

## South Asian quake

*Is the govt listening to our experts?*

THE region has been again struck by another devastating quake that seems to be visiting it with disturbing regularity. Our sympathy goes out to people of Pakistan, India and Afghanistan that have suffered due to this terrible tragedy. This is the time to gear up all the resources and efforts on a regional basis and come to the help of the quake-stricken people of the region.

Not unexpectedly, some parts of Bangladesh also felt the jolt to a lesser degree though, and were thankfully spared loss to life or property. Bangladesh is sitting on a very dangerously poised tectonic fault that makes it very susceptible to earthquakes, and experts suggest that a jolt of severe intensity is perhaps a matter of time. In fact according to experts the major Assam quake of 1897 that is likely to be repeated every hundred years, would seem somewhere around the corner, though we hope that it never happens.

We have noticed seminars and conferences, workshops and expert committee meetings being organised in the wake of an earthquake of which there were several in the last few years. But what emerges from these exercises is the fact that we are grossly unprotected and under-prepared against an earthquake of severe magnitude. Reportedly, between sixty and ninety percent of the buildings in Dhaka metropolis is vulnerable to collapse. Yet the government reaction is so markedly absent as to suggest a deliberate attempt on its part to keep its eyes closed to the matter.

According to experts, lethality of earthquakes will increase in the future by a factor of thirty in developing countries due, among other things, to non-compliance with building and land-use code and the poor quality of construction? The question is: are we prepared for the worst? Is the government aware of the need to reduce our seismic safety risk? Even at the risk of sounding highly pessimistic the answer has to be an emphatic NO!

The government should take serious note of disaster potential of an earthquake of a severe magnitude. We feel that there is an urgent need for constituting a task force that will, apart from suggesting ways of strengthening the seismic monitoring system, identify the vulnerable structures and prescribe actions to reduce the risks. Keeping a constant tab on geo-structural movements and ensuring compliance with an updated building and land-use code are what matter most.

## Floods worsening in north

*Govt must act without delay*

THE floods that have devastated four northern districts have worsened further. Over one lakh have been rendered homeless by the floods in Rangpur district, over 10 lakh are reported marooned in Naogaon district, and over 70,000 acres of crops are now under water.

The situation in the north is not of the scale of last year's nation-wide flooding, but by any definition of the term certainly constitutes a crisis that has made the lives of hundreds of thousands miserable, and thus merits urgent attention from the government.

However, so far we have seen regrettably little attention paid to this crisis by the government. Bangladesh is no stranger to flooding, and typically we see ministers rushing to the flood afflicted areas and relief being distributed promptly.

This is not to say that nothing has been done to help out the flood victims. There have been rescue missions conducted and shelter made available for thousands of the homeless.

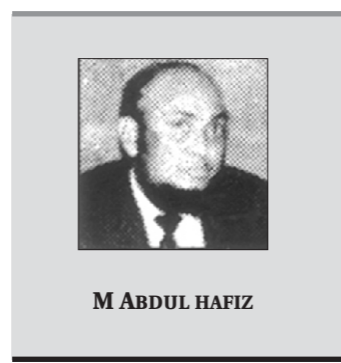
However, much more needs to be done, and the sooner due attention is paid to the floods, the less will have to be spent in the long run to alleviate the suffering. The more we wait, the higher the costs rise. This is the rule with disasters, and along with a common sense of compassion and duty, should impel the government to act decisively sooner rather than later.

Infrastructure has been badly damaged and needs tending. Embankments need to be shored up and communication links to the affected districts need to be secured. In addition, to guard against illnesses caused by contaminated water, potable water needs to be provided to the afflicted.

The government is currently in the midst of a massive VGF drive. Those afflicted by the floods should be brought under this programme immediately. This would go a long way to helping alleviate some of their misery.

The government knows what needs to be done. The fact that the floods this year are localised in the north is no reason to push the issue to the back-burner. Indeed, the fact that the floods have been restricted to the north makes them easier to counter, and is all the more reason that the government should see to it that the sufferings of the afflicted are addressed.

# IPI trilateral pipeline: More than a pipe dream?



M ABDUL HAFIZ

IT was at the height of the Cold War that Europe successfully struck a gas supply deal with former Soviet Union through a giant pipeline to be laid by the technologically advanced Europeans themselves. Nothing stood in the way -- neither ideological difference nor any security consideration. The simple economic formula -- that energy-starved Europe needed gas and a cash-strapped Soviet Union was in dire need of money -- was enough.

Years later when the idea of IPI (Iran-Pakistan-India) trilateral gas pipeline was broached, it was immediately caught up in the vortex of the US anti-terror politics. The US with its sour relationship with Iran since the 1979 Islamic revolution and recently over its quest for a nuclear status wants, in its bid to clip the wings of Iran, to set back the implementation of IPI project. The idea is to stall Iran's nuclear ambitions by depriving it from securing additional revenues through the sale of surplus energy to its lucrative market in South Asia.

Iran has since been targeted for various options available to the US administration: a regime change, pre-

emptive strike, or economic sanction, and received the latter's first salvo when President Bush called it one of the "Axis of Evil." Obviously, it is a misplaced hope that an enraged US would allow smooth implementation of the IPI pipeline of which Iran is a major beneficiary. It is now obvious that the main purpose of Condoleezza Rice's recent visit to Islamabad was to dissuade President Musharraf from going ahead with the Iranian gas pipeline project and that Mahmud Ali

made substantial investment in Iran's energy sector, with ostensible impunity and without having suffered any setback in their American operation. They include energy giants like Malaysia's Petronas, France's Elf Aquitaine, and Italy's Eni/Agip, who all secured important contract to develop Iran's offshore oil and gas. Canada's Bow Valley Energy received a buyback contract to develop the famous Balal field. To top it all, a foreign subsidiary (Cayman Islands)

would run through Iranian territory if, of course, the source is the South Pars gas field, as reported in an energy magazine.

What about the pipelines that would run through Pakistan and Indian territory? Just as the pipeline in Iranian territory will likely be built and owned by Iran, it would also seem logical that the 700 km stretch from the Iranian border to Pakistan's consumption centres and the 600 km stretch from the Indo-Pakistan bor-

der to India's consumption centres will be the responsibility of Pakistan and India respectively.

But that's not all. What should be the cost of the pipeline? What about the fundability of the project? It is probable that there will have to be provision for storage sites in Pakistan to cope with any unforeseen disruption in gas supply to India. What will be the diameter of the pipe and will there will be need for compressor stations along the way to ensure a constant flow of up to 3.2 billion cubic feet of gas a day. As regards the cost of the pipeline, there is no standard guide, and the only way to determine it is to compare and base one's experience on similar costs incurred elsewhere in the construction of pipelines. For example, Iran is building a

be \$1000 per ton, the cost of the pipe comes to a formidable \$350,000 per km. The only area of relief is that of labour which is one-fifth the cost of labour employed in the western world. Although Pakistan and India have recently made progress in talks on financial, technical, security and legal issues with respect to the estimated \$7.4 billion Iran-Pakistan-India (IPI) gas pipeline project and agreed to finalise a framework accord in two months, the project may not be able to take off before so many of its intricate details are sorted out and the differences, if any, among the partners are ironed out. So the way forward is still strewn with a lot of road blocks.

Also no less problematic is its

**PERSPECTIVES**

**The Iran-Pakistan-India pipeline is of seminal importance, not only for the role it will play in meeting South Asia's energy needs and precedent it would set for other such projects, but also because of the impact it will have on Indo-Pakistan relations. Even if Pakistan agrees under US pressure to abandon the IPI project, India will not for purely economic reasons. The Iranian gas pipeline is equally cost-effective for all three partners.**

Kasuri's trip to Washington was in continuation of the unfinished talks regarding the controversial project.

As major disincentives the US has a number of legal instruments handy to dissuade the potential investors from taking part in the project. For example the Iran-Libya Sanction Act (ILSA) of 1996 imposes sanctions on all non-US companies investing more than \$20 million in Iran's energy sector. Secondly, the president's executive order of 1995 prohibits the US companies and their foreign subsidiaries conducting business with Iran while banning any "contract for the financing of the petroleum resources in Iran."

However, the dynamics of international business prevailed as a whole host of Europeans and far easterners

of the famous Halliburton reached an agreement along with a local Iranian partner to help develop phases 9 and 10 of South Pars gas field. There is hardly a chance of the US invoking the restrictive terms of its legal instrument at this stage.

Now the hurdle that appears on the way is the Iranian constitution's specific prohibition on allowing any foreign entity to own any asset in Iran's energy sector. However the professionals in the country's energy sector may persuade their political masters to treat the pipeline issue differently or construct it as Iranian property while it passes through Iranian territory. Given the recent rise in oil prices, Iran is flush with enough foreign exchange to meet the expense for laying the 1100 km of pipeline that

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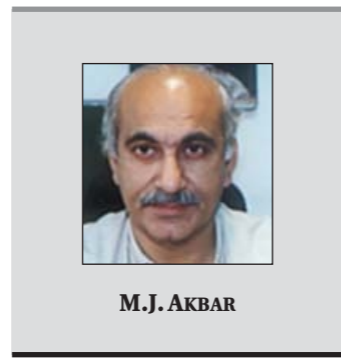
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# Responsibility rests with President Kalam



M.J. AKBAR

AN alibi is the respectable sister of a scapegoat. Hunting the scapegoat is a common aspect of politics all over the world. There is nothing particularly Indian, or partisan, about it. Anyone seeking to wound a chief executive must slaughter a clutch of scapegoats that line the path to his or her office. That is the ritual procedure. Opposition leaders were quick to demand the resignation, in order of merit, of Lalu Prasad Yadav, the don of Bihar; Buta Singh, the governor of Bihar; and Dr Manmohan Singh, the Prime Minister of India, after the Supreme Court decision striking down the proclamation by the President of India on May 23 dissolving a Bihar Assembly that had been duly elected but not yet sworn in. The opposition leaders are missing the point. The person who should resign, if he has any respect for the office that he holds, is the President of India, Dr Avul Pakir Jainulabdeen Abdul Kalam.

The Bihar Assembly was not dissolved by the wish of Lalu Prasad, the obedience of Buta Singh, or the recommendation of the Prime Minister. All three may have been politically necessary for the decision. But the order came with the signature of the President of India. It was his decision, taken in atrocious circumstances, that has stained the history of Indian democracy.

It did not require a decision of the Supreme Court to see that the President was wrong. Common sense could have suggested this. The members of the aborted House had been properly elected in a legitimate election. An election is not complete until the elected members are sworn in. Instead of completing the process, the election was arbitrarily revoked and the will of the people suborned. Bihar is famous for rigging. This was unique in the sense that the rigging

majority on March 6, and there was President's Rule in Bihar from March 7. Parliament had approved this by March 21, and there was no need to return to Parliament for an extension for some months. There was absolutely no time compulsion. The President could have taken a decision on his return from his foreign tour. And while he is bound to accept a recommendation of the Cabinet, he also has the right to check the legality of any recommendation and indicate

only in order to pre-empt his opponents, who were on the verge of cobbling together an alternative coalition. There was nothing more idealistic in the stampede.

Equally, it would have been extraordinarily foolish of Dr Manmohan Singh to risk his coalition for the properties of Bihar. I am certain about Dr Singh's personal views. Privately, he could never have approved of what he was being forced to do publicly. But he is not naive. He

law to suit a political purpose and created a President to prevent such the means to do so, by permitting him to seek legal opinion in case of any doubt from a Constitutional authority. President Kalam did no such thing when faced by an obvious malfeasance. If his doubts had been placed on the record, then he would have done his duty, and indeed the Supreme Court would have exonerated those doubts.

man, a simple man who has been placed amidst pomp and majesty by the curious dance of fate. I do not believe that he has been spoilt by his circumstances, or that he has been tempted by the luxury around him to the point where he has, like so many politicians, placed his conscience hostage to the luxury of office.

He has sought, during his term in office, to be a role model to the most precious asset of a nation, its children, its future generations. He has told them over and over again to place principle over gain. This is the moment for the President of India to teach those children he loves by the example of his own convictions.

The Supreme Court of India has indicted the President of India. Either the President takes a stand and says that the Supreme Court is wrong, and must be held accountable for bias and misjudgment. Or he should accept the validity of the judgment and hold himself accountable. It would have been meaningless to present this choice before those of our past Presidents who were politicians. The one exception would be, of course, President Rajendra Prasad, who belonged to the cloth of Gandhi and therefore had principles. This question could have been placed before the academicians, Dr Radhakrishnan and Dr Zakir Hussain. All three would have chosen principle over power. But only a very naive commentator would have demanded such standards from Giani Zail Singh.

The choice is before President Kalam. He can choose to be remembered as Dr Radhakrishnan and Dr Zakir Hussain are. Or he can hide behind an alibi and be forgotten, as Giani Zail Singh is.

MJ Akbar is Chief Editor of the Asian Age.

**BYLINE**

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was done after the results were declared. This was appalling, in that the President of India rigged the outcome. The others -- Governor, Cabinet, Prime Minister -- gave their recommendation. The President of India took the decision.

The manner in which he took the decision was utterly reprehensible. The President was in Moscow on the night of May 22-23 when the Cabinet decided that the Bihar Assembly should be dissolved even before it had met. The President was woken up at night to sign the proclamation. Why did he do it immediately, at that unseemly hour? Why could he not wait for daybreak and send the Cabinet's recommendation for legal opinion, which he was fully within his rights to do? It was not as if he was being told to declare war, unless of course it was war on the Bihar voter. The political crisis in Bihar had simmered for a long while. Buta Singh had sent his report to Delhi that no party or coalition had secured a

personal displeasure by returning it to the Cabinet for reconsideration. If the Cabinet insisted, the President would have no option but to sign, but he would have upheld the dignity of his office as well as reinforced the concept of check and balance that is essential to prevent any tendency towards dictatorship. The President abdicated the dignity and demands of his office when he put a hurried signature to an act of blatantly political manipulation.

Why is the political class less culpable? Precisely because it is political. Power is its dharna, and that is both understood and accepted. Lalu Yadav's sole desire was to retain office after losing an election he had bungled. If Nitish Kumar had been in his place, or a BJP leader, he would have done the same. The BJP's behaviour in next-door Jharkhand has been as cynical. Lalu Yadav used his clout as an ally in Delhi to bully Mrs Sonia Gandhi and Dr Manmohan Singh to rush through a shoddy Cabinet deci-

does not believe in sending an invitation to civil war. He went by the letter and passed on the Cabinet's recommendation to the President.

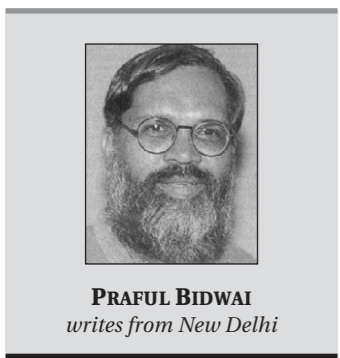
Why has the Constitution of India found room for a President and vested in him the "Executive power of the Union"? After all, the President is not directly elected by the people, and logically it is the Prime Minister, a creature of a directly elected Lok Sabha, who should be the final arbiter of executive power. But the office of the President was created not to teach schoolchildren how to live a better life, although that is always a good thing to do. It was created because the system needed a person who was solely the guardian of the Constitution rather than the representative of the legislature. While taking his oath, the President swears to "protect and defend the Constitution and the law" -- not the Parliament or the government. The framers of our Constitution knew that an elected executive would be occasionally tempted to bend the

The fact is that the politicians have flouted the law and won the politics, because the fresh elections to the Bihar Assembly have not been stopped. They could not be, because the Supreme Court has to be at all times cognisant of realities. So Lalu has got the second chance he wanted, and corrected some of his mistakes in the search for a different outcome.

What guarantee is there that what has happened in Bihar cannot be repeated at the national level by another president? We are in coalition politics, in which deals will be made both before and after elections. (In Germany the SPD and the CDU are trying to patch together the grandest deal of all.) What if a President seeks to subvert the will of a general election by dissolving the House before MPs are sworn in?

You cannot be disillusioned if you are not illusioned. President Kalam was good enough to induce illusions. Like the rest of my countrymen, I do believe that he is a sincere and honest

# Meeting the Naxal challenge: Not by force alone



PRAFUL BIDWAI writes from New Delhi

AS the Indian government established a degree of control over Naxalite activity? And has it got any wiser after almost four decades? Going by the first meeting of the Standing Committee of Chief Ministers of Naxalite-affected states on September 19, and the October 5 conference of directors-general of police, the answer isn't clear.

The CMs' meeting happened barely a month after Andhra Pradesh imposed a ban on a range of Naxalites, followed by Chhattisgarh. Both states witnessed violent incidents. In Chhattisgarh, the Naxals demonstrated their military prowess by

blowing up a (supposedly) mine-proof vehicle carrying Central Reserve Police personnel with a mine, sending it 35 feet up in the air. In Andhra, they killed a Congress MLA.

This deplorable violence formed the backdrop to the tough talk at the Standing Committee. But not many recalled that the violence was preceded by police brutality not just against Naxals, but ordinary villagers. A consensus was reached on a "two-pronged" approach: "firmly tackling the security threat, and simultaneously implementing programmes for socio-economic development."

A handsome Rs 2,000 crores was allocated annually to anti-Naxal "police modernisation." The Centre also approved the use of helicopters and armoured vehicles in anti-Naxal operations. In addition, Rs 2 crores per Naxal-affected district was granted to "accelerate socio-economic development." This works out to a much smaller Rs 280 crores.

The two "prongs," then, are unequal. Indeed, many CMs and policemen have concluded that they must step up the use of force. Thus, Andhra director-general of police

**The Naxalite phenomenon recently got aggravated with the state's withdrawal from public services, the growing illegitimacy of governance, and corruption. Agrarian distress, unemployment, and the forester-contractor mafia's depredations, have intensified discontent. As has globalisation. If the government wants to control Naxal violence, it must address its structural causes. It must of course protect citizens' lives, but in lawful, constitutional, humane ways. It must promote justice and equality. Or Naxalism will spread.**

Swaranjit Sen, known for his machismo and trigger-happiness, says he'll use helicopters to "bring Naxalites out of forests."

Chhattisgarh and Jharkhand are considering the "Afghanistan Solution" -- building highways through forests to connect remote villages and create "security corridors." (But this hasn't worked in Afghanistan. Besides, destroying forests and disrupting village life will aggravate the problem.) More dramatically, Bihar is planning to use satellite imagery to track Naxals.

Such high-tech schemes are fundamentally misconceived. They miss the Naxalites' strengths and weaknesses. Satellite pictures might help if the Naxals have permanent camps. But they don't. Typically, they mix with villagers following Mao's dictum about "fish and water."

Helicopter gunships would effec-

tively mow down hamlets -- as the US did in Vietnam. But such indiscriminate violence will only foment counter-violence.

The key lies in breaking this cycle of violence-and-counter-violence, not in raising it on to a higher military-technological plane. Force can rarely deter counter-force. If states get hold of high-tech weapons, so can non-state actors, although they are much less dependent on arms.

Experience suggests that tough measures usually don't achieve their purpose. Bans cannot significantly expand the power to lead with violence. Plenty of such powers are available under existing laws, which cover a wide range of violent acts, and abetting, assisting or promoting them.

Laws like the Public Security Act as draconian. They criminalise even acts

of sympathy, including giving Naxals medical care. They punish people who might take Naxalites' help in settling disputes, which the law courts take years to resolve.

Bans can be counter-productive. Take the People's War Group, which recently merged with the Maoist Communist Centre to form the CPI-Maoist. It was banned between 1992 and July 2004, barring a short interval. Through these 12 years, the group's activities grew beyond Andhra, into Chhattisgarh, Maharashtra, Orissa, and even Karnataka, which now has some 600 Naxal activists.

The government's knee-jerk response is to treat Naxalism as a law-and-order or "security" problem. Yet, Naxalism -- named after an armed uprising of 1967 in Naxalbari village in West Bengal -- is different from other

militant movements which typically remain confined to single states/issues.

Indeed, over 38 years, Naxalism has grown steadily, spawning 30-odd groups. According to the Delhi-based Institute for Conflict Management, Naxalite presence expanded from 55 districts in nine states in 2003, to 170 districts in 15 states this past February. In 55 districts, the Naxalites run a parallel government.

Naxals flourish where there are huge disparities in assets and incomes, and where injustice and violence by the privileged are rampant. Prakash Singh, former Border Security Force chief, and author of a book on Naxalism, holds: "The Naxal movement is irrepressible because it draws sustenance from the grievances of the people" including failure of land reforms.

In India, only 1.3 percent of agricultural land has been redistributed compared to 43 percent in China, 33 in Japan, and 32 percent in South Korea.

Former Bihar Chief Secretary Kamala Prasad attributes Naxalism's success to numerous metaphors: the Failure of Law and Order, Ambiguity of Social Policy, Failings of Democratic Processes, Failure of the Party System, and Deficits of Governance.

The Naxalite phenomenon recently got aggravated with the state's withdrawal from public services, the growing illegitimacy of governance, and corruption. Agrarian distress, unemployment, and the forester-contractor mafia's depredations, have intensified discontent. As has globalisation.

The United Progressive Alliance showed some comprehension of this. Its Common Minimum Programme said that Naxalism isn't a mere law-and-order problem; the social and economic grievances underlying it must be addressed.

The government must change its priorities. More, it must add a third prong: giving the Naxals a democratic space for self-expression and

encouraging them to come overground.

This approach worked in Andhra in the late 1980s. Chief Minister YS Rajasekar Reddy revived hopes when he held talks with the CPI-Maoist last year. The party leaders got a roaring public reception.

But the government cheated the Naxals by tracking their forest hide-outs in their absence. And it refused to negotiate their reasonable demands about recovering public lands illegally grabbed by powerful interests. The talks failed. The government launched a major offensive. This brought on counter-attacks.

There's a lesson here. If the government wants to control Naxal violence, it must address its structural causes. It must of course protect citizens' lives, but in lawful, constitutional, humane ways. It must promote justice and equality. Or Naxalism will spread.

Praful Bidwai is an eminent Indian columnist.