

PAKIST

Musharraf goes to New York

M. B. NAQUIVE writes from Karachi

EVEN before President Gen. Pervez Musharraf has returned to Islamabad, observers of national scene and some commentators have already expressed their disappointment on the results of the much hyped "successful" presidential visit to New York. Some politicians have also expressed disappointment at the kind of response that the Americans have made to much publicised economic and other needs of Pakistan. The keenest disappointment has been felt over the size of the economic aid package that the US has announced.

Insofar as this package is concerned, no details are available about its contents. There were earlier announcements about the quantum of aid that America was supposed to announce during President Musharraf's visit to America, especially after his meeting with American President on the sidelines of the UN. At various times different figures were mentioned beginning with \$ 500 million and went up to \$ 800 million. What has been announced is \$ 1 billion. None of it has been disbursed yet. It is not known whether this packaged of 1 billion is net addition to the earlier announcements or all of those are included in it. It would be a few days before Finance Minister would explain the contents of the package, if the Americans themselves do not do earlier.

Another issue on which hopes have been belied is the one about relief from the back-breaking burden of debt servicing. The net cash outflow required on this account is of the order of \$ 6 billion. There is a promise that relief would be afforded through rescheduling the debts. The Pakistani government had, through news management for making the policy of siding with America on the Afghan war question more palatable to a populace that by and large is critical of the US, led the people to expect substantial debt write-offs, particularly of the \$ 3 billion that is owed to the US directly. Not a word has been uttered about debt forgiveness throughout the visit or in the joint communiqué

No doubt an economic concession in the shape of a higher textiles quota and reduced import duties is promised which may require legislative action unless there some bureaucratic discretion is available to the President.

Another major disappointment that would be keenly felt within the Musharraf's own constituency of armed forces is the American refusal to countenance the release of the 28 F-16 aircraft that had been bought and paid for by Pakistan but were withheld under the US sanctions. Now that the sanctions have been lifted, elements in the government had hoped that those aircraft can perhaps now be released by the US Administration. The air force here has been starved of modern aircraft because of two handicaps: One because Pakistan had no money to buy latest aircraft. Second because no western country or Russia was willing to sell due to American and Indian opposition. A source commenting on Indian Prime Minister's remark about what would Pakistan do with F-16s said that Pakistan would do exactly what India does with the aircraft it buys. He also added that so long an air force exists, it might as well be equipped with requisite modern technology.

What the Americans have successfully done is to show Pakistan its place as a pretty junior partner. All the wishes that were eloquently and loudly expressed by Musharraf at successive stages have been disregarded by the Americans; they have done what they wanted to do. It is optional, as an analyst put it, to regard Pakistan President's various demands on the US-led coalition as a part of his own news management to make the alliance with American palatable to an irate people that do not approve of the link up or, if he genuinely wanted those things, the Americans have contemptuously disregarded them with or without contempt.

This has been true of all Pakistani pleas, including the need to go on bombing during Ramadan. The latest was the American President's echoing of the Musharraf idea that the Northern Alliance should not enter into Kabul. But the American war office has promptly and quietly

asserted that it may not be possible to prevent Northern Alliance from entering and taking Kabul. Now Kabul has fallen and that is about that.

The seat of a new power?

The latest spectacle in the Afghan kaleidoscope shows the collapse of formal Taliban resistance to the Northern Alliance in the northern parts of the country, with Kabul, Jalalabad and Herat falling like nine pins. Some think that it is the final end of the Taliban chapter in Afghan history insofar as formal governments are concerned. How much resistance is left in them is controversial depending on the observer's perspective and preferences.

There are conservatives in Pakistan who take a different view of the recent turn of events. The strong pro-Taliban lobby among them is still putting up a brave face, saying that Taliban have changed their strategy; they will now fight a guerrilla war in the mountains and rural areas against whoever rules next.

Sober elements concede that Taliban's ability to defend against forces supported by the US and the rest of the Coalition constantly bombarding from the air was small. Taliban were at the end of their tether. They recall the various forays by the British in 1920s and 1930s in the tribal areas along Durand Line using their earliest small aircraft from which bombs were dropped manually. The tribesmen, famed fighters otherwise, used to scream and run at the sight of an aircraft.

The Afghan fighters still cannot bear aerial bombardment against which their small arms are useless. Thus, the conclusion drawn is that Taliban resistance has actually folded up and they are a part of history.

Pakistan government's constant retreat from its initial pro-Taliban stance continues. None of the Pakistan's successive demands or recommendations were ever heeded by the US, the latest being the public endorsement by US President of the plea by President Pervez Musharraf that the Northern Alliance should not enter Kabul.

The US however winked and the Northern Alliance entered Kabul. The UN has sort of scrambled and is continuously in huddles over what to do. The US government is determinedly going its own way; it takes notice of UN in much the same fashion as it takes Pakistan's recommendations. Kabul is now the seat of a new power: Northern Alliance whose strings will, on significant matters, be pulled by the US. It is possible the US at some stage may want to benefit from the advice of some of its allies like Britain and Russia, may be even India. But one thing they will not do is to implement Pakistan's wishes - that at bottom amount to slipping in a few camouflaged Taliban in the new government to be nominated ultimately by the US.

The fact is that the UN formulas under discussion are a relatively long haul affair. Northern Alliance has filled a vacuum and meantime would go on ruling Kabul - and theoretically Afghanistan.

Pakistan has now called for Kabul to be handed over to the UN which should call a Loya Jirga - a grand assembly of tribal elders and warlords - which would hopefully produce a broad-based government chosen by the Afghans representing all their ethnicities. There is now a consensus in the Coalition that a broad-based government is what Afghanistan needs and its modalities would require the symbolic sponsorship of ex-king Zahir Shah for the Loya Jirga to meet and produce the desired results. But the one fact ignored by the Coalition members is that in this largely hypothetical arrangement the chances of breakdown are to be found at its various time-consuming stages. Meantime, what would be the position in the governmentless Afghanistan? Northern Alliance has become the new rulers - at least until the time they remain a united force.

Who are the Northern Alliance? They are, originally, a bunch of Pakistan-sponsored warlords. British newspaper Guardian has done a fine job of describing this group's depredations in early 1990s - wide-scale pillage, rapine and mass murders - and some of it has been repeated in the cities now taken by them. This is what the Taliban

had originally done when they took over (except mass rapes). This is also what Taliban have now done just before retreating from Bamiyan, a minority Shia sect area, leaving behind just rubble and countless dead bodies. No one should go by their tolerance of music and shaven cheeks in Kabul. The Northern Alliance includes Mullahs as great bigots as the Taliban are, minus a few excesses.

It is hazardous to disagree with such an international consensus about Loya Jirga and Zahir Shah's role, based on the view of many well-meaning Afghans and a plethora of western experts on Afghanistan. Changing times however bring changes even in Afghan minds along with radical changes on the ground. The experience of the last 40 years has shown that the old certainties of tribal culture, with its expectations and obligations, cannot remain the same as they were in Zahir Shah's days over 28 years ago. Loya Jirga, if it can be convened, would, this time round, might not be able to perform its traditional magic of producing a consensus which all Afghans would accept.

There are far too many interests and bitter rivalries among armed Afghan factions. The likelihood is that these Afghan factions might remain bitterly divided and civil war among these factions and ethnicities might continue. Foreign sponsorship of some factions is an additional reason why consensus might continue to elude.

Up to a point, one position advanced by Islamabad should be acceptable to the rest of the world if, by any chance, welfare of the Afghans is in anyone's calculations, including the desire to maintain Afghanistan's unity and integrity as a state. It is to ask the UN to takeover Kabul and administer it for an interim period through an international peacekeeping force during which the UN produces a broad-based government that represents all Afghan ethnicities. Which is where Pakistan government's recommendation ends. According to Pakistan Foreign Office, as soon as the UN produces the desired baby of a broad-based, multiethnic and representative government, the UN and international peacekeepers

should quit.

The trouble about this formula is that it comprises meaningless words in the given situation. Five different powers would produce five different multi-ethnic governments, none of which might be a representative of the common Afghans within the respective ethnicity. According to this formula, it will be OK if their favoured four or six Pushtoon Ministers are included. But which Pushtoon would they be: who would nominate them; whom would they represent; there is apparently no criteria for selecting a minister from a given ethnicity except either his own militia's fire power or his ability to find a sponsor among major powers. The formula is a mirage; there is no point chasing it. The only way for the outside world to safely walk out of Afghan quagmire is to recreate an Afghanistan, not for the benefit of one or another power but for Afghans' self-fulfilment, and to ask the UN to take-over the whole country for a given number of years, say five to seven. In this period of trusteeship on UN General Assembly's authority. Islamabad be run by international administrators and peace enforcers drawn from small third-world countries and small European ones, with no person taken from major powers, least of all from Afghanistan's neighbourhood, for creating a neutral administration so as to pick up the pieces. There has to be a crash programme of demining, rebuilding the infrastructure, holding a comprehensive economic and demographic census, granting freedoms to all Afghans after disarming them, allowing them to engage in free speech and form associations and parties and running Afghanistan in freedom after kick-starting the economy. The state should remain demilitarised and neutral during this whole period. Towards the end, a free election should be held and power transferred to the elected assembly. The UN should then quit and the world can hope for the best.

Naqvi is a noted Pakistani columnist.

KASHMIR

A gory trail of terror

M ABDUL HAFIZ

IT was another field day for the 'terrorists' when on October 1 they struck at State Assembly building in Srinagar with the same savagery, if not the scale, of the WTC (World Trade Centre) carnage in New York less than three weeks before. The drama was enacted with the same audacity during bright midday hour in the presence of security guards making it the worst ever terrorists' action in the history of Kashmir's decade-long insurgency.

As a four-wheel drive utility vehicle loaded with 80 kilograms of RDX blew up in flames in front of heavily guarded gate of the Assembly complex and after a brief gun battle within the Assembly itself in its wake, the daredevil attack left 38 dead and 80 injured. If the Twin Towers tragedy was an orphan and had at the best only a 'prime suspect', the terror in Srinagar was instantly owned by its author, Jaish-e-Muhammadi which repeatedly claimed responsibility over its clandestine radio.

As the world was bracing for a war on terrorism in post-September 11 development, such a quick repeat of similar drama again with impunity left the authorities both in Srinagar and Delhi totally flabbergasted. The Indian intelligence agencies found it handy to discover an elaborate link between bin Laden's Al-Qaida network and Jaish-e-Muhammadi as well as Pakistani establishment's patronisation of the latter at some earlier stage, if not now.

Atal Behari Vajpayee, an embittered prime minister of India, immediately made a plea to the US President - equally bitter with his recent experience of terrorism in the US - not to make it single dimensional by not taking into consideration the Pakistan-sponsored terrorism in Kashmir. Delhi also warned Islamabad and asked the security forces to launch a 'cleaning up' operation. In an interview to the CNN, Jaswant Singh, India's External Affairs minister, made an oblique complaint by saying that the



The troubled spot of South Asia

US was trying to solve the problem of terrorism by using a country which is itself the part of the problem.

The US strongly condemned the incident and this time predictably Pakistan which has been feverishly brushing up its anti-terrorist image also joined the condemnation. But at the same time it also claimed that the attack was engineered by Indian authorities. According to Pakistan, the incident followed the pattern of propaganda unleashed by India after the massacre of Sikh villagers at Chattisinghpura early last year. But the very formation of Jaish-e-Muhammadi in February last year after the release of its founder Moulana Azhar in a hostage-for-prisoner swap during the hijacking of Indian airliner to Kandahar points to its Pakistan and Taliban connection.

However, the outfit's denunciation of the US as an enemy to Islam brought it in clash with the pro-US faction of Pakistan's powerful Inter Services Intelligence which put the Moulana in jail although he soon

came out of it under the pressure of religious chauvinists of Pakistan.

There are several speculations as to why Jaish-e-Muhammadi struck at Assembly complex in Srinagar at this awkward time when even Pakistan, in a major turn around of its policy, was going to hold back its patronisation of jihadi outfits. According to an intelligence assessment the operation was undertaken by Azhar to embarrass General Musharraf and complicate the emerging relationship between Islamabad and Washington. Which is why Jaish-e-Muhammadi loudly accepted its responsibility and even named the suicide bomber of the operation as one Wajahat Husain of Peshawar.

However as the groups like Jaish-e-Muhammadi and Lashkar-e-Tyeba still active in Kashmir are no longer sure of Pakistani support to the cause of jihad, the jihadi outfit responsible for State Assembly carnage might have taken the decision autonomously. It could have been done so in spite of Pakistan's general control of all the

militant groups in Kashmir.

In India's perception there could be few other explanations for October 1 incident. Many in Indian establishment maintain that the jihadi groups are still under Musharraf's control and the attack in Srinagar had been a sop to the general's domestic constituency. Pakistan's pro-Taliban elements have gone highly restive at Islamabad's blanket support to Washington's anti-Taliban war. The adventure in Kashmir could have been an attempt to placate highly volatile public sentiments in parts of Pakistan. There could also have been a difference between Pakistan authorities and the militant groups operating in Kashmir as a result of which some outfit took the terrorist action although Islamabad holds the levers of all jihadi groups. The Indians complain that the US has selected for sanction only one militant organisation in Kashmir, the Harkatul Mujahideen which was, ironically enough, already killed by the ISI and is defunct now. As no punitive action was contemplated

for other militant organisations, they after a two-week lull following September 11 attacks in the US reactivated their networks. On September 20 Lashkar-e-Tyeba carried out simultaneous attacks on Indian Army patrols in Kupwara and Handwara. The next day an Army convoy was ambushed in which five soldiers were killed in Baramulla.

Indian government officials who pinned high hopes in US support for India's battle against terrorism in Kashmir are visibly disappointed. The US acknowledged India as a 'key partner in the global coalition against terrorism' proclaiming that the terrorism must be ended everywhere. But the Indians find to their frustration that US continues to reject India's fundamental position on Kashmir. The US position on Kashmir was succinctly stated by Assistant Secretary of State Cristina Rocca when she said that "the issue of Kashmir should be resolved between India and Pakistan taking into account the wishes of Kashmiri people."

The statement puts at naught the Indian claim that Kashmir is an integral part of India. And consequently the US policy renders absurd any Indian attempt to build international pressure against Pakistan's alleged terrorism in Kashmir.

After the October 1 event, L K Advani, the Union Home Minister, was the highest-ranking politician to address the State Assembly in Srinagar where he could offer nothing except 'solidarity' with the Kashmiris. Neither could he say anything about his government's dismal record both in matter of managing security and bringing development in the state. In the meantime there have been 496 'terrorist' attacks in September this year compared to 281 during the same period last year. And each of the Union Government's recent initiatives with regard to Kashmir has ended in abject failure with looming danger of endless trail of terrors across the state.

M Abdul Hafiz is former DG of BIIS.

NEPAL

For the people, by the people, of the people

C K LAL writes from Kathmandu

KING Gyanendra this Dasain had a poignant message to the nation. It was reassuring to hear him reaffirm his commitment to the constitution, but it was oddly unsettling to see that he felt it necessary to do so. He belaboured the obvious. Perhaps the real meaning of the message is a thumb down to the Maoists. The king appeared to be telling Comrade Prachanda directly: a) no national government, b) no constituent assembly, and, c) forget about your republic in our kingdom. In effect, the king has ruled out any major revision in the fundamental law of the land.

This is as it should be. The Constitution of Kingdom of Nepal 1990 has stood us in good stead over a period of tumultuous events in national politics. We have held three parliamentary elections and two for local governments. Five national elections successfully completed and declared to be largely fair and impartial by international observers should be proof enough, if at all any was needed, that Nepal hasn't needed a neutral caretaker government of the Bangladesh model to conduct its polls. Our Election Commission is robust, and it is capable of keeping the partisan attitude of the government of the day in check.

This has also been a period when Nepal faced the most brutal insurgency in its history. At one point, in the aftermath of Hritih Roshan riots, it appeared as if the country would have to compromise its integrity in order to save it from itself. But it was the maturity that democracy has nurtured that helped us overcome our collective insanity. All-party rallies for communal harmony proved once again that multi-party democracy may be raucous, but in the end, it works. In a multicultural society, it's either democracy or disintegration.

When the entire nuclear family of King Birendra was wiped out in the royal massacre of 1 June, the constitution faced a challenge that has no parallel anywhere in the world. We Nepalis love to wallow in self-pity and we lack the self-confidence to accept credit for our accomplishments, but let's face it: it is nothing short of a sociological miracle that citizens of a struggling democracy faced a crisis of this unprecedented magnitude with such stoic fortitude. Not that an exact comparison is necessary, or even possible, but it

helps to remember that the entire political elite of the country was replaced in the aftermath of Kot Parba of 14 September, 1846, in our own country. In neighbouring India, New Delhi plunged into the savagery of communal carnage when Indira Gandhi was shot dead by her own bodyguards on 31 October, 1984. For all its flaws, it is the constitution that prevented anarchy from erupting even in the face of a crisis of unimaginable proportions.

The logic that the constitution needs to be amended to ensure stability does not hold water. The main concern should be the stability of the system, not the longevity of a particular government. The explanation that we are too poor to have frequent elections is like accepting that we are too impoverished to afford democracy. This can then be extended further to say that we don't deserve to be even independent. Those who talk of a fixed tenure for the legislature or a constructive vote of confidence fail to realise that it isn't possible to tinker with the parts of the system without affecting the fundamental structure of the whole. To solve the problem of revolving door governments and frequent elections, it is not necessary to virtually contract out the system for a fixed period to a group of legislators.

No one understands the convolutions of the Constitution of Kingdom of Nepal 1990 better than the man who successfully 'convinced' the king and made him accept in the preamble that "the source of sovereign authority of the independent and sovereign Nepal is inherent in the people" former prime minister Krishna Prasad Bhattarai. When he says that there is no need to fix things that aren't wrong, we better listen. It is tempting to fiddle with a perfectly functioning machine when you have nothing better to do, but it is wise to hold the hammer and resist the temptation to hit where it can only hurt.

That said, it needs to be accepted that certain aberrations have crept into the constitution due to contradictory interpretations of its provisions. The court once ruled that the prime minister could not go to the people if and when he wanted to. This has severely limited his options. It is this serious undermining of the prime minister's prerogative that has made him hostage to the threats of legislators of his own party. It has led to a ludicrous situation where a prime minister can become a ball to be thrown around between the legislature, the court

and the palace.

The other aberration the belittling of the authority of local government units also owes its origin not to the constitution, but its interpretation. By declaring that the Dhanusha District Development Committee and Rajbiraj Municipality weren't free to use the national language of their choice, the court dealt a bigger blow to their autonomy than merely denying them their mother tongue. Implicit in the ruling is another meaning: in the interpretation of our learned judges, the constitution is unitary in character, and brooks no interference from local governments for autonomy. If this indeed is the reality, then it has to change. In the postmodern world, all politics is local. Denying legally constituted local government units their rights can lead to unconstitutional forms of protests.

Krishna Prasad Bhattarai's assertion that the constitution doesn't need to be changed should not be interpreted to mean that it doesn't need improvements. It is in the nature of all things that if they don't change, atrophy sets in. Unfortunately, instead of being at the cutting edge of social change, the legal luminaries of Nepal limp helplessly behind it, dragged down by the polemics of activists like Narahar Acharya and Govinda Neupane. Consequently, not even a credible agenda for discussion has emerged over last ten years to contemplate the constitution as a framework of discourse between the nationalities that make up the kingdom of Nepal.

But fortunately, we still have in our midst most of those who helped frame and enact the present constitution. As we enter the twelfth year of a resilient constitution, it would be a salute to democracy to form a high-level committee to review our experiences and suggest improvements to reflect the new realities of our society. To suggest that the fundamental law is not dynamic enough to incorporate the aspirations of a new generation of Nepalis who have come of age after 1990 is blasphemy. A constitution that has endured so much can't be static.

Nepal still holds the potential of becoming a model of social democracy in South Asia. But for that to happen, we need to have more faith in our own capabilities.

By arrangement with the Nepali Times.

SRI LANKA

Forthcoming elections and the politics of LTTE

K SARVESWARAN

PRABAKARAN, the supreme commander of the LTTE, has expressed readiness to 'talk with the United National Party (UNP) without a facilitator, if it comes to power'. Reading between the lines would reveal the political calculations of the LTTE. It conveys a different message to three different sections of society.

Firstly, the international community is told that 'LTTE has not closed the doors for negotiations'. Considering that LTTE is one of the twenty seven organisations declared terrorist by US but not included in its present anti-terrorist drive, it has wisely used this opportunity to reassert its position that it represents the rights of the Sri Lankan Tamils.

Secondly, by saying that the 'LTTE will talk with the United National Party (UNP) if it comes to power', the message to the Sri Lankan Tamils is to support the UNP or its allied parties in the forthcoming elections. Knowing the psyche of the Tamils, who are longing for peace and would appreciate any such moves by the LTTE, they would definitely co-operate to realise the same.

Third, the message to the Sinhalese in general, and the hardliners in particular, is

that the LTTE will talk with UNP directly without a facilitator, if it comes to power. Thereby the message to the Sinhalese who support a political solution through devolution of power is to vote for UNP to achieve peace. The hardliners, who were opposing the Norway facilitation process, had assumed that they (Norwegians) would exert pressure on the Sri Lankan state to offer a federal system.

That was not acceptable to them. They were asking for Indian mediation, presumably because India has banned the LTTE and would not give it any importance. These forces would be satisfied if Chandrika freezes the peace process. By this message the LTTE is conveying the message to the Sinhalese that 'if you vote the UNP to power I will talk without a facilitator'.

The question arises, does the LTTE believe the UNP would offer an acceptable solution? Is the LTTE prepared to drop the demand for separation and seek a negotiated settlement? The LTTE's stand about Sinhala polity including the UNP and the LTTE's approaches towards peace talks in the past raises doubts about a hidden agenda in this message.

The President of Sri Lanka has extensive

executive powers. The first executive President JR Jayawardana had said that 'I cannot convert a boy to a girl or vice-versa. Rest all I can do'. It delineates the unlimited powers of the President. The current President, Chandrika Kumaratunga, has five more years to complete her term. Hence, if the UNP captures power in the Parliament, there will be a tussle between the President and the Parliament. Since the President is the head of the armed forces the portfolio of Defence would be with her.

Besides defence, she has the power to reserve other portfolios with herself. She also has the power to reject any ministerial candidates from the list submitted by the Prime Minister. Thus, there could be a tussle even at the ministry formation stage. If it continues, it would create a constitutional crisis. Hence a UNP victory would ensure an unstable government.

In this situation, comprehensive talks with the LTTE would be impossible. Even if talks take off, the LTTE could reject their outcome using the instability argument as an excuse. The LTTE's response to the call for talks by Chandrika was expressed by its spokesman, Anton Balasingam, who said that 'we do not

want to jump into the sinking ship'. If the LTTE accepts the offer for talks with UNP, the Sri Lankan President or her party may obstruct the UNP moves for gaining a positive image. This would provide another opportunity for the LTTE to expose the historical anti-Tamil politics in the competitive party system and the character of the Sri Lankan state. Ultimately, the LTTE would be in a better position to continue on its campaign.

Will the LTTE realise its calculations? Due to the inability of the Chandrika-led government to find a peaceful solution to the ongoing ethnic war, the cost of living has increased rapidly. This has serious repercussions among the Sinhala voters. A survey recently conducted by the Colombo University reveals that the ruling party is losing its support. Moreover, the change of alignments due to new electoral alliances and the defection to the UNP of a section of the leaders from the ruling party suggests strong prospects for the victory of the UNP.

If the present trend continues till the date of polling, the LTTE would gain by its present political moves.

Courtesy: IPCS website. The author is a Research Scholar, JNU.

