

# Nawaz Sharif vs the Press

The struggle for press freedom has gained momentum in Pakistan following the curbs imposed by the Nawaz Sharif Government on the Jang group of publications. Beena Sarwar writes

THE Nawaz Sharif Government's tussle with Pakistan's largest newspaper group, Jang, has given a tremendous impetus to the struggle for press freedom and could prove to be a turning point for the media in Pakistan.

On February 9, Jang requested an adjournment of its case the Supreme Court against the Government after the latter, bowing to country-wide pressure from journalists, civil liberties organisations and politicians, promised to allow the group access to its newsprint stores and some bank accounts.

The case, filed by Jang on January 29, followed several days of accusations and counter-accusations by both parties, initiated by a series of advertisements that appeared in Jang's publications from January 25, exposing what it said were the government's unjustified demands ("sack and replace 16 journalists", "support us in policy matters", "refrain from criticising the first family", and so on). At a press conference on January 28, Jang's Editor-in-Chief Mir Shakilur Rehman played audio tapes that supported these allegations.

The startling revelations kicked off a battle of unprecedented intensity between the Government and the press. Newsprint supply to Jang, which had already been held back illegally by the Government, stopped abruptly and the group's bank accounts were frozen, to the dismay not only of the owner but the 4,000-odd employees whose pay cheques were held up. A seditious case was filed against Mir Shakilur Rehman on January 28.

But instead of backing down, Mir Shakilur Rehman held his ground and blazed away with all he had as a columnist put it in the English daily Dawn. Tired of constant efforts by the Government to control and coerce the media, many joined him.

Spontaneous country-wide protests sprang up, and as they gathered momentum, the Government was forced to start a dialogue with Mir Shakilur Rehman on the weekend of February 6-7. The Government, represented among others by Nawaz Sharif's younger brother Shahbaz Sharif, the powerful Chief Minister of Punjab, assured the Jang group unconditional access to its newsprint stores and bank accounts. Mir Shakilur Rehman stressed. Faced with a Supreme Court Bench that seemed disinclined to provide this relief, Mir Shakilur Rehman sought an adjournment of the case, giving rise to speculation that he had compromised on the issue. He has categorically denied this.

Whether or not there has been a compromise, the issue is far from over. It has in fact given a tremendous impetus to the struggle for press freedom.

In this, a Pakistan Federal Union of Journalists (PFUJ) petition on press freedom before the Supreme Court could play a pivotal role. Initiated by the PFUJ through its president Abdul Hameed Chappra against the Government of Pakistan (along with two other respondents), the petition seeks a striking down of the coercive government practices that have hindered and continue to hinder press freedom. The huge

support that this cause has gained indicates that "people are desperate to keep and strengthen democratic institutions," says the PFUJ's counsel and the well-known human rights lawyer, Asma Jahangir. The PFUJ's Constitutional Petition No. 9 of 1999 asks the Supreme Court to "direct the respondents not to interfere with the freedom of the press by mala fide and undue harassment of the members of the press... (and) not to interfere in any professional work of the newspapers of Jang group or any other publication."

Besides harassment, other government controls over the media which have long been the bane of journalists are sought to be removed. These include the abolition of the Ministry of Information itself, which has been described as a "burden on the exchequer and being an instrument of repression and dissemination of misinformation." The petition adds: "In the alternative, direct the said respondents to make clear laws governing the subject of information, press and publications consistent with constitutional rights."

The Government does not need a Supreme Court directive to abolish the Ministry - in fact this was a promise made by the Pakistan Muslim League (Nawaz Sharif) in its election manifesto of 1996-97. Ironically, Mushahid Hussain, a respected former editor and ardent supporter of a free press, heads the much-maligned Ministry.

The petition seeks an equitable policy "for a just distribution" of government advertisements to newspapers. The "arbitrary withholding of government advertisements," it pleads, should be declared "violative of Articles 18, 19 & 25 of the Constitution". The petition seeks a Supreme Court directive to the Government and the Interior Ministry "to allow proper access for journalists to all governmental records and the records of sub-divisional offices and authorities so as to enable them to perform their functions effectively and properly." It also seeks a new law to allow journalists "access to public records" and till such time as this is provided and a well-defined and equitable policy is laid down, it says, "the Supreme Court should lay down principles regarding journalists' access to official records."

Lack of access to such records is a major factor in efforts to control the press; journalists are often forced to resort to underhand methods to obtain information which should be a matter of public record. The PFUJ also plans to include a plea against government control over the electronic media, according to Chappra. Several people and organisations are lending support to the journalists' organisation. Among them is the rock band Junoon, which has been banned from Pakistan Television after the group made what the Government considers to be anti-Pakistan remarks during a tour of India. Junoon guitarist Salman Ahmed, who visited journalists on a token hunger strike at the Lahore Press Club, expressed the group's solidarity with journalists in any efforts to end government control over the media.

Former Minister for Information Javed Jabbar said: "Radio stations and television

channels should have the freedom to originate their own political content such as news and current affairs programmes. Currently with former President Farooq Leghari's Millat Party, which has come out strongly in support of the press. Jabbar had filed a case in 1996 in the Supreme Court to achieve this end. His co-petitioner was Dr. Mubashir Hasan, former Finance Minister and now president of the Punjab unit of Murtaza Bhutto's Pakistan People's Party (SB), and a leading exponent of India-Pakistan cooperation and people-to-people dialogue.

Jabbar, who authored *Mass Media Laws and Regulations in Pakistan* (Asian Media and Communication Information Centre, 1998), is also the convenor of the Citizens Media Commission, which was set up in 1997 as "an independent forum for the analysis of media-related laws, policies, issues and media content from a public interest perspective."

Last year, the CMC declared February 14 of each year as Electronic Media Freedom Day to mark the anniversary of the day the Caretaker Government of President Farooq Leghari promulgated the Electronic Media Regulatory Authority Ordinance, 1997, which lapsed in June that year. "Several organisations in other South Asian countries have expressed an interest in taking this day up too," Jabbar says.

Another important law promulgated by the Caretaker Government was the Freedom of Information Ordinance, 1997. Although both ordinances have their drawbacks, they were important first steps in the direction of making media in Pakistan free, and could have been the basis for improved legislation in this area.

"Every secretary was hostile to the idea," recalled Najam Sethi, Editor of *The Friday Times*, who was interviewed for the weekly *The News* on Sunday for a Special Report on freedom of information ("Who Needs to Know", May 11, 1997). Sethi, who was adviser on Political Affairs and Accountability to the Caretaker Prime Minister, and a member of the Cabinet Committee which drafted the ordinance, stated: "All bureaucrats hate the press. All sorts of roadblocks were set up on one pretext or another. Every Ministry wanted to shield its records from the press... I'm not exactly sanguine about the feelings harboured by the PML Government towards the press, notwithstanding the presence of a former journalist in the Cabinet. I think we are in for a long haul."

His misgivings, like those of many others, have unfortunately proved correct. The long haul continues, but the cause of a free press has only been boosted by the Government's high-handedness and hostility - for instance, its foot-dragging over the release of newsprint to Jang in defiance of the Supreme Court's order of February 1 and the manhandling of journalists who protested against this.

In Lahore, the newly formed Committee for a Free Press (CFP), comprising senior journalists from various publications, has vowed to pursue the issues of press freedom in Pakistan. On February 3, responding to a call by the CFP, some 5,000 journalists (the numbers were duly played down by some

rival newspapers), political and human rights activists, trade unionists, lawyers, artists and members of non-governmental organisations staged a protest march.

"This show of strength was unprecedented," commented veteran journalist Aziz Mazhar, convenor of the CFP. On February 12, the CFP announced the end of the token hunger strikes, which were launched on February 4 at the Lahore Press Club and which were later taken up by press clubs in cities all over the country including Multan, Hyderabad, Rawalpindi-Islamabad and Peshawar. Making the announcement, the CFP demanded the withdrawal of various controls over the press (including government control over newsprint imports), the abolition of the Ministry of Information, the removal of state control over the electronic media, and the setting up of a committee to ensure equitable distribution of government advertisements.

The cause has been openly and vocally taken up by the All Parties Conference, one of whose rallies in Islamabad on February 13, led by PPP leader Benazir Bhutto, was viciously attacked by the police, causing injuries to several senior Opposition politicians.

All political parties except the ruling PML(N) have come together on the issue of press freedom as many parties did for the first time, last year when opposing Nawaz Sharif's Constitutional Amendment 15, the Shariat Bill, and this is evident from the mammoth "Press Freedom Marches" organised by the All Parties Press Freedom Committee in Karachi and Islamabad-Rawalpindi on February 8. Using the occasion to pull herself further out of the political isolation she has been in danger of slipping into, Benazir Bhutto demanded that government controls on the electronic media be lifted. "The unilateral propaganda (on the electronic media) against the elected representatives and the political parties should be stopped forthwith," a resolution passed at the rally stated.

However, as has been noted by more than one observer, the Opposition parties which are champions of press freedom now, and become its enemies once they are in power - a shameful shift of position that the two Governments of Benazir Bhutto were also guilty of. That the state will stop nothing to teach its adversaries a lesson is reflected in the seditious cases registered in Karachi on January 28 against Mir Shakilur Rehman and the editors of the newspapers dailies Aman and Parcham for printing advertisements (on January 1) by the Muttahida Quami Movement (MQM) seeking donations to fund for the families of victims of police excesses.

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By arrangement with the Frontline magazine of India

# Sonia Looks Fairly Involved

U.P. Congress chief pulls off major victory with Gandhi visit, writes Sharat Pradhan from Lucknow



For the same cause (country): We're not going to commit suicide; are we?

UTTAR Pradesh Congress chief Salman Khurshid's untiring efforts to revive a disorganised, divided and defunct party in India's politically most important state have been systematically thwarted by forces, not from anywhere else but from within.

Far from lauding the initiative of the dynamic young leader, who has been virtually slogging day and night out traversing the length and breadth of this sprawling state, his detractors within the Congress party have been out to run him down. Whether it was for his failure to give the party a committee of office-bearers or for his modern way of running the organisation, Khurshid was always at the receiving end.

No wonder then there was scepticism when Khurshid set out to invite party president Sonia Gandhi to address a rally in Lucknow. The fact that the Congress party had not held such an event for the past five years only added to the irony of the situation.

The last major Congress rally here was organised by former federal minister Kananath Rai with then Prime Minister P.V. Narasimha Rao as the chief speaker.

Since then, much water had flowed down the Gomti river. The Congress party has been reduced to virtual non-existence. Even in the last parliamentary and state Assembly elections, when Sonia Gandhi went on a whirlwind tour of different parts of the state, she failed to draw crowds in most places. Barring Varanasi and Amethi, the latter a favoured constituency with the Nehru-Gandhi family, former Prime Minister Rajiv Gandhi's widow could not draw sizeable crowds.

Sonia Gandhi had then avoided Lucknow, where in-

cumbent Prime Minister Atal Behari Vajpayee was getting all set to stage a return for another term in the Lok Sabha, Lower House of Parliament. Even as she visited the neighbouring constituency in rural Lucknow twice during the course of the campaign, she skirted Lucknow city.

It was no wonder therefore that all eyes were set on Gandhi's arrival in Lucknow on February 21. It was going to be not merely a test of Khurshid's organising capabilities, but also that of determining the Congress president's popularity in the state capital. With 85 parliamentary seats from the state, Lucknow has always had a major impact on national politics.

The city was agog with rumours that Khurshid's own partymen were more busy in sabotaging the show than lending him a helping hand in making it a success. Significantly, help came from the most unexpected quarters. Congress veteran Narayan Dutt Tiwari, whom Khurshid had virtually written off for the past few years, came out in support of the young leader while Mohsina Kidwai, another senior party leader, also pumped in all her resources.

Many like Pramod Tiwari and his supporters like Akhlesh Das, the former Lucknow Mayor and now Rajya Sabha or Upper House of Parliament member, were highly visible on posters, but observers failed to find any other active part by them.

Young R.P.N. Singh, the new state youth Congress chief, left no stone unturned to reactivate a "dead" unit and mobilise the young crowd to converge at Lucknow's Begum Hazrat Mahal Park.

Not only did the organisers

manage to ensure a packed Hazrat Mahal Park to its 100,000 capacity, but what impressed all was the crowd's spontaneity. The speeches did evoke repeated applause and supportive slogan-shouting.

Sonia's 15-minute address focussed directly on "communalism" and "casteism", whereby she made it clear that her party was equally averse to the Bharatiya Janata Party (BJP) and the so-called "third force" under Samajwadi Party (SP) chief Mulayam Singh Yadav's tutelage.

And clearly, if the BJP looks worried over the beginning of the resurgence of the country's oldest party, former state Chief Minister Yadav is no less jittery over what he obviously fears as a drift of the Muslim vote towards the Congress. It was this vote that Yadav had taken for granted ever since he ordered firing on the violent Hindu fundamentalist groups that had first stormed the Babri mosque in Ayodhya in 1990, two years before its eventual demolition.

Thereafter, if Ayodhya remained the goose that laid golden eggs for the BJP, it was also an issue that got Mulayam Singh Yadav his Muslim vote bank. In the absence of an alternative, Muslims continued to respond favourably to Yadav for eight long years. But the impressive performance of the Congress in three states where it rode to power in last November's Assembly elections not only gave the national party leadership a boost, but also enthused its cadres in Uttar Pradesh.

Khurshid's appointment as state Congress president and Mohsina Kidwai's return to active politics, preceded by Gandhi's public apology the Congress' passive role in the Babri demolition, combined

with the disillusionment of a section of the Muslim masses with Yadav, seemed to bring some change in the minority mood.

That even Yadav fears the loss of some of the Muslim support which he enjoyed en bloc for several years was reflected in his oft-repeated frontal attack on Khurshid ever since the latter assumed charge of the state Congress. What began to irk Yadav was Khurshid's refusal to recognise the importance of the Samajwadi Party chief like some state Congress leaders, including Pramod Tiwari, have been doing over the past.

And once Khurshid declared his decision to take on both the BJP and the SP, he became Yadav's number one political foe. This was followed by Yadav referring to Khurshid as a "BJP agent", to which the latter retorted and described him as today's "Jinnah", referring to Muhammad Ali Jinnah, Pakistan's founder.

Gandhi ratified the state Congress chief's view when she lashed out at the BJP and the SP with equal force. Even though the text of her speech was tailored to her typical straight-jacketed style, there was a marked difference in her oratory. Thus, to the amazement of everyone, she laid the right stresses and strains to get her point across forcefully and more convincingly than usual.

It was no mean achievement that an impressive gathering, looking fairly involved, heard the 60-year-old daughter-in-law of the Gandhi family with rapt attention. And as for the party, it was clearly on a major stride ahead to begin nurturing dreams of returning to the helm of affairs of the state.

— IANS

# Nothing is Easy at the Valley of Dispute

Aziz Siddiqui is of the opinion that India has truly set against any outside auspices in its disputes with Pakistan

GETTING the Indians even to mention Kashmir in mutual exchanges has been held up as achievement enough by successive governments here. It has been flaunted as a badge of success. That speaks for the obduracy of the Indians. It speaks for the limits of our own capability also.

There is doubtless a slight difference now. The Kashmiris' own struggle, nuclearization of the subcontinent and certain global factors have contributed to the presence of the conflict getting recognized more than in several years in the past. They have even added an edge of urgency comparable to the early '60s.

The factor of the Kashmiri struggle should not however be exaggerated. The sacrifices the fighters have been making are beyond question, but any assumption that they have driven the might of the Indian army to the wall, as supposedly happened in the case of the Soviets in Afghanistan, overstates the point. The Indians cannot like the position they are caught in. It does no good to the morale of the army or the credibility of the Indian state. Yet New Delhi has by no means reached the end of its political tether, nor seems likely to in a long time. No cost in its view can be too heavy for hanging on.

But the struggle becomes important when joined with the other factors. The end of the cold war left only one super-player in the field, which has since been keen to try and rearrange the world in its critical parts. There is no one now to challenge its effort nor its perceptions of its global interests.

South Asia has been one of those critical parts. In the earlier phase too, India-Pakistan relations have never altogether been without outside elements playing a role in the chemistry, by design or default, actively or not.

Mr Clinton is known to have been eager to dig his hands into South Asia following his success - such as it was - in the Middle East and Bosnia. Before his re-election he had placed this region on his agenda for the second term. His own problems at home hobbled him a bit after that but the nuclear tests of last May apparently revived and quickened his interest. It is fair to assume that the round of talks Mr Strobo Talbott and others had been having with the Indian and Pakistani officials were as much about future relations between these countries as about their respective nuclear programmes.

India has been firmly set, it is true, against any outside auspices in its dispute with Pakistan. There is no reason to believe that it has been or will be open to any behind-the-scenes pressure either. But then in the kind of world this has come to be, it is not possible even for India, in some ways specially for India, given its circumstances and its aspirations, to totally ignore the American presence. More so if that presence is inclined in its dispute not altogether contrary to the totality of its own larger, longer term interests and there is a possibility of inducing a better frame of mind all round. That is understandable. And, with qualifications, also perhaps sensible.

However to see a wider desire

for a resolution of the Kashmir issue is one thing, to assume that there is also a wish or a likelihood of the resolution being after the Pakistani heart is quite another. It is even contrary to all evidence.

Pakistan's official position has remained fixed on the UN resolution, which prescribes a unitarian plebiscite for the whole state of Jammu and Kashmir. Public opinion has often to remain maximalist and appear to be based on principles. But far-sighted governments also prepare for fall-back positions. Has ours been considering any feasible alternatives in its inner councils? When you offer negotiations, you also commit yourself to compromises, to some give-and-take. How much of give is our ceiling and how much of take our bottom line?

The foreign office ought to have done some hard thinking on this. There has almost been no serious debate among the public. The official publicity prepares the people for no softening of the line. All the groping that has been done has mostly been by outsiders. And whenever any suggestions have been offered they have been seized upon by the army of experts and torn to pieces. We are all reactionists. It is possible to be that and also be logical. But reactionists never go to the negotiating table; and if the logicians do, they never succeed.

One of the outsiders who did some honest, practical thinking on the subject was Alistair Lamb, perhaps one of the acutest and most hard-working of scholars on the border issues of India, Pakistan and China.

In his incomplete Partition he offers a formula for a settlement. It is based on the stated assumption that India recognises the creation of Pakistan, and, as a corollary, is agreeable to a fair resolution of a dispute born of that creation. It takes into consideration both the original terms of the 1947 partition and the realities of today.

The proposal rules out a unitarian plebiscite. Ladakh and Jammu it presumes will belong where they now do, except for minor adjustments. They are non-Muslim save for the Kargil area, and therefore outside the "condition of being 'contiguous Muslim territories'". The Northern Areas it puts out of all contention. It did not really belong to the princely state and was kept regarding it as part of the disputed territory. It should have fully integrated it.

That leaves the Valley and Azad Kashmir. For these Lamb suggests a solution like Andorra on the borders of France and Spain. These should be autonomous territories, with their own local governments and with their defence and foreign affairs in the hands respectively of India and Pakistan. There should be ease of travel for the Kashmiris across their border.

It is possible to punch any number of holes in this. But that is just one idea to try variations on when and if it will be time to cast for alternatives.

Courtesy: The Dawn of Pakistan

# Sailing with Vajpayee is No Joke

Naidu had to support Bihar motion to ensure political survival, reports Mohammed Siddiq from Hyderabad

BEHIND the Telugu Desam Party's (TDP's) last-minute decision to sail with Prime Minister Atal Behari Vajpayee's government on the proclamation of President's rule in Bihar was hard political logic.

Even though it meant going back on the party's consistent stand against Article 356 of the Constitution which provides for imposition of President's rule, TDP leader and Andhra Pradesh Chief Minister Nara Chandrababu Naidu had to ensure that Vajpayee stays in office at least till the end of the year.

When the 11 members of the TDP (excluding Speaker G.M.C. Balayogi) voted in the Lok Sabha in favour of the resolution ratifying imposition of President's rule in Bihar, history of sorts was created. It was the first time in the 17 years of TDP's existence that the party supported the use of Article 356.

It was the "fear of the Congress" that finally won over the TDP's anti-Article 356 stand, one party leader confessed on condition of anonymity. "The fear of the Congress proved stronger than our commitment to oppose Article 356," the senior leader told IANS.

Obviously bitter and unhappy over the decision, he said support to the Bharatiya Janata Party (BJP)-led coalition on the issue was not in accordance with the prevailing mood in the party. He disclosed that during the week-long consultations within the party, Naidu was warned by many that support to President's rule in Bihar would be disastrous for the TDP in the long run.

Right since it was founded by former Andhra Pradesh Chief Minister Nandamuri Taraka Rama Rao - better known as NTR - in 1983, the TDP has consistently opposed Article 356. NTR had described it as a threat to the federal structure of the country and advocated its repeal.

NTR's conviction became stronger when his 20-month-old government became its victim in August 1984 at the behest of then Prime Minister Indira Gandhi. Naidu, current TDP president, was instrumental in organising a massive uprising in the state over the dismissal of NTR's government at the time.

As recently as January 22, the TDP had stuck to its anti-Article 356 stand when Andhra Pradesh Finance Minister P. Ashok Gajapati Raju told the Inter-State Council meeting in New Delhi that his party was ideologically opposed to the continuation of the article.

But Naidu realised that if the resolution on Bihar fell through, it would culminate in the collapse of the year-long Vajpayee government sooner rather than later. It was reported that Vajpayee himself had told Naidu that if the resolution was defeated, he would resign. It meant that in such an eventuality, the Congress would be the sole beneficiary.

One thing Naidu fears most at this juncture is an early general election or a Congress government coming to power at the Centre when Andhra Pradesh is to go to the polls towards the end of the year. TDP sources said Naidu's own assessment is that if the general and state elections are held too close to-

gether or simultaneously, it would be disastrous for his party. TDP leaders felt the national elections could be marked by a pro-Congress wave which would overwhelm whatever feelings people in Andhra Pradesh may have for the Naidu government's good work.

"If the Lok Sabha elections are held along with the Assembly elections in the state, we have had it," exclaimed one worried senior TDP leader. In both the elections, he said, people will vote in a similar way and the Congress will benefit from it because in the next Lok Sabha elections people may prefer to have one-party rule and prefer to give the Congress once again a chance. That thinking would be reflected in the state election.

The only way to avoid it, the TDP leaders felt, is to ensure that another national election is not held before the Assembly poll. For this the TDP would like to see the Vajpayee government in office at least till the end of this year. Support to President's rule in Bihar was the result of that compulsion, observers here felt.

That the decision was motivated entirely by the rivalry with the Congress party was clear from the statement issued by the TDP immediately after the voting. The lengthy statement charged the Congress party with somersaulting on its earlier stand regarding the use of Article 356 in its quest for power. "This obviously is a clear display of its power-mongering, political expediency, opportunism and lack of principled stand," it said.

The statement, prepared at a meeting of the TDP politburo,

offered five reasons for support to the Bihar motion. Describing the decision as a "reluctant and painful" one, the party said it was taken to provide protection to Dalits in Bihar, prevent the Congress from coming to power, block the evil designs of the Congress to destabilise the Centre, avoid forcing the nation into another election and to serve the larger national interest.

The TDP noted the Congress party had earlier stated that the government of Chief Minister Rabri Devi had lost its moral right to rule, but then it opposed the Bihar motion. "Lack of concern and commitment to the cause of Dalits for Congress is abundantly evident. Congress talking about principles on Article 356 is like the devil quoting the scriptures. In its long years of rule at the Centre, the Congress invoked Article 356 any number of times purely for partisan political purposes," it said.

The opposition in Andhra Pradesh is bound to gain political mileage from the TDP's stand on the Bihar motion. NTR's widow Lakshmi Parvathi and his son Nandamuri Harikrishna, both of whom head splinter TDP groups, have said Naidu had once again betrayed the TDP founder's ideals by supporting Article 356.

The Left parties, which severed their decade-old alliance with the TDP last year, are angry that Naidu had gone farther away from them in national politics. The Congress party has said it has once again "exposed" the immoral and unprincipled politics practised by Naidu, an acknowledged master of realpolitik.

— India Abroad News Service