

NEPAL Sick of war

Western Nepal faces a food emergency and a health emergency. Women and children are affected the most. Aruna Uprety writes from Doti

THE woman had visited the health post with her sick baby. The health worker gave her some tablets and told her to give them to the child after meals. Two days later, the health worker asked her how the baby was doing. "I haven't been able to give her the medicine because you had told me to give it after food," the woman replied. "I have no food at home, and we haven't eaten for days."

The Maoist insurgency in western Nepal is taking its toll on the health of villagers, and the conflict is eroding many of the gains of the past decades in immunisation, maternal and child health. But the crisis goes beyond lack of medicines and vaccines: there is a danger of widespread malnutrition as the conflict makes food scarce, with repercussions on children and their mothers.

We were in Doti to organise a follow-up training of auxiliary midwives and staff nurses and also run a health clinic. (See "Women are dying in the far-west" by Aruna Uprety, #52). Thirty-five health workers from Achham and Doti were to take part. Only half of that number attended because they just didn't get the message. The phones are down, the postal service doesn't work, the buses don't ply.

And then the poignant question put to us by a nurse from Achham, for which we had no answer: "As a health worker, am I of any use in this situation? Most of my patients don't need medicines, they need food." The mule trains that traditionally transported food to Achham are stopped by both the security forces and the Maoists. "They should leave the locals alone," said one nurse. "We don't know what will happen when the potato and grains are exhausted."

Most health workers say they will abandon their health posts once food supplies run out. They have no choice. This could create a humanitarian crisis in a region where services were poor even at the best of times. Even by Nepal's dismal

human development standards, the west is the worst. The far-west has traditionally had the poorest maternal and infant mortality statistics in Nepal. The status of women in society is lower here than elsewhere, and female literacy is only nine percent. So, although no one is healthy here, the burden of disease tends to be heavier for women because of lack of access to health care. All this is now made much worse because of the conflict.

There is an epidemic of gynaecological problems, but either there is no health care, or the hospital is not accessible, or women hesitate to visit male doctors. But today, all these problems have been made far worse by the direct and indirect effects of the conflict. The one with the most serious implications for health is the food shortage, which is reaching crisis proportions. "Helicopters bring in food for government officials and security people, but there is nothing for us," says a midwife from Achham.

Among the women at the health camp is a woman who used to run an eatery last year at Mangalsen. "I closed it," she told us. "The Maoists kept asking for money, and the security people accused us of feeding the Maoists." It is the same story everywhere: as the conflict drags on, ordinary people like her are caught in the middle. Most of the time at the health clinic, we were counsellors and not doctors. Listening to the patients' problems with the lack of food for themselves and their children, all we could suggest were simple remedies and prevention methods.

Travel has become difficult and dangerous. There are checkpoints everywhere. There is no food, so you have to carry your own provisions. But there is no guarantee that your food won't be confiscated at a checkpoint. There are unofficial dawn to dusk curfews in every town, "unofficial" because they aren't announced anywhere, news of them travels by word of mouth.

Curfew violators are taken in, even shot. The lodge-owner in Doti warned us to eat and go to bed by 7PM. Outside there is a deep silence punctuated by a barking dog, and the rustle of leaves. There is "peace" here in far-western Nepal, but it is a deadly peace.

And as in all conflicts everywhere, it is the women and children who are most vulnerable. At last year's clinic in Doti, we were swamped with 2,000 patients. The VDCs had been mobilised to spread the word, and sick women came from surrounding districts, some walking or being carried for 10 hours. Others came all the way from Dailekh district, carrying their own food.

This time, with the VDC network all but non-existent, word of the camp couldn't get around. And even if it did, the difficulties of travel kept most sick women at home. The logistical difficulties in getting to us, and the lack of communications meant that we were able to treat less than 600, all people from nearby villages. It's not that there weren't more sick people; they just couldn't get to us. We brought back half our medicine supplies to Kathmandu because we could not dispense them to the sick and needy.

In the government's scheme of things, the security emergency takes precedence over medical emergencies. "We just pray to god that nothing happens to anyone at night when there is a curfew," says one social worker from Kailali, and adds with a hint of sarcasm in her voice: "No emergency is more urgent than the state of emergency."

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SRI LANKA Trials and challenges, terrorism and peace



Lankan PM with the US President...

IN ITS most violent form terrorism means death. The death of innocent people whether they are those who were so brutally sent to their death in the World Trade Centre on September 11, or those innocent civilians who perished in the bombing of the Central Bank in Colombo in January 1996.

What the atrocity on September 11 showed us was that terrorism is now a global phenomenon.

We grieved deeply with the people of the United States as we saw the twin towers collapse, and we mourned with the people of the world as the death toll showed its global reach. Many people in our small island were reminded of the violent ways in which their own loved ones had been removed from them.

But our grief and our sympathy turned into resolve. We continue that resolve by pledging our unwavering support for your efforts to ensure a world free of terrorism.

For sure there is nothing about international terrorism that we can or should condone. No cause justifies the use of terror against innocent people. Nevertheless, we have to look at the underlying grievances which ignite and fuel terrorism to be able to understand how to fight the common enemy.

Look at any place that terrorism raises its head and you will find poverty, injustice, insecurity and fear. The evil in a few, feeds on the fears of the many which are exploited to build a web of destruction.

To be sure that we defeat terrorism we clearly need a two pronged approach.

Today in Sri Lanka we are attempting to find a solution to this form of terrorism. That is where the other approach may come into its own.

This other approach comes when we look at those root causes and see that terrorism is feeding off poverty, insecurity and perceived injustice.

Some of the affirmative actions taken by successive governments in Sri Lanka in favour of the majority Sinhalese who were discriminated under the Colonial Rule already affected the Tamil people for example the use of their language, opportunities for education and employment. Leaders failed to deliver equal justice and equity in fair measure among the communities.

A whole community was alienated by the injustices they felt and experienced.

For two decades the mainstream political parties were unable to resolve the issues affecting the Tamils. The Tamils tried peaceful protest which soon degenerated into violence. With the underlying grievances being unattended the stage was set for terrorist groups to emerge. Whatever the causes, the reality became the Liberation Tigers of Tamil Eelam or LTTE.

We entered into a permanent ceasefire with the LTTE on 23rd February this year. From this we hope to move to peace talks in the near future.

Discussing the ceasefire before the Parliament of Sri Lanka on 4th April, I recalled the words of Abraham Lincoln on the American Civil War: "let us strive on to finish the work we are in, to bind up the nation's wounds". Our collective character and resolve as a nation and society will be tested and challenged at every turn. Nevertheless I have confidence and a realistic sense of optimism that this time we shall consolidate the peace that has been initiated and sustain its momentum.

I believe this for a number of reasons.

Firstly, as I said in Parliament, all citizens of Sri Lanka are stakeholders in the peace process. Sinhalese, Tamils, Muslims and others are, in a sense, shareholders in this national enterprise: dividends will be declared for all except for a few merchants of death who will be the only losers. Our people's yearning for peace is deep.

Secondly, we build on our past experiences. There is a continuum which animates our efforts. We frankly acknowledge the mistakes of the past as well as the problems that lie ahead in the future. We have benefited by the positive steps taken by past Governments. We have, for example, continued with the help provided by the Norwegian Government in facilitating the peace process. The Norwegians who were initiated in to the process by President Kumaratunga have been pivotal in helping to build trust between the two sides and the Sri

Lanka Monitoring Mission manned by Scandinavian nationals has been invaluable in monitoring the Ceasefire Agreement.

Thirdly, we acknowledge that we need bipartisan support. The Opposition parties must be partners in this national endeavour. This should not be undermined by narrow sectoral and partisan diversions. The situation that exists in Sri Lanka today is not unlike that which characterised France sometime back. The need for cohabitation has been stressed. Cooperation is not an option: it is an imperative in the national interest. We need to overcome what in Parliament I called, the parochial, opportunistic and divisive politics that often overwhelms a united national outlook.

Fourthly, the human element in the peace process has been given primary importance. The Ceasefire Agreement addresses a number of day to day problems faced by the Tamil community. It facilitates the free movement of people and goods throughout the country. It would present the people of the North and East also, with the opportunity of freely engaging in their livelihood, be it farming, fishing, government service or business. All Sri Lankans need to be given access to the same quality of life regardless of race, sex, religion or where in the Republic they live.

Sri Lanka liberalized its economy as early as the mid 1970s the first in South Asia to provide space and encouragement for individual initiative. Today we are implementing a far reaching economic recovery programme that will result in an increase in the rate of the economic growth. Our economy will be more open and freer in its linkages with the rest of the world.

I have talked about the need for confidence building. When we feel confident to proceed to the next stage, that of negotiations, we shall have achieved a great deal in bringing ourselves and the LTTE closer through greater understanding.

This process will not be easy. The more the ceasefire agreement is being adhered to, the fewer the accusations of human rights abuses and the less inflammatory the language between the two sides. This would make it easier for us to take those critical decisions that will bring Sri Lanka closer to normalcy, returning to a peaceful, prosperous society where all communities live in harmony, free of terrorism.

We view these negotiations with a warm heart and a cool head. We wish to bring our communities back together in ethnic harmony whilst keeping our guard up.

While talking we must continue to address the underlying grievances which bred terrorism in our country. We are a nation with many different ethnic groups and religions. That provides diversity and wealth that we should use to our advantage, not be a cause for division and mistrust.

As the confidence building continues and as the communities draw themselves back closer together, as they once were, then we can start to address the perceived injustices that have divided us in the past.

The old injustices of yesterday will seem irrelevant in the Sri Lanka we intend to build tomorrow. Our aim is to bring all our people together in social harmony, working as a nation within the world community. That way we in Sri Lanka will have moved the cause against global terrorism forward one small, but significant, step. Whenever a situation of terrorism rising from a basically national, local context is resolved, we are that much closer to winning the fight against international terrorism and ultimately to the establishment of a world free of terrorism.

This is an abridged version of the address of Sri Lankan Prime Minister Ranil Wickremesinghe to the Woodrow Wilson International Centre for Scholars titled: "Trials and challenges in Sri Lanka; terrorism and peace" on Wednesday.

INDIA The President's powers

SUBHASH C. KASHYAP

THE NEW President assumed office yesterday amid many wild expectations and some false fears. Many expect that he will cleanse the system of corruption, that he will inspire austerity and simple living, that he will help end cross-border terrorism, that he will instil a scientific temper in governance, that he will make India a super power, that he will bring about a national renaissance and regeneration rooted in India's spiritual quest and so on. On the other hand, some say that not being bred in politics, he may have difficulties.

The country is passing through very critical times. The challenges are multifarious but each is also an opportunity. To steer the ship of the state, cutting edge technological and engineering skills may be a tremendous advantage. Not being a professional politician may actually help. Confident of his political objectivity, the new President will be able to effectively advise, guide and assert. But, what can the President do, or is supposed to do, under the Constitution?

We have a written Constitution wherein the functions and responsibilities of each constitutional office are clearly defined and delimited. We are a republic with an elected

President as the head of the state. But, we are also a parliamentary democracy with ministerial responsibility to the representatives of the people in the Lok Sabha. This unique mix needs analysis.

The Constitution says there shall be a President of India. The position, in the scheme of our Constitution, is one of highest honour, dignity and prestige. He is the head of the state and it would be very wrong to say that he is only a nominal or titular head. As Nehru said in the Constituent Assembly, it was not intended to make the President of India a mere figure-head. All executive power of the Union is vested in him. All executive action of the Government of India is taken in his name. The Supreme Command of the defence forces is vested in him.

The President appoints the Prime Minister and on his advice other Ministers. All the Ministers hold office during the pleasure of the President. The President is an integral part of Parliament. When during the Ninth Lok Sabha an amendment proposing pension to MPs after only a year's service was allowed to be introduced and passed without the President's recommendation, R. Venkataraman did not give his assent to the Bill. When both Houses of Parliament

are not in session and the President is satisfied about the need for immediate action, he can promulgate ordinances which have the same force and effect as laws passed by Parliament. The Supreme Court has upheld the legitimacy and validity of the President's power to issue ordinances. All the high functionaries of the state including the judges of the Supreme Court and of the High Courts, the Attorney-General of India, the Comptroller and Auditor-General of India, the Governors etc. are appointed by the President. Under Article 352, the President may proclaim a state of emergency in the whole or part of India. Article 360 empowers the President to declare a financial emergency.

Despite this array of impressive powers, it has to be remembered that the Constitution makes it clear that the executive power of the Union has to be exercised by the President "in accordance with the Constitution" and the exercise of the powers as the supreme commander of the armed forces has to be "regulated by law". Also, the President takes an oath "to preserve, protect and defend the Constitution and the law".

Article 74(1) requires the President to act only with the aid and advice of the Council of Ministers in

the discharge of all his functions. The Supreme Court through various decisions has upheld the position that the President is a constitutional head who must act on the advice of the Council of Ministers and that the real executive power in our system vests in the Council of Ministers. But, there are some grey areas where the President may have to use his own judgment and wisdom. These are: (1) appointment of the Prime Minister in a situation where no single party or alliance commands clear majority support in the Lok Sabha (Obviously, the President cannot appoint the new Prime Minister on the advice of the outgoing Prime Minister who may have lost the election or the support of the House); (2) appointment of a Prime Minister in case of sudden death where the ruling legislature party is unable to meet immediately to elect a leader, there is no settled seniority among Cabinet Ministers and a name from outside the Cabinet is suggested; (3) dissolution of the Lok Sabha on the advice of a Council of Ministers that may have lost majority support or against whom a vote of no-confidence may have been passed; and (4) dismissal of Ministers in case the Council of Ministers loses the confidence of the House but refuses to resign.

In some such situations, the role

of the President may become most crucial and decisive. This happened, for instance, when Charan Singh, Rajiv Gandhi and Chandra Shekhar came to be appointed Prime Minister. To get over some of these difficulties and keep the President above all politically controversial matters, the National Commission to Review the Working of the Constitution has suggested election of the Prime Minister by the Lok Sabha and his removal only by a constructive vote of no-confidence by the House. It requires no constitutional amendment.

The Constitution envisages a fully cooperative and harmonious relationship between the President and his Council of Ministers. That is why it also lays down in Article 74(2) that "the question whether any, and if so what, advice was tendered by Ministers to the President shall not be enquired into in any court of law". It is a very salutary provision and is based on the principle that the President and his Ministers are never to be perceived as separate centres of power. The centre of power is one: the President-in-Council-of-Ministers.

By arrangement with the Hindu of India.

Road to Rastrapati Bhawan

M ABDUL HAFIZ

ENDING months of speculation the race for Rastrapati Bhawan is over thanks to the BJP-led NDA's masterstroke in proposing the candidature of APJ Abdul Kalam for presidency something few could oppose even if they did not like. With APJ Kalam almost universally accepted (only Left was holding back) India's "missile man" is India's twelfth President although Kalam a proverbial square peg in round hole is hardly what New Delhi's Presidential Palace is used to.

The Presidential aspirants who came to be considered earlier were all distinguished in their fields with enough credentials for the country's highest office, but Kalam has some magic about him which others lacked. APJ has been a man distinction as the country's missile builder and bomb makes and symbolises the nation's aspiration to power. He is an icon with the assertive middle class, and most important a member of the minority Muslims Community. His elevation to presidency would do a great deal to refurbish BJP's secular credential. It was, difficult for any party or individual to be seen opposing him.

APJ's candidature worked like a bombshell and blew off all earlier inter party or intra-party understanding on the issue. PC Alexander, the original NDA candidate a second term for incumbent K R Narayanan, the Congress favourite or an elevation of

Krishankant to Presidency the TDP (Telegu Desam Party)'s stand went off the radar screen with their willing withdrawal from the race.

NDA's nomination of APJ was however preceded by high drama of bluff, double cross and Palace intrigue.

The Congress which favoured the continuance of the incumbent president could not but sheepishly endorsed Kalam because it found no strong point to disregard his candidature as a distinguished Muslim becoming the country's next President was quite in keeping with the party's secular norm although in endorsing Kalam's name the Congress gravely displeased the left parties.

Although the NDA initially remained lukewarm to Sonia Gandhi's proposal for K R Narayanan's second term, Vajpayee seldom felt comfortable with Narayanan at the helm. The incumbent president often caused displeasure for ruling NDA by raising question over the government's selection of the Judges, use of article 356 and appointment of constitutional authorities. Moreover, the president's ideological distaste for the Vajpayee government was no great secret. So the NDA, particularly a cabal composed of Prime Minister himself, Home Minister L K Advani, Defence Minister George Fernandes, External Affairs Minister Jaswant Singh and Rural development Minister Venkaiah Naidu, also the BJP President now in no way wanted

the next president baptised in Left or Congress culture.

There was, of late, a desperate search for a candidate who would not only meet NDA's bill, but also enjoy wide political acceptance. The outcome was Kalam's nomination. With the exception of only one candidate Lakshmi Sehgal fielded by the Left, Kalam was a consensus candidate.

In the meantime, the warning coming from APJ's lone contestant was that the presidency going to a man behind India's nuclear programme would send 'wrong signals could not be taken lightly both within and outside the country. The anxiety was intensified when in his first press conference in Delhi APJ unequivocally defended India's nuclear deterrence. Even if the NDA forestalled the installation of President of Congress' hue APJ seems to be already dyed in NDA's. In the press conference overseen by key NDA leaders APJ cautiously parried questions related to controversial Gujarat issue and wound up his interaction with the journalists with a philosophical air hoping that another painful event like that of Gujarat could be averted by lifting the religions to a spiritual level.

But by all means if it is a triumph for the BJP which was on retreat for some time.

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CINEMA

Devdas provokes, pleases and impacts all

Devdas is neither a period piece nor a costume drama. Sanjay Leela Bhansali's Rs 50 crore extravaganza retells the classic tale in the modern idiom, which is perhaps inescapable to relate it to a new generation, says Venkat Parsa

DEVSDAS has virtually sparked off a storm. Those, who have liked the film, have gone all-out for it. The critics have equally strongly assailed it for its far too many poetic liberties with the story and treatment. But, on balance, Sanjay Leela Bhansali's Rs 50 crore extravaganza is set in a modern genre, and the tale is restated in the modern idiom.

Comparisons could be odious. The P C Baruah version with K L Saigal and the Bimal Roy version with the legendary Dilip Kumar and Suchitra Sen and Vyjayantimala were the products of a particular period. Similar treatment in the present times would have crashed. Devdas is neither a period piece nor a costume drama, to justify the manner in which it has been mounted on opulent sets. The attempt is only to relate it to a new generation. In that sense, Devdas more than serves its purpose.

Magic of Madhuri Dixit as Chandramukhi is virtually the strength of the film. Madhuri shines through the film. The gold pillared, mirror-floored, kothas project the lavishness and grandeur of the ambience in which story is set. The purity of the Ganga, which her house overlooks, also symbolizes her pure love for Devdas. The lavish song and dance sequences bring back the glory of the mainstream cinema.

Symbolism of Paro lighting a diya for her loved one to depict her pining during the years of separation is used evocatively. There are also incredible elements like creating non-existent customs requiring bringing mud from a courtesan for Durga worship. It is introduced to create a situation where Paro and Chandramukhi come face-to-face, which is not there in the original Sharat Chandra Chatterjee novel. In fact, in the original storyline, Paro lives in the village and Chandramukhi in Kolkata and the twin never meet.

Another instance of poetic liberty by Sanjay Leela Bhansali is showing



1935

Devdas, a village lad who is forced to go to London to dissociate him from his



2002

childhood love Paro. The Sharat Chandra Chatterjee story only shows Devdas going to Kolkata for studies.

Depiction of Devdas' dalliance with Paro and Chandramukhi is the strongest point of the film. Devdas' feelings for Paro are intense. But it is too late by the time the enormity of his own feelings overwhelmingly hit him. By the time Devdas reaches out to Paro, her marriage is settled. The parting between Devdas and Paro is depicted in a dramatic fashion. A heart-broken Paro enters into a chaste marriage with a wealthy zamindar, much older man than her. And a shattered Devdas walks towards alcoholism and Chandramukhi that has since become immortal symbol of an unfulfilled love.

Although the ultimate symbol of pessimism and defeatism, Devdas did strike a chord and continues to haunt the middle-classes as the ultimate symbol of unrequited love. The alcoholism and the negativity in his characterization notwithstanding, Devdas is still adored for his undying love and loyalty for his lady love, Paro.

Even as emptiness envelops Devdas, he meets Chandramukhi, a stunning courtesan, who instantly loses her heart to him. Despite his undisguised contempt for her profession, strangely Chandramukhi draws solace and is awestruck by Devdas' loyalty to Paro. An undemanding Chandramukhi, too, mesmerizes Devdas. The two of them meet half way. Devdas shares with Chandramukhi the intense pain of his unfulfilled love for Paro. For her part, Chandramukhi adores Devdas for his capacity to love like none else.

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