

Syedna Mohammed Burhanuddin  
A Long and Celebrated Life

February 2014

# SOUTHASIA

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# The sun sets only to rise again

Will Pervez Musharraf succeed in fighting the revenge  
and vendetta around him and become a free man again?



# UPCOMING B2B EVENTS ...



25-27 February 2014

**Pak-China Friendship Centre, Islamabad**  
10th International Safety & Security Exhibition  
Website: [www.safesecurepakistan.com](http://www.safesecurepakistan.com)  
E-mail: [info@safesecurepakistan.com](mailto:info@safesecurepakistan.com)



**27 February 2014, Serena Hotel Islamabad**  
3rd International Multi-Modal Transportation,  
Logistics Conference  
Website: [www.intertranspakistan.com](http://www.intertranspakistan.com)  
E-mail: [info@intertranspakistan.com](mailto:info@intertranspakistan.com)



**POGEE**

**28 - 30 May 2014, Expo Centre Lahore**  
12th International Exhibition for the Energy Industry  
Website: [www.pogee.com.pk](http://www.pogee.com.pk)  
E-mail: [info@pogee.com.pk](mailto:info@pogee.com.pk)



**27 - 29 March 2014, Expo Centre Lahore**  
12th Edition of the International Machinery  
Exhibition of Garment & Textile Technology  
Website: [www.megatechpakistan.com](http://www.megatechpakistan.com)  
E-mail: [info@megatechpakistan.com](mailto:info@megatechpakistan.com)



**4-6 September 2014, Expo Centre Lahore**  
12th International Plastics & Packaging  
Industry Trade Fair  
Website: [www.plastipac.com.pk](http://www.plastipac.com.pk)  
E-mail: [info@plastipac.com.pk](mailto:info@plastipac.com.pk)



**4-6 September 2014, Expo Centre Lahore**  
2nd International Printing, Labeling,  
Paper & Paper Converting Industry Exhibition  
Website: [www.plastipac.com.pk](http://www.plastipac.com.pk)  
E-mail: [info@plastipac.com.pk](mailto:info@plastipac.com.pk)



**4-6 September 2014, Expo Centre Lahore**  
3rd International Food, Beverages &  
Hospitality Trade Fair  
Website: [www.foodtech.com.pk](http://www.foodtech.com.pk)  
E-mail: [info@foodtech.com.pk](mailto:info@foodtech.com.pk)



**4-6 September 2014, Expo Centre Lahore**  
11th Edition of the International Food, Beverage  
& Packaging Technology Trade Fair  
Website: [www.foodtech.com.pk](http://www.foodtech.com.pk)  
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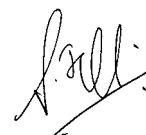
# A battlefield of morals

All the way from the diplomatic spat between the U.S. and India in 1997, when New Delhi kicked out two US intelligence officials and the U.S. responded in kind, to the Civil Nuclear Cooperation Agreement of 2006, relations between the United States and India have traversed quite some miles – and uphill too. In fact, President Barack Obama has even gone on record to define the current U.S.-India relations as ‘the partnership’ of the 21st century. It was in the midst of all this camaraderie that the Devyani Khobragade affair raised its ugly head. Sadly enough, instead of both countries treating it on its own merit, the case turned out to be a battlefield of morals though many among both the top U.S. and Indian leadership later felt the row was the ‘most stupid thing to do’.

Indian diplomat Devyani Khobragade returned home in January after her indictment for visa fraud and for making false statements about the treatment of her domestic servant, Sangeeta Richard. Khobragade was reportedly open to pleading guilty in exchange for reduced charges, but India’s foreign ministry wouldn’t accept any deal that would frame Khobragade’s actions as criminal offense. Once the plea bargaining broke down, a deal was struck: Devyani Khobragade would be granted the immunity she had claimed all along, but the charges would stay and she would have to leave the U.S. In return, India expelled the head of security at the US Embassy in New Delhi. In a strange quirk of circumstances, it had turned out that the said U.S. embassy official had employed Richard’s family in India and had subsequently helped to evacuate them to the U.S.

The withdrawal of Devyani Khobragade from the Indian consulate in New York unfortunately did considerable damage to Indian-American relations. While the whole affair was a cause for bafflement and anger for the Americans, it called upon the Indians too to give a good think to their actions and counter-actions and perceive how these could be misconstrued by a distant people whose thought process was quite different from theirs. Now that the affair has been put to bed as far as both the U.S. and Indian governments are concerned, it would be judicious for them to re-focus their attention on their common interests. Perhaps they can now take a breather and re-think their strategy about their larger role in the South Asian region. For all that it is worth, both have an abiding interest in the stability of Afghanistan, especially after the exit of the major portion of the US troops from the country this year. Among other issues, both also aim to tone down China’s emergence in South Asia and then there is the looming Indian general election.

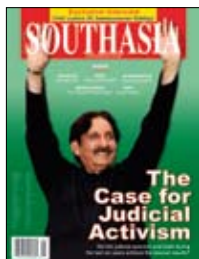
In view of the fact that the U.S. and India have now solidified an abiding friendship, the Devyani Khobragade episode should not serve as a barometer of their one-off bilateral relations. There is no doubt that these ties were put to a tough test as a result of the scandal and some very hard and uncompromising actions were witnessed on both sides. But it is commendable that the challenges have been overcome in a sane manner and both countries, while being wary of the pitfalls that could queer the pitch, will now tread more carefully in the relationship and ensure that wrongdoing is treated on its own merit, that the law is allowed to take its own course, that diplomatic privileges are not curbed on either side by way of retaliation, that visits of high-level functionaries are not postponed and that such matters are not allowed to spoil the bigger picture.



Syed Jawaid Iqbal

## You've done justice

All the cover stories of SouthAsia's January 2014 issue were well worth a read. I must compliment the writers for coming up with thorough and detailed



analyses of the various aspects of the judiciary under former Chief Justice Iftikhar Chaudhry. No matter what his critics say, credit goes to Chaudhry for making everyone bow before the

rule of law - from the head of the state to the head of the institution considered even more powerful than the state itself. What I found missing in your coverage, however, was a detailed account of the movement for the restoration of judiciary led by the lawyers and supported by many political parties as well as civil society. An article on the historic movement would have completed the picture. But it was a good issue.

**Osama Sabir**  
*Karachi, Pakistan*

## Chalk and cheese

I am quite surprised at the comparisons drawn between the Aam Aadmi Party of India and the Tehreek-e-Insaf of Pakistan. Being an AAP supporter and a keen observer of Indo-Pakistan politics, I think all such



comparisons are way off the mark. First, AAP has not been in politics for over 10 years like the PTI. It has hardly been a year since it took the form of a proper political party

from a movement that started with the aim to root out corruption from India. Unlike the PTI, it didn't wait for years to reach the assemblies.

Secondly, in the very short time that it has been in government, the AAP has taken some concrete steps towards the improvement of governance and solving people's problems. The PTI, on the other hand, has been in power in Khyber Pakhtunkhwa for over six months now and we have yet to see even a small change in governance and the condition of the people living in that province. It is time all such pointless comparisons were stopped.

**Sameera Yadav**  
*Gurgaon, India*

## Sick units

In his interview to SouthAsia magazine, esteemed former Chief Justice, Saeeduzzaman Siddiqui defended the Iftikhar Chaudhry-led Supreme Court's decision to stop the privatization of the Pakistan Steel Mills. The objection raised by many people in this regard is that the privatization process was not fair and that the mill was being sold at a throwaway price.



While it is true that the PSM is a huge asset worth billions, one cannot just say that it was given for peanuts without taking into account the whole picture. Since 2006, when the PSM's privatization was stopped by the SC, the government of Pakistan has injected over Rs150 billion into sustaining this giant industrial unit. The mill employs more than 16,000 and it is an unfortunate reality that a large majority of this workforce was appointed on political basis. Such inductions were done by every successive government.

Let me further simplify the matter by

stating an example here. When we go to the market to buy something, we try to get the best product at a reasonable price. The same principle applies to the sale of huge yet sick industrial units. You can't simply sell a loss-making organization against its actual worth. Compromises have to be made if the long-term aim is revival of sick unit in question.

**Bilal Mustafa**  
*Karachi, Pakistan*

## Who rules Afghanistan?

From the picture presented in the article 'Uncertain Future', Hedayat Amin Arsala comes across as the most qualified and suitable person to be Afghanistan's next president. He is highly educated, has served on important positions both in Afghanistan and abroad and has hands-on experience of managing the economic affairs of the country. He is the best shot by every standard. Yet, he is not the one who is popular with the Afghan masses. According to a pre-poll survey conducted across Afghanistan, the most suitable candidate in the people's opinion is Abdullah Abdullah - a politician through and through.



This may explain to some extent why we haven't been able to come out of our various crises. This also reinforces the stereotypical image of the Afghan people that they think from their hearts, not from their heads. I believe we cannot make Afghanistan a stable country, let alone a prosperous one, if we do not put the reins in the hands of someone who will not bow to political pressures, someone who is above popular politics. The people of Afghanistan have to make a choice. And the time is now.

**Sohana Khalilzade**  
*Kabul, Afghanistan*

## Write to SouthAsia

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Where required, they will be edited for clarity and space.

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## Secularism, really?

The review of Dr. Ishtiaq Ahmed's book titled '*Pakistan: The Garrison State*' forced me to buy the copy and read it. You carried a comprehensive and well-written analysis of an equally well-written book. However, I do not agree with the reviewer on one point. He writes, "Dr Ishtiaq realistically conveyed that nothing will change unless the garrison state paves the way for a secular and democratic state." I take exception to the word 'realistically'. This can be termed wishful thinking at best. Pardon me for being a pessimistic, but do we really see

Pakistan going into that direction? Democracy we may achieve to some extent but secularism is a very distant dream. Just utter this word among a group of people and see their reaction.

We are a nation that is baying for the blood of an army general who promoted moderation while protecting a convicted murderer who confessed before a court of law of murdering the very man he was supposed to protect. We may succeed in punishing Gen. Musharraf but can we punish Salmaan Taseer's murderer? In the presence of such men we would be fooling ourselves by nurturing notions such as secularism.

**Subhan Khaliq**  
*Karachi, Pakistan*

## Undemocratic people

I admire your magazine's coverage of elections in all South Asian countries. I find both the pre and post-election analyses published by SouthAsia quite thorough. And it is after reading many such analyses that I have reached the sad conclusion that perhaps democracy does not suit most South Asian nations. It really pains me to see all the bloodshed and violence that has become the hallmark of elections in South Asian countries. Take Bangladesh's case.. More than 50 people died there in election-related violence in one month alone. The situation in Nepal was not much



different where the electoral exercise there was marred by boycotts, sporadic violence and clashes between rival parties. The same was the case in Pakistan and the Maldives and I'm

afraid we are going to see more of the same in India and Afghanistan too.

This makes me wonder why South Asian countries cannot have a smooth and peaceful transition of power. We don't see violent incidents in western democracies where election campaigns are perhaps run more rigorously but sans much violence. Is it

the lack of education in our part of the world or is it that we are not worthy of democracy?

**Pushpa Vallabh**  
*Kathmandu, Nepal*

## A cruel practice

The article 'A Relationship of Trust' was a good read but the information given in it left a lot to be desired. It did not mention that 2014 marks the double centennial of the induction of Nepalese soldiers in the British Army. It was after the Anglo-Nepal War of 1814-16 - in which an expansionist Gorkha Empire clashed with the British East India Company - that the kingdom signed the Sugauli Treaty of 1816. Although this treaty gave freedom to Nepal, it came with a price: Nepal lost one-third of its territory. In addition to this, a British resident was appointed in Kathmandu.



But perhaps the most awful condition of the treaty was the recruitment of Nepalese soldiers into the British Army. The realization of the impact of this condition dawned upon the people of Nepal in the true sense after the First World War when Nepal lost some 20,000 young men to the war. One in every 10 young men recruited did not return home.

Gurkhas still serve in the British Army but now there is growing discontent about the cruel tradition of Nepalese men serving a foreign army. One hopes this ends soon.

**Harish Bose**  
*Kolkata, India*

## A futile exercise

The parliamentary elections in Bangladesh, sans the participation of the country's largest opposition party - the Bangladesh National Party (BNP), has made the politically volatile country a laughing stock in the eyes of the world. The outcome was obvious and the entire episode has received worldwide condemnation. The West has particularly been vociferous in its criticism.

If Bangladesh seeks a way forward that is in keeping with its strong democratic traditions, the government of Bangladesh should make sincere endeavors to provide political space to all its citizens and political parties to freely express their political views and exercise their right to vote without any fear or undue hindrance. On the other hand, one would be fully justified in asking the opposition to exercise restraint and use such space peacefully and responsibly in the larger interest of the people and country.

**M. Fazal Elahi**  
*Islamabad, Pakistan*





"I won't call it a 'mission'. I'll call it a visit to a brotherly and friendly country. I've just talked about the principle of non-interference in the internal affairs of other countries, especially friendly countries."

**Prince Saud al Faisal**  
*Saudi Foreign Minister*



"If Sindh's urban population is not accepted by the Pakistan People's Party (PPP) and not given its due rights, then there should be a separate province for them. Sindh must be split into Sindh One and Sindh Two."

**Altaf Hussain**  
*MQM Chief*



"The PTI-led coalition government (in Khyber Pakhtunkhwa) has no vision to address the issues being faced by the people of KP. The government is being run by non-governmental organizations."

**Maulana Fazlur Rehman**  
*Chairman JUI-F*



"It will be disastrous for the country to have Narendra Modi as the prime minister. I do not believe the kind of strength associated with Modi is good for the country."

**Manmohan Singh**  
*Indian Prime Minister*



"Our opposition has joined hands with terrorist groups, so they do not believe in elections at all, they do not believe in peoples' franchise."

**Sheikh Haseena**  
*Bangladeshi Prime Minister*



"The Maldives has close ties with China, but nothing will precede ties with India, which are far more precious."

**Abdulla Yameen**  
*Maldivian President*



"The term 'traitor' is used for a person who joins hands with the enemies of the country. What message do we want to give to the world by declaring that our army chief was a traitor?"

**Chaudhry Shujaat Hussain**  
*PML-Q Chairman*



"The time of those who do their politics through guns is about to end. We'll bring back peace in Karachi."

**Imran Khan**  
*PTI Chairman*



"A delay in signing the Bilateral Security Agreement with the U.S. and freeing dangerous prisoners without court verdicts could endanger our national interest. Refusal to sign the deal and an end to global assistance would help Al-Qaeda regain its strength in the country."

**Abdullah Abdullah**  
*Afghan Presidential Candidate*



"Modi has scored hat-trick in a crucial state like Gujarat, has a proven track record of good governance and his popularity is at the peak at this moment which Rahul Gandhi or anybody else cannot match."

**Shatrughan Sinha**  
*Senior BJP Leader*



"While it remains to be seen what form the new government will take... we encourage the government of Bangladesh and opposition parties to engage in immediate dialogue to find a way to hold as soon as possible elections that are free, fair, peaceful, and credible."

**Marie Harf**  
*U.S. State Department Deputy Spokeswoman*



"The first CA failed to deliver a new constitution, but it did lay the foundation stone for a republican setup while it accomplished the task of managing former Maoist combatants and their weapons successfully and institutionalized the achievements of the People's Movement in 2006. These all are epoch-making achievements."

**Dr. Ram Baran Yadav**  
*Nepalese President*

PAKISTAN | Karachi

## Groping for an answer

The local MQM leadership was left groping for answers – once again – as the London-based party supremo suggested the division of Sindh into Sindh One and Sindh Two. In a *jalsa* (public meeting) to mark the beginning of the party's local bodies election campaign, Altaf Hussain suggested that the province be split into two parts.

He demanded equal rights for Urdu and Sindhi-speaking people of Sindh and threatened that the demand for a separate province could quickly turn into a demand for a separate country for Urdu speakers of Sindh.

This statement came on the heels of another similar demand raised by Hussain in an election meeting in



Hyderabad. In fact, it was the third time in less than three months that such a demand was raised by the party chief. **S**

PAKISTAN | Hangu

## Down for a cause

Fifteen-year-old Aitzaz Hasan, a school student in Hangu, was killed when he tried to stop a suicide bomber from entering his school. The incident took place in Ibrahimpur, a Shia-dominated region of Hangu. There were almost 2,000 students in the school building at the time of the

attack.

Prime Minister Muhammad Nawaz Sharif recommended the Sitara-e-Shujaat for Aitzaz Hasan while the government of Khyber Pakhtunkhwa decided to name Aitzaz's school after him. Teachers and students also paid rich tributes to the young boy. **S**



PAKISTAN | Islamabad

## Bullet-proof security

The Islamabad High Court directed the government to immediately provide a bullet-proof car to former Chief Justice, Iftikhar Muhammad Chaudhry. Justice Shaukat Siddiqui of the Islamabad High Court said the former chief justice should be provided the same security as provided to former

prime ministers.

In an earlier hearing of the case, Justice Siddiqui had warned that bullet-proof vehicles from other government functionaries would be taken back if the former CJP was not provided with a bulletproof car. He also observed that the government



seemed vindictive towards the former CJP by not providing him enough security. **S**

INDIA | Delhi

## Public darbar

The AAP government's first '*janta darbar*' in Delhi proved a failure as Chief Minister Arvind Kejriwal had to leave the venue to avoid a stamped-

like situation. He later admitted that arrangements were not adequate. The public meeting was arranged outside the Delhi Secretariat where the CM was



supposed to meet the people to know their problems first-hand. The CM had announced that his entire cabinet would sit outside the secretariat to resolve

people's grievances.

But it turned out too many people were eager to meet Kejriwal. The public meeting was severely criticized by former

Chief Minister of Delhi, Sheila Dikshit, who slammed the AAP government for holding a "free-for-all" in the name of redressing public grievances. **S**

INDIA | Mumbai

## Glass house

Mumbai airport's new terminal, the T2, will open for passengers in February 2014. At the inauguration ceremony, Prime Minister Manmohan Singh said that the new terminal showed the ability of the Indian nation to build a world-class infrastructure. Equipped with a dedicated express access road, a huge seating area

outside, the world's biggest art museum and a stunning glass facade among several other state-of-the-art facilities, the T2 is likely to change the overall air travel experience to the city.

Ample use of daylight has also made it one of the most energy-efficient airport terminals in the country. The design of the



four-storey glass building is inspired by a dancing peacock. It was built at a cost of Rs.9, 800 crore. **S**

INDIA | Kolkata

## Minor rape victim

A young girl, who was gang raped twice in October 2013 and set on fire two months later by her alleged rapists on the outskirts of Kolkata, was found to be only 12 years old, according to her school record. News reports had earlier reported the victim's age to be 16. It also emerged that the girl was pregnant when she succumbed to her burn injuries on December 31.

The girl's grandfather used to be a tram driver in Kolkata and her father went to the city about 15 years ago in search of a

livelihood. The child and her mother used to shuttle between the village and Kolkata till a few months ago. After the rape, the entire family lived in the village house till mid-November. They returned to Kolkata thinking the matter had cooled down.

Several hundred activists protested in Kolkata and New Delhi, accusing the West Bengal government and police of failing to act swiftly after the girl lodged her initial complaint. "We strongly believe that if the government had acted against the criminals... the subsequent horrific events



would have been prevented and the young girl's life could have been saved," the All India Democratic Women's Association wrote in a letter to West Bengal Chief Minister, Mamta Banerjee. **S**

SRI LANKA | Colombo

## What's in a name?

A controversy erupted when Sri Lankan Prime Minister D.M. Jayaratne made some remarks that offended Jathika Hela Urumaya leader Ven. Omalpe Sobitha Thera. The PM had called Thera 'a man in robes'. Angry supporters of the JHU – a political party led by Buddhist monks – held protests in front of the Prime Minister's office and demanded an apology from the PM. Some even tried to enter the PM's office and a monk was injured when the

police tried to stop them.

Prime Minister Jayarante had to apologize to the Maha Sangha. "I am a good Buddhist. I am extremely sorry if my remarks caused any distress to the clergy," he said. He also said he did not call the monk a 'cheewaradari' (man in robes) and claimed that, according to the latest Sinhala dictionary, compiled by the Ministry of Culture, the word is not derogatory. **S**



## Matter of office

The leaders and activists of the Bangladesh National Party were allowed to enter the party's central office in Dhaka after a 47-day shutdown. The Assistant Office Secretary of the BNP, Abdul Latif Jony, unlocked the office which was closed following the arrest of a top BNP leader. The development took place a day after the BNP Chief, Khaleda

Zia called upon the government to free its party office and allow workers to carry out their political activities.

In an unprecedented raid on November 30, 2013, the police had arrested BNP Joint Secretary General Rizvi Ahmed, who had been staying inside the office for over a month. Since then, the police had not allowed any



BNP men to enter the premises and the office was cordoned off by law enforcers, forcing the BNP leaders to carry out their work from "underground". **S**

## Death of a poet

Renowned Afghan poet, Ustad Mohammad Saddiq Pasarli died after a protracted illness. Born in the Qarabagh district of southern Ghazni province, Pasarli spent four years of his yearly childhood in his hometown and later migrated to northeastern Kunduz province with his family. He

had dedicated his entire life to Pashto literature and his cultural activities got momentum during and after the Soviet-Afghan war. Pasarli's contribution to Pashto poetry and literature is widely acknowledged. He also mentored budding poets.

President Hamid Karzai voiced



his deep grief over Pasarli's death and termed it an irreversible loss. **S**

## Prosperous port

The Sher Khan Dry Port in Kunduz has generated Rs. 730 million revenue this year, showing an increase of Rs.130 million from last year's revenue. Addressing a news conference, the Port's Customs Director, Shahabuddin Bawar

cited better security, improvement in the working of customs officials and efforts at combating corruption as the reasons behind the increased revenue.

Afghanistan's main exports through the port include cement, sugar,



handicrafts and food items among others while its imports through the port are oil, construction materials and onion. **S**

## Sea ambulances

The government of the Maldives will introduce a sea ambulance service within two months. The service will be initially launched in four regions and expanded to 23 zones later, covering the entire country. Speed boats, currently used by the Ministry of Health, the Maldives Police Services and the

Maldives National Defense Force, are to be converted into 'sea-ambulances' which will be equipped with necessary health services.

The service will begin with a government-allocated budget, but will depend on funding from the United Nations and the Red Crescent. **S**



BHUTAN | Thimphu

# Easing trade movement

The Indo-Bhutan bilateral talks on trade and transit were held in Thimphu. The main issue discussed by officials of both countries was a bypass to Passakha and Samdrup Jongkhar industrial estates via India. It was decided that the construction of the bypass should be expedited as this would reduce the transportation cost and ease traffic congestion in the towns of Jaigaon and Phuntsholing. The Matanga industrial estate in Samdrup Jongkhar is to be directly connected to Bokajuli in Assam without having to pass through the



Samdrup Jongkhar town. This route will also serve as an alternative transit point between India and Bhutan and

is expected to ease trade between the two countries.

The Economic Affairs Secretary of Bhutan, Dasho Sonam Tshering said that the project was delayed because the road passed through forests and private land in India and clearing the land took a lot of time. Another issue discussed in the meeting was the transportation of minerals. The Indian delegation also asked the Bhutanese authorities to review the ban on the import of vehicles, alcohol and furniture. **S**

NEPAL | Kathmandu

# A new beginning

The second Constituent Assembly (CA) of Nepal held its first meeting at the International Convention Centre (ICC) in New Baneshwor. The acting Chairman of the CA, Surya Bahadur Thapa – who is also the seniormost member of the assembly – chaired

the meeting. The CA members elected through direct and proportional electoral systems participated in the meeting and were sworn in by Thapa.

The meeting was held after two months of protraction following the November 19 elections. Inaugurating



the meeting, Thapa expressed his confidence in the second CA and hoped that it would complete the task of writing a constitution for the country. **S**

NEPAL | Kathmandu

# Setting priorities right

In its World Report 2014, the Human Rights Watch urged the newly-elected Constituent Assembly of Nepal to take immediate steps to implement the 2006 peace agreement and provide justice to the victims of serious human rights violations that occurred during the civil war. "The three-year political deadlock before the November 2013 elections for a new Constituent Assembly has stalled efforts to enact legislation or policies to ensure protection of rights, including reforms in flawed citizenship laws, that have left 2.1 million people effectively stateless," the report states.

"Ensuring justice for conflict-related abuses should be a top priority for the new Nepali government," said Brad Adams, Asia Director of the Human Rights Watch.

The report also mentioned the rape of a female migrant worker returning from Saudi Arabia in December 2012 by an airport police constable that sparked widespread protests. Women's groups sought a review of Nepal's migration



policies, including revocation of an August 2012 decree banning women under 30 from travelling to the Gulf countries for work. The ban was imposed to protect Nepali domestic workers from physical or sexual abuse, but rights groups fear that it will push women

to migrate through informal channels and increase the risk of abuse. **S**

# Justice Trashed

**General Musharraf's treason trial is a bogey to divert attention from the government's incapacity to address the multifarious real issues afflicting Pakistan.**

By Humayun Gauhar

**C**ut to the chase to cut the crap. One is all for accountability for alleged crimes and misdeeds, but only under due process by unbiased judges and where the alleged crime is taken in its entirety and without selectivity. Else natural justice is trashed and the exercise becomes a witch-hunt. That is obviously so in the treason trial against General Pervez Musharraf.

If, by the time you read this, Musharraf is out of the country on medical grounds, the government and judiciary will be off this hook. If the 'Special Court' supposedly 'trying' him for 'treason' has rejected his medical report and insists on his production so that he can be indicted and the 'trial' can proceed, the witch-hunt will go on. Chances then are that Musharraf may refuse to appear before it because he doesn't recognize the legality of this kangaroo court and his lawyers may boycott the proceedings. Pakistan will be at a flashpoint.

The way some lawyers, analysts and anchors are twisting Musharraf's second medical report reeks not only of bias

but trial by media. The report says that he needs an angiography urgently to determine the extent of his arterial blockages and their exact locations so that a bypass operation can take place. Like scoundrels, his detractors take refuge in sham patriotism and ask: why doesn't Musharraf trust Pakistani doctors?

I'll tell you why. The rhythm of Musharraf's heart is erratic or vasospastic, meaning spasms in the vessels of the heart. He has unstable angina that can occur at rest or during physical, mental or emotional stress. His heartbeat can become very erratic, slow or go very high. Angiography

causes stress to the heart. When the heart beats faster it demands more blood faster. When blood rushes faster and bangs against blocked or virtually blocked pipes it causes eddies that form clots within minutes that can cause a cardiac arrest. A bypass operation has to be done then and there. Death can occur instantaneously. The last thing the doctors want is such an event happening to such a high profile person on their table, for they may not be able to cope with it and don't want to risk it. Neither do Musharraf and his family and anyone with any sense. It is the right of every patient to get treatment where he wants and by whom. If, God forbid, something goes wrong during the angiography, do the Pakistani doctors, government, courts and prosecutors want to take the blame for it and go down in history as idiots?

Musharraf's problem is genetic: his father died of it. If getting treatment in Pakistan when you can certainly get it abroad is a sign of patriotism, then why did Nawaz Sharif get heart operations in London and Asif Zardari in the US, including getting himself declared mad by foreign doctors more than



*Asif Zardari, Nawaz Sharif - patriotic Pakistanis who underwent heart operations abroad.*

once? By this logic, the conclusion has to be that Sharif and Zardari are not patriotic, along with many other politicians who opted for treatment abroad. A minister of Nawaz Sharif's cabinet says that people under trial shouldn't be allowed to go abroad for treatment. That then rules out the Sharifs, Zardari and many others from overseas treatment in future as they have so many cases pending against them and are essentially under trial, constitutional immunity be damned. Sure Musharraf is a soldier sworn to give his life for his country, but is wasting one's life at the altar of stupidity patriotic?

The fear that he will not return is unfounded in history. He will once he is well as he did last year knowing the trials and tribulation, persecution, harassment and torment he would have to face. Musharraf is the only one amongst our so-called leaders who had the guts to voluntarily return to his country to face his enemies. He will again. He did it to prove that he is not guilty of any of the things he is accused of. Why would he take refuge abroad until his point is proved? The question is: will his tormentors and persecutors outlast his treatment?

The treason case reeks of bias because it is based on multiple-selectivity.

1. Musharraf is being tried only under Article 6-a of the Constitution while Articles 6-b and -c are being ignored.

2. With Article 6-b not being applied, aiders and abettors are being ignored, which cannot be done.

3. He is being tried retroactively under a new law that did not exist when he imposed emergency on November 3, 2007, which is a violation of natural law. The words 'abrogation' and 'martial law' are being bandied about with great abandon while Musharraf never imposed martial law nor abrogated the Constitution. He only put it in abeyance for a while. The word 'abeyance' was added later to Article 6 under the 18th Amendment with obvious malice aforethought but it cannot be applied retroactively.

4. The army's coup of October 12, 1999 that gave birth to the November 3, 2007 emergency is being ignored while the latter alleged crime has been singled out. That is separating effect from cause: if October 12, 1999 had not been legitimized by the Supreme Court (also comprising

Iftikhar Chaudhry) and indemnified by parliament, November 3, 2007 would not have happened. That legitimization and indemnity have been set aside by the 18th Amendment too, so how can they ignore October 12, 1999? To protect some 'holy cows'?

5. The 'Special Court' leaves one askance because of the suspected bias of the judges against Pervez Musharraf. It was established in violation of the Constitution because the Chief Justice of the Supreme Court cannot be asked to give a short list of judges for the government to choose from.

The treason case is bogus too because it stands on the wobbly pillars of two highly suspect judgments or orders of the Supreme Court:

The November 3, 2007 'order' of a purported seven-member Supreme Court bench headed by former Chief Justice Iftikhar Chaudhry declaring that the imposition of emergency a few hours earlier was illegal. Justice Yasmin Abbasey, wrongly removed by Iftikhar Chaudhry and his restored fellow judges, says that the order is a fake and a forgery and she has filed a reference with the President against it. When she asked the registrar of the Sindh High Court for a copy of the purported order, he replied in writing the next day as he had been instructed to inform her that such an order does not exist with the court. The Chief Justice conveniently forgot that he too had taken oath under Musharraf's first PCO. How hypocritical can you get but if you are Iftikhar Chaudhry you can break all bounds of hypocrisy I suppose. The inescapable conclusion is that they found the first PCO legal because it saved their jobs and the second PCO illegal because they lost their jobs. They removed more judges of the superior judiciary for taking oath under PCO II than Musharraf had under the emergency. It was the day of the long knives, a day of judicial genocide.

The July 31, 2009 order of the Supreme Court also under Iftikhar Chaudhry (who else?) is illegal too because the Constitution does not give the Supreme Court jurisdiction to 'order' the federal government to start a treason trial against anyone. In so doing, the Supreme Court threw the Constitution out of the window because only the federal government in cabinet can decide to initiate a treason trial under Article 6. In more than implying that the General is guilty

of treason, the Supreme Court threw due process out of the window too because they trashed the presumption of innocence. Worse, it was another case of two judges on to which Iftikhar Chaudhry and his bench voluntarily added on the treason trial based on the November 3, 2007 emergency imposition.

This government's excuse that it had to initiate the trial because the Supreme Court had ordered it to do so is poppycock. The previous government felt no such compulsion because it had a better sense of self-survival. How can they obey an illegal order? Actually, the government is now trying to pass the buck to the court and the court is passing it back or trying to duck it.

In her reference, Justice Yasmin Abbasey says that her removal and that of over 100 other superior court judges by Iftikhar Chaudhry and 13 other judges of the Supreme Court for taking oath under Musharraf's second Provisional Constitutional Order (PCO) was wrong because due process was ignored and the judges were not afforded their fundamental right of being heard or of appeal or review that the Constitution guarantees. She says that at least two if not three of the seven judges were not present in Islamabad on November 3, 2007. The signature of one judge doesn't look as if it is his. The so-called bench didn't meet in the Supreme Court building either. Were the current Supreme Court to throw out this fake order and the July 31, 2009 order to initiate a treason trial against Musharraf, as it should, the bogus treason case will collapse and Nawaz Sharif would be off the hook. They will do him a favour.

And importantly, it is not treason to impose emergency; the Constitution allows it. It is not treason to sack judges under emergency. If it is, then physically attacking the Supreme Court building and forcing the Chief Justice out of office after purchasing some of his fellow judges is also high treason and Nawaz Sharif and his aiders and abettors should be tried for treason too.

Rescinding the fake November 3, 2007 order of the Supreme Court will have certain consequences, like the 2008 elections becoming questionable, but that can be handled under the 'past and closed transaction' principle, like many members of the ruling PML-N taking oath as ministers

from a supposedly illegal president. Is that treason? We cannot wind the hands of the clock back entirely and bring the State to a grinding halt, not that the ineptness of this and the past government haven't. The Supreme Court headed by Chief Justice Dogar will become legal and all the judges of the superior judiciary wrongly thrown out by the restored Chief Justice and other such judges will be reinstated. Those who have reached retirement age should be retired but their lapsed salaries given to them and their honour restored while the good amongst them should be retained.

It seems that the current Supreme Court is recognizing the invalidity of the judgment sacking these judges because two of the judges thus sacked are being considered for appointment to the Balochistan High Court.

The government should have itself set up the Special Court to hold the treason trial and not under advice from the then Chief Justice of the Supreme Court, but it did just that. The impartiality of the three judges on it is highly questionable, as is the manner in which one of them was made a High Court judge. It will also prevent the counter-coup by the army against Nawaz Sharif's coup against it on October 12, 1999 from coming into the equation thus saving Sharif, Iftikhar Chaudhry, many generals and politicians from being dragged through the courts. The country can then get on with saving itself.

Nawaz Sharif's government has painted itself into a corner and created a conundrum for the army. If the Supreme Court overturns these two wrong orders or judgments, the paint around Nawaz Sharif will recede and he can continue trying to negotiate with Pakistan's enemies and the army

can try and limit the damage as much as it can.

General Pervez Musharraf and his treason trial is a bogey to divert attention from the government's incapacity to address the multifarious real issues afflicting Pakistan: a declining economy, rampant terrorism, revenge, and further degradation of the army to prevent future intervention caused by government failures and

stupidities that endanger the State. Such shenanigans work only for a while. When the dust settles on the trial, the government's and the system's failures will come into sharp focus again. Next will come the eruption spewing rivers of humanity on fire. Wait for March and Tahir ul Qadri. **S**

*The writer is an editor, publisher, analyst and author.*



# ‘Our government was the most democratic.’

General (R) Pervez Musharraf speaks to SouthAsia.

(This interview was conducted before hospitalization of General Musharraf).

**How do you justify your November 3, 2007 action?**

Whatever I did was for the betterment of my country. I took steps that I thought would benefit the country. As for the constitution and the rule of law, both should be upheld – no two opinions about it. But if

faced with a situation where I have to choose between saving the country and saving the constitution, I will save the country. I will do this a hundred times over. This is what my military training has inculcated in me. My institution has taught me to fight and fight I will. I am not afraid of anyone.

Both on October 12 and November 3, I was faced with a dilemma. I had limited options and had to make crucial decisions about

the direction the country would take. It was the future of Pakistan that hung in the balance. I could have simply left like others did. But I did not. I felt responsible for my country and did what I thought was the right thing to do.

**You have faced many cases and have been granted bail in all of them. But this latest case of high treason has taken a turn for the worse. Are you prepared to face it?**

I am convinced about one thing. I have done no wrong. Even if I have made errors of judgment, those were just that: errors. It was not my intent to harm my country, my people and the institution I belonged to. Whatever I did, it was with the best of intentions. So I will face the situation. In the ultimate analysis I believe that right should triumph and I have an inner conviction that I was right.

**How do you feel about the fact that those who supported General Ziaul Haq and his rule and who are often termed as Gen. Zia’s remnants want to prosecute you for violation of the constitution?**

What can I say about this volte-face in some of our politicians’ thinking? It just surprises me. It only shows their real character. It exposes them.



**Many people warned you against returning to Pakistan. There are reports that even the army leadership tried to talk you out of it. But you returned anyway. Why?**

When I took over in October 1999, the country was going through a bad phase. Our economic performance was dismal. We were technically a defaulted state and were at the verge of being declared a failed state. You can verify this by looking at the economic indicators of that time. During the nine years of our governance, the economy flourished and the country prospered. These are not mere hollow-sounding claims. These are verifiable facts. Where is the economy now? Isn't it near collapse? When we were running the country, I realized the potential we have, the natural resources we have been blessed with. If there is an able leadership at the helm, it can turn the country around without any monetary assistance from the outside world. But see where we are today.

It was the country's condition that forced me to leave my comfortable life abroad and come to Pakistan. I voluntarily came to serve Pakistan. It's true that people tried to convince me not to return but how could I leave my country in the lurch? People told me I would put my life in danger if I returned to Pakistan. But I did return because I firmly believed that my country needed me. It has given me everything.

**Your circle of friends, both local and international, is quite wide. You have strong ties with some of the most influential people in the world - people who matter in international politics. Do you think they will help you get out of this situation?**

It is true that I have many an important people among my friends. As a former President of Pakistan, I was held in esteem and always given so much respect and protocol wherever I went in the world. My well-wishers must be concerned about me. But when I was returning to Pakistan, I did not ask anyone to look out for me. If they do anything, it is out of their own concern for my safety and well-being, not because I asked them to do it.

**Do you regret your decision to give a free hand to the media that has now**

**turned against you?**

I do not regret my decision but I am disappointed with the role the media has been playing - but that happens in most developing countries. Let me tell you, it was my personal decision to give freedom to the media. A free and fair media was my dream because I believed that a country could not progress in the absence of an independent media. I considered it necessary for the country's growth.

Now it greatly pains me to see the media making issues out of non-issues. They seem to be ignoring the core issues of governance and are getting bogged down in abstract notions of democracy and dictatorship. The people of Pakistan want good governance which looks after their welfare and development of the country. The media ought to focus on the welfare of the people - poverty alleviation, job creation, education and health. It should also openly debate the development of the country - its economy, agriculture, water management, energy, industry, IT, and telecom, etc. Based on such data, which is easily available, a comparison of performance of various leaders and governments should be done.

Even if the media wants to discuss democracy and dictatorship, then our government (2002-2007), a duly elected government, was as democratic as many a government in the world. We were democratic in the true sense. Democracy is all about empowering the people and we delegated power to the people by introducing local government. We gave freedom to the media. Doesn't that count as empowering the people?

**What will be the impact of the treason case on the army? Will it demoralize the armed forces?**

If justice is not done to a former army chief, it can affect the army's morale. If the case has merit, the army probably wouldn't be affected by its outcome. As far as I am concerned, the cases against me reek of personal vendetta. I am facing cases for incidents that happened years ago. Take the example of the Lal Masjid case. The incident took place in 2007 while a case was filed against me in

2013, after about six years.

The Peshawar High Court disqualified me from contesting elections for life. My election papers were rejected in all the four constituencies I was contesting from because the tribunal did not consider me 'Sadiq' and 'Ameen'. Can the same tribunal guarantee that all the legislators sitting in the assemblies are 'Sadiq' and 'Ameen'?

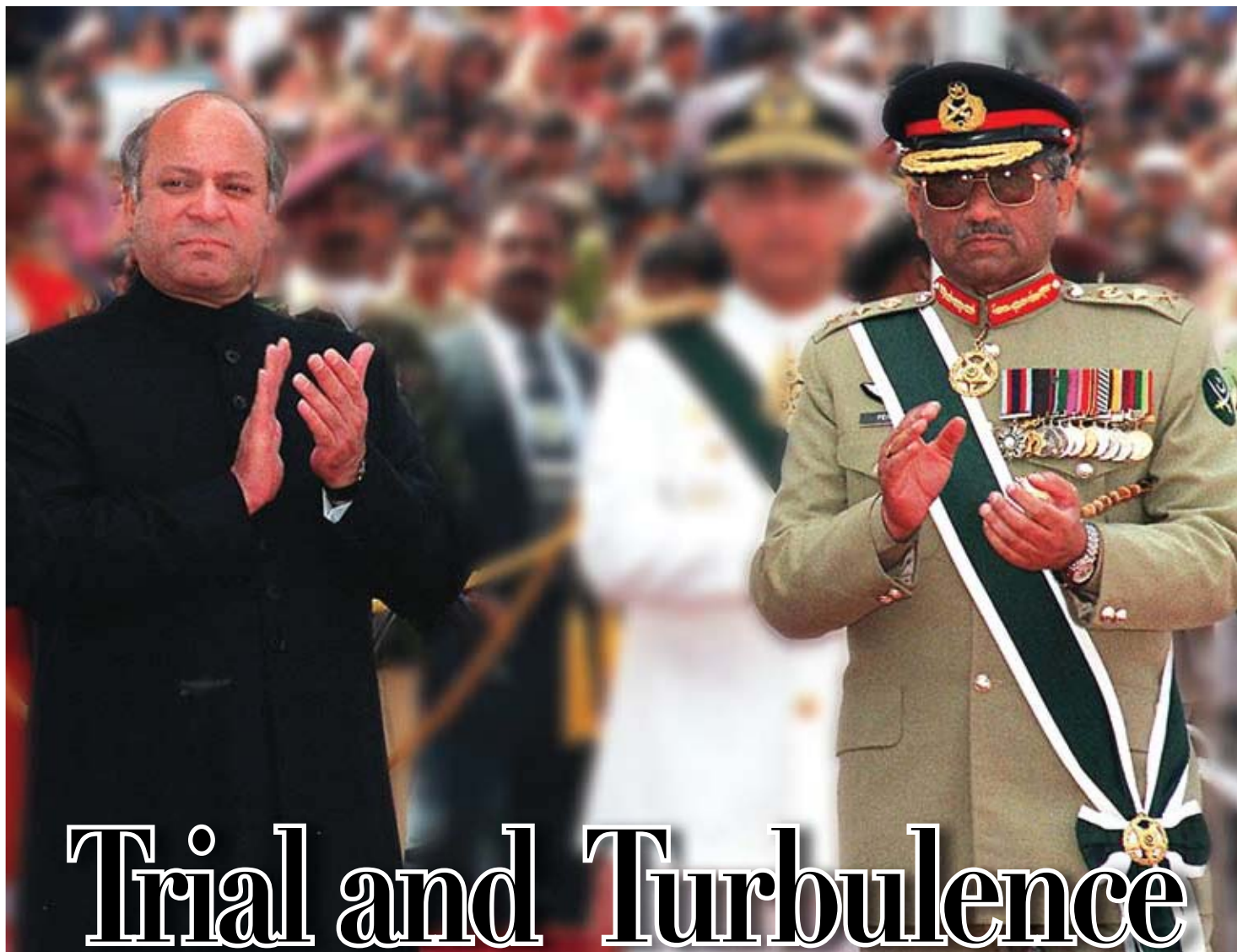
**You have been accused of surrendering to the U.S. after one phone call from Colin Powell. How true is that?**

This is a totally fabricated account. What actually happened was that I received a call from the then Secretary of State Colin Powell while I was in Karachi. He briefed me about the terrorist attack on the World Trade Centre and asked if Pakistan would be on the side of countries fighting terrorism. My answer was in the positive because I always believed that we must fight terrorism. I went to Islamabad two days later where the U.S. ambassador to Pakistan met me and gave me a seven-point agenda. Let me make it clear that we hadn't given any answer to the U.S. by that time. We got back to them some three days later after going through the agenda. We agreed on some conditions and rejected others.

What we need to understand is the fact that it was not a U.S. war. The attack on Afghanistan was launched only when the UN Security Council, after endorsement of all the countries of the world, sanctioned it. Going against it meant going against the entire world. All the countries that share friendly ties with us, China and the Gulf States, for example, had unanimously adopted the UNSC resolution. Our government did what was in the best interest of the country and was supported by a vast majority of stakeholders interested in the uplift of the country.

**It is also said that you gave permission for drone strikes.**

To say that I gave permission for drone attacks is rubbish. It is entirely false. The fact is, during our time, hardly seven or eight drone attacks were conducted. Even then I protested against them. My protest was so strong that many people advised me to tone it down. **S**



# Trial and Turbulence

**If the current crisis vis-à-vis Gen. Musharraf's trial continues, the pressure could force the army chief to act.**

By Shahzad Chaudhry

**T**he high treason case against General Musharraf has placed the pillars of the state and society in an anticipated quandary. The fault lines are deep and have further accentuated the inherent dichotomies.

The judiciary has been pushed

to an inevitable position of being both the judge as well as a party to the case. Consider how Chaudhry Iftikhar, the unrestrained former Chief Justice of the Supreme Court, became politicized after Musharraf's ill-advised move of November 03, 2007 to impose emergency on the pretext

of conditions that were not as worse as they were made to look only to justify the new order.

As he concentrated all the powers in his person, Gen. Musharraf asked the judges of the higher judiciary to reaffirm their oath under the revised order. Having already done so twice

in the past – in various formulations – to consolidate Musharraf's rule, some judges, including the CJ, refused to give cause to Musharraf to arbitrarily remove the chief justice along with the other erring judges.

Although Chaudhry regained his position in March 2009 as a result of a long agitation launched by some heavily politicized lawyers and political parties against Musharraf, he did not forget the treatment meted out to him and returned the favor when the opportunity arose.

He may have been seen as simply pursuing cases petitioned by others against Musharraf, but the irony of it all failed to escape notice in this fascinating see-saw of power between the two.

Chaudhry Iftikhar was not as holy a judge as he seemed to have become mainly due to his symbolic refusal to bow before a military ruler. He had already compromised his integrity in 1999 by sanctifying Musharraf's takeover.

Neither was without blame. Musharraf hoped to extend his stay in the Presidency through another court adjudication, but sensed a reluctance in the Supreme Court to play ball. He thus felt forced – for motives that were entirely selfish – to seek other avenues to achieve his objectives and resorted to the imposition of emergency.

The CJ paved the way for Musharraf by his overzealous interventions in the executive's domain, especially by suspending the planned privatization of the Pakistan Steel Mills. But when Musharraf moved a reference against the CJ in the Supreme Judicial Council, the brother judges of Chaudhry Iftikhar declared it null and void.

Enter the complicated games of politics. Mian Nawaz Sharif, then the leading opposition figure in the country to the Zardari government, and a coterie of well-known lawyers since elevated to the position of saviors of Chaudhry Iftikhar, started a movement to pressurize the government of the day to reinstate the suspended judiciary.

The demand was conceded, making Chaudhry Iftikhar eternally indebted to Nawaz Sharif. It was another suitable accompaniment

that a close relative of the CJ was reportedly a key member of Nawaz's party and was the law minister in Shahbaz Sharif's government in the Punjab.

To say that Nawaz had an earlier axe to grind with Musharraf would be an understatement. Musharraf had removed Nawaz from power in 1999. They were thus already locked in a deadly embrace. Chaudhry Iftikhar's entry converted this into a triangular relationship where Musharraf was the common target of the other two.

With Nawaz Sharif in power after the May 2013 elections, it was only a matter of time before he moved against Musharraf.

Sharif made his move but by initiating a case against Musharraf under Article 6 of the Constitution and also placed the Chief of the Army Staff, General Raheel Shareef in an unenviable difficulty.

Gen. Shareef's men expect him to ensure the dignity of their institution, the army, against malignant accusations that are sure to emerge when their former chief is dragged through various courts. Raheel Shareef, on the other hand, is known as a mild man not given to assert his proverbial strength as the army chief.

In Pakistan the army has always retained a strong, perpetual influence and has ruled the country for half of its existence as an independent nation. A process of gradual regress was started by Gen. Kayani but it can fall victim to the brewing internal discomfort within the army as the media and the civil society debates the army's rather assumptive interventions in the affairs of the state.

With the increase in Musharraf's tribulations while he remains an absconder from the court meant to try him – either because of the sickness that came his way at the moment of trial or due to security concerns that appear to be contrived events to prove the dangers that lurk around his public presence – the speculation industry will only gain further impetus.

The army and its new chief would rather move the spotlight away as the institution fights a complex and deadly war against insurgency. For the new chief, his honeymoon has been rather short.

The senior military leadership is nuanced enough to understand the evolving democratic structures and its affiliated accompaniments – a free media and a vocal civil society. But it is not loath to voice the prevailing sentiments among its subordinates to the senior-most leadership.

The junior officers are more likely to see things in black and white. To their sensibilities, speculative aspersions on the integrity, honor and dignity of their institution is akin to personal indignity and dishonor.

The politicians, civil society and the media have been rather callous to this sensitivity in the army. The prevailing sentiment in the army is that with democracy has begun an effort to malign the army.

The trend that has persisted in the media, and is likely to prevail with Musharraf on trial, is to discuss issues related to civilian supremacy, civil-military balance and the role of the military as the country passes through one of its most turbulent periods since its inception.

Does it have the potential of a backlash where the military might once again upset the democratic order? Unlikely. What necessitates a military takeover in essence is massive dissatisfaction with an existing order. A normative solution would perhaps be a referral back to the electorate by the sitting government if it indeed determines that as a dominant sentiment. It has happened in Thailand in the recent past.

But, given the lack of sufficient fidelity in our existing political sentiment, democratic governments continue to hold onto power howsoever unpopular they might be.

If such a situation was to be supported by a bottom-up disaffection with a political system within the army, the pressure could be such that the army chief would be pushed to act. If such disaffection takes root, it will come with many indicators.

If politics underperforms, all bets are off. If Pakistan underperforms, our state will be at risk regardless of the type of dispensation. ■

*The writer is a retired air vice marshal of the Pakistan Air Force and served as its deputy chief of staff.*

From whichever angle you look at it, the ineluctable conclusion is that former president Gen. Pervez Musharraf is up to his neck in a soup into which he took a willful plunge. And the soup is hot.

Whoever it was that injected into his mind the fantastic idea that he could be a political leader was certainly not his best friend. But why he, a man of mature intelligence, fell for it is a question that boggles the mind. He launched yet another Muslim League under the title of All Pakistan Muslim League and became its president. No doubt he had some followers among the recipients of his largesse when he was in power. But he must have been aware that he had no mass following. Nor did anyone in his party seem to have a sizable vote bank, while his enemies were lined up in full public view, baying for his blood...

Yet, he returned from self-exile to launch his election campaign to contest the 2013 polls, just as Benazir Bhutto had returned triumphantly to take part in the 2008 elections. Both waived aside counsels against the reckless step. And, as Benazir's enemies stalked her to her death, so have Musharraf's enemies been pursuing him.

They wanted him for the killing of Nawab Akbar Bugti, Abdul Rashid Ghazi of the Lal Masjid and for Benazir Bhutto's assassination. Add to that the personal grudge Prime Minister Nawaz Sharif has been nursing against Pervez Musharraf for more than thirteen years and the anger of the judiciary for the way he had humiliated the Supreme Court judges, including the chief justice.

Musharraf had the first full taste of disillusionment when the presiding officers rejected his nomination papers from all the four constituencies he had sought to contest, while the Peshawar High Court also declared him ineligible for contesting election for life. For Musharraf personally, the door for political debut was closed.

The Pandora's Box opened next and out popped the ghosts of Bugti, Ghazi and Benazir. In addition, he was charged under the anti-terrorism law for detaining the Supreme Court judges on the complaint not of any of the aggrieved judges but of a third party, one Aslam Ghumman. The case fizzled out because Ghumman



# The General's Misfortunes

**Will Pakistan make history by putting an ex-army chief on trial for high treason?**

By S.G. Jilanee

withdrew his complaint and the investigation found no evidence to substantiate the charges against Musharraf. The murder cases are pending but almost in all cases he has been granted bail.

Meanwhile, the PML-N government gave a new twist to Musharraf's misfortunes by filing a case against

him for "high treason" under Article 6 of the Constitution. According to the said article, "Any person who abrogates or subverts or suspends or holds in abeyance, or attempts or conspires to abrogate or subvert or suspend or hold in abeyance, the Constitution by use of force or show of force or by any other unconstitutional



means shall be guilty of high treason.” The petition claims that by declaring emergency on November 3, 2007, Musharraf committed all the five offences at once.

The trial has loopholes aplenty. Even the credibility of the judges trying him is itself at stake because of the selective use of Article 6 against Musharraf only. No one else was named as co-accused, even though it is unthinkable that Musharraf would have acted alone in such a critical matter. Besides, Musharraf’s lawyers claim that one of the judges trying him was among those directly affected by Musharraf’s declaration of emergency. Moreover, Nawaz Sharif has also exposed himself to the allegation of vendetta by ignoring Musharraf’s 1999 coup when he had openly abrogated the Constitution.

However, so far Musharraf has not attended the hearing of the treason case on various grounds.

Various aspects of the trial are

being hotly debated because this is the first time ever that a military general is being subjected to prosecution in a civilian court in Pakistan and on the charge of high treason. How the army might react seeing its ex-chief under trial is still not known but may become clear as the trial proceeds. A few days ago, Musharraf claimed in a media interview that he enjoyed the full support of the army, to which there has been no reaction from any army source.

Interest in Musharraf’s treason trial is, however, confined to politicians, some lawyers, a few columnists and TV talk shows. Some extol his trial as a milestone in Pakistan’s journey on the road to democracy. Others censure it as a crude attempt by the government to distract public attention from other more pressing problems. The public remains disinterested, particularly, because the memory of economic stability, growth and well-being under Musharraf’s rule is still fresh. Many

commentators also recall that it was he who gave the media the kind of freedom it had never enjoyed before.

Meanwhile, the visit of Saudi foreign minister to Islamabad set the rumor mill in full motion about the likelihood of Saudi Arabia interceding on Musharraf’s behalf with Islamabad. Even though the Saudi prince dismissed the suggestion that his visit was linked with Musharraf’s case, it did not gel, because, there was no other plausible reason for the event.

On the contrary, it would be in the fitness of things if Riyadh were to come to Musharraf’s assistance. When Nawaz Sharif was under a similar predicament, Riyadh came to his rescue and took him with his entire family to Saudi Arabia. So, it would be logical for it to play a similar role in Musharraf’s case. ■

*The writer is a senior political analyst and former editor of SouthAsia Magazine.*

# Missed Opportunities

**Pakistan has been left far behind in the 'Next 11' Goldman Sachs' list of emerging markets. Is there a way back?**

By Sayem Ali

**O**n many counts, the Musharraf era was a blessing for the economy. After the lost decade of PPP and PML-N governments in the 1990s – characterized by low growth and high inflation – the economy witnessed a strong turnaround under Musharraf. Real GDP posted a strong growth of over 6.7 percent between 2003-2008 on a record-high foreign direct investment and private-sector investment spending. This was a remarkable achievement considering that in the previous ten years the economy had grown at only 4 percent whereas unemployment and poverty had increased.

When Musharraf ruled the country, the economy reached escape velocity and Pakistan was included in the Goldman Sachs' 'Next 11' list of emerging markets. Unemployment saw a decline as a growing economy created the demand for more jobs. The unemployment ratio declined from over 8 percent in the 1990s to 5 percent by 2008.

The decline in unemployment rate translated into a decrease in poverty as millions of households benefitted from a period of high growth and low inflation. According to the World Bank, the poverty headcount ratio – calculated at \$1.25 a day on Purchasing Power Parity (PPP) – declined from 29.1 percent (% of total population) in 1999 to 20.1 percent by the end of 2008.

All of this was achieved without the government running sky-high deficits. The reckless spending by the PPP and the PML-N governments in the 1990s had increased government debt to 88 percent of GDP by 2001. Prudent fiscal management and the low cost of borrowing helped contain fiscal deficits. On the other hand, successful privatization of state-owned enterprises (SOEs), including banks, oil and gas companies and

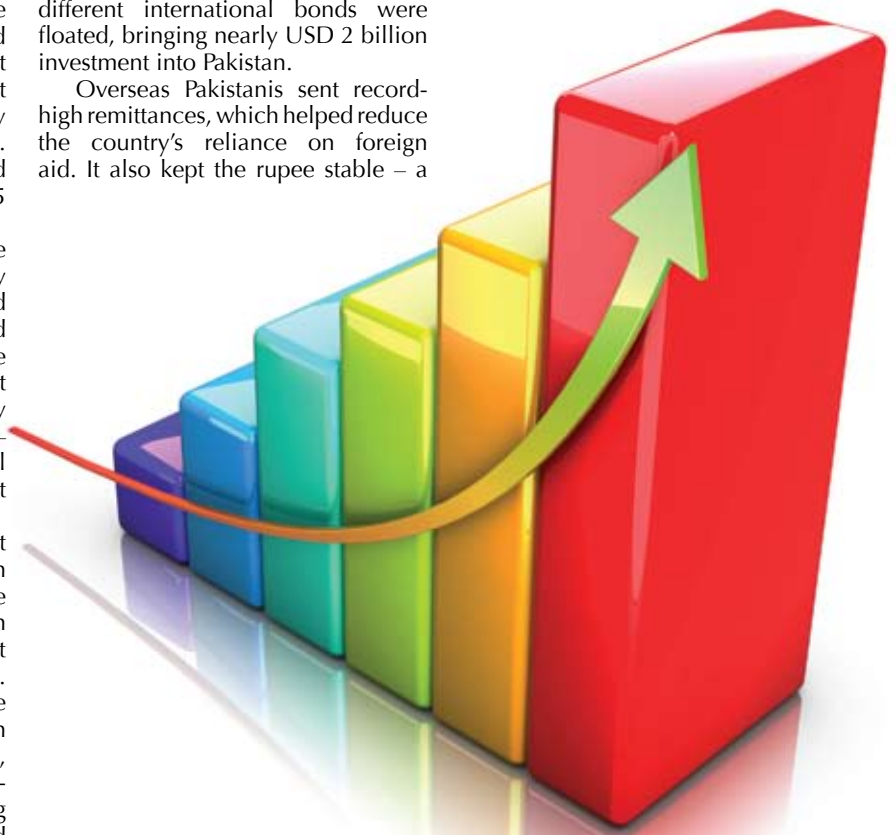
the telecom giant PTCL, also helped retire government debt. Public debt reduced to 52 percent by 2008, down from nearly 88 percent in 2001.

A strong economy, improved fundamentals and the deregulation of key sectors of the economy attracted record foreign direct investment in Pakistan that crossed over USD 5.8 billion in FY08 as new investment flowed into the banking, telecom and oil and gas sectors. This remains a landmark achievement if compared to FY13 when the FDI inflows were only USD 1.2 billion. Pakistan also re-entered the international credit markets under Gen. Musharraf after nearly a decade of isolation. Three different international bonds were floated, bringing nearly USD 2 billion investment into Pakistan.

Overseas Pakistanis sent record-high remittances, which helped reduce the country's reliance on foreign aid. It also kept the rupee stable – a

key source of inflation in Pakistan. Remittances grew to over USD 6.5 billion by FY08, from less than USD 1 billion in FY00 and became a major contributor to household consumption and savings, driving growth in the economy and reducing poverty.

Another key success of the economic policy adopted by the Musharraf government was the introduction of local governments. While local governments were used to serve political goals, the devolution of power to the district level improved service delivery to citizens. There was a marked improvement in education,



health, water sectors and in sanitation under the district governments. The impact was most visible in major urban centers, including Karachi and Lahore. These cities became centers of growth with new investments in roads, transport and water and sanitation services.

But it all started to go wrong by the end of 2007 when the economy began to stumble from one crisis to another. Political instability, the rise in terrorism and the global financial crisis further contributed to worsen the situation. A highly corrupt and incompetent political leadership did not help matters either.

However, the foundations of the economy were always hollow. The wonder years of Musharraf were built on weak foundations as neither tax reforms were implemented nor any adequate planning was put in place to deal with the energy crisis.

The Musharraf government enjoyed a complete hold on power and was in a strong position to initiate the much-needed tax reforms to increase government revenues and reduce the country's reliance on aid. However, no such step was taken. Perhaps a victim of its own success, the government never seriously went

ahead to broaden the tax base and reduce the exemptions enjoyed by powerful business lobbies. Instead, these powerful lobbies became key political allies of the government and continued to receive state patronage through SROs and other tax exemptions.

As a result, the fiscal position of the government remains weak even today. High fiscal deficits since 2007 have fuelled record inflation and crowded out private-sector investment spending, leading to weaker growth and rising unemployment.

Perhaps the single biggest issue that is a glaring Musharraf legacy is the crippling energy crisis. Despite repeated warnings and the growing demand for energy, the government never focused on improving Pakistan's energy security. No power policy was drafted till 2007, when the energy shortage had already reached a crisis level. No incentives were provided to oil and gas companies to develop indigenous energy reserves. No new power projects were initiated and large hydel projects such as the Bhasha Dam and the Kalabagh Dam remained pipedreams.

The energy mix continued to worsen and Pakistan's dependence on

oil imports increased. This was a recipe for disaster. When international oil prices rose in 2008, the economy came crashing down. The cost of producing electricity skyrocketed, leading to widening fiscal and trade deficits. The reserves of the State Bank of Pakistan depleted while the rupee depreciated over 70 percent starting 2008.

The energy crisis has worsened with the power shortfall touching over 6,000 MWs during the peak summer months. Similarly, the supply of natural gas – the main fuel feedstock for the energy sector – has also started to decline. Today, the gas shortfall is at over 1.6bcfd (nearly one-third of the total demand). The energy crisis is costing the economy over \$5 billion (2.5 percent of GDP) annually.

The Musharraf government's economic policies produced stunning results with high growth, more jobs, rising incomes and declining poverty levels. But their biggest failure perhaps was their inability to strengthen the foundations of the economy so that it wouldn't become vulnerable to external and domestic shocks. **S**

*The writer is an international economic policy expert and a former World Bank staff member.*



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Despite being a critically important country in many ways, Pakistan does not have a foreign minister. Why is it so? Surely it is not for any lack of importance for foreign affairs in the present government's priorities. It is just the opposite. The fact that the prime minister has himself kept the foreign affairs portfolio shows that he attaches exceptional importance to it. But why he gives so much importance to foreign affairs has nothing to do with foreign policy.

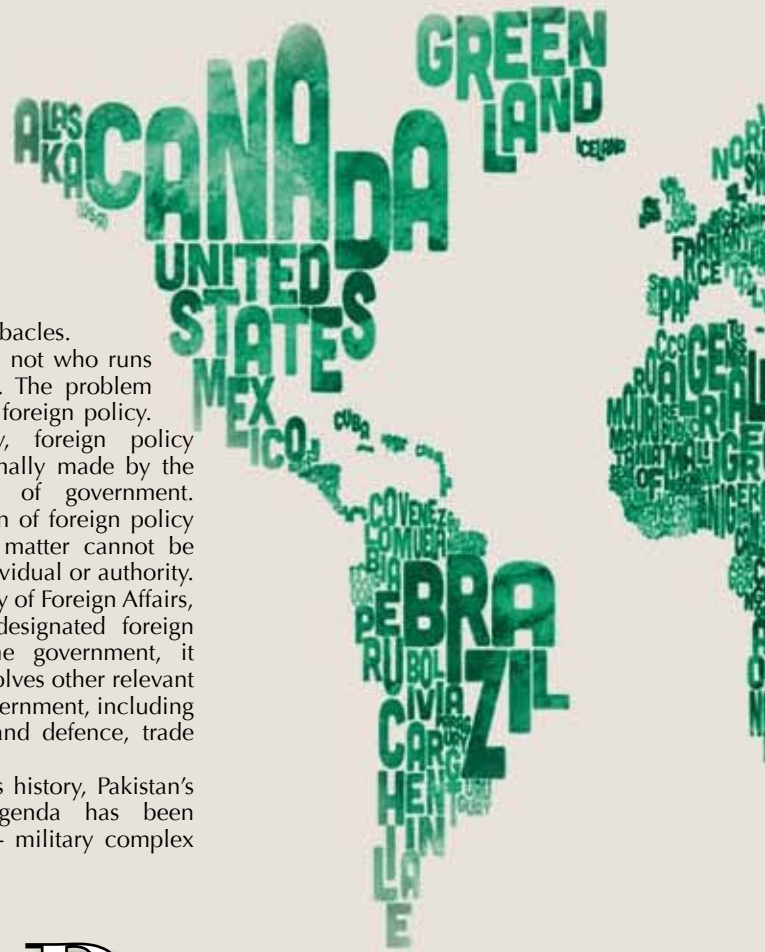
With the memory of the NRO still fresh in his mind, Nawaz Sharif could not be oblivious of the overbearing foreign role in our domestic politics. It is abundantly visible even in the Musharraf trial scenario. Every ruler in Pakistan today knows that to remain in power he must maintain close relations with the powers that be. This he can do only by remaining in charge of this portfolio. Nawaz Sharif must have learnt from Zardari's experience that smarter foreign ministers can sometime overshadow you.

Sharif perhaps has been cautious enough not to take the risk of having a foreign minister who in dealing with Washington and London and perhaps also Saudi Arabia might not be a trustworthy interlocutor on matters of personal importance to him. Even otherwise, he is traditionally known to prefer lesser beings as incumbents of important offices in his government, including the presidency. But the foreign policy syndrome is not confined to Nawaz Sharif alone. It has afflicted every successive ruler in the past. We have a history of personally-driven foreign policy decisions with some leading

the country into debacles.

The problem is not who runs our foreign policy. The problem is who makes our foreign policy. In every country, foreign policy decisions are normally made by the executive branch of government. But the formulation of foreign policy being a complex matter cannot be left to any one individual or authority. Besides the Ministry of Foreign Affairs, as the officially designated foreign policy arm of the government, it invariably also involves other relevant agencies of the government, including national security and defence, trade and economy, etc.

For much of its history, Pakistan's foreign policy agenda has been shaped by a 'civil- military complex



# Who Runs our

**If there are instances of military dominance in foreign policy issues, it is mainly because our civilian setups are devoid of any strategic vision or talent in their political cadres.**

By Shamshad Ahmad

of power,' reflecting the preferences and interests of our ruling elite and special interest groups. The balance of power between the civil and military bureaucracy kept changing but it was 'they' who invariably controlled our policies on crucial relations with India, China, the U.S., the Gulf States and the nuclear issue. One must admit that in a perilously-located country as ours, the pivotal role of the so-called 'establishment' on vital security-related issues under the overall supervision of an elected government

is indispensable.

We, in Pakistan, often misunderstand the realities of foreign policy, and tend to overplay the role of the military or the so-called 'establishment' in its formulation and execution. The foreign policy of every country is inextricably linked to its national security, and is not complete without the involvement and input of its national security agencies. Given Pakistan's peculiar geo-political environment and its



# Politics of Polio

The polio vaccination drive should be reshaped in such a manner that it comes across less as a foreign effort and more a local one.

By Maria Kamal

In Pakistan, administering polio drops to children is perilous work. In the last few months, volunteers and workers of the UN-backed anti-polio drive have been targeted and killed in Peshawar and Karachi. In Waziristan, the Taliban have gone so far as to ban immunization altogether.

Pakistan is one of the three countries in the world that still have a polio problem. While neighboring India has been polio-free since 2011, Afghanistan, Nigeria and Pakistan have yet to defeat this infectious, potentially deadly disease.

The statistics are grim. According to the World Health Organization, 85 cases of polio were reported in Pakistan in 2013; a significant rise from the 58 that were recorded in 2012.

It doesn't help that defeating polio has become a deeply politicized issue in Pakistan. The seemingly innocuous anti-polio campaign met with a massive controversy when news broke that Dr. Shakil Afridi had run a fake vaccination program in Pakistan to help the CIA close in on Osama bin Laden. This revelation, combined with the persistence of the massively unpopular U.S.-led drone strikes on Pakistani territory, has led to a widespread distrust of polio vaccination efforts in the country.

Deeply conservative elements view immunization with suspicion, regarding it as a ploy to make the Pakistani population sterile. The result is that driven either by fear or distrust, parents in many parts of the country refuse to get their children vaccinated against polio.

Faced with intimidation from militants, health workers operating in various areas of the country have halted work until security is stepped up or the ban rescinded. The upshot is that thousands of Pakistani children

remain exposed to this disease that can cause lifelong paralysis.

It is estimated that above 163,000 children in the region, who are below five years of age, may be affected by the anti-polio ban. Additionally, the country's inability to curb polio could mean a rise in travel restrictions for its citizens. Already, India requires visa applicants from Pakistan to provide proof of polio vaccination. Other countries are expected to tighten policies in this regard as well.

Nonetheless, a combination of local politicians, clerics, social workers and celebrities has pushed for Pakistan's anti-polio campaign to continue undeterred. Imran Khan, whose party controls the provincial government in Khyber Pakhtunkhwa, has pledged support for the campaign. Lending religious authority to these efforts, prominent cleric Maulana Samiul Haq has issued a *fatwa* urging parents to immunize their children against polio. Government officials have also stated their commitment to defeating the disease.

These are important steps towards revitalizing the drive against polio but they are not enough.

Pakistan cannot afford to nurture polio. Its failure to eradicate the disease deals another blow to child health in the country and endangers the prospects of global eradication of polio – reinforcing Pakistan's status as something of an international pariah. Concerns have been raised about Pakistan exporting polio and setting back hard-won progress made by other countries.

To crush polio, Pakistan must first beat the propaganda surrounding polio vaccination. What it needs now is to reframe the polio debate, highlight medical truths and separate them from rampant misinformation. It must also address legitimate concerns about the

living conditions that cultivate polio and other diseases – such as poor sanitation, malnutrition and lack of health services in the poorest parts of the country.

The job will not be complete with the act of administering polio drops to every child in the country – although this will indisputably be an important milestone. Basic health services also need to be made available to them, both as a confidence-building measure and as a sensible way to sustain gains in the area of health.

Polio can only be defeated through a firm political will at the highest level and strong local cooperation. It is important to call on religious leaders with a huge following to rubbish the argument that seeking vaccination is an unnatural act of defiance and that polio is something good Muslims are destined to live with. Denying children vaccination cannot be passed off as an act of religion in a country where religion is taken quite seriously and informs many personal decisions.

A powerful public information campaign must focus instead on the terrible consequences of polio and the fact that the disease can and should be prevented. It should be designed to build acceptance of polio vaccination among local communities.

Additionally, the government must assert its writ and refuse to allow the anti-polio campaign to be hijacked by militants. This will mean tightening security provisions for health workers and making it possible for them to go about their work unharmed.

Being mindful of the negative perception of the U.S. and the UN in the remote parts of the country, concerted efforts should also be made to reshape the campaign against polio in such a manner that it is seen as less of a foreign effort and more of a local one. It is important to get local leaders

of every district to extend their support to the campaign against polio.

There is another facet of Pakistan's polio dilemma that underpins a larger, very disturbing, socio-political trend in the country – its fixation with bans. From Youtube to polio drops, anything that offends sensibilities is outlawed in Pakistan.

Prohibition is a quick solution to quell divergence or anything remotely problematic. However, the absurdity of this approach is all too apparent when the same formula that is applied to curtailing pornographic material is also applied to life-saving drops.

Pakistan's failure to find ways to cope with dissent and controversy have given birth to a culture of banning that begs a rethink. How long can exclusion and evasion be the knee-jerk response to a debate? Is it viable to allow critical matters of public health to be held captive to the politics of distrust and otherness?

This is the larger question that the government needs to address. When efforts to root out polio among our children can be subjected to bans, which critical aspect of healthcare or national welfare could be banned next?

The government can only establish its legitimacy by removing all needless bans that threaten the well-being of our people. **S**

*The writer is a researcher and teacher. She is a Dag Hammarskjold fellow and Fulbright alumna.*





# Saffron Success

**Narendra Modi continues his march towards the most coveted position in India amid allegations of abetting the 2002 Gujarat riots.**

By Javeria Shakil

**H**ow does a country treat a person under whose rule inter-communal violence of the worst kind took place – an allegedly state-sponsored pogrom that left hundreds dead, thousands injured, many missing, women raped in the most brutal manner and children – as young as a few months old – burnt and butchered? It was the sort of violence that destroyed entire communities for life. How does a nation treat such a person whose duty it is to provide security to his people and who wielded the power to stop the carnage but he did not?

While in most countries such a person would be punished for his crime of, if nothing else, neglect of official

duties, in India he was reelected to his post twice after the pogrom and now he could even become the country's prime minister – all in a matter of 12 years.

February 2014 marks the 12th anniversary of the Gujarat pogrom. What set the wheels of violence in motion was an attack on the Sabarmati Express allegedly by a group of Muslims. Although it is hard to get an authentic account of what really happened on that fateful day, some reports suggest that a group of Hindu pilgrims travelling on the train teased Muslim vendors at the station. This infuriated the Muslims who attacked the train and, according to some accounts, set it alight.

However, various commissions established to investigate the incident have concluded in their reports that the cause of the fire was an accident. At least two independent inquiries suggested that the fire broke out due to 'combustion stoves'. Even the railways ministry of the central government concluded that the fire was accidental. Fifty-eight people were killed in the Sabarmati Express incident.

The ultra-conservative party, Vishva Hindu Parishad (VHP) called for a state-wide strike in Gujarat following the train incident. It was endorsed by the higher cadres of the party as well as many other Hindu nationalist parties, state officials and local newspapers. While the vernacular press openly



their superiors.

One only needs to look up the Naroda Patiya massacre if any more proof is required. Termed as the largest single case of mass murder during the Gujarat riots, the massacre accounted for the deaths of 97 Muslims. Naroda Patiya was located right next to the State Reserve Police quarters. In his book *'Gujarat: The Making of A Tragedy'*, Siddharth Varadarajan writes: "Apart from some individuals who allowed a few people to take shelter, the SRP did nothing to help the Muslims. When some residents ran towards the police for protection, Inspector K. K. Mysorewala of the Nroda Patiya Police Station ordered his men to fire teargas at them... those who ran towards the police for help were told to turn back or they would be shot. On the other side of the road was the mob waiting to kill them."

What happened after that was stuff so grisly that it will shake even those who have nerves of steel. Among the 97 murdered were 36 women, 35 children and 26 men. People, including pregnant women, were hacked to death, women were mass-raped and then killed by burning or stabbing. Children were speared and held aloft by the hysterical mob to mark its 'victory'. Groups of people were chased into huge pits where they were burnt alive. It is said that for the first time in India's history, women also actively took part in the riots that lasted for 10 hours.

All this happened in Gujarat which, according to a research paper by Raheel Dhattiwala and Michael Biggs, did not "experience extreme Hindu-Muslim violence even during partition in 1947 but now holds the dubious distinction of being the Indian state with the highest per capita rate of deaths in Hindu-Muslim communal violence."

In the Gulberg Society massacre, around 65 people were killed. Seventy-six-year-old former Congress MP, Ehsan Jafri was among those who were burnt alive as his house was set on fire. Jafri fired a couple of rounds in self-defense when a mob entered the Gulberg Society and "started stoning and burning property and people," notes the FIR filed by Sub-inspector, K. G. Erda of the Meghani Nagar police station. Jafri had been on the phone for almost six hours, asking every important figure he knew for

help. The firing was reason enough for the mob to set four houses, including that of the ex-MP, on fire.

Narendra Modi, now the strongest contender for the post of prime minister and the then chief minister of Gujarat, is on record having said that the firing by Jafri played a great role "in inciting the mob." When asked what could have led the former MP to fire shots, Modi replied, "It was probably in his nature to do so."

In any civilized part of the world, such a callous statement by a state chief executive, who faced accusations of sponsoring the genocide of a community, would have resulted in his sacking as a minimum punishment. But not in Gujarat where he was rewarded, literally, and has been serving as the state's chief minister ever since.

Gujarat has seen tremendous progress, especially in the industrial sector, during Modi's 12-year rule. This is why he is supported by almost all the leading industrialists and businessmen in his quest for India's premiership. They equate his rise to power with growth in economic activity. But, at the same time, questions are asked about the security and fate of the minorities during his rule.

Although accusations of complicity have hounded him all these years, there was a sudden increase in their intensity after he announced his decision to run for the prime minister's slot. He has given many interviews expressing his grief over the Gujarat pogrom and has also written a blog post saying that he was 'shaken to the core'. The biggest boost to his efforts to rebuild his image was an Ahmedabad court ruling that cleared him of all charges of abetting the Gujarat killings.

The world community is gradually accepting the prospect of Modi becoming the next prime minister of India. He assures everyone that communal riots will not happen during his rule as there has been no incident of such violence in Gujarat since 2002. But he also takes immense pride in being a 'Hindu nationalist'. One has to wait for some time to see how the minorities will fare under a Hindu nationalist prime minister in secular India. ■

*The writer is assistant editor at SouthAsia. She focuses on issues of political and social interest.*

blamed Pakistan's ISI, and the local Muslim community for the incident, the clarion call was perhaps given by none other than the then chief minister, Narendra Modi himself who, instead of trying to pacify the agitated masses, declared that the attack was pre-planned and conducted by 'terrorists' – a euphemism commonly used by politicians of both India and Pakistan for miscreants from across the border.

This endorsement led to one of the most atrocious communal riots in the history of India. The dance of death continued for days while the law-enforcement agencies conveniently looked the other way – allegedly on the orders of their chief minister. Although Modi and his party has always denied any kind of involvement in the riots, the weekly magazine *Tehelka* recorded, in sting operations, statements of various politicians, businessmen and police officials, narrating with sickly relish how they murdered and raped Muslims – all with the blessings of

**I**t has been almost 25 years since the last soviet soldier left Afghanistan – the country that is known as the graveyard of empires. The occupation lasted for about nine years, leaving Afghanistan devastated and vulnerable to regional and international rivalries that continue even to this day. The country never fully recovered from that shock even despite a robust intervention of the international community that has pumped billions of dollars into the country's economy. But one should bear in mind that

rebuilding a country that has suffered a civil war for decades is not all about physical re-construction. It is the state institutions that must be built anew to enhance the local capacity to absorb and utilize international assistance.

The impact of Soviet occupation on Afghan society has been quite significant. Millions of Afghans migrated to neighboring Pakistan and Iran while some migrated to western countries. According to World Bank estimates, Afghanistan lost US\$240 billion in ruined infrastructure and

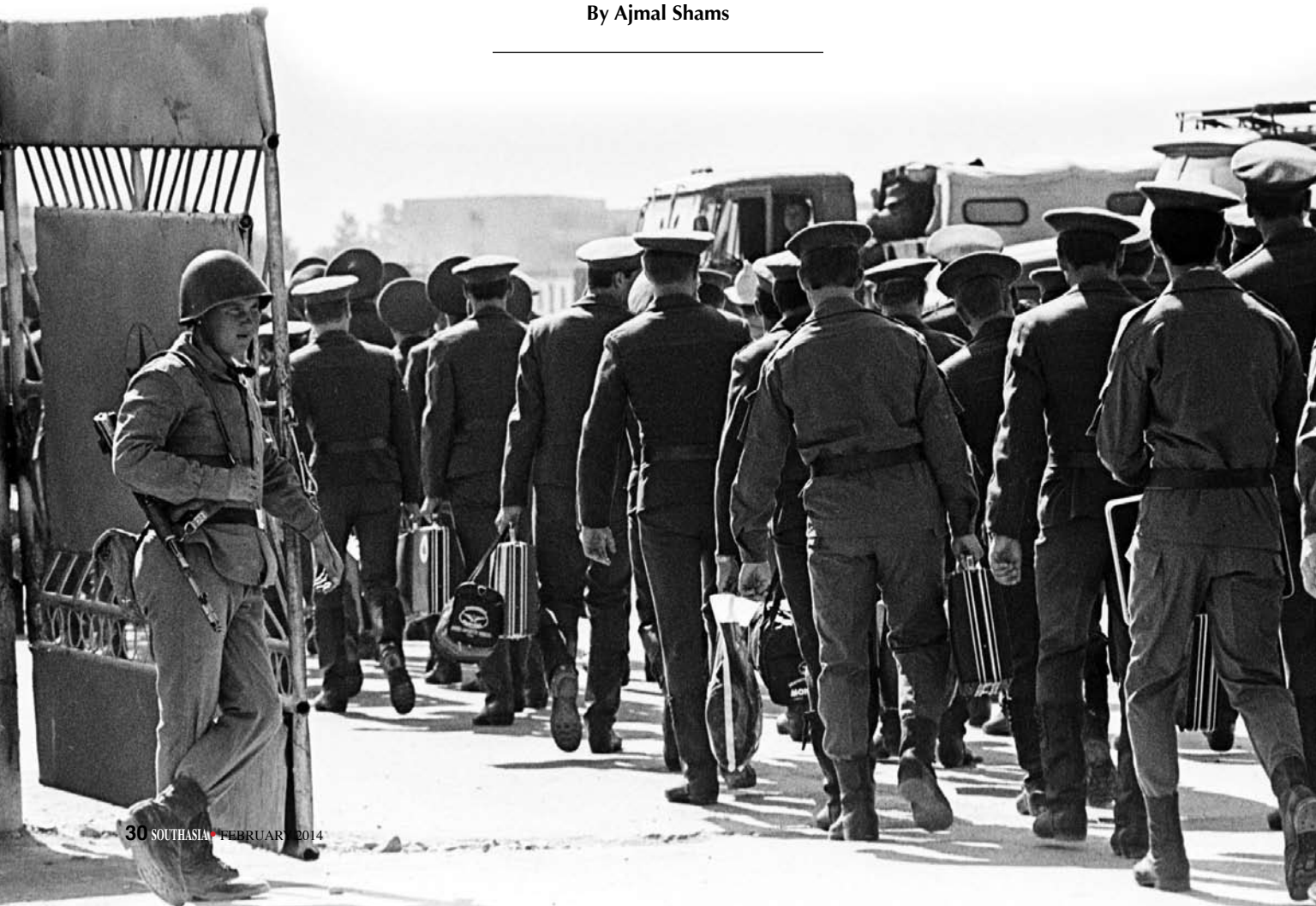
vanished opportunities between 1979 and 2001. One and a half million Afghans lost their lives, with hundreds of thousands becoming physically and mentally disabled. The social fabric of Afghan society was severely shattered. Continued war and civil strife also caused deep divisions among Afghans along ethnic and linguistic lines.

The 1979 occupation of Afghanistan by the former Soviet Union was a long-cherished dream of the latter as a part of its hegemonic

# Cost of War

**Twenty-five years after the end of the Soviet occupation, Afghanistan has become 'a strong nation but a weak state'.**

By Ajmal Shams



and strategic objectives. However, the war in Afghanistan proved unfeasible and costly for the Red Army due to the unyielding resistance by freedom-loving Afghans. Their resistance was supported – Militarily, financially and politically – by the entire western world, led by the U.S., as well as the Islamic and Arab world. The political and diplomatic isolation of the Soviet Union coupled with its deteriorating economy forced its leadership to view the Afghan war as a liability rather than a national strategic effort.

Realizing that the war was both unnecessary and unwinnable, the Soviets agreed to pull out as per the Geneva Accords. The Afghan war contributed in a large part to the downfall of the Soviet empire. Even after the Soviet withdrawal, a civil war started in Afghanistan with the Communist regime clinging to power. It eventually collapsed in the early 1990s but the ideologically divided Afghan resistance had little or no vision for the political future of the country. A lack of political consensus together with an excessive greed for power hampered all efforts by the international community to bring the divided opposition on one table.

The rule of the Mujahideen was marred by anarchy, mismanagement and oppression. The deterioration of the state started and continued well into the Taliban's rule. It was also a period when ethnic divisions became even deeper. The Pashtuns, who represented the largest ethnic and linguistic group, were particularly marginalized. The Taliban's ascent to power was a direct result of the anarchic and cruel rule of the Mujahideen whose unstoppable fighting cost thousands of innocent lives.

The Taliban's harsh rule was also not sustainable by any means. The movement gradually lost whatever popularity it had gained in the beginning due to its ultra-conservative enforcement of Sharia and the inability to achieve international credibility. The Taliban's refusal to hand over Osama bin Laden to the U.S. further intensified their international isolation. The tragic events of September 11, 2001 proved to be the final nail in the coffin and led to their ultimate collapse.

After the overthrow of the Taliban government in late 2001, Hamid Karzai was chosen to lead Afghanistan

through a broad international and national consensus in Bonn. The current ruling coalition, which has been in power since early 2002, mainly comprises Afghan expatriates having strong political connections and those influential in Mujahideen parties. Keeping the country united and bridging the deep divisions caused by decades of civil war and foreign interference has been among the top priorities for President Karzai.

In the pursuit of his policy of unifying all ethnic groups as one Afghan nation, Mr. Karzai seems to have, however, gone a bit too far and has only marginalized the Pashtun majority. While the ongoing insurgency may not be a direct consequence of antagonistic Pashtuns and is instead rooted in regional and international strategic political maneuverings, the perception of the Pashtuns being unfairly treated has certainly contributed to fueling the insurgency.

One must be fair while making an assessment of where Afghanistan stands today since the Soviet occupation ended almost 25 years ago. The country has undergone tremendous changes ever since. The state machinery was virtually non-existent when Karzai came to power. The institution of the Afghan National Security Forces (ANSF) had vanished after the collapse of Dr. Najibullah's government in the early 1990s. Re-establishing the ANSF, particularly the Afghan National Army, has been a major achievement of the Afghan government.

Yet, sustainability of the ANSF without financial, military, technical and training support of NATO is a critical challenge for Kabul. Social and economic life has thrived, particularly during the past decade. Afghanistan's GDP steadily grew from \$2 billion in 2001 to around \$20 billion in 2012. International trade also increased significantly. The World Bank-supported National Solidarity Program, envisioned by presidential front-runner Dr. Ashraf Ghani, has invested in rural development, empowerment of communities, increase in awareness and introduction of a culture of democracy in local governance.

Some 50 television and nearly 100 FM radio channels now broadcast programs in entertainment, news

and other diverse aspects of Afghan social, political and cultural life across the country. Thousands of clinics, hospitals and schools have been built serving millions of Afghans all across the country though the quality of healthcare is below par and a large number of Afghans travel to neighboring Pakistan and India for treatment.

The quality of education is equally dismal. Although thousands of Afghan students have been offered the opportunity to study in Pakistan, India, the U.S., Japan and other countries in the region and beyond, the quality of education at the national level has limited value in the international market and may not meet the local market demands either. The private education industry has grown tremendously after the government eased regulations. However, due to the problem of systemic corruption and lack of well-defined institutional framework, the cost of private education is no match to its lack of quality.

Due to the complexity of political dynamics, involvement of deviating international interests and the lack of intellectual capital at the national level, Afghanistan has been unable to come up with an integrated foreign policy framework to guide its actions vis-à-vis. countries within the region or outside. The fluid nature of this dynamism has caused the status quo to sustain.

After 25 years, the country stands at a crossroads. It has come a long way, overcoming one crisis after another. In the words of former Interior Minister Ali Ahmad Jalali, Afghanistan has been a strong nation but a weak state. The Afghans are preparing to elect their new ruler in about three months. Despite all the political uncertainty and challenges ahead, a wise and visionary leadership can turn Afghanistan into a country that is steadily progressing towards peace, stability and economic growth, given its vast natural resources and an emerging human capital willing more than ever to rebuild the nation. **S**

*The writer is president of the Afghanistan Social Democratic Party (Afghan Millat Party) and is based in Kabul. He writes on political and developmental issues.*

# Crisis of the Battling Begums

Bangladesh is caught between two female politicians who have consigned the country to uncertainty and violence to satisfy their own whims.

By Munir Ishrat Rahmani



When a country's general elections are contested by only 11 of the 41 registered political parties, and 153 out of 300 seats of the National Assembly are won unopposed by the ruling party, the exercise can only be called farcical.

Elections were held in Bangladesh on January 5 and the Awami League of Sheikh Hasina won 232 seats. But the victory was seen as hollow not only by the opposition parties but also by most neutral observers. For the last 22 years, the two major political parties, Sheikh Hasina's Awami League (AL) and the Bangladesh National Party (BNP) of

Khaleda Zia, had taken turns to rule the country except for a short period when the military ran the show.

Before elections, the leaders of the two parties failed to reach an agreement about the formation of a neutral caretaker government to ensure fair and free elections. The leader of the opposition, Khaleda Zia demanded that Sheikh Hasina relinquish power and let a neutral caretaker government conduct the elections to ensure unbiased supervision.

Sheikh Hasina, however, did not accept the demand. This resulted in a tense political climate and violent

agitations ahead of what were termed the bloodiest elections in the history of Bangladesh. Ultimately, Hasina won majority seats.

Ever since the election schedule was announced in October 2013, the opposition continued to protest against the decision of holding elections under the supervision of the incumbent government and termed it a conspiracy to ensure the Awami League's victory. Its calls for shutdowns and blockades crippled the day-to-day life in the country. Business activity came to a halt, transport disappeared from the roads, trains were attacked

with petrol bombs and massive rallies were organized.

Protesters repeatedly clashed with the police in all major cities. Around 150 people were killed and thousands were injured. Countless vehicles were torched and dozens of polling booths were burnt during the period from October 2013 to January 2014. The country had not experienced such violence since its creation in 1971. The series of *hartals* and blockades crippled the economy. The Awami League government *did try* to deal with the situation with an iron hand and made massive arrests, including those of the leaders and activists of the opposition parties.

Khaleda Zia was put under house arrest with a heavy posse of law-enforcers guarding her residence. These excesses were criticized by the Human Rights Watch and other international observers but the AL government did not budge. After taking these measures, the Awami League was sure that it would form the next government. It did not bother about other issues such as the possibility of a low turnout.

The fact that the Awami League published its election manifesto only a week before the election day was an indication of its approach towards its mandate. The manifesto did not project any major issues faced by the country. The BNP also failed to focus on vital issues in its campaign and only tried to exploit the failings of the Awami League government. It criticized the government's foreign policy, especially its over-dependence on India and termed it as a compromise to the sovereignty of Bangladesh.

The BNP's entire campaign revolved around the formation of a caretaker government to oversee elections. Zia had distanced herself from the Jamaat-e-Islami's protests against the war crimes trials and the execution of its leader after feeling the pulse of the masses and for fear of losing voters. Still, the banned Jamaat's sympathizers supported her.

On the other hand, the Awami League timed the trials and execution of a JI leader perfectly so as to gain the support of the Bangladeshi youth, AL loyalists and nationalist elements. It politicized the trials and criticized the opposition for having pro-Pakistani and pro-Saudi feelings and also blamed it for fanning religious militancy. By banning Jamaat-e-Islami earlier, the government had effectively reduced the strength of the opposition

and dented its campaign against Sheikh Hasina to some extent.

The undemocratic moves by the Bangladeshi government and the subsequent boycott of elections by the opposition affected the credibility of the polling process to such an extent that the United States, the European Union and the Commonwealth refused to send their observers to Bangladesh. They pressurized Hasina to negotiate with the opposition parties to participate in elections and also forced the BNP chief to withdraw the call of boycott and end the agitation.

But that would have meant formation of a caretaker government – a demand unacceptable to Sheikh Hasina. So while she did invite Khaleda Zia and her allies for negotiations, she also reiterated her earlier stance of holding the elections under the Awami League government. Khaleda Zia refused to negotiate without an assurance of the acceptance of her party's demand.

The impasse was a foregone conclusion. The two "Battling Begums" were hardly expected to place the national interest above their personal agendas and egos. The boycott of elections by the BNP continued and elections were held on January 5, 2014 as planned by Sheikh Hasina despite extreme tension on the eve of the polls. The elections were a constitutional requirement that had to be fulfilled but the entire exercise could not be called democratic.

With no independent observers to oversee the polling and with most of the opposition leaders detained, allegations of massive rigging in voting did not surprise anyone. The boycott was very effective and the appeal of Khaleda Zia to voters to stay away from polling got the desired response. The turnout was only about 22 percent against 87 percent in the 2008 elections.

With only 11 out of 41 political parties in the field, the Awami League was bound to sweep the polls and sweep it did. However, the mandate it got was dubious. The pattern of voting was interesting – it was very sluggish in the earlier part of the day but gathered pace towards the evening, which suggested possible rigging. Despite extensive security arrangements in almost all cities and towns, 26 people were killed on the election day.

As expected, the result was not accepted by the opposition and also by independent observers. Violent

protests continued unabated and the international community termed the polling process highly flawed. The United States even called for a re-run without any delay. It refused to accept the stand of Sheikh Hasina that the boycott by the opposition parties had not affected the election result and its legitimacy was not undermined. The European Union and the Commonwealth also supported the U.S. call for re-election.

Sheikh Hasina initially resisted the pressure and stuck to her guns but the mounting pressure made her soften her stance. She indicated a willingness to have re-election, provided the opposition parties ended their violent agitation. But she did not budge from her stand of not forming a neutral caretaker government to supervise the process. She again invited the opposition leaders to negotiate and asked Khaleda Zia to sever BNP's ties with the Jamaat-e-Islami and other Islamist parties to break the deadlock.

Khaleda Zia responded through a press conference in which she announced her future program to seek a solution to the crisis. It was only after this announcement that she was allowed to leave her house on January 11.

Relatively less hostile, her stance indicated a desire to reconcile. She said in her address, "There is no alternative to holding a free, fair and participatory election for restoring peace, stability and normalcy in the country." She again urged the government to hold dialogue to this end, release the leaders and workers arrested before or during the election period and lift the ban on "peaceful political programs".

However, this reconciliatory atmosphere was short-lived as Sheikh Hasina chose to take oath as the prime minister for a third term instead of opting for an election re-run. But it seems difficult for the new government to continue for long because Hasina may not be able to withstand the pressure by local and international forces. Khaleda Zia has already announced resumption of blockade of roads, rail and waterways. Irrespective of the future sequence of events, the next couple of weeks promise some interesting developments on Bangladesh's political front. ■

*The writer is a retired colonel of the Pakistan Army. He writes on current affairs and social issues from a key military policy perspective.*

# The Military

**O**n May 19, 2009, the Sri Lankan Army completely subjugated the Liberation Tigers of Tamil Eelam (LTTE or 'Tamil Tigers') in the north of the country. Their leader, Velupillai Prabhakaran was killed along with 17 of his closest followers, bringing to an end a dreadful civil war that caused the deaths of over 80,000 people in its 27 years.

There is no doubt that the Tamil minority, mainly in the north of the country, had been grossly discriminated against by the Sinhalese and it was understandable that they would protest strongly. But the terrorist insurgency directed by Prabhakaran was so intense and brutal that extreme action was necessary to establish the authority of the elected government.

Pakistan took note of Sri Lanka's eventual military success, but in Islamabad and Rawalpindi, the politicians and the military heeded the price in human suffering in the course of overcoming the fanatics, for a similar penalty that might be exacted in the event of Pakistan government's ordering a comparable full-scale military onslaught in North Waziristan.

Before the insurgency, the Sri Lankan armed forces (like those of Pakistan before the invasion of Afghanistan sparked violent extremism in the region), were trained mainly in conventional warfare and the army's main difficulty was to retain in counter-insurgency warfare concurrently with conducting operations against the rebels.

India supported the Tamils, and the worsening situation did not improve when India violated Sri Lankan sovereignty by using its air force to drop tons of supplies to the LTTE when they were besieged in Jaffna by the Sri Lankan Army. Then New Delhi prevailed on the Colombo government to accept a military contingent, the Indian Peace Keeping Force, that began operations in 1987 and withdrew, defeated, two years later. At its peak it numbered 100,000 but was unable to overcome the LTTE who suffered over 1200 dead.

After the Indians left, the war saw-sawed between the two sides – with Prabhakaran's insurrectionists being on the ascendant most of the time. Casualties were horrifying, with the army losing 1200 soldiers in 1998

**Given their earlier military cooperation, there is more room for Sri Lanka and Pakistan to expand mutual ties.**

**By Brian Cloughley**

alone and the LTTE committing many hideous atrocities. There were cease-fire agreements, just as there have been in Pakistan's western areas, but nothing worked and eventually the army was trained well enough and was of a sufficient size to take the offensive to the end of 2006 after a surge in LTTE terrorist attacks on civilian targets, including many suicide bombings, the murder of the highly respected foreign minister and 17 international charity workers and the attempted assassination of Pakistan's high commissioner.

The reason for the attempt on the life of the high commissioner was apparently the support given to Sri Lanka by Pakistan, both in political terms and through military hardware and training. India objected to such assistance and although New Delhi had no reason to support the Tigers, having received a drubbing at their hands, it was galling for it that there was growing trust and cooperation between Colombo and Islamabad.

Many countries considered that Prabhakaran was prepared to engage in negotiations that could result in a political settlement, but when it became obvious that he was intent only on creating havoc, the Sri Lankan government and army took the gloves off. The western world expressed disapproval of Sri Lanka's methods in its fight for survival as a nation and refused further provision of defense equipment and professional military assistance. Sri Lanka turned to Pakistan, which itself was suffering from the vicious extremists.



# Factor



Pakistan had been exporting military material to Sri Lanka for many years, because the Ordnance Factories at Wah produce world-standard small arms and ammunition, mortar bombs, artillery shells and explosives at a fraction of the price demanded by most other manufacturers. Islamabad was only too pleased to sell such material, and, indeed, to provide anything else that the armed services might require. But China was in a better position to supply heavy weapons and aircraft at an attractive price.

It was apparent that the aircraft bought from Russia and Israel were cast-offs of inferior quality and supply of spares and long-term maintenance became a severe financial burden, while the Chinese F-7s were not only more reliable, simpler to direct in the ground-attack role and very much cheaper to maintain, but had the added attraction of pilot training by Pakistan Air Force instructors.

The Pakistan Military Academy at Kakul had for many years taken Sri Lankan cadets and the numbers increased while the Pakistan Navy trained up to 70 Sri Lankan Navy personnel annually, including at the naval establishment PNS Iqbal in Karachi.

Growing cooperation did not go unnoticed by India whose National Security Advisor, MK Narayanan stated on May 31, 2007: "It is high time that Sri Lanka understood that India is the big power in the region and ought to refrain from going to Pakistan and China for weapons, as we are prepared to accommodate them within the framework of our foreign policy."

But India's domestic policy did not cater for the provision of weaponry, as any such assistance would result in discontent among its 72 million Tamil population. Therefore, Pakistan and China continued to meet Sri Lanka's requirements. Indian training had included attendance by two Sri Lankan officers at the Defense Services Staff College at Wellington in Tamil Nadu State, but in June 2013, they were withdrawn following protests from the state

government and were offered places in Pakistan.

Liaison between Sri Lanka and Pakistan developed in other aspects of military affairs. While both countries had exchanged information about terrorism and its effects, there was extension of intelligence liaison in 2004-2006, when the Pakistan High Commissioner in Colombo was Colonel (R) Bashir Wali Muhammad, who had been the head of the Intelligence Bureau. He was the one on whom the LTTE assassination attempt was made.

More emphasis was given to direct cooperation in, for example, provision by Pakistan of information about Tamil fund-raising in London and Canada. In exchange, Sri Lankan intelligence did what it could (not a great deal) in informing Islamabad about India's activities.

Defense aspects of cooperation continued to receive priority when retired Air Vice Marshal Shahzad Chaudhry was Islamabad's representative in Colombo during 2007-2011. It received further impetus when President Zardari appointed Major General (R) Qasim Qureshi as High Commissioner in March 2013. His experience and acumen have contributed to mutual trust. The importance that both countries place in the relationship was emphasized by an invitation to Pakistan's then Chief of the Army Staff, General Kayani to attend the passing-out parade of the Sri Lankan Military Academy in July 2013.

He gave the assurance that cooperation would continue in accordance with government policy, which was underlined at the meeting between Prime Minister Nawaz Sharif and President Mahinda Rajapakse and during a visit by Pakistan's chief of naval staff in 2013.

Pakistan's ties with Sri Lanka are solid and it appears that both governments wish to expand cooperation in political, commercial and military fields. Given China's considerable economic investment in Sri Lanka and Pakistan and the cordial relations between the three nations, it is likely that their continuing collaboration will be of benefit to all. ■

*The writer is a South Asian affairs analyst.*

# The King and the People

**Is Nepal again headed for a monarchy or will the CA frame a constitution this time leading to a truly democratic system?**

**By Huzaima Bukhari & Dr. Ikramul Haq**

In the Federal Democratic Republic of Nepal, voices are becoming louder for the restoration of the 240-year-old-monarchy. Former King Gyanendra, regarded as the reincarnation of God by the Hindu majority, is working to regain his lost empire. A large number of people gathered around Gyanendra during his recent visits to flood-affected areas as he generously distributed relief goods. His growing popularity is certainly unnerving many politicians.

The move for the revival of the monarchy is getting impetus due to perpetual political instability, economic hardships faced by the masses and the failure of politicians to forge a national consensus on framing a constitution. Many are of the view that the demise of the monarchy, once the symbol of national unity, was a wrong decision. Quoting an anonymous high-level source, weekly *People's Review of Nepal*

recently reported that “efforts were on a roadmap to restore stability and protect sovereignty of the country.” Claiming close connections and frequent meetings with the deposed king, Maoist leaders and others, the source said that he (Gyanendra) was not involved in small things like elections.

“Instead I am trying my best to give stability to this country,” the source said, explaining his roadmap that included giving space to the king as head of the state, allowing premiership to the Unified Communist Party of Nepal (UCPN-Maoist) Chief, Pushpa Kamal Dahal alias Prachanda and bringing the National Communist Party-Maoist (NCP-M), the Rastriya Prajanttra Party (RPP) and the Tarai-based political parties in the government by keeping the Nepali Congress (NC) and the Unified Marxist-Leninist (UML) in the opposition.

With their bases in India, the

Maoists had fought a decade-long guerrilla war against the Nepal government until a Delhi-orchestrated deal was accepted by major political parties in 2002 to end the monarchy. The war ended in 2006, leaving around 13,000 people dead. Democratic elections to a Constituent Assembly (CA) were held but power-hungry politicians were so divided that they could not complete the task even after extending the term of the CA to four years. Finally, the CA was dissolved and Bhattarai of the UCPN headed an interim government which handed over power to the country's Chief Justice, Regmi for holding elections in November 2013.

More than 70 percent of Nepal's eligible voters participated in the polls despite an election boycott and a transport strike by a coalition of 33 parties, led by hardline Maoists. The NCP's front-ranking leader, Netra Bikram Chand alleged that efforts



were underway for the distribution of Nepali citizenship to Indians (living in Nepal) and for the Sikkimization and annexation of Nepal. He claimed that his party would form an alliance with the former king, the Nepali Army and other patriotic forces to protect the national interest, integrity and sovereignty.

The Nepali Congress, the country's

the dominant Communist party, secured only 26 seats in the direct election, a small fraction of the total it earned in the 2008 elections.

Political observers say that Dahal now wants to develop a greater nationalist front even at the cost of giving space to the former king. He and many of his colleagues have realized that they have already lost a precious

**The fate of democracy in Nepal hinges on how quickly the CA tackles the issue of constitution framing. Will Nepal be a Westminster-style parliamentary democracy with the king as the titular head?**

oldest political party and one that has close ties with India, won 105 of the 240 directly elected seats. The Communist Party of Nepal (Unified Marxist-Leninist) came second with 91 seats. Despite their party's name, the Marxist-Leninists are considered centrists in Nepal. The Unified Communist Party of Nepal (Maoist),

seven years and that in a country like Nepal, the role of a king is vital. He has, under compulsion, come closer to Baidya, his political guru. They can join hands any time sidelining the Bhattraï camp. He has already sent the proposal of an alliance to the former king and if he gets a positive response, the Nepalese press says Dahal would

be ready to issue a statement urging the restoration of the institution of monarchy and developing a greater alliance among the nationalist forces.

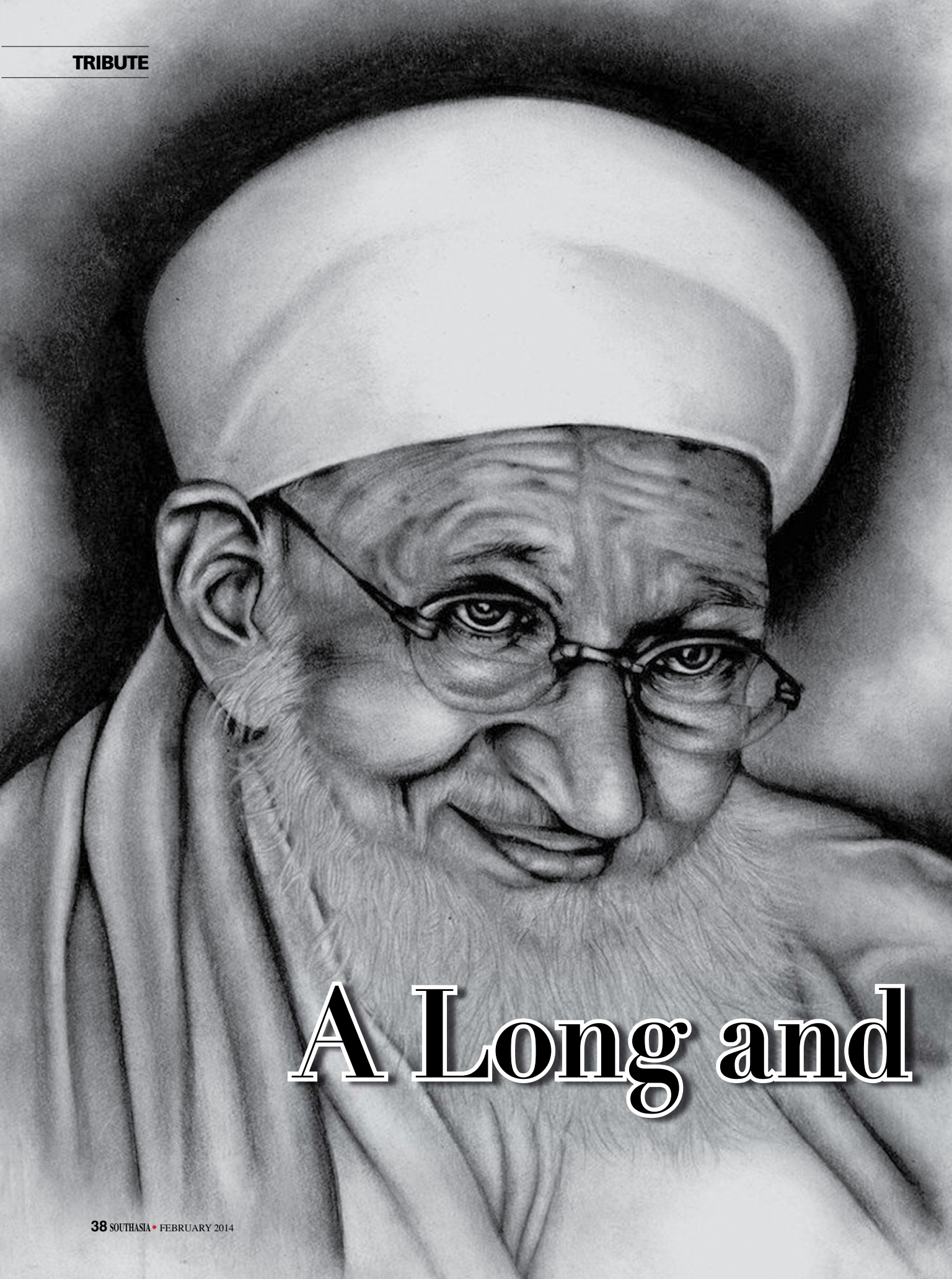
Even some in the Nepali Congress Party appears convinced. Dr Shasanka Koirala, son of BP Koirala, the founding member of the NC and former prime minister, said in an interview with the BBC, "The institution of monarchy should be restored to save the country...it is the symbol of national unity. We committed a mistake in removing the institution from the constitution."

The RPP Chairperson, Kamal Thapa also advocates the monarchy concept, warning that a failure to address the issue will lead to protests. "The monarchy has to be given some space in politics. If our demand is not heard, we will launch massive protests inside the parliament and on the street," Thapa said. "The king has to be re-installed as the ceremonial head. This is the main agenda of the RPP-N," Thapa went on to add. Fielding queries about his party's role inside the CA, he said, "My party will play a key role in re-establishing Nepal as a traditional Hindu Kingdom and will stand against any effort to form ethnicity-based states."

The establishment of a constitutional democracy is still a far cry in Nepal. The second Constituent Assembly is facing the tough challenge of framing the country's constitution. It will have to overcome the deadlock over whether to adopt a parliamentary or a presidential system of government and whether ethnicity or geography should be used to divide the country into states.

In the midst of such confrontations, the fate of democracy in Nepal hinges on how quickly the CA tackles the issue of constitution framing. Will Nepal be a Westminster-style parliamentary democracy with the king as the titular head or whether he will enjoy a more effective and central place, is not clear. There is, however, little chance of a complete collapse of the multi-party system or total restoration of the monarchy in Nepal, even though Gyanendra and royalists may desire this. ■

*The writers, partners in the law firm Huzaima & Ikram, are adjunct faculty members at Lahore University of Management Sciences (LUMS).*



# A Long and

January 17, 2014 was a sad day for the Bohra community as it lost its spiritual leader, Syedna Mohammed Burhanuddin who died of a heart attack in Mumbai at the age of 102.

Hundreds of thousands of Dawoodi Bohras around the world mourned the death of their 52nd Dai Mutlaq (Unrestricted Missionary). His son, Syedna Mufaddul Saifuddin succeeds him as the 53rd Dai. Syedna Burhanuddin led his community for more than five decades after succeeding his father in 1965.

The world population of Dawoodi Bohras, a sub-sect of the Ismaili Shias, is over one million. The Bohra Diaspora is spread across the globe with the majority living in India and Pakistan. The community is well-known for its discipline and peacefulness. Mostly traders and businessmen, the Dawoodi Bohras play a major role in supporting the economy of the place they live in – whether it's Karachi, Mumbai or Johannesburg.

Regardless of how well-disciplined a community is, an able leadership is essential to harness its potential and lead it in the right direction. And this is exactly what Syedna Burhanuddin did to his community. Besides leading them in religious and spiritual matters, he also mentored his community in worldly affairs and his followers went from strength to strength under his guidance.

One of his most notable deeds was the construction of Raudat Tahera, a grand mausoleum in Mumbai that houses the grave of Syedna Tahir Saifuddin – the 51st Dai and the father of Syedna Burhanuddin. The Syedna has also been buried in the same mausoleum.

The mausoleum has inscriptions

of the entire Holy Quran on its walls. Syedna Mohammed Burhanuddin instructed that the 772-page golden handwritten Quran, which Syedna Taher Saifuddin used to recite from daily, be photocopied and transcribed onto an equal number of marble slabs and pasted on the inner walls of the Raudat. This makes it the only monument in the world to have a complete religious book engraved on its walls. The building was designed by Yahya Merchant, the same architect who designed the mausoleum of Quaid-e-Azam Muhammad Ali Jinnah. Hundreds of people from India and around the world visit the Raudat daily.

Syedna Burhanuddin is credited with modernizing the Bohra community. It was his efforts that helped raise the literacy rate among Dawoodi Bohras to 100 percent. He emphasized on acquiring both religious and secular education. Under his guidance, around 400 educational institutes were established for Dawoodi Bohras around the world including Al-Jamiah Al-Saifiah Arabic Academy in Surat (India), an over two centuries-old Arabic university. Its new campus was built in Karachi in 1983.

He encouraged his followers to take active part in business activities in accordance with mercantile and Islamic laws as the Bohri community strictly follows the Islamic tradition of interest-free loans. Syedna Burhanuddin set up a Burhaniyah Business Counseling Centre in Mumbai to provide modern solutions to problems of Bohri businessmen.


Born in Surat, he was educated and personally trained as a future leader by his illustrious father, the late Syedna Taher Saifuddin. Syedna Burhanuddin

supervised and supported the community's literacy efforts across the world to impart religious, spiritual and secular education. Nurturing a deep interest in secular studies, the leader always stressed on scientific and religious education. On the social front, Muhammad Burhanuddin encouraged and institutionalized the tradition of mass marriages to curb wasteful expenditure on opulent weddings.

His services in the field of restoration and preservation of old buildings are also remarkable. In Mumbai alone, he supervised the redevelopment of old buildings that housed over 4,000 Dawoodi Bohra families in the south Mumbai locality of Bhindi Bazaar.

He also undertook the task of construction, renovation and restoration of several ancient mosques, mausoleums and other buildings of historical significance worldwide. These included the ninth century mosque of Imam Hakim, Al-Jame Al-Anwar in Cairo and ancient buildings in Yemen, Syria and India.

These services of Syedna Burhanuddin were duly acknowledged by world leaders during his lifetime. He was honored with the Star of Jordan and received the Order of the Nile from the governments of Jordan and Egypt, respectively.

The Syedna saw in his life two World Wars, Partition, globalization, information technology, family nuclearization and collapse of colonialism. He contributed towards great works of philanthropy for the sake of South Asian and Middle Eastern Muslims alike and leaves behind a legacy of a long and celebrated life as his followers continue to thrive amid sectarian strife. 

# Celebrated Life

**Syedna Burhanuddin was much more than a religious leader of the Bohra community as he ably guided his followers in worldly matters, too.**



# GSP Plus: Challenges Ahead

**At a time when the Pakistani economy is in dire straits, the grant of the GSP Plus status offers both opportunities and challenges.**

By Jamil Nasir

Pakistan was vying for the GSP Plus status since 2005 but was unable to qualify as it did not meet certain eligibility criteria. In the latest GSP scheme, the eligibility criteria were modified, enabling Pakistan to apply for this facility. Pakistan filed an application for GSP Plus with the European Commission in March 2013. The process of scrutiny took around six months. In August 2013, the European Commission notified the Council of the European Union and the European Parliament through a Delegated Act that Pakistan, along with nine other applicant countries, met the eligibility requirements for GSP Plus.

During this period, Pakistan undertook an intensive lobbying effort with various stakeholders in the European Union. The sustained efforts of almost eight years came to fruition when 406 out of 588 members of the European Parliament voted in favor of granting the GSP Plus status to Pakistan on December 12, 2013.

What is GSP? The Generalized System of Preferences (GSP) is a facility granted to developing countries by certain developed countries. The status is largely considered non-reciprocal but this is not entirely correct. Reciprocity is generally in the form of adherence to certain international agreements and human rights standards. GSP is given under three arrangements. The first is Everything But Arms (EBA). According to it, all products excluding arms are eligible for duty-free access to the EU with no quantity restrictions. Fifty least developed countries are eligible

to duty-free exports to the EU. The second is Standard GSP. Under this arrangement, tariff benefits are given through a combination comprising duty-free access for non-sensitive items and preferential tariffs for sensitive items. The third is GSP Plus under which tariff benefits are given to trade-vulnerable countries against all eligible items, but sensitive categories are subject to quantity restrictions. This facility has recently been extended to 10 countries, including Pakistan.

What are the criteria for grant of the GSP Plus status? First, the GSP plus beneficiary country should be a 'vulnerable country'. A country is vulnerable if it is not a high-income country and five largest sections of its GSP-covered exports account for more than 75 percent of the total GSP exports to the EU, i.e. exports suffer from a lack of diversification. Further, GSP-covered exports to the EU account for less than two percent of the total EU-GSP covered exports i.e. below import vulnerability threshold. Second, a country must have ratified and implemented 27 UN Conventions relating to human rights (such as conventions on the elimination of all forms of discrimination against women, rights of the child, abolition of forced labor and prohibition and immediate action for the elimination of the worst forms of child labor, etc. environment (conventions on climate change, international trade in endangered species, biological diversity and narcotics drugs, etc.); and good governance (the convention

against corruption).

What opportunities does GSP Plus offer to Pakistan? It may act as a stimulus in kick-starting the almost stalled economic activity, creating jobs and increasing exports. According to some estimates, Pakistan would get an additional one billion US dollars after the grant of this status with an estimated projection that the country's export earnings from the EU would register a marked increase from the existing \$13 billion to \$26 billion in four years.

Pakistan's major exports, such as value-added textile goods, footwear, leather, plastics and non-value added textiles which, respectively, faced tariffs up to 9.6 percent, 12 percent, 5.5 percent, 3 percent and 6.4 percent, will now be reduced to zero under GSP Plus. Thus, this scheme will provide opportunities to Pakistan in textile, leather and footwear, fruits, ethanol, seafood and gems and jewellery. Under the standard GSP, these products were facing stiff competition from China, India and Brazil which enjoyed competitive advantages as compared to Pakistan due to economies of scale. Even Bangladesh enjoyed an advantage over Pakistan in garments as its exports to the EU were duty-free. It was mainly due to this comparative advantage that several garment manufacturing units were set up by Pakistani businessmen in Bangladesh.

However, GSP Plus will not automatically translate into an increase in exports to the EU. In the case of the EU, more than half of MFN tariff lines are set at zero and about one-fourth

are below the five percent ad valorem. Several export commodities from Pakistan – rice, sports goods, surgical instruments, meat products and fruits – already enjoyed duty-free access to the EU as the normal tariffs were set at zero. Therefore, GSP Plus will make no positive market access impact in case of these commodities. During the period between 2002-2004, when Pakistan enjoyed duty-free GSP special incentives, non-textile products from the country did not register an increase of more than 1.5 percent per annum, implying that merely tariff concessions are not enough for increase in exports.

What are the challenges at hand? At a time when Pakistan's economy is in dire straits with foreign reserves touching a record low, exports stagnating, the dollar hitting an all-time high against the Pak Rupee and various industries suffering due to a combination of energy shortage and the law and order crisis, the grant of the GSP Plus status offers both a set of opportunities as well as challenges. Pakistan faces tough competition from neighboring India, Bangladesh, Sri Lanka and other countries. The trade concessions that the country has won from the European Union cannot be fully exploited as currently Pakistan exports only 150 – or 2.5 percent – of the total 6,000 duty-free product lines that the bloc of 27 nations has offered. The real challenge before the government and the private sector is to expand the base of export products to be able to compete with regional rivals.

Also tied to the challenge of diversifying exports is the uphill task of

overcoming the supply-side constraints. The energy crisis has slowed down the pace of economic development, causing a loss of millions of jobs. The textile industry, a linchpin of the country's industrial base, appears to be worst hit by power and gas shortages. Many textile units have been closed down due to the energy crisis, while some industrialists have shifted their businesses to Bangladesh, Turkey and Sri Lanka due to tariff concessions, easy market access, a better law and order situation and an uninterrupted supply of energy. Thus, overcoming the energy challenge appears to be the most daunting task before the government.

Another challenge facing the industrial sector is the obsolete infrastructure. Without revamping the support infrastructure, the goal of diversifying the export base will not be achieved. Infrastructure development, however, is not possible without attracting foreign investment in this area. According to the Board of Investment (BoI), FDI inflows in textiles have decreased from \$29.8 million (2012) to \$10 million (2013). Foreign Direct Investment (FDI) should therefore be attracted towards this sector to help it become sustainable in terms of production capacity. When Bangladesh got the GSP Plus status, it attracted massive investment in the textile sector. The Board of Investment (BoI) has a critical role to play in formulating an investment policy.

Besides challenges at the domestic level, proper compliance with the 27 UN Conventions is also an important requirement. Article 14 of the New

GSP Regulation of the European Parliament and the Council of the European Union stipulates that by January 1, 2016, and every two years thereafter, the European Commission will present a report to the European Parliament and the European Council regarding the implementation of the 27 covenants. Article 15 further provides that in case a beneficiary country does not respect its binding undertakings or formulates a reservation, the GSP Plus status will be withdrawn. Further, the burden of proof regarding compliance with the obligations resulting from the binding undertakings lies with the GSP Plus beneficiary country.

The European Union gives tariff concessions to exporting countries of the Third World as part of its efforts to promote democracy, protect human rights and improve governance. The preconditions set for the continuation of this facility are tough and broad in nature. Pakistan must adhere to these conditions through an institutional mechanism, failing which the facility can be withdrawn as had happened in the case of Sri Lanka. Pakistan should not appear to have ratified these conventions for extracting trade concessions only. In this regard, institutional mechanisms need to be put in place for active coordination between the centre and the provinces on the implementation of these conventions in the post-18th Amendment scenario. ■

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## Pakistan-EU Bilateral Trade

(in US \$ Million)

Year	Exports	Imports	Total trade	Trade Balance
2001-02	2770.50	2050.80	4821.30	(+)719.70
2002-03	3066.80	2049.00	5115.80	(+)1017.80
2003-04	3726.90	2390.80	6117.7	(+)1336.10
2004-05	4073.40	3138.80	7212.20	(+)934.50
2005-06	4247.70	4966.80	9214.50	(-)719.10
2006-07	4627.30	4756.50	9383.80	(-)129.20
2007-08	5185.40	5222.00	10407.40	(-)36.60
2008-09	4412.40	5645.40	10057.80	(-)1233.40
2009-10	4599.54	4542.32	9141.86	(+)57.22
2010-11	6181.00	4383.90	10564.90	(+)1797.10
2011-12	5358.42	4518.46	9976.88	(+)839.96

Source: Federal Bureau of Statistics (FBS)

Pakistan's exporters, as well as the Commerce and Foreign Ministries, were in a state of euphoria in the first week of December 2013, when the European Parliament announced that Pakistan would be a beneficiary of the GSP Plus status from January 01, 2014, subject to governing regulations as stipulated under Regulation 978/2012 of October 2012.

Pakistan has met the eligibility criteria of vulnerability (less than two percent market share), low diversification (less than seven products constituting more than 75 percent of its exports to the EU), and sustainable development and good governance commitments (ratification

and promised implementation of 16 human rights and labor rights conventions, plus 11 conventions covering environment, anti-terrorism, anti-narcotics etc). The status also boosts the position and image of Pakistan in Europe, and, more importantly, sends a positive message to the global marketplace.

The country's exporters and policymakers must understand that complacency would no more be an excuse and that strict adherence to the EU regulations must be the key objective. The initial benefit is only for three years, extendable to ten, depending on Pakistan's performance within the prescribed framework. The facility could be withdrawn if Pakistan

is unsuccessful in pragmatically implementing any of the 27 conventions.

It is important to note that the scheme also defines a specific role for third-party umpiring to ascertain strict compliance. Pakistani exporters must also keep in focus the fact that unfair trade practices could trigger negative evaluation. Moreover, the global requirements of sanitary and phyto-sanitary and technical barriers to trade would weigh heavily in future decisions. Overall, Pakistan must develop the mindset of benefiting from GSP Plus and must ensure that this is not vitiated due to incautious, intentional or inadvertent actions by stakeholders. The dice is loaded



against Pakistan and to even out the odds, the country must be seriously ready to pluck the ripe fruit.

The ecstatic phase is now over. Everyone who needs to be patted on the back has been given the bear hug and the usual sycophantic plaudits. The media hype, the applause from stock exchanges, the self-congratulatory statements of ministers and party faithful and the usual bragging and boasting of extra billions to be earned have all been highlighted and projected. It is now time for introspection. Does Pakistan have the critical mass to achieve the national objectives of deriving maximum benefits from GSP Plus?

Stock must be taken of the

ingredients that make the foundation for achieving these formidable benefits. It is time to focus on the crucial physical infrastructure. In the textile sector, for example, Pakistan has ample spinning, weaving and stitching capacity but it needs to develop the dyeing and printing sector. The deficiencies in textile processing are more a result of shortages of electricity, gas and, in some areas, water.

Thus hangs the proverbial Damocles' Sword on the textile industry. The braggadocio emanating from the portals of the Commerce Ministry or from the offices of some business leaders, who do not miss any opportunity to make a statement, belies the ground reality. The oft-touted figure of increased exports of \$2 billion is, for some years, a pie-in-the-sky projection. Conventional wisdom puts the number within the \$500-\$550 million range, at least for 2014, and a promising increase by \$750-\$800 in 2015.

There would be many who would term this as pessimism oozing out of the honey pot, but facts are facts. Power is the prime ingredient. According to a report compiled by the Swiss Consulate General in Karachi, "Due to a fast growing demand, high system losses, fuel supply limitations and seasonal reduction in the availability of hydropower, the gap between the demand and supply of electricity is resulting in routine load-shedding. Inadequate power generation capacity is just one of the factors affecting power supply. The present average shortfall in the supply-demand gap is between 4,500-6,000 MW." The installed capacity is around 22,000 MW although generation is less than 60 percent.

Moreover, corruption, theft, and mismanagement are debilitating causes. Heavy reliance on fossil fuels and sluggishness in developing alternative renewable energy further compounds the situation. Approximately 175 billion tonnes of Thar coal reserves are still years away while the Kalabagh Dam continues to create a war of words among vested provincial interests. New initiatives are announced and umpteen MoUs signed.

Pakistan also faces the natural gas crisis. A liberal use of gas, without an eye on the future, is depleting the reserves. Where industry should have

been accorded priority, policymakers allowed CNG filling stations to be set up all over the country. Fortunately, better sense has prevailed and there is now a managed closure of CNG stations on designated days. Even today, captive power plants installed in various industrial units have to suffer one to two days of closure. Per capita gas consumption has increased from 150 cubic meters per person to 230 cmpp during the last ten years. The proven gas reserves have registered a dip in the last year by about 100 billion cubic meters. In the meantime, the Iran-Pakistan gas pipeline is still nothing but a 'pipe' dream. And the import of LNG has become a political shuttlecock instead of an imperative alternative.

Karachi's industrial areas suffer from water shortages. This, of course, is *manna* for the tanker mafia who extract their pound of flesh from the hapless industrialists. Although skilled labor is available, there is a pressing need to impart training to new workers and to re-train the existing workforce to operate the latest machinery and equipment. Another factor that has made life miserable is the law and order situation that just does not allow a peaceful environment.

The depreciating rupee, escalating inflation, pathetic roads network, high-handedness of government bureaucracy, fear of rising discount rate, and ever-changing government policies are other disconcerting factors that result in an unbridled upsurge in the cost of doing business. Growth in exports depends on a favorable domestic environment. Exports must have national ownership as is the case in Bangladesh and China. All stakeholders need to be on the same page, especially if the GSP Plus benefits are to be reaped for a decade.

Dennis Hastert, former Speaker of the US House of Representatives, very correctly said, "Trade creates jobs and lifts people out of poverty. And when that happens, societies stabilize and grow. And there is nothing like a stable society to fight terrorism and strengthen democracy, freedom and the rule of law." ■

*The writer is former president of the Karachi Chamber of Commerce and Industry.*

# A Bridge Not Too Far

**Now that the ecstasy is over,  
it is time for Pakistan's  
exporters to do some  
soul-searching and work  
towards deriving maximum  
benefits from GSP Plus.**

By Majyd Aziz

# Ready for GSP!

Is Pakistan ready to exploit the GSP Plus facility to its advantage?

By Sania Ahmed

Hailed by the business community as a positive step towards economic prosperity, the recently acquired GSP Plus status will increase Pakistan's access to the European Union markets through duty-free export of GSP-eligible products. The status has become effective from January 1, 2014 and will benefit 2,500 tariff lines, out of which 900 belong to the burgeoning textile and clothing industry.

Currently, Pakistan's textile and clothing exports to the EU amount to more than half of the country's total exports to the bloc. This means that Pakistani textiles will finally be able to compete with those of Bangladesh and Sri Lanka – countries which already enjoy duty-free access to European markets. Conservative estimates suggest that as a result of the new status awarded to Pakistan, the textile

and clothing industry is expected to earn profits up to \$1 billion annually. The real question, however, is: can the clothing industry, particularly the fashion industry, be expected to make use of this opportunity?

European nations introduced the GSP concept in 1971 to help developing countries prosper on the export front. Under it, several countries in Europe eliminated or reduced import tariffs on specific products exported by an approved list of developing countries – a list that now includes Pakistan. The tariff preferential regime has been extended and is known as GSP Plus as a result of additional tariff reductions allowed to vulnerable developing countries. The objective of GSP Plus is to assist developing countries reduce poverty, improve governance and promote sustainable development.

While the opportunities available through the facility are limitless for Pakistan's textile industry, the reality is that the country may be less than equipped to expand and deliver despite GSP Plus. For starters, the seemingly never-ending energy crisis seems to have all but crippled the industry. "This is a high-pressure industry that is extremely deadline-oriented. This means that if we fail to deliver to our clients on time, we are immediately deemed unprofessional," explains Maria B., a Lahore-based designer. She says that while everyone is aware of the severe gas and electricity shortages, the fact is that buyers expect prompt delivery because they pay a premium for custom-made designs. We can't tell them their outfit is not ready because there was no power or gas. This is our problem, not theirs. Can you imagine saying this to foreign

The graphic features the letters 'TRA' in large, bold, grey font at the bottom. Above them are twelve vertical bars of various colors, each containing a business-related term in white, uppercase letters. From left to right, the bars and their text are: orange (CURRENCY), blue (FINANCE), dark green (MANAGEMENT), light blue (VALUE), magenta (SALE), purple (ELECTRICITY), dark blue (EXPORT), orange (PROFIT), yellow-green (PROMOTION), tan (COST), red (PRICE), and olive green (MONEY).

buyers?" she says.

Most design houses in the Punjab are faced with this predicament as electricity and gas shortages are particularly acute in that province. The crisis worsens in winter because the government reduces gas supply to the industry to facilitate domestic consumers. So the GSP Plus status is a positive development in theory, but the reality may be completely different if the energy crisis persists.

The energy crisis is just the tip of the iceberg, as per a recent editorial published in a local newspaper. The high credit cost and poor security situation has been detrimental to the textile and clothing industry. "The government's skewed policies that have discouraged the use of man-made fiber and diversification of textile exports will restrict the industry's ability to reap the full benefits of the newly acquired status. If the government wants the industry to gain maximum advantage from the concessions, it must help the manufacturers revive capacity by ensuring uninterrupted gas and electricity supply as well as cheap credit for new projects and by easing restrictions on the import of fabric and other raw materials not produced domestically, in order to encourage product diversification," (Dawn, November 2013).

The law and order situation is particularly damaging to the industry, says a spokesperson for a Karachi-

based ready-to-wear clothing brand. "In a city like Karachi, things can change within a matter of minutes which often lead to forced shutdowns of our outlets and workshops," she explains, adding that this affects sales and causes inevitable delays in production. "Political parties call for a strike almost every other week and the retail industry is the biggest loser in this situation," she says.

In such a scenario, not many business people are willing to invest in the textile sector which means there is no increase in the production capacity. Hence, exporting to EU countries may not be possible for all design houses.

So what is the solution? How can the textile and clothing industry fully exploit this opportunity to its advantage given these huge challenges? For one thing, the industry could try to improve the quality of products. Many a time, shoddy workmanship and the use of substandard materials, even by some of the more prominent designers, drive buyers away.

Mariam Tariq runs a small clothing business called Desi Designs. She purchases ready-to-wear outfits from labels like Agha Noor, KariGhar and Needle Impressions, to name a few, and sells them at clothing stores abroad. "The quality of the fabric has declined over the years and I often get complaints from my clients abroad about discoloration and poor

needle work that unravels just after a few washes," Mariam says. "Also, there is a lot of competition from Indian designers now and if Pakistani designers do not get their act together, they may lose out on the expatriate market," she adds.

All said and done, the government must be lauded for its efforts towards achieving the GSP Plus status. But most of our industries appear less than ready for compliance (with respect to the implementation of the 27 UN Conventions as per the EU requirement). If the government wishes to make the best possible use of this status, it must establish a supervisory body to coordinate with provincial governments in this regard.

The Pakistani textile and design industry faces tough competition. It's time we put our house in order for providing the sector with an environment conducive to doing business. Ultimately, success in accessing the EU market is largely dependent on Pakistan's ability to meet the EU consumers' demand with respect to quantity and quality, to create efficient production lines, to invest in technologies that maximize productivity and make better use of skilled manpower and, finally, to deal with competition from other countries effectively. ■

*The writer is a freelance journalist.*





# Strongman Politics

**Notions such as separation of powers, the need for checks and balances and accountability, are fast eroding in Turkey – the world's 18th largest economy.**

By Naveed Ahmad

**H**is name is Necmeddin Bilal and he is one of the many young Turkish entrepreneurs who have been adding value to Brand Turkey since 1995. After all, to be successful in the highly competitive food business in Turkey is no ordinary feat.

Therefore, it was quite a surprise

when a suave business wizard of Bilal's stature became the cause of a fist fight in the parliament. The brawl resulted in the hospitalization of an MP with a bleeding eye wound. Bülent Tezcan, Deputy Chairman of the main opposition Republican People's Party (CHP), was hit in the eye by Saral Okay, an MP from the ruling Justice

& Development Party (AKP) when he asked Bilal to appear before a court and defend the corruption allegations against him.

Why would an MP display such aggression for a simple case involving a businessman? Well, Necmeddin Bilal is not just another multi-millionaire. He is the son of Turkey's third-time

Premier, Recep Tayyip Erdogan.

Ever since the police raided the homes of four ministers and an Azeri-Iranian on December 17, 2013, corruption allegations against the Erdogan government have come out of discreet drawing room conversations to become newspaper headlines.

The Financial Crimes and Battle against Criminal Incomes Department of the Istanbul Security Directory had detained 47 people, including officials of the Housing Development Administration of Turkey, the Ministry of Environment and Urban Planning and the District Municipality of Fatih while the sons of three Turkish ministers (interior, economy and environment and urban planning) have also been implicated.

Moreover, a real estate businessman, the top-level management of the state-owned Halkbank and an Iranian-Azerbaijani businessman Reza Zarrab was also arrested for illegal gold trade worth \$9.6 billion. He is said to be working for the Iranian government to seek oil revenues – an evasion of international sanctions on Iran. While a minister is accused to have received an expensive watch from Zarrab, another minister reportedly took massive bribes from him. Some \$4.5 million were found hidden in shoeboxes at the home of a top official of the Halkbank.

Bilal and his brother Burak Erdogan are high-profile suspects in the graft case which their father is trying his best to stall. Within days after the investigation began, its initiator, Prosecutor Muammer Akkas, was dismissed from his job.

So far, the first sons have been evading the prosecutor's summons while their powerful father is spewing out anger, crying foul and accusing his opponents of conspiring against him.

Given that he is at the peak of his political career, Erdogan was expected to get a landslide victory in the municipal elections come March. But the strongman of Turkey seems shaken. He has replaced half of his cabinet with new loyalists. Terming the graft probe as a dirty operation, Bilal's father has fired over 600 police officials while prosecutors across the country have been reshuffled to impede the investigation.

Before the judiciary issues orders for his son's arrest, Erdogan and his AKP are trying to pass new legislation that seeks to put the judiciary under the executive powers of the regime's

handpicked minister of justice. The AKP, which had won the 2011 referendum on rewriting the constitution with a thumping majority, was mandated to separate the judiciary from the executive. From the European Union to other stakeholders and friends of Turkey, no one is happy with the way Erdogan has been playing partisan instead of being neutral.

When the AKP came to power in 2001, the Turkish Lira started to strengthen at an envious pace only to take a nosedive at a speed hard to arrest after the initiation of the December 17 probe. It is feared that by mid-February, the Turkish currency may have undergone 100 percent depreciation since the crisis began. Global financial analysts estimate that the country might have lost \$54 billion during the ongoing crisis. For a country which bravely withstood the Eurozone economic crisis, its own authoritarian leadership is proving to be its worst enemy.

Owing to unfair practices of the executive, politicians and finance managers, Turkey has already started to experience a decline in investment. The private sector, which owes \$225 billion in debt, has suffered heavily with a steep decline in the currency value.

Many Turkish academics and foreign observers believe that the financial implications of the crisis do not reflect the real losses the country is going to suffer. Alarmed by Erdogan's authoritarian policies, the intelligentsia fears a reversal of the democratic liberties that have been won over the past decade.

Some are apprehensive that a prolonged domestic crisis may provoke the army generals to hit back at the democratic setup and reassert themselves as the guardians of Kemalism. After all, it hasn't been long since Erdogan's AKP brought the military under the democratic government's control.

This unprecedented success may prove short-lived and unsustainable. A powerful politician's desperate attempts at self-preservation are likely to result in new compromises to seek new allies – a recipe for disaster for a nation heavily polarized along ideological and social lines.

The European Union and human rights activists continue to question the Turkish intelligence agency, MIT's NSA-like surveillance of Turkish

citizens. Profiling of citizens at the hands of the agency's sleuths has emerged as an undeniable fact. This record-keeping is now helping the regime dismiss some officials and blackmail others for their ideological leanings or lifestyle choices.

Moreover, today's Turkey remains the world's number one jailer of journalists for the second consecutive year. Erdogan has resorted to moving courts against journalists critical of his person or policies. Some of them lost jobs and others had to pay heavy fines.

The majority of the privately-owned media is pro-government while the dissenting media houses work under a continuous risk of closure. The doors of police offices are shut on such journalists while the practice of tapping phones continues unchecked. Internet traffic is continuously monitored while the electronic media regulatory body has been threatening anchors and news channels for criticizing the government.

The Justice and Development Party (AKP) is commonly understood to be Recep Tayyip Erdogan himself, who has scrutinized its ranks to ward off all threats of a fallout in the wake of controversial legislations and authoritarian actions. At least four MPs have resigned in protest so far after having criticized the premier's decisions.

Notions such as separation of powers, the need for checks and balances and accountability are fast eroding in the world's 18th largest economy.

Though Erdogan may win the municipal election with a wide margin in March, public trust in state institutions has plummeted to an unprecedented level.

As for Bilal Erdogan, he may pay a symbolic visit to a prosecutor in the weeks to come. But that is unlikely to restore the lost credibility of his father's 'Justice' and 'Development' Party.

The Turkish nation needs strong political parties instead of a strongman calling the shots. Equally vital here is a unified and inherently democratic opposition to weather the storm ignited by the inflated ego of one man who is bent upon undoing his glorious contributions to the Turkish nation. ■

*The writer is an investigative journalist and academic. He specializes in conflict and disaster reporting.*

# Vying for Regional

**It is in Saudi Arabia's interest to distance itself from the ideology of Al-Qaeda, since there is likely to be even less global tolerance for its aggressive support for a stern version of Islam.**

By Taj M. Khattak

**T**he Saudi Foreign Minister Saud Al-Faisal's visit to Pakistan ushers in a new phase of strategic relations between the two countries through increased co-operation in economic, trade, investment, energy, infra-structural development and housing. The visit came soon after some important developments in the region, like progress in the U.S.-Iran deadlock and cooling down

of U.S.-Saudi relations which, up till now, had been of an enviable nature. This, along with the changing fortunes in the Syrian civil war, has already caused significant movement in the tectonic plates of the Middle East politics. The quantum of annual bilateral trade between Pakistan and Saudi Arabia is at \$ 5 billion while remittances from Pakistani expatriates crossed \$ 2 billion in 2011. During

the visit, the two sides worked on how to improve these statistics and agreed on assistance for economic stability through investments in the local energy sector, trade and export of skilled and semi-skilled manpower to the Kingdom. Saud Al-Faisal also brought a special message from King Abdullah for President Mamnoon Hussain, the contents of which have not been made public.



# Influence

Pakistan is seeking Saudi support in negotiations on the Free Trade Agreement (FTA) with the Pak-Gulf Cooperation Council which will provide markets to Pakistani goods in the Arab states but there is little progress on this. The recent grant of the Generalized System of Preferences (GSP) Plus status to Pakistan by the EU should now nudge Saudi Arabia towards a decision as Pakistan genuinely desires to re-orientate its economy from aid to trade.

As per media reports, Pakistan was also likely to seek Riyadh's support to broker a peace agreement with the Tehreek-e-Taliban Pakistan (TTP). The TTP has so far shown only half-hearted willingness to enter into negotiations with Pakistan, though the interior minister insists that some sort of behind-the-scenes contacts is taking place.

Global diplomacy, these days, is heavily interdependent and there is no harm, per se, in asking assistance from friends and allies, but it is also quite obvious that, like in most other fields, we have had a huge fall from the days of Sir Chaudhary Zafarullah Khan, when as head of Pakistan's delegation, he articulately advocated the position of the Muslim world on the Palestine issue and, as the country's representative in the UNSC, he advocated liberation of not only Kashmir but Libya, Northern Ireland, Ireland, Eritrea, Somalia, Sudan, Tunisia, Morocco and Indonesia. Some capacity building in our foreign office is therefore called for to be able to launch effective diplomacy rather than over-dependence on others for support.

In 2009, Hillary Clinton called Saudi Arabia 'a financial base' for funding terrorism. It has, however, been lucky to largely remain unscathed from the fallout of 9/11 when 15 out of 19 hijackers were said to be from Saudi Arabia, unlike Pakistan which continues to suffer even though it had nothing to do with that tragedy whatsoever.

Whether or not Saudi Arabia will

oblige Pakistan on this count is hard to say since it is vying for a favourable balance of power in the region between the Sunnis and the Shiites and is extensively engaged with Iran in that cause on Pakistani soil. No gainsaying, Pakistan needs to take up this issue with Iran also to drastically shrink, if not eliminate altogether, the battle space occupied by these two friendly countries in pursuit of their objectives.

During his visit, Saud Al-Faisal stated that it is against his country's foreign policy to interfere in other countries' affairs but there have been widespread reports of infiltration by Al-Qaeda elements in the Syrian opposition, allegedly sponsored by Saudi Arabia. It is true that Saudi Arabia has fought Al-Qaeda domestically, but the world has noticed that it has seldom, if ever, denounced the havoc wreaked by this terror organization beyond its own borders.

If the Saudis adopt a similar position in Afghanistan in the post-2014 scenario, it could suck Pakistan further into a whirlpool of unpredictable events which is undesirable. It is also in Saudi Arabia's interest to distance itself from the ideology of Al-Qaeda, since in future, there is likely to be even less global tolerance for its aggressive support for a stern version of Islam if the political changes now underway in the region get permanent traction and dependence of the U.S. and the west on fossil fuel drops, with advances in technology which is envisaged in a decade from now.

Interestingly, the current rulers in Pakistan, who find it difficult to engage the Taliban at home, have offered to bridge the gap between Iran and Saudi Arabia – a much tougher nut to crack. Besides this, regional politics is evolving at a much faster pace than Pakistan's capacity to handle it. Iran's possible emergence as an important regional player is directly in proportion to Saudi Arabia's declining significance in the 'redirection' of U.S.' regional policies as evident from its actions in Egypt and Syria, which

are at variance with Saudi's interests. Saudi Arabia has raised the stakes by extending U.S. \$ 3 billion to Lebanon and courting France for a smooth sale of military hardware aimed at weakening Hezbollah, a close ally of Iran.

The failure of Saudi Arabia's aggressive diplomacy to wean Russia away from supporting Syria has further added to its worries. The recent terrorist attack in Volgograd, just ahead of the Sochi Winter Games, has caused concern in Moscow where President Putin is determined to showcase this event as a sign of a re-emerging Russia. Whether or not there is a nexus between North Caucasus and Al-Qaeda elements in the Syrian opposition in this incident, the suspicion is poisoning Saudi-Russian relations.

Defense collaboration was another subject discussed during the Saudi Foreign Minister's visit whose contours remain undefined. It is quite obvious that if Iran breaks out with a nuclear bomb, it will be politically unacceptable for the kingdom not to have one. The Guardian newspaper has already speculated that in such an eventuality, Saudi Arabia will endeavour to acquire one from China or Pakistan or a pledge from Pakistan for nuclear cover.

Saudi Arabia is a brotherly country and Prime Minister Nawaz Sharif enjoys close relations with the Saudi rulers. But whatever else he may do to strengthen mutual relations, he would do well to guard against two pitfalls: discourage any further drift towards extremist religious ideology and steer clear of any nuclear arrangements with Saudi Arabia as that would not only cause Pakistan further problems globally but also embarrass China which, in the face of all odds, has taken some bold steps to address the country's energy needs through new nuclear reactors. ■

*The writer is a retired vice admiral and former vice chief of naval staff of the Pakistan Navy.*



# Of Basant, Blasphemy and Bans

**The logic that Basant should be banned on account of the lives lost due to violation of laws, points to the state's inability to act and intervene.**

By Muhammad Hassan Miraj

**T**he street next to Tarlok Shah's Haveli offers another exit, a three-foot high passage that closely resembles a tunnel. Though not as strategic as the tunnels of the early days of Shahdara, it opens into a crossroad where three Moghul-style arches guard a monument; all this is almost three centuries old.

The monument, locally known as 'Madhoo Ki Bethak', is a saffron-painted tree that bent and grew for an unknown number of years and has

recently been sheltered. As the name reveals, it marks the birthplace of Madhoo, a local Hindu, who was the love interest of the famous Sufi poet, Shah Hussain. Why Lal Hussain chose to join the controversial *Malamati* line of Sufis and what happened to Madhoo is another story. But what makes this love affair memorable is its celebration, which now confronts the administrators of the metropolis of Lahore.

Basant and *Charaghon Wala Mela*

were the two fairs that defined Lahore and Madhoo Lal was central to both of them.

Traditionally celebrated in the UP and Punjab, the festival traces its origins to the Sanskrit word, *Vasanta* Panchami. The day – that falls in the first week of February or the last week of January – is actually the fifth of a Bikrami month. It marks the farewell to winters and foretells the coming of spring. But before it became a Hindu festival, the pagan festival was

celebrated across the sub-continent.

Upon their arrival, the Moghuls viewed it with skepticism. But as their love for India grew, they took up the tradition and made it official. The dispatches of Darashikoh, amidst his ideological differences, make a special mention of Basant merriment by Temurid elites.

The peaceful co-existence shed away the communal colors of Basant and dressed it in countryside yellow. The chroniclers of Dehli at the time, the likes of Abu-al-Fazl, have written in detail about the events of the day.

A page from the court diary of Shah Alam the 2nd, gives an insight into the events. The Muslim elite of Delhi started their Basant festival by visiting 'Qadam Shareef', a place where the relic of the footprint of the Holy Prophet (PBUH) was kept. After prayers, the whole day was spent in joyfulness and glee, with vibrant kites plastering the sky and people wearing colorful clothes adding life to the landscape. The people would spend a day each at the shrines of Qutbuddin Bakhtiar Kaki, Naseeruddin Chiragh Dehlavi and Shah Turkaman, ending the week-long carnival at the shrine of Nizamuddin Auliya. Another tale relates how Amir Khusro, dressed in bright colors, cheered up a bereaved Nizamuddin Auliya, who could not get over the untimely death of his nephew. The festival continued till 1857; Sir Syed Ahmed Khan remembers his grandfather organizing Basant at one of the venues.

While this was happening on one side, Basant was taking a new form in the Punjab and this is where the famous reference of the right wing made its way. An incident is very frequently cited from Bakhshish Singh Nijjar's book titled, '*Punjab under the Later Moghuls*'. According to the book, the event is celebrated as a reaction to the hanging of Haqeeqat Ray, a convict of blasphemy, on the orders of the then Governor of Lahore, Zakariya Khan. After Ray's death, Kalu Ram, another affluent Hindu, built a monument for him and ordered all Hindus to commemorate his death by celebrating Basant and flying kites as an expression of revenge.

The association of kite flying with this incident is not true. Kites were flown way before 1734, the year in which this incident took place, as the sport had come to India from the

northeast through Buddhist monks. Also, Zakariya Khan, the ruler of Lahore, said to have been despised by the Hindus, was a ruler they loved the most, according to '*Tehqiqat-e-Chishti*'. He trusted the Hindus to such an extent that he chose Lakhpat Ray – the person who founded Kot Lakhpat – as his prime minister (*Deewan*). His popularity is also verified by Anand Ram Mukhlis' account who, in his book '*Badai Waqai*', wrote that when Zakariya Khan died, every Lahori Hindu mourned the loss.

Ranjit Singh gave a new life to this festival and ensured its household appeal. Many historians have archived it in great detail. During his reign, the Maharajah dressed up in yellow clothes on every Basant day, went out in the streets, reviewed the parade and the guard of honor, administered religious ceremonies and graced foreign emissaries, doing all this in the company of the British Resident. The pathway from the city to Shalimar Bagh was lined up with mustard fields and the entire city of Lahore would dress in yellow with a sky that looked equally colorful. The event was so popular that it attracted thousands of Lahoris – 50,000 as Syed M. Latif noted.

In 1848, John Lawrence took it upon the Raj to celebrate Basant in a more festive manner. The event spanned over a week and was called *Jashn-e-Baharan*, something that came handy to the Lahore administration a century later.

During the British rule, the princely states patronized the craft of kite flying and Basant picked up pace. The Maharajas of Patiala and Jaipur are said to have taken a personal interest in the ministry that oversaw kite flying.

As late as 1947, Basant was celebrated without a pinch of communal colors and it continued till the early 1950s. Being the age of non-commercialism, the yellow was not that gross and everyone celebrated it.

The budding consumerism pitted multinationals in a race to outdo each other to make Basant a big eastern festival that had immense marketing potential. *Havelis* in inner Lahore and farmhouses on the periphery were, at once, the hub of such activity.

On the other hand, the rise of the Saudi school of thought, the use of metal strings, over-commercialization

of the festival and the attached entertainment value provided the religious right with ample reasons to vent its differences. The religious element framed its most handy charge against Basant. The reference of B S Nijjar was repeated over and over again and, by misquoting such references, Basant was established as a Hindu festival. The kites of blasphemy, they alleged, targeted the Two-Nation Theory, not realizing that this premise could be devastatingly twisted and flawed.

Soon, the ideology and its praetorian guards subverted the activity through an overtly active court, saving Islam from the invasion of an infidel culture. Basant was banned. The declaration, however, raised another query...if Basant is an Indian festival, should we celebrate spring in the Middle Eastern style?

Eids (two compulsory and one optional), Muharram and the national holidays apart, the Pakistani calendar has no seasonal/cultural celebration – a phenomenon that largely remains unexplained. The segregation of celebrations on the basis of religion is not a very good idea. The over-religiosity of society ends up bringing divergences to the fore. Pagan or commercial, festivals are only meant to give a sense of happiness to the people who are otherwise lost in everyday life. Making them a pattern of ideology complicates the whole thing.

The issue has now taken a political turn. Since Bilawal Bhutto Zardari has included Basant in Sindh's cultural celebrations, the Sharifs have chosen Changa Manga to duel the cultural pre-emption, (leaving PTI ideologues with the only option of a social media Basant). But through it all, the innocent sentiment which existed at the very heart of this festival lurks in the open fields.

The logic that Basant should be banned on account of lives lost due to violations points to the state's inability to act and intervene. One is reminded of another man who flew kites but ended up writing a constitution – Benjamin Franklin – who rightly said, "Any society that would give up a little liberty to gain a little security will deserve neither and lose both." ■

*The writer is a federal government employee.*

# CASINO

While the Sri Lankan middle class has been going through a gradual transformation after the end of the three-decade long insurgency, post-war economic development in some areas suggests that the country may actually be sailing into uncharted waters. Reservations about the changes taking place in society have existed for quite some time but they came to the fore following an announcement made by the government of the construction of a \$400 million casino resort proposed by Australian casino mogul James Packer.

With the aim to promote tourism, the Rajapaksa government has set an ambitious target of hosting 2.5 million tourists by 2016 and of increasing the foreign exchange earnings to US\$ 2.75 billion. Against this background, the offer of a \$400-million resort and casino with 450 hotel rooms and a multitude of restaurants, conference facilities and entertainment options along with other complementing businesses seemed like just the right beginning.

At the Commonwealth Business Forum last year, James Packer elucidated that Sri Lanka has great potential and capacity to become 'a leading tourist mecca' for the rising middle classes of China, India and other Asian countries. He stressed that unless the Lankan authorities looked at the Indian and Chinese middle-class markets, the country would be missing out on the many opportunities that are surfacing. "In 2000, around four million Indians had travelled abroad. The UN World Tourism Organization had estimated that the Indian outbound market would reach 50 million by 2020, giving great

opportunities to her neighbors. Middle-class Chinese have increasingly been travelling abroad. In 2000, 10 million Chinese had travelled abroad, in 2011 the number had risen to 70 million. By 2015 it is expected to reach 100 million," stated Packer at the forum, quoting from a McKinsey study. He was also confident that the proposed integrated resort would assist the country in meeting the government's goal of having 2.5 million tourists by 2016.

Nonetheless, a number of civil society groups, academia and opposition parties have claimed that the path the government is aiming to adopt may pose serious threats to the country's moral values as a Buddhist nation.

According to Siri Hettige, a sociology professor at the University of Colombo, Sri Lanka displays a very high level of religiosity, with the present regime going to great lengths to facilitate the rising tide of religiosity and superstition, often at the expense of reason. "When we look at the present controversy over the proposed establishment of a major casino complex in Colombo, it shows how desperate we have become with regard to the need to attract direct foreign investment, no matter what that investment means with respect to long-term social, cultural and public health consequences. While the rest of Asia concentrates on export-led growth, we seem to have chosen the easier avenues of earning foreign money such as export of labor, tourism and gambling," Hettige wrote in an article.

The religious groups representing all the main religions of the country have shown resentment against the endeavor,

claiming that permitting the gambling industry to grow will erode the social, cultural, moral and religious fabric of the country. At a media briefing held by the Congress of Religions, Ven. Maduluwawe Sobitha Thera asserted that social evils such as drugs and prostitution that are associated with casinos would far outweigh the advantages of the enterprise. "We are asking ministers and MPs of the government and the opposition not to let gambling destroy this country," he said at the media briefing.

The archbishop of Colombo, Malcolm Cardinal Ranjith, said in a press communiqué that the government's plan to establish a casino village in the Katana area in the Gampaha District threatens the spiritual mores of villages in Sri Lanka. "Sri Lankan soil, fed by the religious traditions of the world's four biggest religions, is not on sale. I call upon all those who oppose this move strongly, and call upon the government not to go ahead with these plans. Development – yes; but not at the cost of our dignity," stated the communiqué. Subsequently, the US\$ 3 billion casino city project planned in Katana was reportedly put on hold following persistent complaints of the Catholic clergy.

The government, however, claims that no new casino license will be granted to the proposed complex and that all proposed casinos of the country will be relocated to a special zone in Colombo that would result in a net reduction of the number of casinos. "Yes, we are for casinos, but we are not going to issue any new licenses. We have to impose regulations. The Finance Ministry passed the bill in 2010 and

# — Yes or No?

The people of Sri Lanka are reluctant about casinos opening in the country while the government is enthusiastic about the economic gains this will bring.

By Kruthagna Nadini Perera

regulations are being formulated for the said bill. Once it is done, we will know what the next step should be. We have submitted the cabinet paper for a mixed development project and want the work on it to continue. After four years – the time the construction will take – we will talk about casinos. Till then, it's just a mixed development

project," was the view of the Minister of Investment Promotion, Lakshman Yapa Abeywardena. Yet, religious groups along with the opposition have continued to increase pressure on the government.

Sri Lanka has approved the construction of a \$400 million complex along with two similar projects, but without any explicit permission to

operate casinos there. It is too early to say that whether the groups would be successful in saving the country from the claimed catastrophe following the entry of casinos in the country. **S**

*The writer is a business journalist based in Sri Lanka. She focuses on issues pertaining to trade, health and fashion.*



# A Bonanza is Waiting

Bhutan needs to improve its tourism infrastructure so that visitors can enjoy its snowcapped peaks, green valleys and monasteries.

By Zufah Ansari





**B**hutan takes pride in remaining an ‘untouched’ land for centuries. The country, with a population of over 730,000, had kept itself well hidden from the world until a few decades back. It opened to the outside world in 1974 and decided to develop its tourism industry to alleviate unemployment and boost development.

Initially, there was only one entity which provided all kinds of travel and tourism-related services – the government-controlled Bhutan Travel Agency. But the private sector soon followed suit, albeit at a very slow pace. By 1991, around 33 tour operators were functioning in Bhutan.

Since then, the industry has experienced a paradigm shift. With the potential to become one of the top tourist destinations of the world, Bhutan’s tourism industry is all set to become the second-largest industry of the country. Till now, most of the country’s tourism approaches were directed to the west and central Bhutan. But efforts are underway to expand and develop the eastern regions of the country as well for tourism purposes.

Tourists are flocking to this beautiful kingdom to enjoy its snowcapped peaks, green valleys, monasteries, handicrafts and a rich, well-preserved heritage. Some famous tourism spots are Paro, Thimphu, the Phajoding Temple, the Zangdo Pelri Temple and Punakha.

Apart from the enchanting landscape and historical monuments, eco-tourism is also gaining popularity among tourists. With more than 165 animal species and 770 species of birds, Bhutan is home to 60 percent of the endemic species of the eastern Himalayan region.

In addition to reaping the benefits of a thriving tourism industry, Bhutan is also working towards formulating policies to counter negative elements that are a byproduct of mass tourism. One such policy is the promotion of sustainable tourism.

Bhutan banned mountaineering in the 1980s. Trekkers can only visit base camps while eco-tourism is strictly monitored to preserve the environmental and spiritual significance of many areas.

Despite being a relatively new

industry, tourism has managed to bring in \$227 million in revenues to Bhutan in 2012, with the number of tourists increasing from 40,873 in 2010 to 105,414 in 2012. Among them, 53,504 were international tourists, while the remaining 51,910 were regional visitors.

Although a fast-growing tourism industry is an indication of growing profits and development, it also brings with it serious challenges regarding infrastructural capacity, flexibility and adaptability to both the growing number of tourists and their changing demands.

One of the major challenges that the industry faces is the lack of resources to upgrade air and road access. The influx of tourists into the country has not been matched by an equal amount of investment to increase and improve transportation services. Currently, Bhutan has only one airline, the Druk Air, which caters to tourists.

Accommodation, especially in central and eastern Bhutan, is another area of concern. Besides transportation and lodging, communication is a common problem as many areas of the country experience little to no internet coverage, slow internet speed and limited bandwidth.

Non-acceptance of credit cards and limitations in other modes of monetary transactions also restricts the movement of tourists. This results in visitors forming clusters at a few destinations that are fully equipped in terms of requisite facilities.

Keeping these issues in view, the Tourism Council Board of Bhutan is formulating strategies to sustain the industry against the changing dynamics of tourist influx. It aims at expediting the construction and maintenance of infrastructure which includes roads, trek routes, campsites, bridges, restrooms, biking trails and bird watching campsites.

The Board would also do well to organize promotional activities such as travel fairs and roads shows to display Bhutan’s tourism potential and policies as well as tourism attractions. **S**

*The writer is an undergraduate marketing student with a strong interest in culture and society.*

# A Challenging Endeavor

**Book Title:** Challenges of History Writing in South Asia. Special Volume in Honour of Dr Mubarak Ali

**Edited by:** Syed Jaffar Ahmed

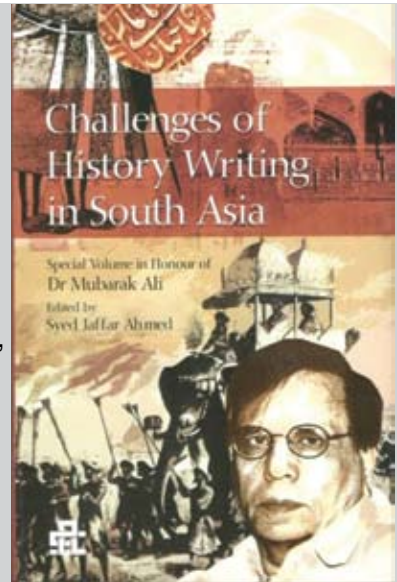
**Publisher:** Pakistan Study Centre, University of Karachi

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**Price:** USD 22

**ISBN-13:** 978-9698791438

*Reviewed by Yaqoob Khan Bangash*



History writing has always been a challenging endeavor in Pakistan and ‘Challenges of History Writing in South Asia’, edited by Syed Jaffar Ahmed in honor of Dr. Mubarak Ali, articulates this well. Although Dr. Mubarak Ali was trained in the older tradition of historians, he chose to write popular history. Throughout his career, Mubarak Ali has not written high-brow political histories and has instead focused on issues which interest the ordinary public. Long before William Dalrymple popularized history in English in South Asia, Mubarak Ali had achieved the same success – significantly in Urdu – in Pakistan.

The volume begins with an article ‘Mubarak Ali and his work’ by the editor, Syed Jaffar Ahmed. Syed Jaffar Ali contextualizes the beginning of popular history writing by Mubarak Ali within the effects of the Movement for the Restoration of Democracy in the 1980s which, in Sindh, infused “...a spirit of defiance but also encouraged the Sindhis to reassert their identity and foster their self-expression through creative literature and arts”. Against this background, Ali’s writings quickly gained currency in various circles in Pakistan due to their twin merit of historical depth and popular outreach. Mubarak Ali’s contribution is also significant because of his

“courage to question the inadequacies of the existing history writing tradition in Pakistan”. In a country dominated by official narratives and official historians, Mubarak Ali’s writings are certainly a breath of fresh air and continue to raise a number of critical questions in their readable yet academic scope.

Sharif al Mujahid’s article on ‘History – the State of the Discipline: An Overview’ is interesting but suffers from a lack of focus. A longer and more detailed piece would have done the issues raised more justice. For example, one of the most important sections of the article on ‘problems confronting the discipline’ is written as a set of eleven points, while a lot of space is unnecessarily given to the development of historiography from the Delhi Sultanate period and Professor Sharif’s attempt to show historians of the medieval period in a positive light. However, the discussion on a lack of emphasis on methodology and interpretation is very apt as is the assertion that most historians who criticize the ‘murder of history’ are themselves perpetrators of the same.

Eminent historian Harbans Mukhia’s article on the topic of how historians view things – ‘India Thorough Indological Prisms: Filling in Some Voids’ – is a useful overview of the development of European

Indology and how it still prevents a holistic view of human experience in South Asia. Professor Mukhia argues that it is high time we ‘abandoned the colonial baggage’ which saw India as the ‘spiritual East’ and Hinduism and Sanskrit as its ‘essence.’ He maintains that we must move from ‘binary opposition whether of continuity vs. change or class vs. class or empire vs. colony, etc. to one of continuums where interactions and interrelationships comprise the totality.’ Highlighting the importance of the ‘popular construction of history,’ he calls for historians to ‘understand the tales as part of the encompassing culture’ and provides examples from his own experience as a medieval historian to illustrate the point.

This article is followed by an article of yet another giant of South Asian studies, Professor Gyanendra Pandey, who succinctly analyzes notions of nationalism, communalism and violence and the everyday issues he has been working on for decades. Professor Pandey’s path-breaking contribution to South Asian studies has been his exploration of the development of nationalism and nationhood as a ‘process’ and his focus beyond the elite leadership, showing that “the initiatives and struggles of the masses in diverse economic and cultural situations with diverse claims

on liberation' are equally important. Professor Pandey's 1990 book on communalism also provocatively argued that 'communalism was a category of colonialist knowledge' and was more layered and complex than hitherto understood. His work on the 1947 partition and its violence, both 'historical' and in other manifestations, also serves to offer a new direction in history writing. The concluding remark by Professor Pandey is pertinent and so fitting in the context of a tribute to Dr. Mubarak Ali that it deserves a full quotation.

Dr Pandey writes: 'What we need to work for is the recognition and presentation of a far more capacious and contested past than we have so far admitted into our history texts for the peoples and inhabitants of South Asia – in all their variety, indeterminacy and contradictoriness. Such a view of the past... is likely also to contribute to the production of a richer, more receptive and tolerant present – and more equitable futures'.

It is in these few lines that

including Sarah Ansari, Kamran Asdar Ali, Ishtiaq Ahmed, Pervaiz Vandal, Rubina Saigol and others. However, the collection of these top academics with their focus on different subjects gives the work a haphazard feeling. Since the volume is entitled 'Challenges of History Writing in South Asia,' it would have been best for the writer to concentrate on articles which actually focus on the topic and perhaps collate the other articles in a separate volume.

Also, the classification of articles seems very odd. The explanation offered by the editor that a thematic arrangement might have put some senior academics at the end and would seem 'a bit rude' appears to me to be exactly the mould these senior academics seemed to have written against. Indeed, even the classification as in 'Pakistan,' 'India' and 'Beyond' seems to run against the grain of a lot of what has been argued in the articles themselves and unnecessarily segregates authors on the basis of where they may have been born.

The anthology's greatest strength is that it has excellent articles from the best of South Asian academics, including Sarah Ansari, Kamran Asdar Ali, Ishtiaq Ahmed, Pervaiz Vandal, Rubina Saigol and others. However, the collection of these top academics with their focus on different subjects gives the work a haphazard feeling.

Professor Pandey has given the historians of modern South Asia in general and Pakistan in particular their future charge. With Pakistan as a case in point, unless we move forward from ideology-based official history writing – which only serves to create a fictitious and sanitary past and lends itself to creating deep ethnic, religious and identity-based fissures in the present – South Asia will not move away from cycles of hatred and violence and towards real human development.

The anthology's greatest strength is that it has excellent articles from the best of South Asian academics,

All said, the volume is certainly a welcome addition to history writing in Pakistan. One of its main achievement is its local publication, hence availability in the local market and, therefore, easy accessibility to people who should actually read it. Pakistan suffers not only from a singular focus on official hagiographies but also from no real 'history' of either a political or social nature. I hope this volume serves as a wake-up call to all of us. **S**

*The writer is the chairperson of the Department of History, Forman Christian College, Lahore.*



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# Indo-U.S. Tensions After Devyani's Arrest

By Anees Jillani

**D**evyani Khobragade, 39, the former deputy consul general in New York, has finally returned to India on January 10, 2014, after becoming a cause for one of the worst crises in Indo-U.S. relations. She returned after being expelled by the Obama administration, following her arrest for visa fraud on December 12.

Devyani has also served in Islamabad as first secretary political in the Indian High Commission. She was accused of submitting false documents to obtain a work visa for her housekeeper, Sangeeta Richard. The New York Southern District prosecutor, Preet Bharara, himself of Indian origin, accused Devyani of trying to evade U.S. law designed to protect the domestic employees of diplomats and consular officers from exploitation. The offences involved a maximum sentence of 10 years for visa fraud and five years for making a false declaration.

There is little doubt that both sides mishandled the matter. To begin with, most of the diplomats using foreign domestic help probably are guilty of the offences that Devyani was charged with. It, however, goes without saying that it is not an excuse in law that others are doing it as well.

It was not so much the pressing of the charges that infuriated the Indian government and the public, as the way Devyani was arrested. She was handcuffed after she had left her daughter at school, and subsequently strip-searched and then held with drug addicts before being released on a \$250,000 bail. Her body cavities were also searched and DNA swabs taken. This is definitely humiliating for anybody, particularly for a diplomat and the country she represents.

The Indian government instead of handling the matter discreetly went public with its protestations, partly due to the coming national elections. It started pressurizing the U.S. embassy in an undiplomatic manner by removing security barriers around the embassy, withdrawing certain diplomatic benefits of the U.S. diplomats, questioning the U.S. diplomats about the salaries paid to their Indian ser-

vants and placing restrictions on the functioning of a club and an American school. This was finally followed by expelling an American diplomat at the time of expulsion of Devyani from New York.

The U.S. State Department must be credited with handling the whole matter with utmost restraint. It had no hand in Devyani's arrest as this was dealt with by the police in New York. However, subsequent to the arrest, the U.S. Secretary of State called the Indian National Security Advisor, as the Foreign Minister refused to talk to him and apologized for the treatment. The American diplomats and politicians remained mum on the issue, although they could also have made a noise.

After all, the issue has another angle to it which the Indian authorities have so far refused to even mention, namely the rights of the domestic help. The latter, Sangeeta, was promised to be paid by Devyani \$9.75 per hour, in compliance with United States labor rules, but instead was paid \$3.31 per hour. The latter salary may be handsome from an Indian point of view but remains in contravention of the U.S. laws. The issue then is as to whether diplomats are exempted from this provision and the answer is in the negative. The poor hardly have rights in South Asia and are routinely exploited. It may thus not have been a big deal in India but became an issue for the Americans, so much so that they went out of their way to get Sangeeta's family secretly repatriated to the United States. The American police treated Devyani in a harsh manner which was not just as she was a diplomat and had not committed an offence deserving such a harsh protocol but the truth is that India is party to an exploitative system that also needs to be scrutinized. ■

*Anees Jillani is an advocate of the Supreme Court of Pakistan and a member of the Washington, DC Bar. He has been writing for various publications for more than 20 years and has authored several books.*



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