called the New Agenda Coalition recently did at the NPT review conference—the club India and Pakistan should have joined rather than the nuclear club, which they have joined as third-class members), this reviewer

has always been struck by the Indian elite's uncaring attitude towards the lack of equality in matters other than the 'sovereign right' to possess nuclear weapons (totally obsolete though they are as a 'currency of power'). It certainly does not bother about the 'great' country's terrible record in infant mortality, or good clean government, or even in the Olympics.

The proximate causes for the Indian tests were the pressures imposed by the nuclear-scientific community, or the "scientocrats", seeking to maintain their prestige in the face of a dismal record on the peaceful use of nuclear energy. They were goaded along by the consolidation, over the last decade, of an unofficial lobby of hardline strategic hawks (including some nicely placed in the media). And their most important ally was the logic of India's position in the comprehensive test ban treaty debate between 1994 and 1996: if the CTBT was a trap, what was the point of incurring international opprobrium and still not testing after avoiding the trap? Moreover, such was the public acclaim (much of it manipulated) of the government's stand on the CTBT, that it had made it much easier for any future government to test. As the authors point out, the "very terms of the Indian debate on the CTBT were so shameful, dishonest and deceitful that this was even more dangerous than the Indian rejection of the Treaty itself". They devote a careful appendix to the self-seeking sanctimony and absurdities within the Indian critique, and it is surprising that more commentators did not pick these up at the time. It is often said of the Chinese that they speak with one voice in the international arena. Democracies like India are no better on foreign policy issues, and the press indulged in "pack journalism" at its worst.

Bidwai and Vanaik are quite correct in emphasising the costs of going nuclear—to the fabric of society, and to the economy, especially if India follows through on its draft nuclear doctrine (released after publication of this book), which calls for triadic deployment (i.e. including

submarines), "space-based assets", and excludes nothing in principle, including a second-strike capability against large NWSs such as the US. However, it turns out that the authors were wrong about some of the other expected costs—such as India's expected isolation, the internationalisation of Kashmir (they unequivocally and quite rightly support international mediation), and the impact on India's prospects for a seat on the Security Council (France has now joined Russia in supporting New Delhi's stake, and London has conceded that New Delhi "has a case"). The authors, of course, did not anticipate Kargil, or the hijacking of IC 814, or Pakistan's overt militancy, all of which contributed to a shift in international public opinion, which has worked against the expected isolation of India (and perhaps exacerbated Pakistan's situation).

Required: mass movement

The authors point out that the tests have not seriously shaken the skewed international nuclear order, which is still 'non-proliferation' rather than 'disarmament' oriented, centred as it is on the Nuclear Non-Proliferation Treaty. That order cannot absorb 10 or 20 new entrants, but it can accommodate the new reality of India and Pakistan (and a few more) becoming *de facto* nuclear states. Indeed, if the ongoing negotiations with the US acting on behalf of the P-5 lead to some sort of compromise with India and Pakistan, and take them in at the margins of the world nuclear order while conceding the legitimacy of their 'minimum credible' deterrents, this would freeze and extend the order rather than radically alter it. This, because the NWSs are themselves compromised by their obvious reluctance to give up nuclear weapons and resulting rationalisations. Thus, a major opportunity to move forward on disarmament would be lost.

What, then, is the way forward? Globally, the authors discuss the efforts by international NGOs and a select group of countries through the Conference on Disarmament in

Geneva, and elsewhere, to put much stronger teeth into the Article VI—the only legal obligation currently on the NWSs to disarm. There are also proposals to call for an amendment conference on the NPT, for which only one-third of the membership is required, although even this has not been forthcoming. Unless there are sharp shifts in current trends in Europe, the authors do not expect the re-emergence of mass disarmament movements in the First World for some time to come.

However, as the likelihood of nuclear conflict breaking out in South Asia grows with open deployment, especially of nuclear-tipped missiles on the border, the necessary (although not sufficient) condition for the emergence of such mass movements could emerge here in the Subcontinent. Presently, such movements in the region are molecular, urban-based and lacking in policy-forming influence. The authors, as activists, are indeed engaged in the task of setting up a national network of resistance and struggle through MIND (the Movement of Indians for Nuclear Disarmament), which is to hold its first national convention in November. As a first step, the conference may call for a freeze on India's nuclear development—non-assembly, no 'mating' of weapons with delivery vehicles, no induction, no deployment, no further testing and development, etc.

Dim as they may seem for the near future, the prospects for denuclearisation in South Asia may in fact be better than elsewhere; the struggle for a South Asian NWFZ, although more difficult than it was before May 1998, retains relevance and feasibility. As the authors note, of all the NWSs thus far, Pakistan was the most reluctant to acquire nuclear status, and the most worried about the sacrifices entailed in maintaining it. Also, Pakistan is the nuclear weapons state still most willing to give it up if just one other NWS—India—were to do the same, although there is a lobby in Islamabad that sees nuclear weapons as a hedge to compensate for its conventional inferiority vis-a-vis

India.

India would probably go for a freeze if and when it realises that the effort to build a credible second-strike capability against China will take much longer and cost much more than anticipated, especially if diplomacy succeeds in restoring the previously existing relationship with Beijing (the ongoing visit by the Indian president to Beijing holding out just such a hope). The prospects for renunciation also could grow stronger as unease about accidents and miscalculations in the face-off with Pakistan develops as deployment proceeds, and as the economic costs start mounting. (India's fiscal crisis does not allow the burden of another 0.5 to 1 percent of GDP sacrificed to the defence budget.) Lastly, international public anger could build up against both countries, for moving in the opposite direction while the rest of the world is engaged in reducing its nuclear arsenal.

While a no-first-use commitment by India is better than nothing, the authors do not set much in store by it, pointing out that in the heat of a crisis, in a situation of 'use them or lose them', immediate military considerations are likely to prevail over 'noble' peacetime pledges. Besides, having already reversed its nuclear policy, India has a credibility problem. Measures of de-alerting, on the other hand, can mean a pledge of no-first-use verifiable in practical terms, quite apart from lessening the likelihood of nuclear outbreaks by accident or miscalculation. They entail removing warheads from delivery vehicles, as well as disabling (while not fully destroying) the warheads themselves, thereby buying valuable time, of particular importance in a Subcontinent where it takes missiles no more than a few minutes to hit their targets.

Those who would commit themselves to nuclear disarmament movements in India and Pakistan, and indeed in all South Asia, have a huge task cut out for them. Fortunately, there is now this book to provide them with invaluable guidance. ▽



Bengali film *Uttara* Loneliness and fulfillment in Purulia

Far from the madding crowd, the technology and the intellectual ferment of urban life, in a lonely flag-cabin of a far-flung and idyllic Bengal village, live two men who endlessly pursue their favourite occupation of wrestling. Nemai, the signalman, and Balaram, the gateman, beat the boredom of their loneliness by grappling with each other in joyous rivalry. The village, largely populated by tribals, has a Christian pastor who ministers his small flock of converts, besides serving the leprosy patients of the area. This widower's only family is an adopted seven-year-old, Mathew. Also populating this serene landscape are a group of dwarfs who pass by the village every morning on their way to work, and a troupe of traditional masked dancers who perform in the village.

This world of contentment and tranquillity, created with the masterly brush of filmmaker Buddhadeb Dasgupta in his latest movie, *Uttara*, is meant to be shattered by the forces of intolerance and evil.

While the likes of Deepa Mehta get embroiled in controversies let loose partly by their own publicity machinery, before the first frame is even canned, Dasgupta is more intent on filming as art. So, he unobtrusively packed off with his unit to a remote village of Purulia district in West Bengal, made infamous by the as-yet unexplained air-drop of arms in 1995. The story of *Uttara* has explosive contemporary connotations, and it was important in these party-politicised times that the filming at least be a low-key affair.

Remaining strictly within the genre of the non-narrative poetic style that he has mastered, the internationally acclaimed filmmaker has emerged from Purulia with a work that condemns both religious fundamentalism and the callous human response to the sheer beauty of life. To drive home his point, Dasgupta draws from a real-life very-recent incident that rocked India's claims to tolerance: the burning of Australian missionary Graham Staines and his two sons in Orissa. But the

film itself is based on a short story of the same name by the late Bengali novelist Samaresh Basu. With producers reluctant to finance a film that had all the ingredients of controversy, the director himself produced the project with some Swiss assistance.

Cracks appear in the serene world of the village when Balaram (Shankar Chakraborty) brings home the beautiful bride Uttara (Assamese actress Jaya Sil). Balaram's easy relationship with Nemai

(1989), *Charachar* (1994) and *Lal Darja* (1997).

Fundamental to the film *Uttara*, says Dasgupta, is the remoteness of the setting. While in big cities of India and the West, people talk about globalisation and the world becoming increasingly smaller, in many parts of the Subcontinent, illiterate, ignorant and superstitious people live a vibrant life with the full capacity to love and suffer despite their 'shortcomings' in terms of modernity. Ideas of loneliness and personal fulfillment are essential to

nection I have tried to develop between harmony, intolerance and fragmentation, with intolerance being the catalyst in the descent from peace to destruction—a dialectic that is universal," says Dasgupta. However, he ends the film with a dash of hope, for amidst the mayhem little Mathew survives, rescued by the masked dancers. The boy turns away from the wrestlers, whose friendly fights had always thrilled him, and chooses the company of the dancers who would care for him.

"I made this film in response to the present-day realities and also to warn against them. In this world of eternal tension between beauty and ugliness, we must strive to preserve the beautiful. The optimistic ending is thus not just artistically appropriate but also a statement of faith," says the filmmaker.

One strong point of *Uttara* is its arresting photography of the Purulia landscape, bestowing the film with the poetic flavour found in good European cinema. The dance and song of the masked performers remind of the chorus in a Greek tragedy, and a group of destitute vagabonds leaving on foot for 'America' where they think they won't be persecuted, adds colour, comedy and pathos to this magnificent film.

Jaya Sil, the heroine, looks fresh, and is an actress to watch, while the casting of Tapas Paul, usually associated with Bengali potboilers, is altogether riveting. Dasgupta's characters don't really have to speak, each frame's exquisite crafting doing away with the need for script. And when they speak, there is tragic humour and biting sarcasm. The midget train guard, asking Uttara to join him, says, "You have seen the world of tall men. Could they do anything good or change the world?"

Buddhadeb Dasgupta proves yet again that there is still energy left in Bengali cinema, enough to energise and excite South Asian cinematographers elsewhere, if they would only watch.

-reviewed by Sujoy Dhar



(Tapas Paul) evaporates, and soon the two friends' healthy passion for wrestling is transformed into a real fight over a woman. Elsewhere in the village, a group of Hindu extremists are setting out to exterminate the pastor (played by Asad from Bangladesh). He is burnt alive in the church, a dwarf train guard is killed, while Uttara is raped and murdered by the zealots.

"More than a story of intolerance and brutality, the film is about innocence and simplicity that gets fractured and destroyed by a combination of factors. And this is in no way a political film. If viewers interpret it so, it would be a misinterpretation," says Dasgupta, who made the out-and-out political film *Grihayuddha* in the 1980s. *Uttara* is very much in the genre of Dasgupta's later national award winning films like *Bag Bahadur*

the film. Nemai, for example, has forever dreamt of sleeping with a woman but his sexual urge has remained unfulfilled. His suppressed sexuality leads to bitterness and jealousy, which is why the wrestling with Balaram begins to take on an uncharacteristic seriousness. All along, Dasgupta avoids any fashionable suggestion of same-sex bonding despite the two characters' obvious physical closeness. Meanwhile, Uttara, presented by the director-producer as a symbol of simple beauty, fails to find contentment in the arms of a husband who desires her only physically and neglects her emotions.

The pastor finds fulfillment in adopting Matthew, while the dwarf community can only dream of a better world. Uttara, the cleric and the dwarf, all suffer the cruelty of intolerance. "There is an important con-

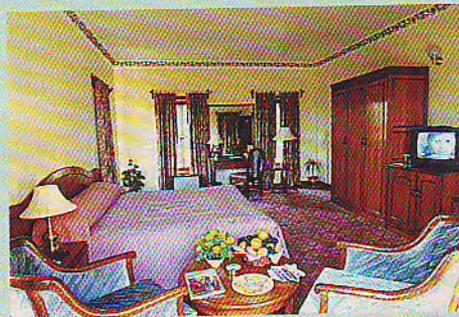


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PATHANEY KHAN

The compassionate minstrel

Pathaney Khan, who died on 9 March 2000, was one of the most popular singers of Pakistan, a flagbearer of a tradition going back a thousand years. During his lifetime, he was the best exponent of the poetry of the Sufia saints, especially Khawaja Fareed, who lived and died in the 19th century on the edge of a sprawling desert in western Punjab, not far from the birthplace of Pathaney Khan himself. But Fareed's was not the only verses Pathaney Khan sang; his repertoire prominently featured other Punjabi Sufi poets.

Pathaney Khan belonged to the tradition of the roving minstrels who performed over the centuries at religious and secular festivals all over the northern half of the Subcontinent. Accompanied initially by the *iktara* and later by other instruments, the audience was wafted into a world of music and poetry. The dominant poetical form in Punjabi and Sindhi has been the Kafi. It has been sung from a very early time, though in the absence of any documentary evidence, it is difficult to say how Kafi developed its musical form. In the poetical text of Shah Hussain, a 16th century poet, raags mentioned in the footnotes for each Kafi more than suggest that Kafis were meant to be sung. The written text of Hussain's Kafis was discovered and reclaimed from Sindh, while the same Kafis had been transmitted orally from generation to generation in the Punjab by the large community of singers.

Pathaney Khan was tutored by Amir Ali, the maternal uncle of Ustad Ashiq Ali Khan of the Patiala Gharana. He sang the Kafi in the classical *ang*, which distinguished him from those who sang with the emphasis on its compositional aspect. For Khan, the lyrics of Kafi needed more than mere interpretation, the words were a reference point for musical exploration. The musical idea and the poetic idea were thus made to merge at a higher elevation during the course of the singing. Pathaney Khan sang with full-throated ease, stressing improvisation as all good classical vocalists do. The lyrics were neither limiting nor were they totally incidental, and by playing upon the strength of both, he kept the autonomy of the musical form intact. Pathaney Khan's particular approach had a bigger audience because it attracted both the aficionado and the lay listener.

Out of the haveli

Poetry of the Punjab and Sindh since the very beginning was greatly influenced by the Bhakti movement and its loosely defined humanism that built its worldview on the unity of existence. Bhakti emphasised the commonality of human concerns and advocated tolerance and love as the final answer to the problems afflicting humankind. Though it reached its climax in the 15th and 16th centuries in response to the

growing divisions in society based on class, caste and religion, the movement seeped more permanently into the sensibility and style of Punjabi and Sindhi poetry. The two greatest exponents of the Bhakti movement were Guru Nanak, the founder of the Sikh religion, and the poet Bhagat Kabir, a weaver by profession. Their verses appealed to a wide section of society, presenting a counterpoint to the poetry being written and sung in the courts and *havelis* of the northern part of the Subcontinent.

It is not surprising, then, that the metaphors, imagery and characters of this poetic genre were derived from the practices of the commoners, the peasant and the craftsman. Following the indigenous form of address prevalent in the region, it had for its protagonist a woman, usually a character from one of the many local tales and romances, not restricted to one area or a single language. This poetry was transmitted orally, and the minstrels who journeyed from village to village took far and wide this poetry in its musical rendition.

Pathaney Khan's forte lay in the rendering of Khawaja Fareed's verses, in which he was able to capture the intensely lyrical quality of the original, while retaining the sharp tinge of rusticity. When he started to sing for an urban Pakistani audience, this rusticity was obvious, but gradually it lost some sharpness. For this reason, Pathaney Khan came in for criticism from some music lovers who wanted him to maintain that 'originality'.

It was in the dialect of Saraiki that Pathaney Khan did much of his rendition, capturing the desolation of the landscape of Western Punjab, which figures substantially in the poetry of Fareed. He came from the area of Kot Addu, a small forsaken place in the hinterland of the Punjab, and Pathaney Khan's fame made Kot Addu a familiar name to the urban audience.

The Sufic tradition of love and fellow-feeling has been the main source for much of the writings in the northern Subcontinent. Not only in Punjabi and Sindhi, but also in various other languages, poets have drawn immensely from the pluralistic richness of this genre. The major themes of Sufi poetry are the glorification of love, tolerance and openness, as against bigotry, narrow-mindedness and orthodoxy.

Throughout his life, living simply and close to the soil, Pathaney Khan remained true to the tradition of the Sufis while reaching out with the message of compassion to an increasingly fractured land. Though the same themes and imagery are often employed in the popular media in both films and musical videos of the day, it is about time that the original message was paid greater heed to. If it was ever needed, it is now.

-Sarwat Ali

Bangla in Indian curry

Farasath Ali, who owns the Great India restaurant on Second Avenue at East 82nd Street, doesn't come from India. Neither does Mohammed Karim at the Indian Spice House, a definitive Asian grocery store on East Sixth Street. The Spice House anchors a block of restaurants with names like Taj Mahal, Gandhi, Kohinoor and Windows on India.

Indians do not own any of those either, or any of the rest of the 27 Indian food businesses on that block between First and Second Avenues, or most of those in similar pockets all over New York City (not to mention London).

Behind such "Indian" restaurants, behind such signature "Indian" dishes like tandoori chicken and seasoned spinach with cheese, are Bangladeshi owners, Bangladeshi cooks, and probably Bangladeshi waiters and busboys. Over a quarter of a century, Bangladeshis have all but cornered the market in neighbourhood "Indian" restaurants popular with diners on modest budgets.

"I'd say 95 percent of New York's Indian restaurants belong to Bangladeshis," said Akbar Chowdhury, a daytime manager of Great India.

But it doesn't end there. Almost all of those Bangladeshis come from one sliver of Bangladesh: Sylhet, a region of emerald green ricefields and dense tea gardens on the country's eastern border, where the Gangetic plain meets the rugged hills of the isolated Indian Northeast and Myanmar.

So why not Windows on Bangladesh or the Great Bangladesh restaurant?

For the Bangladeshi immigrants who came to New York for a fresh start, the choice of names was both a matter of marketing and a bit of insecurity. Among the nations encompassed in the vast Indian Subcontinent, only India became the stuff of romance: the pink palaces, the Taj Mahal, the caparisoned elephants. As for Afghanistan, Pakistan and Bangladesh, their images became negative ones: wars, unbelievable natural catastrophes, poverty on a grand scale. Bangladeshis remember with pain how long they were known as Asia's "basket case".

"We give our restaurants Indian names," the Bangladeshi manager of another Indian restaurant said, "because people in America know about India, and maybe they wouldn't come if we said we were from Bangladesh."

While true epicures would scoff at the thought that the foods of South Asia were similar enough to be interchangeable, the Bangladeshi restaurateurs who came to New York simply adopted what would be loosely described as North Indian food, heavy on oven-cooked meats and breads, and gave their small restaurants names from India to go along with the recognisable dishes.

Sylhet is an area known less for its fine cuisine (although local cooking is considered good) than for its adventurous, inventive people, quick to seize the chance

to try something new. When Bangladesh went through a series of political upheavals—the end of British India in 1947, a spell as East Pakistan, followed by a battle against West Pakistan for independence in 1971—many Sylhetis took off for Britain, especially London, in search of stability and work.

"Eventually they ended up opening restaurants," said Shamsheer Wadud, the owner of Nirvana, an upscale penthouse restaurant on Central Park South. "And then in the early 1970s, gradually more people from Sylhet were coming to New York. They saw the opportunities in America. They thought they'd do well because they did well in England."

Their timing seemed perfect. Not only were they able to capitalise on the changing appetites of native New Yorkers, but also the yearnings for familiar food of South Asians, who began settling in New York in greater numbers in the 1970s and 1980s.

On East Sixth Street, Hussain Ahmed, owns the Sonargaow restaurant, which advertises "exotic Indian" food and is a favourite of students from New York University. He said that his kitchen could prepare a range of subcontinental dishes taking in tastes from Afghanistan across Pakistan and India to his own lush, tropical homeland, where fish and rice dishes prevail. Sonargaow serves North Indian food cooked in tandoor ovens, but adds choices of brook trout and shellfish to the standard chicken, then ladles on the fragrant sauces.

"There were a lot of Indians living here with no eating places," said Ahmed, who saw Indian customers as his main market when he arrived in 1974. But as the clientele broadened, the seasoning inevitably changed.

"We cook a little different than we would in Sylhet, without the hot spice," he said. "But of course if anyone wants the spice we can add it. Every single spice is now available in New York and we can cook every dish without imports."

Wadud of Nirvana has his roots in Bangladesh, too. "But I'm not from Sylhet; I'm from Dhaka," he said, and much of his own experience was different from that of the immigrant Sylheti restaurateurs in the city's less glamorous neighbourhoods. Born in Dhaka, then an imperial British city and now the Bangladeshi capital, he was the son of a college professor from Calcutta whose family owned a hotel there called the Biltmore.

Wadud first came to New York in the late 1960s as a 16-year-old American Field Service exchange student and was assigned to a comfortable home in Fairfield, Conn., and "parents"—Elroy and Claire Blair—showed him New York, including an India restaurant called Kashmir on West 45th Street. Its owner was a Bangladeshi, naturally.

Young Shamsheer was underwhelmed by both the kitchen and the service. "Not humble, like in Bangladesh," he said of the waiters. An idea occurred to him: he could do better. A few years later he was back in this country, abandoning plans for a technical education to learn the rudiments of American-style customer service. In his early 20s, he opened his first Nirvana in 1970, a little place on Lexington Avenue and 81st Street.

"In the 1970s, people were not that familiar with Indian food," Wadud said. There were a few "hole in the wall" places, he recalled, and a few splashy corporate-owned restaurants, now gone because, he said, they lacked the personal touch.

The present, larger Nirvana opened within a year with a private party for George Harrison of the Beatles and Ravi Shankar, the Indian musician, to celebrate a film they had made together. Big names never stopped coming. Early this year, Salman Rushdie, who rarely dines out, came for dinner.

But however different his means, Wadud's instincts were the same as those of the immigrant Bangladeshis who arrived with less money and attracted no stars for friends, and had only their Sylheti connection. As time passed the Bangladeshis were joined in the restaurant business by a few South Indian Tamils specialising in vegetarian dishes, who now figure in the culinary mix of the Little India along Lexington Avenue in the upper 20s.

A heady mix it can be. The New Madras Palace, on Lexington between 27th and 28th Streets, is owned by Indian Muslims but is vegetarian (and thus acceptable to Hindus) as well as kosher. The manager, Abdul Rahman, said that Hindu or Muslim, it was all the same to him when it came to cooking hot South Indian food.

Shashi Tharoor, an Indian writer who is Secretary General Kofi Annan's communications director at the United Nations, has kept an eye on the South Asian restaurant scene for a few years. He has noticed that even when Bangladeshis do not own the place, they are probably working as waiters. He has also noticed that in the last decade or so, wealthier Indian Punjabis have got into Manhattan's South Asian restaurant mix and created the more expensive Midtown places specialising in pure North Indian food—the Bukhara Grill, Diwan and Jewel of India among them. But that is another story.

The Sonargaow, with its Bengali name, is one of a very few places to advertise its ethnic roots. The name was not hard to choose, said Hussain Ahmed, as he surveyed East Sixth Street. "Sonargaow means a golden village," he said. "And this village is a village of gold."

BARBARA CROSETTE IN "IN NEW YORK, DON'T TAKE 'INDIAN' FOOD TOO LITERALLY" FROM *THE NEW YORK TIMES*.

Confidential maps

From a Babylonian map on clay tablet dating back to 2300 BC to digital cartography of the present day, map making has made tremendous progress. With the new millennium here, the making and utility of maps is in a state of major revolution. In modern society, maps constitute the most important source of geographical, physical, economic, scientific and sociological information. The Survey of India (SOI), which is 233 years old, is responsible for all topographical and developmental surveys. This is unlike in the United States of America where the US Geological Survey is responsible for publishing national topographic maps. The Survey of India, with its reach of *Aa Setu Himachalam*, is geared to

meet the challenges of surveying the entire country. It acts as adviser to the Government of India on survey matters viz., geodesy, photogrammetry, mapping and map reproduction. It has aerially photographed the entire country on various scales and has availed of the imageries beamed from indigenous as well as international satellites...

...Toposheet, an essential tool of information, should be available to all citizens as a matter of right. Unfortunately, the colonial British Government in India introduced the principle of security of maps by a strict rule that surveyors of Survey of India should treat their work as secret and not pass on copies even to local officers, civil or military, without proper authority. This restriction at that time was based on deep suspicion that many public officers carried papers in their charge to England, especially maps which could be put to evil purpose. For the colonial government in India, maps served the purpose of consolidation of its empire rather than education and dissemination of information. It insisted on secrecy as it was fearful of giving useful information to alien nations. Gen. Walker, the Surveyor General, almost lost his job for permitting publications of details of exploration and mapping of Tibet, Central Asia, Nepal, Bhutan and other Northern Frontier areas in the journals of Royal Geographic Society and Asiatic Society of Bengal because, the then British Indian Government had considered this information secret... it is a great pity that independent India still practices this restriction as an uncompromising rule and enforces its rigidly.

The restriction on the sale, publication and distribution of maps published by the Survey of India took a more inflexible form in the period 1960-62, which witnessed a conflict with an attack by China along the northern border and later in 1965 in the aftermath of the Indo-Pakistan war. However, the prevalent policy of restriction of maps and toposheets was laid down in late 1967 and further amended in 1968 by the Ministry of Defence, Government of India. According to all of this, all topographical and geographical maps of areas (of about 80 km) between the delineated line, shown on the "Index to Toposheets" published by the Survey of India, and the land border, and also of similar maps of areas between the delineated line and the coast line of India, including similar maps of Bhutan and Sikkim, and also similar maps of the outlying islands viz. Andaman and Nicobar, and Lakshdweep Islands comprising Laccadiv, Minicoy and Amindivi, on scales 1:1 million and larger, are restricted and their sale, publication and distribution are governed by separate set rules. Thus, nearly 227 out of 385 Degree Toposheets remain restricted and this includes SOI Map catalogue published in 1962, and also the book, *Gravity in India*.

Only in 1971, the clearance of the Ministry of Defence was accorded for issue of restricted maps to private individuals, organisations and commercial firms whose indent, applied through State Government, has to be approved by the Minister of Defence. Persons receiving "Restricted" maps have to submit an annual certificate of safe custody of such maps by 31st December every

year. In case, part of any area falls across the external boundary of India, the indent has to be cleared by the Ministry of External Affairs. Topographical maps, both for restricted as well as unrestricted areas, which depict grid lines cannot be issued to civilian users without prior approval of the Ministry of Defence. Without gridlines, maps lose some of their utility for easy reference and location.

Every user organisation in India without exception has seriously suffered professionally for lack of easy availability of toposheets of restricted category. This has placed a major impediment to progress without serving the security needs. Aerial photographs falling within restricted or unrestricted areas are classified as Secret/Top Secret for whole of India, despite the fact that these photographs are an important tool for research workers in cartography, environmental studies, geological interpretation, planning and development of growing towns and increasing urbanisation. Even geological maps, without contour details, pertaining to "Restricted" areas, prepared by Geological Survey of India need clearance from the Ministry of Defence prior to their publication. In many cases, latitudes and longitudes are asked to be deleted and in some cases even exclusion of scale for the map is suggested making a mockery of Geographical Information System and reducing the utility of geological maps.

Restricted maps cannot be exported without the prior approval of the Ministry of Defence. Also export of maps even of unrestricted area on scale of quarter inch and larger and the microfilms obtained from such maps depicting any part of India including its international boundaries and showing topographical features by contours is prohibited. As a contrast, maps on large scales of any country are easily available in Western countries for purchase in any bookshop. Export of geo-scientific thematic maps on a scale of 1:25,000 based on unrestricted toposheets is prohibited. For the sale of such maps to foreign agencies, security vetting by the Ministry of Defence and clearance by the Ministries of External Affairs and Finance would be essential.

S. V. SRIKANTIA IN "RESTRICTION ON MAPS—AN ANACHRONISM THAT NEEDS REMOVAL"
FROM THE HIMALAYAN CLUB NEWSLETTER.

Calling the president

THE FOLLOWING is a fictional telephone conference-call between the "most powerful man in the whole wide world", the "most honest, most beneficent what-I-do-I-do-it-for-country-and-father-but-not-necessarily-in-that-order, humble and multi-doctor-ated intellectual democrat and nation saviour daughter of the founder" and the "most more-honest, fighter-for-the-national-interest, master political strategist and nation's eman-

cipator for the national good cause". The call takes place before the much anticipated "day trip".

Precedent Clintoff (PC): Good Evening, Madama. Can ya all hear me fine? Privy Minister Hahsinoevil (PMH): Good evening Mr. Keelintov. Our people, for whom I am but simply a humble servant and protector of the national interest as per the directions of the dreams of the founder of the nation, can hear you very fine.

Begone Kaladay Zee (OBK): Yes, good evening Mr. Precedent, please allow me to point to the fact that due to the difference of time zones it is good morning here in Dah-kah and thus I am not in agreement with the stand our so-called Privy Minister Hahsinoevil has taken in her greetings towards you. Nonetheless I can hear fine also too.

PMH: Please let me say that in the nearly four years that we have been in power, we have developed the telecommunication network and have added almost 34,982 lines and an additional 8,734 will be converted into the digital system. As a result of our tireless efforts, the communication system between the land of my father's birth and the land of my granddaughter's birth are like AT&T crystal service! In fact it is so much easier to call Florida these days...

PC: Well, okay sorry to interrupt... but... ah... now ladies you know that I am making a day trip to your country soon...

PMH: Yes, yes I have already been given credit for my dynamic leadership.

PC: Madam I would appreciate it that you would let me finish before you said anything...

OBK: Heh heh... snigger... snigger

PC: That would be the same for you Mrs. Kaladay...

PMH: Heh...heh... snigger...snigger

PC: ... ladies please! Now you know I will be flying into Dhaka on March 20. I would like to extend my thanks for helping my

advance security team on their visit...

PMH: Yes, our government has acted fast in aiding all personnel on your security team—men, women and dogs. You must be glad to know that the Golapganj corner varsity has offered me an honorary doctorate for my tireless efforts in this regard for maintaining peace and democracy in the region.

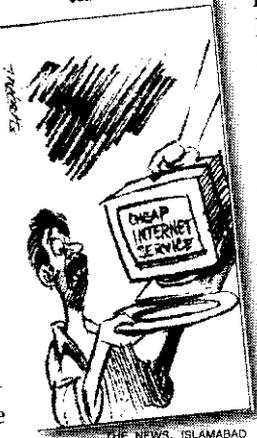
OBK: WE, the allied opposition against this oppressive regime, have decided that we would not hold any rallies or hartals during your visit as an honourable gesture.

PC: Actually it's more like a day trip really... you know like a picnic you go to ... or like a field trip that you had to go to in school because you were in the area...

PMH: Yes, we have closed down four of our seven roads on the occasion of your visit so people will keep off the roads and enjoy a holiday instead of having to go to work and causing unnecessary traf-

Roti or technology

Saad Lochi



fic jams. As a sign of support for my democratically elected government several businesses have even declared a holiday in honour of your visit to help us keep people and vehicles off the streets.

PC: Anyway like... i... was... saying... I hope that it has not been too inconvenient having to accommodate my needs...

PMH: Accommodate... but you said you did not want to stay overnight! Oh Ghawd!

PC: Wait, wait... I will not be staying overnight... what I mean is accommodate as in make arrangements for...after all my itinerary has been juggled a lot and...

OBK: When I was in power there was law and order so you could have stayed overnight no problem...

PMH: No, no what nonsense. There is no 'law and order situation' after we have passed the public safety finance bill. Besides Mr. Precedent Keelintov is only coming because of my dynamic leadership and to pay respects to the great father of the nation... aren't you Mr. Keelintov?

PC: ... ah, yes... I reckon something like that. Although, if you check the itinerary, you will see that the museum got dropped from my schedule...

PMH: What! But your visit would have been a political coup for my re-election!

PC: Yes... we know that. That's why we felt that the Undivided States of America should not get involved in local politics.

PMH: Yes I understand, but your visit to the museum would engineer a comeback to the seat for me.

PC: Yes... we know that. That's why we felt that the Undivided States of America should not get involved in local politics.

PMH: That's right, but please understand that your visit to the shrine... err... museum would have streamlined my ascension to the highest office of my land.

PC: Yes... we know that. That IS why we felt that the Undivided States of America should not get involved in local politics.

OBK: Does that mean that you are in opposition of the present fascist government that is masquerading as a democratic regime without the mandate of the people's franchise?

PC: Please understand one thing... we, the Undivided States of America, consider it our prime directive NOT to get involved in local politics! Listen, we need to actually have a productive conversation, my time is very valuable, as I am sure yours is too...

PMH: Yes, we are a government that believes in reading. In fact, I take every opportunity to read a book, which these days has become difficult because I have so little time and my time is so valuable.

OBK: Yes... there is so little time to strategise movements that will seize power from the fascist dictatorial government and win back my rightful place at the head of the government.

PC(sighing): ... yes I am sure. Well a lot has come out from our conversation today. I thank you for your time. Good Bye and Good Day to you both.

PMH: Yes. See you! Bye.

OBK: By saying 'good DAY' you have shown the folly of this repressive government that it is 'day' and not 'night' here in Dak-kah and further-mor...

CLICK...

PC picks up the phone and rings his Secretary of State, Madly Allshiny.

PC: Madly, I was wondering if I could make a small change in my Bangladesh Itinerary. Is it too late to reduce my time with Minister Hahsinoevil and Opposing Kaladay for 15 minutes say... there?

The rest, as they say, is history.

TALAT KAMAL IN "TALK OF THE DEVIL"

FROM STAR, DHAKA

CALL FOR NEPALI PhD CANDIDATES

The Irrigation and Water Engineering and Agrarian Law groups at Wageningen University, the Netherlands, has initiated an interdisciplinary research programme that cuts across the boundaries of technical and social sciences. Issues include increasing water scarcity, irrigation management turnover, as well as changes in agrarian conditions and civil society. Control of land and water is seen to emerge through a socio-technical process reflecting politically contested resource use. The focus is on social dimensions and implications of technology and law, policies and other normative systems studied from the perspective of legal pluralism.

Grants: Out of a total of 10 grants, 1 or 2 grants for Nepali candidates are available. The Ford Foundation supports the research programme. The grant for field research costs is about US\$ 10,000. Students will register for their PhD at Wageningen Agricultural University, the Netherlands and will be supervised by one or both of the coordinating professors. The course will be a 'sandwich' where the students will spend 6 months in the Netherlands at the start, and 6 months at the end of the project for which funding is also available.

Types of candidates: Candidates actively involved in change processes in the field of land and water management, particularly canal and surface irrigation and directly related fields are encouraged to apply. These can be professionals in government service, NGO staff, social activists and academics. We expect candidates to return to their institution after the PhD to make use of the research results. Candidates will be selected with regard to their ability to make contributions to policy debates and contribute to processes of change at the local level. Candidates are required to submit detailed research proposal and C.V. by June 2000, which is the application deadline for the first batch of PhD Students. Female candidates are encouraged to apply. Detailed information can be obtained from the addresses below:

Peter Mollinga, Irrigation and Water Engineering, Nieuwe Kanaal 11,6709 PA Wageningen, the Netherlands
Fax: 31-317-484759, Email: Peter.Mollinga@Users.TCT.WAU.NL
or, Ajaya Dixit Editor, Water Nepal. Email: nwcf@wlink.com.np

Our IA flight from Calcutta to Kathmandu was due to leave early morning. The dawn was soft, a gentle humid air wafting across the city. At the airport, the check-in queue was no longer than usual. Equally routine, the flight was delayed, allowing time to investigate the limited scenery of Dum Dum airport. The departure time shifted to 11:00 a.m. and then to noon, and then on to some indeterminate hour. It was a pleasant surprise, therefore, when the flight was called circa 13:00. We slid smoothly past the security guards and, being somewhat experienced travellers, managed to find a seat on the first bus out to the Airbus 320.

We made our way across the tarmac to an airplane, but the flight crew was clearly surprised to see us. There was none of the usual pre-departure bustle, and mechanics and staff eyed the bus suspiciously. Our doors remained closed. Then the Airbus commander deigned to come down and shout through the glass, "We're not going to Kathmandu!" A five-minute Hindi-English-Bengali debate ensued between the captain, the bus driver and an increasingly irate group of self-confident been-there-done-that Indian businessmen passengers. Nepalis and some Americans, who made up the rest of the bus, watched the drama unfold.

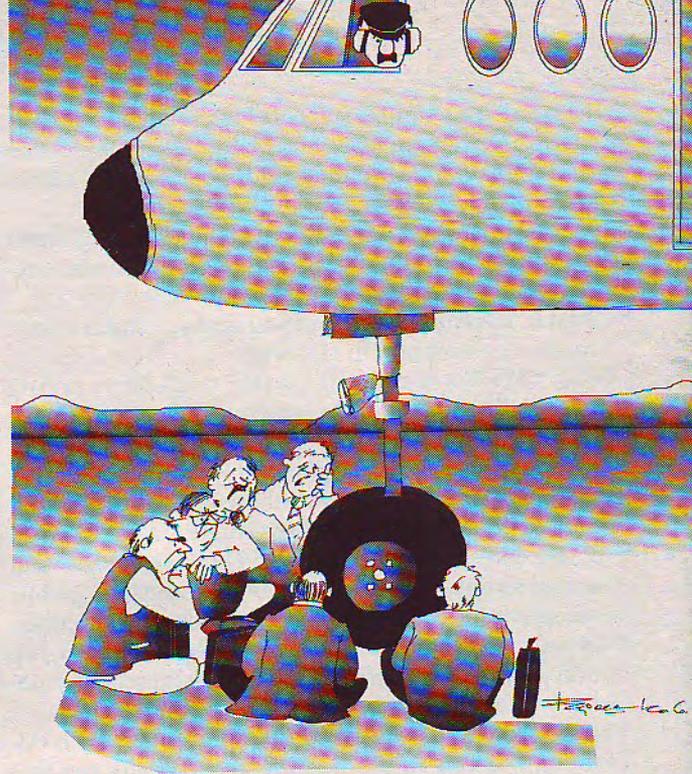
No amount of discussion would make a plane which was not ready to fly, fly. So we headed back to the terminal, where the airline officials asked us back inside, but the bus driver perked up with some unexpected counsel: "I suggest you stay put. If we go back in, who knows when you will come out again. Stay in the bus." So we stayed seated and watched the debate escalate between the airline staff and the businessmen.

At about this time, a stream of passengers was loading onto buses for an IA flight out to Dhaka. A large number of our Kathmandu-bound businessmen picked up their Samsonite briefcases and joined that stream. The Dhaka-bound Airbus 310 was parked nearby, and we began to understand what this was about. Our businessmen walked away from the line of other passengers at the stairs and sat down at the front wheel of the A310, much as would village elders around the community banyan. Their Samsonite briefcases made a nice ring around the seated circle. Things were getting interesting.

Our bus was super-heated in the mid-afternoon sun, so the guards let us out. We wandered over to the group

Only the peanut sellers were missing

(Welcoming Indian Airlines back to Kathmandu)



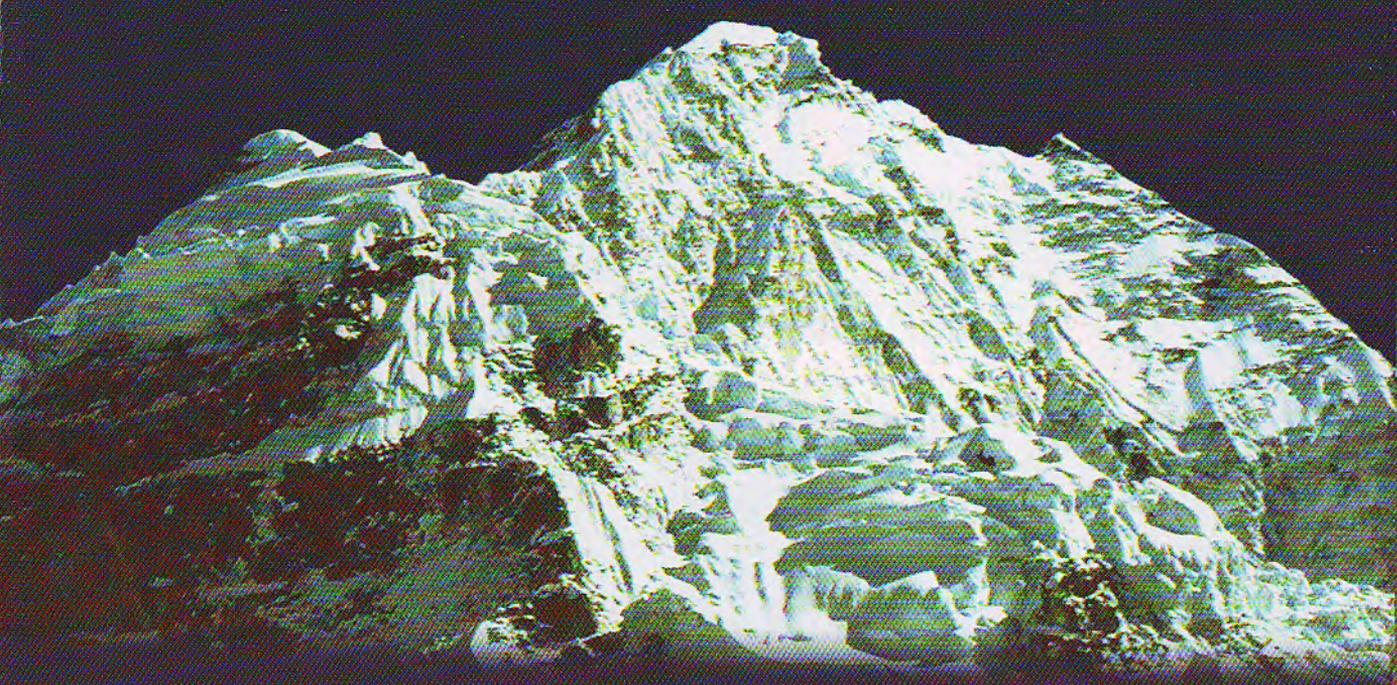
around the landing gear, watching and sipping the drinks we'd brought along. My son and wife found shade under the fuselage. The only thing missing was the peanut sellers. Our flight would go when it went, no point in allowing the blood pressure to rise with the ambient temperature.

By now, there were about 40 businessmen seated on the tarmac. They would allow the Dhaka plane to depart only when another plane had been found for the Kathmandu passengers. This was leverage. I had never seen a plane, or its wheel, gheraoed before. But this is Calcutta, where there is the tradition to direct action. Perhaps things would move!

The Dhaka plane was ready to go, doors closed and ramp pulled away. With a whirl its engines turned briefly, and then shut down. The captain opened the cockpit window and stretched his neck out and studied the terrain below. No movement from the businessmen, who looked up defiantly. The doors of the Dhaka plane were reopened. Stalemate.

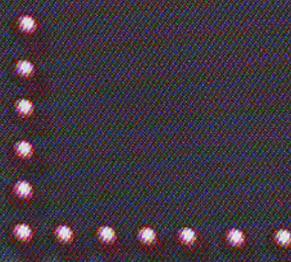
Suddenly, a parallel development. An aircraft had apparently been found to go to Kathmandu. Those of us not engaged in tarmac dharna jumped back on the bus and rumbled out to the fresh airplane, not the one we'd been taken to before. Up the ramp, into the seats. Watching from the window, we could see the captain of the Dhaka plane waving plaintively at the assembly underneath. His gestures were clear—*you've got your plane, now will you let us fly to Dhaka!* The knot of businessmen stood up from their position around the front wheel and swaggered across the tarmac, heroes who had bested the largest airlines of the Subcontinent. The flight to Kathmandu was uneventful. △

- Marcus Moench

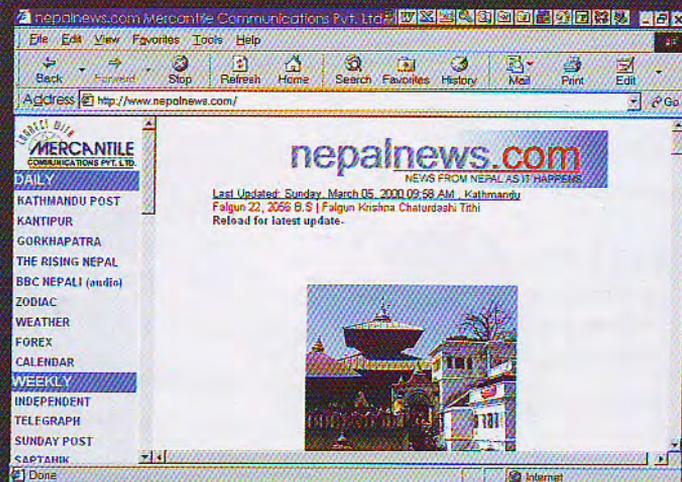


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