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The Afghan Imperative

Biden's India Visit

Pak Charade on Terrorism

Lesson From Muzaffarnagar

and many more

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Editor's Note

The communal violence in Muzaffarnagar dominated the national discourse in September. What was projected as the fallout of a trivial incident was in fact the outcome of vote bank politics pursued by successive 'secular' Governments in the state. The blatant appeasement politics played out by the ruling party in Uttar Pradesh ever since it assumed office has not only vitiated the cordial relationship between the two communities in Western Uttar Pradesh but also contributed to bitterness and mutual suspicion among them across the state, which is detrimental to societal harmony in the long run.

What was far more appalling was the deliberate destabilization of the rule of law leading to collapse of the law and order machinery as exposed by a television sting operation. Unfortunately, what should have been a moment of introspection for the political class was turned into an occasion for scoring political brownie points and blame game. Instead of learning lessons and taking preventive steps, attempts are being made to polarize the voters on communal lines ahead of the 2014 elections, which has dangerous ramifications for the nation as a whole. Moreover, such a situation is totally out of sync with the India story and portrays the country in a poor light globally.

One can only hope that the people of this country, particularly the minorities, see through this nefarious game and foil the designs of such self-seeking politicians. The media too should ensure that the political debate does not get deviated from fundamental problems concerning the common masses such as corruption and governance instead of focusing on cliché issues such as communalism which have been debated ad nauseam poll after poll.

In this issue, our distinguished authors have also dwelt at length on other topical issues of the day such as Afghanistan, Pakistan's charade on terrorism, Syria and US Vice-President Joe Biden's recent low profile but highly significant visit to India.

Looking forward to your valuable inputs and feedback.

K G Suresh

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Moderate And Balanced Afghanistan: Imperative For Regional Security

- *Ajit Doval, KC*

A moderate and balanced Afghanistan is not only an absolute necessity for regional security but is equally imperative for rest of the world. A radicalised and unstable Afghanistan, imbued with an intolerant jihadi fervour, has implications for US or Europe as much as for South Asia. Any resurgence of violent Islamic terrorism will have a cascading effect that will define the future trajectory and intensity of global terrorism, endangering the people here as much as in the region. Al-Qaeda is down but not out. Its structures and cadres have been degraded but in its new incarnation as an ideological hub driving and uniting violent form of political Islam poses a threat that is real, more complex and extensive. We are seeing some early trailers in the Gulf, North Africa and Western Eurasia etc.

The debate is not about agreeing upon the end objectives but examining emerging ground

realities, re-validating assumptions on which our policies rest, and evaluating new initiatives to see to what extent they enhance or reduce the possibility of achieving the end objectives. Are the critical players and stake holders involved in this complex imbroglio pursuing the policies that will lead to a stable and moderate Afghanistan? Are there gaps and anomalies in their stated positions and real intentions? Good intentions are important but not sufficient to achieve intended objectives.

US and other members of ISAF have invested heavily in last 12 years to bring peace and stability in Afghanistan. US alone has suffered over 2,000 military casualties and spent over \$600 billion in this fight. The results though commendable, have not been proportionate to the cost. The outcome might have been different if assumptions about Pakistan, the non-NATO ally with front line responsibilities, had proven to be

* *Ajit Doval, KC – Director VIF*

correct. Moral of the story- When assumptions are wrong, the strategies fail to deliver.

The security environment in Afghanistan is far from optimal for smooth transition to a stable and moderate Afghanistan post 2014. The Taliban and their allies are better organised and resourced, have deepened their coercive influence in new areas and exude a sense of triumphalism. Islamist hardliners world over are looking at them with awe and respect.

Within Afghanistan, their political engagement on the asking, if not cajoling, by their erstwhile adversaries has

Pakistan ISI's duplicitous deals with various factions of Taliban and other armed groups in Afghanistan in furtherance of its unknown post 2014 agenda has compounded the situation further.

given them a sense of legitimacy as victors on one hand and generated a fear of uncertainty and insecurity among those who stood on the side of religious moderation, human rights and democracy.

The recent developments indicate that there is lack of synergy and coherence among major stakeholders responsible for a stable post 2014 Afghanistan. The ruckus over Afghan President Hamid Karzai objecting to blatant

display of the Taliban flag and a plaque with the inscription 'Islamic Emirate of Afghanistan' at its Doha office and US talking about a zero option in post 2014 Afghanistan underlines that the two players critical for stability in Afghanistan are not on the same page. The left over elements of Al-Qaeda and undented Haqqani group being allowed by Pakistan to consolidate their positions along the Af-Pak border are ominous. Pakistan ISI's duplicitous deals with various factions of Taliban and other armed groups in Afghanistan in furtherance of its unknown post 2014 agenda has compounded the situation further.

Pakistan's advocacies of including sections of Taliban close to it but known to be soft on Al Qaeda in the peace process have serious long term implications. The cost of promised co-operation in future by Pakistan may prove more costly for the world than estimated.

The problems of governance, internal security and weak economics both in Pakistan and Afghanistan may only give a fillip to further radicalisation in these two countries. While the world is

closing in to the 2014 drawdown, the insurgency and law and order situation, both in Afghanistan and Pakistan, is under serious drift. In the first six months of this year, over 800 Afghan army and police personnel, 365 civilians and 63 ISAF soldiers have lost their lives. The situation in Pakistan where Islamic terrorists are in control of large tracts in tribal regions is no better. In the last six years alone, more than 2000 Pakistanis including 400 security personnel have been killed in terrorist related violence in the country. All these straws in the wind raise serious doubts about emergence of a moderate and stable Afghanistan after draw down unless basic correctives are applied at this stage.

I have great respect for the optimists, not because they are always right but because they keep the hopes alive, at least till the things go wrong. On Afghanistan, the hopes of optimists are premised on following assumptions:

- Taliban will change. They will sever their links with the Al-Qaeda and its affiliates with Pan-Islamic global agenda. People in last twelve years have developed

vested interest in democracy, development, and respect for human rights. Taliban will not get their support if they revert to their old ways. Democracy will stay and ethnic rivalries will be subsumed by a resurgent Afghan nationalism.

- The nearly 3,35,000 strong Afghan National Army and police will remain a cohesive force, will be adequately resourced and remain committed to its fight against terror; irrespective of political complexion of the people who assume power.
- Most importantly, Pakistan will change and will not pursue its three decade old policy of furthering its strategic and political objectives by using Jihadi terror as an instrument to keep Afghanistan under its control to the exclusion of others. It will no more follow a duplicitous policy in dealing with terrorism and terrorist groups.

If these assumptions hold good, even to a reasonable degree, we can hope for a moderate and stable Afghanistan. I am not a scientist but a great admirer of Einstein. He defined insanity; as doing the

same thing over and over again and expecting that the results will be different next time. Pakistan will change is a possibility but not a probability.

It is true policies and strategies cannot always be made on the basis of totally proven facts and crystal gazer's ability to peep into the future. But it is necessary that we do not deny the existence of facts because they are unpalatable and do not deliberately work in a direction that negates the assumptions on which our policies rest. The right approach at this time should be to put in collective efforts to ensure that the above assumptions on which the end objectives are premised are reinforced, resourced and refined. There are plenty that we can do at this stage but the window of opportunity may not remain open indefinitely.

Affirmative and coercive actions in three important domains from now till 2014 will be necessary to ensure that the post-2014 Afghanistan is reasonably stable and minimizes security threat to the region and the world at large.

First, no agreement or assurances to Taliban or other radical groups contravening the constitution, as it exists or is amended through due process, should be made. It is also important that no covert arrangement is arrived at by extraneous forces without taking into confidence the constitutionally elected government in Afghanistan. Whatever its shortcomings and failings may be, which indeed are plenty, undermining constitutional or moral authority of a democratically elected government will weaken constitutionalism and rule of law in Afghanistan that has been one of the major achievements of last 12 years. This is, however, still feeble and needs to be carefully nurtured.

Second, the continuation of foreign financial assistance for maintaining the ANSF would be necessary. The security apparatus should also remain apolitical and selection of military commanders should not be influenced by ethnic considerations or political proximities. Large private armies and armed groups working under varying influences, ranging from

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drug syndicates to radical Islamic groups and to political parties, under a well calibrated plan of action should be de-legitimized, disarmed and demobilized. Any external force trying to control or influence them to sub-serve their agenda in post 2014 setting should be shunned.

Third, Pakistan's role is going to be critical in defining the future. It has a past that is not very reassuring. Measures have to be taken and compulsions created that makes it unaffordable for Pakistan to pursue a course that undermines stability in Afghanistan, boost terrorism in the region and most importantly endanger Pakistan's own safety and long term security. Let us look at some expert views about Pakistan in the last few weeks:

- Barely two week back in Washington DC, Ambassador Robert Blackwill speaking at the Ambassador's Round Table said, "there is no evidence that Pakistan military has changed its view- its primary role is to prevent the rise of India. It continues to look at Taliban as a strategic asset that can be leveraged to further its strategic objectives, particularly vis a vis India."

- Brig AR Siddiqi writing in The News, Pakistan's leading daily, on July 11 quoted Gen Pervez Musharraf when he was the President and Army Chief, as saying "Taliban are my strategic reserve and I can unleash them in tens of thousands against India when I want..." Gen Kayani was probably the ISI Chief at that time. He indicated that there was no shift in this mindset.
- On July 3, Afghan Army Chief Gen Sher Mohammed Karimi told the BBC that "The Taliban are under Pakistan's control – The leadership is in Pakistan."
- Bruce Riedel – on July 3, said "By 2004 under the leadership of its then spy chief and today top general, Ashfaq Kayani, Pakistan's intelligence service, the ISI, was deeply engaged in helping the Taliban again. It still is. The senior Taliban leadership including Mullah Omar are protected by the ISI in Quetta and Karachi."

All this and many more such inputs indicate that Pakistan continues to pursue a plan that may not be in consonance with what the world wants – a stable and moderate Afghanistan. It estimates that with American provocation gone and political space apportioned by its surrogates like Mullah Omar and

Sirajuddin Haqqani, it will be able to play the Islamic card and regain lost ground with militant Islamic groups on both sides of the border. The recalcitrant few could be neutralised with their support. On one hand, it will help it to mount over its precarious internal security predicament and on the other make available “strategic assets” for pursuing its agenda in the region like India, Central Asia etc. Pakistan’s assumption may prove to be its nemesis but many others may have to pay a heavy price.

More than anyone else, it is the US which exercises the leverage and influence to make Pakistan follow the right course and force it to abandon its policy of using terrorists as instruments of its state policy. It should be unequivocally made clear to the new regime in Pakistan that support to any form of terrorism irrespective of its cause, target or ideological persuasion would be unacceptable and involve costs. All financial assistance and aid to Pakistan should be made conditional to its deliverance on the terrorist front.

An assumption which must be dumped is that the threat emanating from Afghanistan

would only affect the region. It won’t. It will engulf the regions far beyond. From Al Qaeda down to the lone wolves, the developments are being seen by the Jihadists as their victory against the sole superpower and rest of the world that stood by it in their fight against terror. They also are hopeful that the new dispensation in Afghanistan will provide them a foothold for pursuing their global agenda. The challenge is what we can do to prove them wrong. And, if despite our best efforts, desired results do not come forth, start preparing for the worst- an unstable Af Pak region - right from today, jointly and more resolutely. You often don’t have to fight the wars you had prepared for in advance.

(Based on the talk delivered on July 23, 2013 at Cannon Hall, Capitol Hill in a function organised by US-India Political Action Committee, American Foreign Policy Council and Foundation for India and Indian Diaspora Studies)

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Biden's India Visit – Points To Ponder

- *Prabhat P Shukla*

Vice President Joe Biden was in India for four days in July, visiting Delhi and Mumbai. The visit got less than the usual level of media exposure than high-level visits from the US normally attract. This was effectively the second visit at this level since Independence, not counting the visit of Hubert Humphrey for Shastri's funeral, and therefore a purely protocol affair. Then it was Vice President George HW Bush who visited India in 1984. And now, after a gap of almost three decades, Vice President Biden came visiting.

Whatever the reason for the low-key treatment of the visit, it deserved more attention, not so much for the discussions in Delhi, but for a noteworthy speech he delivered in Mumbai. This was made before a gathering of business persons, but covered more than the normal fare at business gatherings.

Two important points were made by Biden, among several others of course, that need attention, both

in the public discourse and among the officials dealing with the US. For some time now, the dominant one-word summation of the Indo-US relationship has been stagnation. There appears to be a resignation, on both sides, that nothing more can happen until a new Government takes office in Delhi. This is probably true, but not because of any calculations or policies, or even compulsions – it is more a function of this Government being unable to muster up the intellectual energy to address the emerging opportunities in the India-US relationship.

And that is what the two openings mentioned by Biden are about. The first was about the “rebalance” towards Asia, and the second was about the Trans-Pacific Partnership (TPP). Both of these require some elucidation.

Biden was up-front in telling the audience that India was an indispensable element in the rebalance. This is something we have been hearing from American

* *Prabhat P Shukla – Joint Director VIF*

leaders for some time now. What is not clear – at least in the public domain or even in Track II exchanges – is what this means in terms of detail or action. But first, it is important also to note that Biden waded into the internal debate here by adding that there was no contradiction between strategic autonomy and strategic partnership. This is an important practical point, because in India, the view seems to dominate that nonalignment – 1.0 or the new, improved version 2.0 – is the key to strategic autonomy.

In point of historical fact, this is not true; Indira Gandhi enhanced her strategic autonomy by signing the Indo-Soviet Treaty in 1971. Without that, India would have been restricted in its actions even as events hurtled towards war in the subcontinent. Of course, we all made statements that nonalignment was not affected by the Treaty, but for that brief period of 1971-72, India was aligned with the Soviet Union – and a good thing it was too. The Treaty formally ran on until 1991, but had lost much of its strategic value by the mid-1970's. Similarly, Nehru was all too willing to

In point of historical fact, this is not true; Indira Gandhi enhanced her strategic autonomy by signing the Indo-Soviet Treaty in 1971.

jettison nonalignment in the face of the Chinese aggression in 1962, by asking for not just US military equipment, but even personnel to man the weaponry. It was, in fact, so much the subject of controversy within Indian political circles that many of the Americans, who visited India with different missions to extend military and other aid, were plied with this very question – was America bent upon India giving up nonalignment?

To the fear that the US was keen to steal the nonaligned crown jewels under the guise of military assistance, the US Ambassador in India then, JK Galbraith, put his thinking with his characteristic mix of frankness and acerbity. He wrote the following passage to his President and repeated it to any questioner from the Indian press, though this last he did with a little more finesse:

If the Chinese should really come down the mountain in force, there will be more political changes here. Much so-called nonalignment [has already gone] out the window... Popular opinion and our military assistance has

worked a further and major impairment. The problem in face of a really serious attack would be how we would react to the prospect of a new, large and extremely expensive ally. I personally hope the Chinese do not force this choice. The Indians are busy worrying about the end of nonalignment. It is we that should be doing the worrying on this. [Galbraith, Ambassador's Journal; letter to President Kennedy on 13 November 1962]

These are home truths that we need to ponder even today, for we seem to be agonising over the same issues. Putting aside the question of nonalignment, what really needs an answer is – just how much autonomy does India have at the moment? It is unable to take even basic measures in defence of its own security in the face of Chinese and even Pakistani provocations. This is what Galbraith meant when he described India as an “extremely expensive” ally. And we really ought not to have too many illusions regarding continuity and change since those times. In the polite terms employed in the Asia-Pacific Region, the code word for the same syndrome is that India needs to be a “net provider of security”. But that can only

happen once we have the means and the will to provide for our own security. The bitter reality is that there is not much strategic autonomy we are exercising in producing dossier after dossier on the Mumbai terror attacks, only to have them rejected with disdain by the recipient.

This should be the basis of the dialogue with America on the issue of the rebalance. Whereas America is seeing India as the indispensable partner in adding to the economic and military strength in the Western Pacific, we have serious issues on our land frontiers where we are facing military and sub-conventional pressure simultaneously on two fronts. A serious partnership would need to address these concerns of ours just as much as the concerns of our putative partners in the Pacific.

To spell this out in some detail: one small step that can quite easily be taken by our partners, for which the US would have to provide the lead, would be to adopt clear positions on the Indian territorial claims vis-a-vis both China and Pakistan. In 1962, at the height of the war, the US made a formal declaration through the Embassy in Delhi that it

recognised the McMahon Line. It is time now to come down on India's side in the western sector – Aksai Chin – as well.

Similarly, the Line of Control with Pakistan needs to be extended from beyond where it was left off in 1949 – Pt NJ 9842. It is time for America to extend recognition to the Actual Ground Position Line along the Saltero Ridge. This is both the legally correct position, and accurate from the viewpoint of the ground reality. And yet, American maps continue to depict the line as joining the current end point of the LoC to the Karakoram Pass – for reasons that nobody can explain.

Understanding on these issues is important for India, and it is to be hoped that it is also important for those in America who believe that India needs to be part of their Asia-Pacific strategy. And to be blunt about it, it is not any atavistic attachment to nonalignment that is holding India back, but the fact that our security concerns are not being addressed in the framework of this pivot.

The second major point in the remarks by Biden concerns the Trans-Pacific Partnership. This proposal has been under discussion for some years now, and most of the large economic players in the region are in it. Japan, Canada, and Mexico have all signed on in recent months, while China is out. The project looks well set to become a reality, though it will take time for the negotiations to be completed.

First, of course, we need to be certain as to what the remarks made by Biden actually portend. The formulation used by Biden falls short of inviting India to join, but that could

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be a conscious decision to couch it in terms that do not embarrass India into taking a position – just as the pivot appears to be doing. But they were sufficiently clear for the Chinese press to take note and to conclude that India was being invited to join the TPP. Nonetheless, the burden of comment in the Chinese press maintains, India will not abandon its nonalignment and become a strategic ally of America, in part because it also fears that America

will abandon the pivot and set up a G2 with China.

None of this is to say that the TPP will make easy progress. And as far as India and America are concerned, we have not even been able to work out an investment treaty so far. Moreover, American positions on outsourcing and visas for Indians are incomprehensible, especially for a country that touts the benefits of free trade. The known clauses of the proposed TPP – for the details are closely held – also suggest that India will have difficulties with some of the commitments on labour standards, on environmental obligations and on intellectual property issues. Granting all of this, it is still at least worth India's while to take the dialogue forward. Several of the current negotiating members of the TPP began by becoming observers in the dialogue. This should certainly be something for India to consider favourably too.

We also need to understand that our current economic slow-down is not one that will be fixed easily or quickly, notwithstanding the positive assertions being made at the official level. The days when we took a 6-7 percent GDP growth rate as a given are gone, and it will take careful policy planning to

get back to a steady and high rate of growth. We are going to need all the leverage that the world's largest economy can provide. America is clearly fashioning a new economic strategy, the twin pillars of which are the TPP and its mirror in the Atlantic region. The obvious exclusions are the BRICS countries, and they will lose out on economic opportunities if these strategies come to fruition. Not surprisingly, Goldman Sachs, the originator of the term BRIC, has recently stated that the judgement on them was mistaken.

For the doubters, Biden had a word of caution – it is not a good idea to bet against America. This piece of advice is particularly valid for Indian audiences, who have largely convinced themselves that America is yesterday's story, and China is tomorrow's. Judging by the kind of writing that we are seeing in the Chinese press, this latter conclusion needs very careful examination. As does the theory of America's decline – and here Biden's admonition was on the mark.

Thus, the visit of Vice President has left much of substance for the Indian policy makers to chew on. Although it was largely projected as a visit to prepare for Prime

Minister Singh's visit to the US, it went well beyond this, as it should have done. And to the extent that it was a curtain-raiser for the visit of the Prime Minister, it would be good if our side did have well-argued positions on the issues discussed above. They do not, of course, exhaust the agenda, which is full of urgent and operational matters of concern, not the least to do with Afghanistan. But there

are longer-term currents flowing globally and across the Asia-Pacific region that will affect us materially in the coming years. It would be good if we were to move with serious intent on these issues.

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Pak Charade On Terrorism Stands Exposed

- *Sushant Sareen*

After weeks of delays and dithering, hemming and hawing, and some political bargaining, point scoring and grand-standing, the newly elected PMLN government in Pakistan finally managed to hold the much touted All Parties Conference to evolve a consensus on the counter-terrorism policy of the Pakistani state. The APC was never going to be the magic bullet that would find a lasting solution to Pakistan's tryst with terrorism. But at the very least, it was expected to make a show of national resolve against terrorism even as it endorsed the government's efforts and attempts to restore peace in the country through negotiations and dialogue. The resolution passed by the APC, however, is a document dripping with and reeking of irresoluteness. For all practical purposes, the only consensus that emerged after the confabulations of the civil and military leadership of Pakistan was to capitulate before the Taliban, and all that now remains

to be decided are the modalities of going about this.¹

Not surprisingly, there has been trenchant criticism of the APC resolution by many Pakistani analysts and observers. For one, the very idea of holding an APC when there is a parliament in place to debate issues of vital national importance has been called into question, more so because ostensibly only parties with representation in parliament were invited for the APC.² Apart from procedural and protocol issues, there are other more substantial points on which the APC has been pilloried. For instance, despite all the verbiage in the resolution that was passed, there is no clear roadmap on how negotiations will be conducted, with whom, on what basis and under what framework, what will be the plan 'B' if the dialogue fails etc. In other words, none of the nuts and bolts of an anti-terror policy that are critical for determining the pace, direction,

* *Sushant Sareen, Senior Fellow, VIF*

and terms and conditions of the negotiation process have been clearly specified. It is almost as though the authorities will decide things as they go along, or if you will, muddle along.

While the Pakistani politicians have been rather unrestrained in hitting out against the US, not just on the issue of drone attacks but also in making clear that in fighting the war Pakistan “will not be guided by the USA or any other country...”, when it comes to even mentioning the Taliban or the T-word (terrorism) all the determination displayed in standing up to the US (arguably Pakistan’s largest benefactor) seems to suddenly disappear. This of course is something that has been in the making for quite some months and, if anything, the pusillanimity of the Pakistani political class has only increased. Earlier this year, the the Jamiat Ulema-e-Islam - Fazl-ur-Rehman Group (JUI-F) held an APC where the luminaries referred to the depredations of the Taliban as ‘lawlessness’ because use of the word ‘terrorism’ would offend the Taliban. The JUI-F APC also called for ‘engaging all

concerned parties’, thereby conceding legitimacy to the Taliban by making them a concerned party instead of a combatant. The PMLN has gone a step further by using the term ‘stakeholders’ which is tantamount to placing the Taliban on an even higher pedestal.

The APC resolution quotes a two year old resolution by another APC to reiterate that ‘dialogue had to be initiated to negotiate peace *with our own people* (emphasis mine) in the Tribal Areas’. Quite aside the fact that this formulation is reflective of the twisted and confused mindset that pervades Pakistani thinking on the Taliban who are responsible for nearly 40000 murders, the talk about talking to ‘our own people’ is just so much hot air and not very different from the nonsense that used to be peddled during the Musharraf and Zardari period that negotiations or deals were not being made with the Taliban terrorists but with tribesmen and tribal elders. The spin that is now being given to this formulation is that it makes a distinction between foreign

The APC resolution quotes a two year old resolution by another APC to reiterate that ‘dialogue had to be initiated to negotiate peace *with our own people* (emphasis mine) in the Tribal Areas’.

terrorists – Arabs, Uzbeks, Chechens, Uighurs etc. and Pakistani jihadists and Taliban who are targeting the Pakistani people and state – and other groups which are involved in the insurgency because of some grievance or some ideological reasons and are not intrinsically opposed to the Pakistani state. If indeed such a distinction can be made, then the question arises as to what purpose will be served (in terms of restoring peace) by talking only to those combatants who are perhaps peripheral to the whole situation? In other words, the bulk of the people who are waging a war against the Pakistani state will not be part of the dialogue process and to tackle this lot force in any case will have to be used. If so, then this entire APC and the entire dialogue tack is an exercise in futility.

Worse, in what appears to be the Pakistani version of ‘one country, two systems’, the APC has virtually prepared the ground for conceding the formation of ‘Islamic Emirates’ in the areas where the Taliban hold sway. This has been done by the laying out the ‘guiding principles’ which talk of ‘respect for local customs and traditions, values and religious beliefs’. Clearly, such an ambiguously

worded formulation allows the Taliban to impose their own version of Shariah and their medieval social norms in the areas they control under the pretext of respecting local customs and religious beliefs. What is more, if reports about Imran Khan’s boasts that the Pakistani authorities have accepted all that he has been demanding are true, then the Pakistan army is all set to effect a ‘phased withdrawal’ of troops from the troubled Tribal Areas, which means handing over complete control of these areas to the marauding Taliban, who will pretty much be free to run or ruin the place as they deem fit.³ Even now, the Pakistani state has effectively ceased to exist in many of the areas – notably North Waziristan and parts of South Waziristan – where it has entered into peace deals with Taliban warlords like Gul Bahadur and the now slain commander Mullah Nazir.

Perhaps the most problematic part of the APC deliberations and resolution is the extent that the civilian and military leadership has gone to appease the Taliban. The political class is apparently so terrified of riling and upsetting the Taliban that apart from use of obsequious phrases, they have also

desisted from setting any ground rules that the Taliban would need to observe in order to prove their sincerity and seriousness about the dialogue. Forget about any clarity regarding what the dialogue is to achieve – according to one luminary of the PMLN who is rumoured to become the next governor of Khyber Pakhtunkhwa, the government will try to convince the Taliban to adhere to the constitution and accept the Shariah as currently exists in the country! – there are no pre-conditions of any sort that the Taliban will have to meet to come on the negotiation table.

But even though the Pakistani authorities seem reconciled to not insisting on any pre-conditions, there is at the same time an expectation (or at least a hope) that some sort of a ceasefire will be in place during the negotiations. The problem is that while from the side of the Pakistani state, there will be a single entity negotiating (which means that no operations from the side of the state against the insurgents), on the side of the insurgents there are dozens of

groups which are operating, some reconcilable, others not so. This means that even though groups ready to negotiate with the government might adhere to a ceasefire, the groups that oppose any dialogue will be free to carry out attacks. Chances are that the Taliban (who are despite the multiplicity of groups constitute a confederation of sorts) follow the same twin track approach of talks and terror going hand in hand that Pakistan adopts with India. In other words, while the Taliban

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attacks will continue, there will be (and can be) no response from the side of the Pakistani state (because of the over-lapping of many Taliban

groups in terms of both space and cadre), something that will only worsen the security situation and put the Taliban in a commanding position.

The TTP has already made it clear that any ceasefire would follow a dialogue and not precede it, as was being demanded by the earlier PPP-led government. To further rub the nose of the Pakistani authorities into the ground, the TTP had earlier this year

nominated Adnan Rashid – the former Pakistan Air Force employee who had been given death sentence for his role in the assassination attempt on the former military dictator Gen Pervez Musharraf and who had been freed during the Bannu Jail break last year – as one of their negotiators. The other negotiators were Taliban leaders who were in custody of the Pakistani authorities. In addition, responding to earlier overtures for talks, the Taliban made it clear that they would neither lay down their arms nor sever their links with the Al Qaeda and other banned terror groups like the anti-Shia Lashkar-e-Jhangvi and other such groups. As far as this latest dialogue offer is concerned, even though the Taliban have welcomed it, there are reports that they will be insisting on some pre-conditions and confidence building measures before they accept the talks offer. Some of these conditions and CBMs appear to have been accepted, what with reports of half a dozen Taliban fighters and commanders being released as a goodwill gesture.

Quite clearly, the entire peace tack appears to be something of a non-starter and if it does start will in all likelihood backfire badly by

reversing whatever little gains had been made by the Pakistani security forces in their half-hearted and unconvincing fight against the Islamist insurgents. Why then has the political class continued to insist on going through with this tack? One reason for this is that both Nawaz Sharif and Imran Khan (the latter remains an unreconstructed Taliban advocate) had consistently called for a dialogue with the Taliban when they were not in power and for them to now turn turtle on this issue would not go down well with their conservative, Taliban-leaning constituency. Another reason is that Nawaz Sharif might actually be acting out of fear of the Taliban. In recent weeks there have been a number of plots that have been uncovered that were aimed at the First Family, including a plan to attack the Raiwind family estate, kidnapping Shahbaz Sharif and targeting members of the family. As far as other parties like the PPP, ANP and MQM are concerned, they have become willing partners to the APC resolution partly out of fear of the Taliban and partly because they didn't want to stand out as spoilers and obstructionists in a peace process on which many people had laid their hopes.

Finally, there is the proverbial elephant in the room – the Pakistan Army – which reportedly was not in favour of an accommodation with the TTP and other affiliated groups but has now kowtowed to the desire of the civilian government to enter into a peace negotiation.⁴ There are two possible reasons for the army's new position. The first is that the Army is perhaps giving a long rope to civilian government and the Taliban, fully convinced that the TTP will renege on any deal it enters into, which in turn will end the ambivalence of the political class and create the national mood for launching a comprehensive operation against the Islamist insurgents. Alternatively, the Army could be using this opportunity as part of its long term plan for the post 2014 situation in which it hopes to partner the Taliban in the pursuit of its grand strategic design for domination of the region. In either case, peace will continue to remain a casualty.

Endnotes

1. For text of resolution passed by the APC on September 9, 2013 see <http://www.thenews.com.pk/>

[Todays-News-2-201085-Text-of-the-APC-resolution](#)

2. Apart from the Prime Minister, Interior Minister, the army and ISI chiefs, the participants of the APC included governor Khyber-Pakhtunkhwa, chief ministers of four provinces, PPP leaders Makhdoom Amin Fahim and Syed Khurshid Shah, PTI Chairman Imran Khan, JUI-F Chief Maulana Fazlur Rahman, PML-Q Chief Chaudhry Shujaat Hussain, PML-F leaders Pir Sibghatullah Rashdi and Imtiaz Sheikh, Jamaat-e-Islami leader Liaquat Baloch, Muttahida Qaumi Movement leaders Farooq Sattar and Haider Abbasi Rizvi, Awami National Party leader Haji Adeel, Pakhtunkhwa Milli Awami Party Chief Mehmood Khan Achakzai, Balochistan National Party-M Chief Akhtar Mengal, National Party leader Mir Hasil Bizenjo, Jamiat Ahl-e-Hadith Chief Allama Sajid Mir, Qaumi Watan Party Chief Aftab Ahmed Khan Sherpao, and Ghazi Gulab Jamal and Abbas Afridi from Fata. <http://www.thenews.com.pk/>

- [Todays-News-13-25325-All-parties-agree-on-talk...](#)
3. <http://tribune.com.pk/story/602219/imran-khan-convinced-kayani-on-phased...>

4. For a report on the army's position on the dialogue proposal please see the following:
<http://dawn.com/news/1041787/govt-wins-support-for-talks-with-taliban>
<http://www.thenews.com.pk/Todays-News-13-25329-Army-to-enforce-govt-poli...>

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India's Position On Syria Is Correct And Justified

- *Kanwal Sibal*

The G 20 meeting in St Petersburg has further exposed and deepened international divisions on Syria. President Barack Obama believes that the Syrian government is responsible for last month's chemical weapon attack in Damascus, whereas as the Russian President is convinced that the rebels staged this attack to discredit the Syrian government.

Today, chemical weapons use by any government would be considered unpardonable because of the 1993 Chemical Weapons Convention(CWC) that outlaws their production and use and enjoins destruction of existing stocks. That Syria is not a signatory shields it technically from an infringement, but, given the evolution of international humanitarian law, a pre-meditated use of such weapons by a state even within its own territory would not be

internationally tolerated.

Which is why the facts on the ground must first be established impartially in the Syrian case. Only then can a consensus be built on steps to punish and deter those responsible. Only on-site inspection by a UN team and its report can provide an objective basis to proceed.

Unilateral

America's Syria policy, as well as those of its close allies, has been one-sided from the start. They have sought a regime change in Syria by providing the rebels with funds and arms. They have made public statements repeatedly that President Assad's days are numbered. Syrian opposition leaders have been officially received and given political recognition. The western media has generously purveyed unverified stories of human right violations in Syria sourced from rebel outfits. The Syrian President has been demonized incessantly.

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The good faith of the US and others when they liberally accuse Syria of humanitarian misdeeds lies eroded as a result.

Unfortunately, even before the UN inspectors could begin their work, the US and its key allies determined that the Syrian regime was guilty. Such alacrity in reaching this conclusion without physical presence and investigation on the ground puzzles. Evidence from partisan rebel sources can hardly be considered reliable.

Are the powerful technical means at US's disposal sufficient to reach definitive conclusions so quickly in a highly

murky situation? And if its evidence is so unimpeachable, why cannot it be fully shared with others?

After all, the stakes involved are consequential in terms of state sovereignty, UN's role and authority, peace and stability in a volatile region and the humanitarian consequences of external military intervention as Libya and Iraq showed. Russia has found the evidence presented by the US unconvincing and queries

the standard US response that more cannot be shared as the intelligence is "classified". US claims to possess irrefutable evidence is contested by others because in Iraq's case the same intelligence sources purveyed pumped-up information to make the case for intervention. The Russians, in turn, have presented a detailed report which finger-points at the rebels for the chemical weapons attack.

Growing Opposition

Such alacrity in reaching this conclusion without physical presence and investigation on the ground puzzles. Evidence from partisan rebel sources can hardly be considered reliable.

To make the UN report irrelevant to their decision to "punish" President Assad, the US announced even before the team

could begin its work that its mandate was to determine if chemical weapons were used, not who used them, besides alleging that the team was not given access to the site for five days, and that constant bombardment of the area by the Syrian military was intended to destroy all evidence. Failing to make a case for intervention at St. Petersburg, the US and others are now willing to wait till the UN report is submitted, but they have

effectively untied their hands already.

President Obama's declared willingness to strike at Syria even without UN approval confirms this. He is seeking US Congressional approval as if that can replace UN approval and legitimize US action against a third country with which the US is not at war and which has not committed any act of aggression against it. President Putin has declared that such Congress-approved US action would constitute aggression and that US unilateralism will fuel insecurity globally.

President Obama claims that the "international community" wants action against Syria seems to exclude Russia, China, India, Brazil, South Africa and many others from its ambit. To their credit, NATO, the EU and major countries like Germany do not support military action. The Pope is opposed; the UN Secretary General has cautioned that action without UN approval would be against international law.

Popular opinion even in the US, UK and France is against military action, with the UK parliament restraining the Cameron

government from joining the US and many senior French politicians opposing military intervention and pressing the government to seek parliamentary approval.

India's Position

Too much focus on the US-Russia spat over Syria is distorting perceptions about the merits of the Syrian situation. To argue that Russia is responsible for the blockage in the UN Security Council because it is either protecting its selfish interests or its position is morally skewed begs the question whether the disinterested US stand is fired with a superior moral purpose alone, in which Israel, Saudi Arabia, Qatar, Turkey, Iran, the Hezbollah, the Shia-Sunni conflict are non-existent factors.

The argument that if Assad goes unpunished, other dictators would use chemical weapons and US interests and security are therefore threatened is exaggerated. While Myanmar and Israel have not ratified the CWC, only Angola, North Korea, Egypt, South Sudan and Syria have not signed it. Unlike Syria, none of these countries is in the throes of a

civil war and the danger from North Korea is nuclear.

India's position at St. Petersburg was correct: the use of chemical weapons in Syria is deplorable if true, the responsibility for it should be determined without bias and any action should be taken only with UN approval.

Rendering justice is important but who has committed the crime should also be clear.

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SCO Important For India's 'Connect Central Asia' Policy

- *Brig (Retd) Vinod Anand*

Salience of Shanghai Cooperation Organisation (SCO) and its relevance to India has been growing since India was first admitted to SCO as an observer in 2005. Over the years, SCO has acquired increasing significance as an important platform for cooperation on regional economic and security issues. India has been keen to engage the Central Asian countries in a wide variety of issues though keeping away from the power politics of the region. Counter terrorism, energy security, economic integration with Central Asian Republics (CARs) and improving connectivity are some of the key objectives of India while it pursues its interests under the rubric of SCO.

Currently, there are many competing structures in Central Asia which have similar agenda as the SCO. The foremost being the Central Security Treaty Organisation (CSTO) and Eurasian Economic Community

dominated by Russia, NATO's Partnership for Peace Programme with Central Asian Republics, Central Asian Regional Economic Cooperation, Economic Cooperation Organisation besides many other multilateral initiatives in the region that have overlapping domains with the SCO. Evidently, this has its own disadvantages and advantages but several structures to attain similar aims create inefficiencies and dilute the significance of any particular platform. It can also be seen that several major powers in the region have promoted their own structures to achieve their geo-political and geo-strategic objectives. Thus, it can be said that presence of such geo-political competition in the region does have an impact on the future development of SCO. In any case, SCO has emerged as the most prominent multilateral platform of the Central Asian region.

With the planned withdrawal of NATO and the US from

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Afghanistan post -2014, SCO is being viewed as an important organisation that could support security and stability efforts in Afghanistan. SCO's permanent members and observer countries have interests in stabilizing the situation in Afghanistan as adverse fallout from there has the potential of negatively affecting each and every country in the neighbourhood. SCO's positive contribution to Afghanistan in a post-2014 scenario will help it in evolving as a very significant or rather the most important institution in the region. However, untangling the Afghan imbroglio would be a daunting task for the SCO.

SCO's permanent members and observer countries have interests in stabilizing the situation in Afghanistan as adverse fallout from there has the potential of negatively affecting each and every country in the neighbourhood.

While the Syrian crisis acquired more urgency at the SCO summit held this month in Bishkek, the main focus of the SCO's deliberations was the developing situation in Afghanistan. Presidents of Russia, China and the host country of Kyrgyzstan articulated their concerns on the security situation in Afghanistan. India's Minister for External Affairs Salman Khurshid observed that "India is increasingly

concerned about the security challenges which may emanate from the developing situation in Afghanistan. India strongly believes that Afghanistan can successfully complete the security, political and economic transitions in coming years and regain its historical place as a hub for regional trade and transit routes. However, this presupposes fulfillment of pledges made by the international community for security and civilian assistance to Afghanistan and non-interference in Afghanistan's internal affairs". He underlined the fact that India considers SCO as an important body that can offer a credible alternative regional platform to discuss the challenges related to Afghanistan.

At the summit, India supported the general consensus of the SCO members on the Syrian crisis. India favours a political solution to the Syrian conflict, including the early holding of the proposed 'International Conference on Syria' (Geneva-II), bringing all parties to the conflict to the negotiating table.

President Hamid Karzai of Afghanistan has been attending SCO summit meetings since 2004. Afghanistan was admitted as an observer in the SCO last year. Four years back in 2009 summit in Russia, SCO had even made an action plan for addressing the situation in Afghanistan. However, even after many declarations and conferences, there has been very little that has been achieved in ameliorating the evolving situation in Afghanistan. No concrete SCO plans to deal with post 2014 situation in Afghanistan exist.

On the other hand, India and China have already had meetings on Central Asia developments that include Afghanistan. Earlier also there have been discussions between the two on Afghanistan at Track I and Track II levels. Both countries have also had bilateral dialogues with countries like Russia, Tajikistan and Uzbekistan on the implications of US/NATO withdrawal from Afghanistan. Though SCO appears to be an attractive platform for forging a regional solution to the Afghan puzzle, yet its present state of development may not be conducive for the same.

India has also started a dialogue with Regional Anti-Terrorism Structure (RATS) of the SCO and is looking forward to enhanced cooperation and information exchanges with it. The overall objective of India's engagement with RATS and the SCO member States would be to coordinate efforts in dealing with the threats emanating from terrorism and drug trafficking.

So far as the question of admitting new members is concerned, there has been a very gradual movement. Such a step would definitely add to the stature of the SCO and make it more inclusive and comprehensive. In addition, it will strengthen the SCO's capacity to work towards bringing peace and stability in the region. But it would take some time before the geo-political apprehensions of both the existing members and likely new members could be overcome.

India has on many occasions expressed its desire to join the SCO though it has not yet made a formal application. Last year, the then External Affairs Minister S M Krishna who attended the SCO Summit in Beijing had declared India's intention in seeking membership of the forum. Again in December last year, at SCO's

Prime Ministerial meeting at Bishkek, India's Secretary (East) had stated that New Delhi was keen to join the SCO as a full member. This call was repeated again by Salman Khurshid; he said at the Bishkek summit that *"India stands ready to play a larger role in the SCO as a full member, once the organization reaches consensus on the expansion process. It is our conviction that an expanded SCO will be a more effective body to address the numerous security and developmental challenges that our region faces"*.

This also indicates the seriousness with which India views the SCO.

India has lost out to China in striking at least two oil deals with Kazakhstan for debatable reasons.

However, Indian interlocutors are expecting a movement on membership only in 2015 as the SCO Secretariat is moving very slowly on the issue of admitting new members. Apparently, China is not as yet ready to give its consent for India being admitted to SCO and all decisions in this forum is taken based on the consent of all the members. There appears to be some complicated and unstated geo-political conditions attached to India's SCO's membership.

India's interests in Central Asia are also focussed on energy security where it is looking for creating a level playing field by the hydro carbon rich CARs like Kazakhstan. India has lost out to China in striking at least two oil deals with Kazakhstan for debatable reasons. India, though not a member, has strongly endorsed the Russian proposal of creating an SCO Energy Club (first articulated in 2007). The avowed objectives of the SCO Energy Club of *"uniting oil and gas companies from SCO's producers,*

consumers and transit countries in coordination of strategies with the aim of increasing

energy security" rhymes very well with India's interests. However, Bishkek summit discussions did not focus much on the issue this year.

Another topic of interest to India is improving its connectivity to CARs; India has been seeking cooperation of Iran and SCO members in achieving the aims and objectives of its new 'Connect Central Asia' policy that was unveiled last year in June. India's Minister of State for External Affairs had stated that "India is

now looking intently at the region through the framework of its '*connect central Asia*' policy, which is based on pro-active political, economic and people-to-people engagement with central Asian countries, both individually and collectively”.

Further, with the economic down trend gaining some momentum, the proposed SCO Development Bank could become a useful vehicle for cooperating on removing the negative effects of such a situation. Economic integration with neighbourhood and extended neighbourhood has been one of the stated Indian policies and therefore, India is very keen to step up efforts in economic cooperation between South Asia and Central Asia. This is expected to bring peace and prosperity and contribute towards stability in the region. Thus, the summit discussed as to how the SCO Development Bank could further modernise the economies, improve investment partnership and infrastructure and transportation corridors. India needs to become an important partner so that its connectivity and trade objectives could be realised.

India is already engaging the SCO member states in areas of human resource development, IT, pharmaceuticals, small and medium enterprises, people to people relations etc. as part of its '*Connect Central Asia*' policy and would continue to seek to intensify the same through the SCO platform.

India will not favour SCO if it moves towards becoming a military block like NATO or the CSTO. SCO does hold joint military exercises regularly, the latest being Peace Mission 2013 but they are designed to be anti-terrorism exercises where observer countries are invited to send observers off and on.

Overall, SCO is becoming a very significant multilateral platform in Central Asia to forge regional cooperation. Helping in bringing peace and stability in Afghanistan in post-2014 scenario would be a test case for the SCO as an institution.

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Israel Palestine Talks: Joining Pieces To Attempt Peace

- *Col Rajeev Agarwal*

The recommencement of peace talks between Palestinians and Israelis on 29 July 2013 was long overdue and marked the culmination of six rounds of shuttle diplomacy in the region over the past six months by John Kerry, US Secretary of State holding multiple meetings with Israeli Prime Minister Benjamin Netanyahu and Palestinian Authority President Mahmoud Abbas. Kerry has given the current peace process a nine month period to find a final agreement to the longest festering dispute in the region. However, given the dismal record of past talks, it would be a miracle if there is any significant peace agreement at the end of these nine months.

As the peace talk's process gets underway, there are a number of questions seeking answers which could project a clearer picture of the emerging situation. Some of the prominent questions are:-

- In the context of a history of failed attempts, what is so

new and positive about this attempt that may raise expectations of a peace agreement?

- Within the complexities of the issues, how willing would be the two sides to compromise on their hard stand and attempt a peace resolution?
- How long is it possible for the current stalemate or status quo to be maintained?

In examining these issues, it is necessary to take a brief overview of the core issues of the conflict as also an insight into perspectives and positions of each of the major players in the dispute; Israel, Palestine and the US.

Contextualizing the Problem

Borne over six decades, the issues are complex; both sides have strong and opposing viewpoints backed by huge public support which often make the core issues unbridgeable. But, both the sides and even the US realize that time

* *Col Rajeev Agarwal, Research Fellow, IDSA*

is fast running out on achieving the goal of two independent sovereign states existing side by side as Israel and Palestine. That is why perhaps, despite the existing stumbling blocks and the fact that there has been no forward movement since September 2010 talks, there is guarded optimism in the atmosphere. The last time peace talks generated optimism was the Camp David Summit in July 2000¹ hosted by US President Bill Clinton when he almost got Israeli Prime Minister Ehud Barak and Yasser Arafat to agree to a peace agreement. Unfortunately the talks failed resulting in a bloody backlash in the form of the Second Intifada killing thousands of Israelis and Palestinians. The bitter memories of the Second Intifada therefore put in a sense of caution and controlled optimism of what could happen should the present talks fail.

As the current process gets underway, a look into the core issues confronting the two sides could give an insight into the possibilities of any substantial peace agreement.

Jerusalem as the capital

Israel is unwilling to divide and share Jerusalem with Palestine and stands by the 1980 Israeli Basic Law that "Jerusalem, complete and united, is the capital of Israel²". The Palestinians want East Jerusalem as the capital of a Palestinian state, an area which was occupied by Jordan before being captured by Israel in 1967. It contains the al-Aqsa mosque, the third holiest place in Islam. The US does not recognize the Israeli annexation of East Jerusalem and maintains its embassy still in Tel Aviv.

Unfortunately the talks failed resulting in a bloody backlash in the form of the Second Intifada killing thousands of Israelis and Palestinians.

Borders and shape of Palestine State

Israel accepts that there should be a Palestinian state and that there will have to be an Israeli withdrawal from parts of the West Bank (captured by Israel in 1967) to accommodate this. It, however, wants to keep major Jewish settlements that have grown up on the West Bank and Jerusalem. Palestinians want borders along 1967 lines but accept that some Israeli settlements will have to stay and insist that any land given to the Israelis would have to be

compensated for by a balanced land swap. The US agrees that the starting point should be the 1967 lines and that a land swap will have to be the basis of any agreement.

Settlements

This has been the issue which has prevented resumption of talks for long. Despite being declared as illegal by the international community, Israel has continued to announce and build settlements in West Bank and Jerusalem. The Israeli government has insisted on keeping the major Israeli settlements in East Jerusalem and the West Bank. The Palestinians want that all settlements be abandoned as they were in Gaza. However, they appear ready to accept that some will have to stay but argue for a minimum number and a land swap for any that are left. The US does not recognize the international legitimacy of the Israeli West Bank and East Jerusalem settlements and has repeatedly urged Israel to exercise restraint in announcing and building them.

Refugees

This is once again a very sticky issue. Israel rejects the idea that Palestinian refugees should be

allowed any "right of return" to their former homes fearing that it could adversely affect the demography of Israel and the identity of Israel as a Jewish State. Palestinians, while maintaining the "right of return" could be willing to accept the return of a limited numbers with the balance being given adequate compensation by Israel. They however refuse to recognize the concept of Israel as a "Jewish state", saying that it ignores the Israeli-Arab citizens of Israel. The US understands the Israeli refusal to take back refugees and hopes that this can be resolved by compensation and development aid.

Security

Israel is concerned that Palestinian territory, if completely independent could be used to launch attacks on Israel. Therefore, it is insisting that the state of Palestine be largely demilitarized and that it keeps a large measure of security control, including in the Jordan Valley. Palestinians argue that viable security will come from a stable two-state solution not the other way round. They want as many attributes of a normal state as possible and clearly state that

client-status would be untenable and unacceptable. US, while comprehending apprehensions of both parties, feels that this issue could be resolved even at the cost of deploying international peace mission along the two states.

Changing Geo-political Context in the Region and its Effect

While Israel and Palestine peace talks were stalemated after September 2010, significant developments in the region in the past three years have changed the geo-political dynamics in the region and therefore the context of the current initiative. A brief current overview of each player in Middle East Peace Process (MEPP) would give a better insight into respective compulsions as well as possibilities of any forward movement in the current process.

A critical appraisal of Israel's standing in the immediate neighborhood and the region at large clearly indicates that the country stands more isolated and alienated than ever. Even countries and areas hitherto considered neutral or friendly have turned hostile, although all

of this was not of Israel's making. This is especially the case with the 'Arab Spring', which has brought about changes both within individual countries as well as in the region as a whole. Islamist parties are on the rise and economic concerns have risen to the fore. In Egypt, it lost Mubarak, its time tested ally, who had ensured peace between Egypt and Israel. The 1978 peace treaty hangs in the balance although Egypt has not yet indicated its intent to abandon the treaty. Sinai Peninsula, the buffer between

The 1978 peace treaty hangs in the balance although Egypt has not yet indicated its intent to abandon the treaty.

Egypt and Israel, has erupted post ouster of Mubarak and caused concern in Israel³. When Egypt permitted

two Iranian warships to cross the Suez Canal in February 2011 (the first time such an event has happened since the 1979 Iranian Revolution), it naturally caused alarm in Israel⁴. Israel's ties with other countries in the region have also become unsettled. It has fallen out with Turkey (yet another regional leader) post the Gaza Flotilla incident of May 2010 despite the patch up prompted by President Obama in March this year⁵. With civil war raging in Syria, Israel fears that Assad would finally be forced out, thus

disturbing the fragile peace on Israel's eastern borders. Jordan could go the way of Islamists any time, which would spell more trouble for Israel. The Palestinians have already been given the status of Non Member Observer in the United Nations in 2012⁶. On June 30, 2013, the European Union, coming down harshly on Israel's continued push to build settlements, adopted new guidelines, stating that future agreements between the European Union and Israel must exclude settlements in the occupied West Bank. The directive covers all areas of cooperation between the European Union and Israel, including economics, science, culture, sports, and academia. Though the material effect may be insignificant, it is a serious blow to ties with European Union. Finally, Iran continues with its civil (?) nuclear programme and despite the alarms raised by Israel, there are hardly any takers for military action against Tehran.

Domestically, Prime Minister Netanyahu leads the right-wing Likud party, which on the whole opposes the creation of a Palestinian state. Netanyahu has already faced serious criticism for the July 28 cabinet approval for release of 104 Palestinian

prisoners. In a statement, Prime Minister Netanyahu recognized how difficult this decision was for many Israelis to accept, but that this was a moment "in which tough decisions must be made for the good of the country⁷."

Like Israel, Palestinians too are confronted with serious issues. Firstly, Mahmoud Abbas, despite being the leader of PLO does not represent all the Palestinians as Hamas controls the Gaza Strip and does not recognize Abbas as the sole leader of all Palestinians. There have been no elections after the January 25, 2006 elections for the Palestinian Legislative Council which Hamas won comfortably. The subsequent struggle for power resulted in split of 2007 resulting in Fatah ruling the West Bank and Hamas ruling the Gaza Strip. In such a situation, any agreement that Abbas may procure may not be truly representative of all Palestinians. Also, with Abbas aging and no successor nominated, there could be a serious leadership crisis after his death. There is also a fear that failure of current talks after nine months could diminish his political standing and boost that of the rival Hamas. With regards to the contours of Palestinian state, prominent

Fatah leaders, concerned by increasing Israeli settlements, have said that the two-state solution is no longer viable and have begun speaking in favor of the creation of one democratic bi-national state for Arabs and Jews in all of Israel-Palestine, something which may not be acceptable at all to Israel. There is also the debate regarding the forthcoming UN General Assembly Session in September where the PLO could stake claim for upgraded status over the “non-member observer state” it got in 2012. However, US annoyance of their continued bid in 2012 despite US asking them to back down has cost them adversely in terms of withheld US aid. Perhaps, concerned with the enormity of all the above challenges, the Palestinian Authority says it has currently only agreed to “talks about talks.” Also, it agreed to the first step only after Israel announced the release of 104 prisoners and the Arab League backed the peace plan⁸. Mahmoud Abbas has also indicated that any peace deal would be first put to a referendum before all Palestinians before ratification, a measure that

However, US annoyance of their continued bid in 2012 despite US asking them to back down has cost them adversely in terms of withheld US aid.

has been indicated even by Israel in its resolutions in Knesset.

Hamas, which has refused to recognize the current peace process, itself, is not on a very firm footing. The fall of the Muslim Brotherhood-led government in Egypt has temporarily weakened Hamas. Added to it is the severe crackdown by Egyptian Army in Sinai which has virtually blocked off all illegal supply routes into Gaza Strip. Its break up with Assad regime in Syria has negatively affected its relationship

with its benefactor, Iran. Post the November 2012 conflict with Israel called “Pillar of Defense” by Israel;

the Hamas military capabilities also have been severely reduced. Also, an overwhelming majority of Palestinians back non-violent resistance to the Israeli occupation and reject military operations⁹. In such a situation, if a peace deal is reached, it would be very difficult for Hamas to remain defiant in Gaza Strip.

US has enjoyed tremendous influence in the region for the past four decades. It has been the virtual security guarantor for the Gulf nations and security of Israel

has been one of its national security objectives. However, post the onset of 'Arab Spring', US has experienced diminishing influence in the region. The ouster of the dictators in Egypt, Tunisia, and Libya has not brought in regimes exactly favorable to US interests. Rise of Islamists in political mainstream has added to its concern. Syrian crisis and US reluctance to get directly involved militarily has drawn the ire of the region. In the midst of all this, Iran nuclear issue continues to fester along.

In such a situation, MEPP is one issue that can get US dividends and restore some of its influence in the region. It has been one of the personal priorities of President Obama and is a conflict in which the US still has considerable leverage with both parties. Failure to reach a satisfactory resolution till now inhibits its ability to achieve its goals in the region. Former U.S. Central Command, or CENTCOM, Chief Gen. James Mattis described the impact the lack of a solution has had on his work and why it underscores the importance of Kerry's efforts; "I paid a military security price every day as a commander of CENTCOM because the Americans were seen as biased in

support of Israel. ... Moderate Arabs who want to be with us can't come out publicly in support of people who don't want to show respect for the Arab Palestinians. So [Kerry] is right on target with what he's doing¹⁰".

There is also the issue of significant spin-offs from the resolution of this conflict. The most significant impact is likely to be felt on the Iran nuclear issue. If MEPP succeeds, there will be tremendous pressure on Iran to deliver. Also, Israel would be emboldened to further threaten Iran with military action. There is also the issue of US announcing its rebalancing towards Asia-Pacific in recent times. While it may not result in significant dilution of US focus and presence in West Asia, resolution of major issues like MEPP would certainly contribute towards its future course in Asia-Pacific.

US, shepherding the commencement of peace talks, is banking upon two caveats for some success; first, that the nine month period for the talks is for all unresolved issues – there will be no interim agreement or confidence building effort that can be undermined by either side as was the case with Oslo. Second, by

getting the Arab League to reaffirm its commitment to recognize Israel if a deal for Palestinian statehood is reached, it has given the Israel a major incentive to see the talks move ahead.

There is no Status Quo

MEPP has been stalemated since the breakdown of talks in September 2010. However, any talks of maintaining 'status quo' are misplaced as the status quo is changing by the day. As discussed above, there is constant evolution in the standing of each of the important players in this conflict. Also, with two critical factors; Israeli settlements and Palestinian population constantly increasing, status quo does not remain a feasible option. There are views which express concern that any continued stalemate might run the risk of completely jeopardizing a viable two state solution, perhaps by the end of this decade. There is also a realization that time is fast running out and if unduly delayed, there may not remain a viable scope for two independent states owing to expanding Israeli settlements and Palestinian populations. In a recent op-ed, Yuval Diskin, former head of

Israel's Shin Bet security service, wrote, "This is a matter that requires national responsibility of the highest order. It requires taking advantage of what may be the last opportunity to extricate ourselves from the deadly clutches of our conflict with the Palestinians, clutches which we have tethered to ourselves¹¹." Thus, there is no question of a status quo in this conflict.

Conclusion

The gaps between the two sides are significant and issues are complex. Declaration by both Israel and Palestine that the peace agreements will be put through public referendums reflects the skepticism of the leaders on the future of peace talks and its acceptability with respective populations. However, the good news is that all sides have agreed for the resumption of process after a gap of three years. It would be however unreasonable to expect too much too soon. Many a times MEPP talks have come on the brink and failed. Major compromises, bold decisions and domestic public support would be needed if the talks have any chances of moving ahead.

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The Emerging Doctrine Of Military Intervention

- *Brig (Retd) Gurmeet Kanwal*

The ongoing struggle of people across the Arab world to get rid of military dictators and tyrannical monarchies has led to a new debate about the efficacy of the emerging doctrine of military intervention. The foremost question today is whether the international community should punish the Assad regime in Syria for using chemical weapons against its own people.

In Libya, in 2011, the UN Security Council had approved the imposition of a 'no-fly zone', but had ruled out the deployment of a 'foreign occupation force'. The western alliance launched air and missile strikes on Libya — ostensibly to protect the population against attacks from Gadhafi's forces. However, the strikes were clearly designed to bring about a regime change.

John Mackinlay of King's College, London, has argued that in the "complex emergencies which increasingly threaten security in

Eastern Europe, Central Asia and Africa, international response mechanisms have failed from the outset to take a realistic approach that reflected the needs of the crisis... due to vested interest, conservatism and a lack of vision beyond the narrow limitations of national and professional interest". With some exceptions, most nations today agree to join an international intervention effort only when their own national interests are served by intervening and rarely where the cause is humanitarian. The world had failed to intervene to stop the genocide in Rwanda.

John Hillen, a policy analyst at the Heritage Foundation, a US think tank, has suggested the following criteria for future US military interventions: should defend national security interests; should not jeopardise the ability of the US to meet more important security commitments; should strive to achieve military goals that are clearly defined, decisive, attainable and sustainable; should

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enjoy Congressional and public support; and, the armed forces must be allowed to create the conditions for success.

Notably, Hillen makes no reference to the need to abide by international law before deciding to intervene. Former US Secretary of State Colin Powell had suggested very precise conditions for US intervention when he was Chairman, US Joint Chiefs of Staff in 1990. According to him, the following questions must be answered in the affirmative: “Is a vital national security interest threatened; do we have a clear attainable objective; have the risks and costs been fully and frankly analyzed; have all other non-violent policy means been fully exhausted; is there a plausible exit strategy to avoid endless entanglement; have the consequences of our action been fully considered; is the action supported by the American people; and, do we have genuine broad international support?”

In the case of Syria, President Barack Obama would find it difficult to answer even half the above questions with a firm yes. Recent US interventions in Kosovo

and Iraq have clearly established that the US-led ‘coalition of the willing’ chooses to intervene militarily purely to further perceived national interests. Clearly, when national interests are at stake, there are no qualms about circumventing international law. Such a muscular approach to the conduct of foreign policy is extremely damaging to international stability and is bound to encourage similar adventurism elsewhere in the world in the long run.

The emerging doctrine of intervention is built around the ability of the international community, mainly the US-led western alliance, to impose its collective will in order to restore a deteriorating situation or to prevent a nascent conflict from burgeoning into full blown war with wider ramifications. The international community’s right to intervene may manifest itself in many ways. It may begin with a warning through a UNSC resolution. A military embargo and economic sanctions may follow. Where applicable, a no fly zone or even a naval blockade may be enforced. Failing all other means, the international

Clearly, when national interests are at stake, there are no qualms about circumventing international law.

community may sanction the use of military force. The overwhelming belief among members of the international community is that when this happens, it must first be approved by a UNSC resolution.

Justifications for the right to intervene militarily, which are being increasingly propagated and are finding reluctant acceptance – at least among some countries in the western alliance – include: defence of democracy and the prevention of the excessive curtailment of a people's right to participate in decision making; prevention of severe violation of human rights of a people by a totalitarian regime; protection of minority groups from severe repression; prevention of acute environmental degradation; and, prevention of possible attempts to use, acquire or develop weapons of mass destruction.

In addition to these situations justifying intervention, some of the following occurrences may also warrant a military response in the future, provided the proposal is unambiguously supported by a majority of the members of the UNSC: the persecution of a people due to religious affiliation; aiding and abetting of terrorists,

narcotics smugglers and crime gangs by rogue regimes; the wilful repeated violation of World Trade Organisation (WTO) quotas and undercutting of tariffs through unfair trade practices; excessive interference with the production facilities, movement and sale of goods and the transfer of funds by transnational corporations (TNCs); plausible threat to paralyse or interfere with international communications, navigation, remote sensing and surveillance satellites and ground control facilities; interference with the internet and subversive attempts to infect its software; and, malicious intervention in and manipulation of the international banking system.

However, regardless of the emerging contours of the doctrine of military intervention, it must remain a cardinal principle of international relations that the territorial integrity of each member state of the UN must be collectively guaranteed by all the other member states. The non-observance of this collective security imperative can only lead to anarchy and the rule of the jungle where might is right. This can be done only by strengthening the UN system to emerge as the sole arbiter of the need for

intervention. Individual nation-states must not be permitted to assemble coalitions of the willing to intervene anywhere in the world to further their own necessarily narrow national interests.

If Syria does not surrender its chemical weapons to the UN in a reasonable period of time, military strikes would be justified. Surgically precise missile and air

strikes should be employed to achieve limited military objectives. Emphasis should be laid on the minimum use of force. Maximum efforts must be made to prevent collateral damage, with particular reference to civilian casualties and property.

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Why India Should Deploy Dedicated Defence Satellites?

- *Radhakrishna Rao*

The successful launch of India's advanced communications spacecraft, GSAT-7 by means of an Ariane-5 vehicle of the European space transportation company, Arianespace, on August 30 has come as a shot in the arm for the Indian defence set up. For this 2,550-kg multi band satellite designed and developed by the Indian Space Research Organisation (ISRO) will serve as an exclusive satellite of the Indian Navy, the youngest of the Indian services. The significance of GSAT-7 lies in the fact that it is the first dedicated military satellite that India has put in place. As envisaged now, the safe and reliable communication channels provided by GSAT-7 satellite, will help the Indian Navy strengthen its blue water combat capabilities in all its manifestations. With its 2000 nautical miles footprint over the Indian Ocean Region (IOR), GSAT-7 will help Indian Navy network all its 140 warships, 13

submarines and 200 aircraft along with its ground based "resources and assets." Specifically, GSAT-7 will serve as a "force multiplier" by sharpening Indian Navy's edge in terms of network centric operations. On another front, it will provide the Indian Navy the necessary level of expertise for its seamless integration into the tri service aerospace command, the formation of which is awaiting clearance from the Government of India. More importantly, the robust communications link up facilitated by GSAT-7 will substantially enhance India's maritime security over a wide swath of eastern and western flanks of IOR. GSAT-7 communications space platform is well equipped to serve as a "sensitive command post" in space over IOR and help transform the entire maritime domain awareness of the Indian Navy.

With a view to boost its striking punch and also expand its area of influence, Indian Navy is working on a well conceived strategy to

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link up its long range missiles, radars and air defence systems on all the sea based assets to a central room through a highly reliable satellite network made available by GSAT-7. The synergy between combat platforms moving in the high seas of the world with the land based nodes through GSAT-7 capability would help bring about a radical shift in the operational strategy of the Indian Navy .There is no denying the fact that a satellite based communications network is immune to many of the “deficiencies and limitations” associated with a conventional communications system. As a follow up to GSAT-7, it is planned to launch GSAT-7A for the exclusive use of the Indian Air Force (IAF).

Meanwhile, Defence Research and Development Organisation (DRDO) has revealed that in the years ahead it is planned to launch a range of dedicated military satellites for the exclusive use of the three wings of the services. Clearly and apparently, there is a growing realization that satellites could serve as “ears” and “eyes” of the defence forces on the

lookout for a strategic lead. Of course, ISRO has maintained a stoic silence over the use of GSAT-7 by the Indian Navy. For being a civilian space agency, ISRO cannot openly associate itself with a space defence project. GSAT-7, which is the last of ISRO’s seven fourth generation communications satellites, would provide a substantial level of expertise for the optimum utilization of military oriented space platforms that India will launch in the years ahead.

The synergy between combat platforms moving in the high seas of the world with the land based nodes through GSAT-7 capability would help bring about a radical shift in the operational strategy of the Indian Navy .

By all means, the Indian Navy is keen on acquiring a range of spacecraft meant for a variety of end uses. For the tech savvy Indian Navy is fully well

aware that ocean watch satellites snooping on the naval movements, electronic ferret satellites gathering data on radio frequencies, meteorological satellites predicting weather to facilitate an effective use of the weapons systems, navigation satellites guiding lethal weapons to designated locations with an unflinching accuracy, reconnaissance satellites providing vital data on the strength of the potential adversaries and the

communications satellites ensuring a real time link up for the effective use of the resources have all become vital components in the mechanism of the modern day warfare. But then for now, GSAT-7 located over the Indian Ocean will enable Indian Navy to stand up to the expanding Chinese influence in the IOR. As strategic analysts observe, with China beefing up its presence in the Indian neighbourhood including Sri Lanka, Bangladesh, Myanmar and Maldives through its much hyped “string of pearls” strategy, India should make vigorous efforts to realize a versatile, robust satellite based surveillance network designed to enable Indian Navy enhance its vigil in the Indian Ocean Region with the objective of warding off any threat to the Indian mainland.

Indeed, not long back, Dr.V.K.Saraswat, the former Scientific Adviser to the Indian Defence Minister had rued the fact that the tremendous strides made by India in space exploration has not gone to fill the gap in India’s capability to create space assets designed to help Indian defence forces meet the challenges of the future. According to him, in a futuristic battlefield scenario,

successful operations of the defence forces on the ground, sea and air would depend on how efficiently space resources are exploited. Any denial of access to space would mean a clear cut set back to military operations at all levels. As such, ensuring the security of space assets too has assumed more than usual importance.

Space based assets are also critical to the flawless functioning of the Ballistic Missile Defence (BMD) shield being put in place by DRDO. Indeed, in the context of rapidly changing global security scenario, the need for a range of satellites equipped with electro optical sensors and Synthetic Aperture Radar (SAR) for early warning and other strategic purposes has become all the more pronounced. Currently, Indian defence forces have a limited access to the INSAT communications and IRS earth observation spacecraft constellations being operated by ISRO. But with the possibility of fighting a battle on the two fronts being very much on the cards, Indian defence forces are clearly in need of a wide variety of dedicated satellites to stay at the winning edge of the war.

But then ISRO's civilian mandate and nature of operations focused on exploiting the fruits of space technology for the socio-economic development of the country, could act as a significant check on the attempt of the Indian defence establishment to involve the Indian space agency in a big way in realizing a resurgent space defence capability. However, technology developed by ISRO for its satellites meant for earth observation, communication and other end uses could well serve as a test bed for future military space projects. In the context of the efforts to revive the spectre of space war, as highlighted by the Chinese and American moves, India's political leadership should seriously consider the issue of giving a military edge to India's exclusive civilian space programme. Not surprisingly then, strategic analysts hold the view that launch by ISRO of increasingly capable, higher resolution earth imaging satellites has implications for surveillance and reconnaissance. The Cartosat series of satellites though designed for cartographic applications can be exploited to

The launch of the 300-kg RISAT-II all weather microwave imaging satellite realized by ISRO in association with Israel Aerospace Industries (IAI) in April 2009 did give a new edge to the surveillance capabilities of the Indian defence forces.

meet a part of the requirements of the Indian defence forces. But then there is no denying the point that Cartosat series of satellites fall short of the 10-15 cm resolution featured by the best of the defence satellites.

The launch of the 300-kg RISAT-II all weather microwave imaging satellite realized by ISRO in association with Israel Aerospace Industries (IAI) in April 2009 did give a new edge to the surveillance capabilities of the Indian defence forces. In fact, RISAT-II was built and launched on a fast track mode to meet the challenges posed by the growing terrorist threat to the country and heighten vigil along the Indo-Pakistan border. Equipped with a Synthetic Aperture Radar (SAR), RISAT-II is an all weather satellite capable of collecting data even under conditions of cloud, darkness, haze and dust. The fully home grown RISAT-1 satellite launched in April 2011 can easily complement the surveillance capabilities inherent in RISAT-II. The all weather microwave earth imaging satellites like RISAT-1 and

RISAT-II would give early warning about any kind of troop build up and terrorist camps. Indian defence forces can access the remote sensing satellite capability built up by ISRO for meeting a part of their surveillance requirements, as remote sensing and surveillance are considered the two faces of the same coin.

The satellite intelligence capability is expected to provide Indian military planners, tactical and strategic information on military build up in China and Pakistan. The Hyderabad based Defence Electronics Research Laboratory (DLRL) of DRDO has hinted at developing an electronic intelligence satellite for the exclusive use of the Indian defence forces. This satellite would be capable to intercepting radar communications and satphone conversations of the adversaries. The glaring intelligence failure suffered by the Indian Army during 1999 Kargil skirmish with Pakistan has strengthened the urge of the Indian defence establishment to go in for space assets at an accelerated pace.

Clearly and apparently, the limited capability of ISRO in building and launching satellites

could be a big hurdle in the way of helping the Indian defence establishment to meet their needs for “space assets”. Moreover, with the Indian industrial base lacking in resources and expertise to build satellites and launch vehicles on a turnkey basis, the Indian defence forces may find it difficult to get the kind of space platforms delivered into orbit well on time. However, a synergy between the technologies developed by ISRO and DRDO could prove a win win development for putting in place a platform for developing and launching a range of defence satellites. Indeed, in early 2010, DRDO had emphasized on a comprehensive Indian space defence capability on the strength of technological advances made by DRDO and ISRO. However, the road map for the building up of defence space capability of the country is far from clear. In particular, enough focus should be given to the institutional support mechanism for meeting the Indian defence forces’ rapidly growing needs of high performance defence satellites. Of course, Indian industries continue to support the Indian space program by way of the supply of components and systems and hardware for satellites and launch vehicles. In sharp contrast, in US and West

Europe, private industrial outfits have built up a technological and manufacturing base resurgent enough to supply both the satellites and launch vehicles in a ready to use condition. Against this backdrop, it may be appropriate to set up a high powered space defence agency authorized to pool the resources, expertise, talent and infrastructure available in the country-cutting across the private-public sector barriers for realizing the space based assets for the exclusive use of defence forces on a fast track mode with least bureaucratic interference.

The Indian Defence Ministry's "Technology Perspective and Capability Roadmap" till 2025 has identified space warfare as a priority area. The concept of integrated warfare and the need for reducing the "sensor to shooter loop" underpins the need for a totally radical approach focussed on "battlefield dynamics" with system capable of making available information on real time basis to all the three wings of the services. The roadmap of the Indian Defence Ministry identifies in unambiguous terms, the development of an anti satellite

capability based on "electronics or physical destruction of satellites in both low and geostationary orbits."

The launch of India's first full fledged navigation satellite IRNSS-1A on July 2 is a development that could positively impact on the battlefield strategy of the Indian defence forces. IRNSS-1A, the first of the seven spacecraft constituting the space segment of the home-grown Indian Regional Navigation Satellite System (IRNSS), would provide the Indian defence forces a robust

system for location identification and navigational support for combat aircraft as well as for combat

platforms on land and sea. For the defence forces in the thick of the battle field operations, a GPS system like IRNSS enables locating objects in the dark and paves way for the coordination of the troop movements even in hitherto unfamiliar territory in addition to facilitating reconnaissance as well as search and rescue operations. For the Indian defence forces which had difficult times accessing the "restricted capability" of the US GPS system, IRNSS would provide hassle free, uninterrupted access

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to the satellite navigational capabilities.

Indeed the stunning effectiveness of the American GPS was demonstrated during the 'Desert Storm' operations of 1990-91 that was aimed at freeing Kuwait from the clutches of the invading forces from the neighbouring Iraq. Here the potentials of the American GPS was mainly pressed into service to guide bombers to targets, allow infantry and armoured units to locate their bases in frightening, featureless expanse of the desert and position artillery in a war zone ideally suited to fire at enemy lines apart from precisely navigating missiles to chosen targets. The US-led allied forces during their operations in both Afghanistan and Iraq relied heavily on satellite based navigation with hand held portable GPS devices to realize their strategic goals at a rapid pace.

By all means, GPS is considered a veritable force multiplier by the defence forces in the battlefield. Moreover, it has also been instrumental in shaping the contours of the precision warfare. For the Indian defence forces, the IRNSS system capabilities will be of immense use in refining the

network centric warfare techniques. Similarly, the proposed Indian tri service aerospace command would need a large and independent satellite navigation capability that can be accessed anytime to boost its combat superiority. Indeed, for the Indian tri service aerospace command, access to GPS along with other satellites meant for communications, surveillance and weather watch would mean a quantum leap in meeting the challenges of the future warfare with confidence.

For India, there is an imminent need to develop a robust system to protect space assets that are critical to every aspect of military operations on the ground, in the air and on the sea. DRDO has hinted that it is working on putting in place the building blocks of an Indian anti satellite system to neutralize hostile satellites moving in low earth and polar orbits. The focus of DRDO would be on laser based sensors and exo atmospheric killer vehicle (EKV), the technology of which could be derived from its missile development programme. As it is, the technologies developed for India's long range, nuke capable Agni-V missile which had its second successful test flight on

Sept.16 could be profitably exploited for boosting India's space defence and space warfare capabilities.

It was the early 2007 Chinese test that made use of a ground based medium range ballistic missile to smash an ageing weather watch satellite stationed at an altitude of 537-kms above the earth that sent shock waves through the Indian defence establishment. Subsequently, there was a strident clamour to develop a full fledged Indian space war capability along

with a range of dedicated defence satellites. And the modest effort now on in this direction seems to be a response to Chinese strides in space defence capability. In realizing the military space capability, India should look beyond the Chinese threat by taking into account the global advances in the area of satellite technology and space warfare techniques.

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The Lesson From Muzaffarnagar – Establish The Rule Of Law

- *Dr M N Buch*

Muzaffarnagar is a district of Uttar Pradesh, the headquarters of which is about a hundred miles from Delhi on the main highway leading to Roorkee, Dehradun and beyond. The district is very largely canal irrigated and is known as the sugarcane capital of India. It is, therefore, a prosperous district. Its population is divided between different castes and religions, but the Muslims form about 18.5 percent of the population and there is also a sizeable number of Jats. When Chaudhary Charan Singh was the dominant leader in U.P, he had an electoral alliance in western U.P. between Jats and Muslims and by and large these communities co-existed without much friction. Unfortunately, since then the politics of U.P. has become highly divisive.

Like Bihar, U.P. has also become an epicentre of caste and communal politics, in which no political party can claim the moral high ground. For example, during

the last election to the State Assembly whenever Rahul Gandhi visited a district where there was a sizeable number of Muslims, he sported a fortnight old beard, thinking thereby that the Muslims would take him to be one of their own. The appeal to the Muslims was blatantly communal and, to add insult to injury, doubts about the veracity of the Batla House encounter in Delhi where a police inspector was shot dead by terrorists were raised and it was projected as a possible false encounter. The Muslims, not being terrorists at heart, firmly rejected this ploy, but in the minds of people at large an impression remained that Azamgarh District is the breeding ground for terrorists and that Muslims are sympathetic to communal terrorism. Unfortunately, the Congress has still not woken up to the fact that the Muslim of 2013 is not the Muslim of 1947. To him India is home and he wants to live here securely, confident that he will get a fair share of the

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development pie. To single him out as being different from others and then to seek his vote is an insult to the Muslims besides militating against the basic secular tenor of our Constitution and our society.

The Samajwadi Party, whose leaders such as Mulayam Singh Yadav and Akhilesh Yadav try and masquerade as Muslims by donning skull caps, has made a blatantly communal appeal to the Muslims, based on religion and on creating a sense of fear amongst

the minorities about possible domination by the majority community. The Samajwadi Party has done this because it is confident that

The Samajwadi Party has done this because it is confident that regardless of what concessions it makes to the Muslims, it has a secure Other Backward Classes (OBC) constituency and that Yadavs, Ahirs and Gujars in will any case vote for the Samajwadi Party.

regardless of what concessions it makes to the Muslims, it has a secure Other Backward Classes (OBC) constituency and that Yadavs, Ahirs and Gujars in will any case vote for the Samajwadi Party. In this cauldron of caste politics, Mayawati's appeal is to the scheduled castes, more specifically the Chamars, though she has made some inroads into the Muslim vote bank and also has some upper caste Hindus supporting her. The BJP, knowing

that in U.P. it will not get Muslims votes, is dependent on its upper caste Hindu votes and has reached out to the Jats. Viewed in totality, politics in U.P. has nothing to do with ideology, programmes or a development agenda. In the caste and religious divide, where honest officers are shunted around very rapidly, the discretion of the District Magistrate and Superintendent of Police to act independently to maintain law and order is severely

constrained by political interference and all this has wrecked the administration almost completely.

The Constitution vests the executive powers of the

Union in the President who exercises them through officers subordinate to him. In the States, the executive power vests in the Governor who exercises such power through officers subordinate to him. The Seventh Schedule of the Constitution gives the legal competence of Parliament, the State Legislature and of both of them concurrently to enact laws as per Lists 1, 2 and 3 of the Seventh Schedule. List 1, the Union List, gives the authority to Parliament

to legislate on the defence of India, the armed forces and deployment of such forces in aid of the civil power in a State. List 2, the State List, empowers the State Legislature to legislate on matters relating to public order and the creation and maintenance of the police. List 3, the Concurrent List, permits both Parliament and the State Legislatures to enact laws on criminal law, criminal procedure and preventive detention. Within the competence prescribed in the Seventh Schedule and the laws framed thereunder, it is for the executive government at the Centre and in the States to enforce the law and to implement the mandate of the Legislature as prescribed by law. Therefore, it is for the Executive to create an environment of law and order, public peace and security against external aggression which would permit the people of India to have justice, liberty, equality and fraternity. The maintenance of law and order and the promotion of public peace, therefore, become the fundamental duty of government. This duty is given in the Indian Police Act and the Police Acts which refer to specific areas such as the Delhi Police Act. The Code of Criminal Procedure, which provides for the creation of an Executive

Magistracy, lays down the duty of the Magistrates and the police to maintain public order. The Code of Criminal Procedure vests both preventive and coercive powers in the Executive Magistracy and the police. Chapter XI of the Code directs the police to prevent the commission of cognizable offences and to make arrests to prevent such commission. Chapter VIII empowers the Executive Magistracy to bind over any person who is likely to indulge in acts which disturb public peace or lead to the commission of cognizable offences and in lieu of security for good behaviour commit the person to prison for the period of the bond. The Executive Magistracy and the police, therefore, have adequate legal powers to take preventive action and thus maintain order.

Chapter X enjoins upon the Executive Magistracy and the police to maintain public order, disperse an unlawful assembly, use necessary force to enforce an order of dispersal and if civil force proves inadequate to the task, then the senior most Executive Magistrate may requisition the service of the armed forces and direct the commanding officer to take necessary steps to disperse the assembly and restore order.

Under section 144 and 144-A, Cr.P.C, an Executive Magistrate may issue a prohibitory order directing a particular person or people at large to desist from doing an act or acts which can lead to a disturbance of public peace or create a nuisance. To this can be added Chapter IV, Cr.P.C. which in section 37 makes it compulsory for every person to assist the Magistrate or a police officer demanding his aid and under section 39 to give information to the police about the commission or intention to commit the offences given in section 39. The scheme of the law is that not only must the Magistracy and the police prevent the commission of offences, but they must also take effective action to maintain public order and for this purpose members of the public at large are required by law to assist the police and the Executive Magistracy.

It might be noted that nowhere does any law state that an Executive Magistrate or a police officer is required to seek the orders of either a superior officer or of a politician in order to perform the duty of maintaining public order. In fact, no minister,

no government officer, no political functionary has any role to play in the matter of preventing a breach of peace and only a superior Executive Magistrate or police officer under whom the area Magistrate or police officer functions may give any directions in this behalf. In the matter of maintenance of public order, the District Magistrate is King and the Superintendent of Police is both Prime Minister and Commander-in-Chief. That is how our system functioned when I was a District Magistrate. Neither my

In the matter of maintenance of public order, the District Magistrate is King and the Superintendent of Police is both Prime Minister and Commander-in-Chief.

S.P. nor I sought orders from government, nor did government give us any directions in matters which

related to the maintenance of public order. We took our duty seriously, the police took preventive action whenever trouble was brewing, we issued prohibitory orders where necessary, we intervened at the earliest juncture when we sensed that the situation merited it and we had no hesitation in using necessary effective force to ensure that no rioting or public disturbance took place. As a result of this, whenever an ugly situation developed the local authorities

took immediate action and by and large public order was maintained.

Let me give one example. From early 1965 to the third quarter of 1967, I was District Magistrate of Ujjain and the finest police officer I have had the honour to serve with, Ramrao Dube, was the Superintendent of Police. In 1966, student trouble took place all over India, the United States and much of Western Europe. We had some problems in Ujjain also, but the S.P. and I decided that university students would not be allowed to take to the streets. We liaised with the university authorities, but unfortunately one of the very respected and senior teachers, who went on to be a very distinguished Vice Chancellor of the university, decided not to use his moral authority to keep students under control. The students tried to defy the prohibitory order, the police did not permit the students to advance into the streets, there was considerable stone pelting which injured a number of policemen, including the S.P, who had five broken ribs and we had to resort to the use of force. The S.P. was determined not to use lethal force and kept the armed party under his direct control. We were able to clear the educational premises, the injured on both sides were

admitted to hospital and I decided to keep the city under curfew till tempers cooled. When some ministers decided to play politics, I requested the Chief Minister to stop them from coming to Ujjain and a couple of political luminaries who did come were reminded that the city was under curfew and they would not be allowed to move around the town. Peace was restored in quick order, I took the students for a picnic where their hockey team beat the district team and we soon became fast friends. Nevertheless, neither the S.P. nor I had any doubt as to how we would deal with the situation and Ujjain has never had any real trouble since then. We were given a very free hand because that is what the law states.

I contrast this with what happened in Meerut in the early eighties of the last century, including the infamous Maliana massacre. Meerut witnessed a number of communal clashes and the army had to be summoned repeatedly. I asked the D.M. and S.P. of Meerut why they could not control communal violence. The D.M's answer was classic. He said, "For 364 days in the year, we are summoned to the Circuit House by some visiting minister or the other

and lolling on the sofas by the side of the visiting minister are the local political goondas. The S.P. and I are lucky if we are offered a chair, but we have to swallow the insults of the political goondas and the orders of the minister to do what these people demand of us. On the 365th day when the same political goondas foment trouble, we are asked to deal with them harshly. Neither I nor the police force are schizophrenic so that one persona of ours cringes before trouble makers for much of the year and then another persona is required to take over in order to deal severely with these very people. Give us a free hand and I guarantee there will be no riots”.

Another example is of West Bengal where in the seventies of the last century the Left Front ordered that the police would not intervene in industrial disputes, despite the fact that 00workers physically restrained, through gherao, the management’s freedom of movement. This amounted to an offence of illegal restraint and intimidation, but the West Bengal Police was not permitted to act. Soon the police realised that in every matter,

including crucial law and order issues, it was necessary to obtain political clearance before action could be taken. This was the end of effective policing in the State and ushered in an era of lawlessness which was exploited first by Left Front workers and now by the Trinamool Congress workers. Once the police stops functioning independently, the virus of lawlessness is bound to assume a dirty and virulent communal form and this is precisely what we have witnessed in Muzaffarnagar and other districts of western U.P.

On the 365th day when the same political goondas foment trouble, we are asked to deal with them harshly.

It is increasingly clear that the district

administration in Muzaffarnagar and surrounding districts of Meerut and Saharanpur Divisions stands emasculated. In Muzaffarnagar there was an altercation between a Muslim boy and two Jat boys. This escalated into a fight in which one Muslim boy and two Jat boys were killed. Had the administration intervened immediately and forcefully, then within the first hour of the incident the matter could have been contained. Instead, the district administration did nothing and

the flames of communal passion engulfed large parts of Meerut and Saharanpur Divisions. The problem with the government in U.P. is that it is openly wooing the Muslims and did not want action against Muslim law breakers in Muzaffarnagar and elsewhere. At the same time, the Jats are a very substantial and aggressive community which has a high degree of social cohesion. This community would certainly not take any insult or injury lying down. Incidentally, the Jats contribute large numbers of soldiers to the Indian Army and they have fighting skills. The government does not want to antagonise the Jats and, therefore, fell between two stools in which keeping the Muslims happy on the one hand and Jats on the other became two such contradictory poles that whatever government did was bound to be wrong. The political interference of government, not only in this incident but over a long period of time has resulted in officers vested with the power and the duty to maintain public order not acting, large numbers of people being killed and houses being set on fire and about fifty thousand people becoming refugees. All this happened within a hundred miles

of Delhi, the national capital. And they call this a government!

The Central Government, though not directly responsible for law and order, is nevertheless the guardian of the Constitution. Its responsibility, therefore, to maintain public order becomes all the more important because under our Constitution residuary powers vest in Parliament, under Article 256 the Union Government can give directives to States to ensure that a constitutional and legal structure is properly maintained and, if necessary, assume all or any of the functions of a State under Article 356. What is more, the D.M. is an IAS officer and the S.P. is an IPS office, both belonging to All India Services, whose ultimate rule making control vests in the Central Government. To remind them that they are servants of the law and not of the political executive of a State is well within competence of the Central Government. However, the response of the Central Government to the Muzaffarnagar situation is weak and indecisive and that is because the Centre does not want to annoy the Samajwadi Party and, therefore, it is prepared to tolerate the massacre in Muzaffarnagar but will not annoy Mulayam Singh

Yadav. What should have happened is that within twenty-four hours of the start of the episode of rioting, the Union Home Minister should have visited Muzaffarnagar and, regardless of how the U.P. Government would react, he should have told the D.M. and the S.P. that if within the next twelve hours the situation was not controlled the Central Government would dismiss both of them without an enquiry under Article 311 (2) (b) and (c). The message being conveyed would be that even within the federal structure of India, All India Service officers charged by the law to exercise certain authority are expected to exercise such authority without looking for political directions and on their failure to do so, the Central Government would intervene and dismiss them from Service. If even two officers are dismissed in this manner, I will bet my last rupee that no D.M. or S.P. in India will be able to offer the excuse of being fettered by the

State Government when dealing with a law and order situation. For them, the alternative to failure would be dismissal from Service. This should ginger them up in doing their duty. This would ensure peace and public order in India and that should be most welcome. This is vitally important because in the past whenever there have been communal riots it is because the district administration and the police have failed to function.

Therefore, the answer to all communal riots is independent action by the Executive Magistracy and the police and the formula I have suggested of immediate dismissal by the Centre of IAS and IPS officers who do not do their duty. This would certainly make the district administration function. Is the Prime Minister listening?

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The Use Of SWAT Units In Indian Homeland Security: Lessons From Mumbai 26/11

- *Dr Prem Mahadevan*

The Indian security establishment was fiercely criticized both domestically and internationally for its tactical response to the 26/11 attacks. Some of this criticism was justified, while some was apparently motivated by a deliberate effort on the part of foreign powers to deflect attention from the Pakistani origins of the attack. As subsequent disclosures by Wikileaks have revealed, the United States and United Kingdom, together with their traditional intelligence partners in the 'Anglosphere' – Australia, New Zealand and Canada – formed a diplomatic cabal while the attacks were still ongoing, to devise a propaganda strategy that would protect Pakistan from India's legitimate anger.¹

One aspect of this strategy seems to have been a concerted media campaign to debase the professional reputation and track record of Indian security and

intelligence services. It was implied that India bore more responsibility for having allowed the attacks to occur on its soil, than Pakistan did for having allowed them to be planned, financed and rehearsed on its territory. Thus, the Indians were projected as having been more incompetent than the Pakistanis had been treacherous. To this day, perceptions of 26/11 are dominated by memories of police confusion and military slowness, with a degree of personal incompetence also attributed to national and state-level politicians.

In all this, clinical analyses of the attacks have been confined to a handful of experts within the Indian strategic community, and to Special Weapons and Tactics (SWAT) units in the West. Those Western scholars who took the trouble to study the 26/11 attacks in depth, have offered valuable and valid criticism of the Indian security response. They have also

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had the humility to acknowledge that the tactical challenges posed by such attacks are of an unprecedented nature, and that Western SWAT capabilities have fallen behind the threat curve.² Mumbai 2008 was a wake-up call about the extent of their own vulnerability, and it triggered a frantic search for a new tactical concept.

This article will explain what was 'new' about the 26/11 attacks from a tactical incident response perspective. It shall suggest that the current SWAT model which India has copied from the West is unsuited to the task of combating suicidal or 'fidayeen' terrorism. This model is optimized for challenges set in the 1970s. It is meant to provide a 'one-size-fits-all' template for coping with a dual-faceted threat: accidental as well as deliberate hostage-taking, and its tenets are more inclined towards resolving the former than the latter. In the forty years since, terrorists have adapted to the challenge posed by SWAT units and developed a concept of suicidal operations. These operations are fast-moving and fluid, and need to be

countered through systemic changes.

The Myth of a 'Reverse Stockholm Syndrome'

Readers of this article would be familiar with the term 'Stockholm Syndrome'. It connotes a situation wherein hostages gradually begin to empathize and identify with their captors, since both are subject to prolonged confinement: the hostages are unable to move within the limited space that they share with their captors, while the captors themselves cannot leave

This article will explain what was 'new' about the 26/11 attacks from a tactical incident response perspective.

that space because of police encirclement. Over a period of time, both parties see

themselves and each other as innocent victims, who must set aside their differences and pull together in order to survive their common ordeal. At least, that is what hostage rescue theorists have long believed to be the case.

The Stockholm Syndrome in its truest sense is assumed to be bi-directional. Hostages begin to rationalize the criminal actions of their tormentors, while the tormentors' willingness to do the hostages harm is weakened as a result of prolonged association.

Thus, the Stockholm Syndrome presages that hostages will try to shield their captors in the event of a SWAT assault, while hostage-takers will momentarily hesitate about harming their victims during that same assault. To a large extent, current SWAT doctrine has been built around the latter assumption in particular – that a reverse flow of empathy from captor to hostage will emerge from a lengthy siege.

This assumption may not be complete nonsense, but it is unsupported by the bulk of real-world counterterrorist experience. Certainly, in isolated cases, eyewitness reports state that terrorists hesitated to shoot hostages even though they knew that they were themselves about to be killed by SWAT assaulters. The 1976 Entebbe raid is an example: even as Israeli commandos charged into the building where hostages were held, one terrorist steeled himself to fire, but desperate pleading from the hostages weakened his resolve and he instead turned to face the commandos. Likewise, in 1997, left-wing terrorists occupying the Japanese embassy in Lima could not bring

themselves to execute hostages although SWAT teams were seconds away from shooting them dead.³

Such cases of terrorists rising to a higher degree of morality are rare. Empirical evidence suggests that, contrary to the training concepts of SWAT teams and hostage negotiators, the Stockholm Syndrome seldom occurs in real life.⁴ This is largely due to the deliberate brutality that captors inflict on their hostages in order to gain psychological dominance and shatter the will to resist. Such brutality is especially likely in cases of politically-motivated hostage-taking, where terrorists initiate a hostage situation only after deliberate planning and intense psychological conditioning. In contrast, empathy towards hostages tends to be shown when a hostage situation is inadvertently created – for example, during a bungled robbery. It is worth remembering that the original hostage siege in Sweden which gave rise to the term ‘Stockholm Syndrome’ was actually a bank heist that went wrong.

The Origins of SWAT – Police and Military

Special Weapons and Tactics units were created in the 1970s to provide niche expertise in ending hostage situations and arresting well-armed criminals. There are two types of SWAT units: police and military. Police SWAT originated in the United States, where the Posse Comitatus Act of 1878 had severely curtailed the government's ability to deploy military personnel on US soil. Beginning in Los Angeles, the police SWAT concept was soon replicated across the country. It called for having a quick reaction team of marksmen, armed with military-grade weaponry, who could surround and neutralize dangerous criminals hiding in populated areas, where indiscriminate firing could not be resorted to. ⁵

Military SWAT was pioneered by the UK's 22nd Special Air Service (SAS) Regiment, through an operation code named 'Pagoda'. Consisting of two permanent 'Special Projects' teams, codenamed 'Red' and 'Blue', Op Pagoda aimed to provide the British government with a

military option for ending hostage situations. The 1972 Munich Olympics massacre had proven that European policemen, unlike their American counterparts, were less trigger-happy and prone to hesitation when ordered to fire upon armed terrorists, even if this was necessary to ensure the safety of innocents. Policemen lacked battle inoculation of the kind that was intrinsic to military special forces units like the SAS. ⁶

Both police and military SWAT drilled for scenarios where terrorists would seize a building or airliner, gather hostages, make a few bizarre political statements to publicize their ostensible 'cause' and then issue specific, time-bound demands.

Both police and military SWAT drilled for scenarios where terrorists would seize a building or airliner, gather hostages, make a few bizarre political statements to publicize their ostensible 'cause' and then issue specific, time-bound demands. Throughout all this, it was assumed that the terrorists would want their hostages to remain alive, as insurance against a SWAT assault. This placed the burden of responsibility for a peaceful solution onto the government and led to an implicit deal in the interim: provided the terrorists were not provoked, they would not harm the hostages. Negotiators were instructed to

exploit this dynamic and lull the terrorists into thinking that their demands would be eventually met, while SWAT teams gathered intelligence and rehearsed for a rescue mission.

Even at this early stage (the 1970s), there were tell-tale signs that SWAT rescue operations depended for their success on the terrorists' own mindset. Certain famed interventions such as the 1977 assault on a hijacked airliner in Mogadishu came within a hair's breadth of failure, due to the hijackers' willingness to kill themselves along with their hostages. Other incidents such as the 1974 massacre of Israeli schoolchildren at Maa'lot were labelled as botched rescue operations, due to manifestly poor performance by the SWAT personnel deployed on-site. However, even in these botched operations, it was the terrorists' readiness to slaughter their hostages that sharpened the difference between a partial failure and a completely mismanaged rescue mission with a high death toll.

SWAT in India

To date, India does not have a culture of armed policing, except

in counterinsurgency. Even this took a long time to develop. During the 1980s, as Khalistani militants committed massacres in Punjab, bureaucrats dithered over the question of upgrading police firearms. It was felt that a civilian police force had no business carrying military-grade weaponry. Only the relentless death toll inflicted by Khalistani Kalashnikovs, obtained from Pakistan, broke this conservative stance and led to a partial militarization of policing.⁷ One of the innovations introduced was the formation of five commando battalions in the Punjab Armed Police. These battalions helped in turning the tide against the militants by attacking them in their own strongholds along the border, and storming their urban safe-houses.

On the military side, the Indian Army created a counterterrorist unit in the late 1970s, in the form of the 'Special Group' within the Cabinet Secretariat's Establishment 22. The unit saw action alongside regular infantry and Para-Commando troops during Operation Bluestar in 1984, when it was tasked to assault the innermost defences of Khalistanis holed up in the Golden Temple. Despite their training and

courage, the Special Group commandos were unable to make headway in the face of murderous small arms fire. Eventually tanks had to blast away the militant fortifications, causing extensive damage to the complex, and lending the entire operation a (false) image of brutality.

Criticism for having used excessive force against its own citizens led the government to create a new SWAT capability under the Union Home Ministry. Known as the National Security Guard (NSG), it was modelled on the German *Grenzschutzgruppe* 9. However, unlike GSG9 which had a distinct corporate identity, the NSG was a part-civilian and part-military organization. It drew half its manpower from the Indian Army and the remainder from various central paramilitary forces. This haphazard personnel policy led to differentiated operating philosophies, which as counterterrorist experience elsewhere has shown, tends to produce sub-optimal performance from the entire force overall.⁸ Coupled with the rapid turnover rate of officer-rank personnel, it prevented the NSG from growing

Known as the National Security Guard (NSG), it was modelled on the German *Grenzschutzgruppe* 9.

into an independent entity that could proactively lobby for additional training resources and operational infrastructure.

For the first few years of its existence, the NSG was provided with state-of-the-art facilities for simulating hostage situations and practicing urban combat drills. Subsequently, a lack of maintenance funds led much of this equipment to waste away. The NSG continued to do excellent work in breaking up terrorist networks in Jammu & Kashmir and elsewhere, but its success was crucially dependent on the quality of intelligence provided by central agencies, as well as the ingenuity of its own personnel in improvising new tactics. In terms of systemic support from the policy establishment, the NSG got little by way of new authority and funding, partly due to economizing trends in government.

Lagging behind the threat

The biggest problem, however, was not resource shortfalls but the changing nature of terrorism itself. Even as the NSG grew into a force of 14,500 men, hostage-takers across the world were

discovering that it did not pay to be 'nice guys'. Whenever they agreed to be reasonable, the situation ended badly for them. For example, in 1994, Algerian terrorists planned to crash a hijacked airliner into the Eiffel Tower. Owing to a lack of operational focus, they allowed themselves instead to be talked into landing at Marseilles, and were killed by GIGN, the SWAT unit of the French gendarmerie. They had come close to accomplishing their mission, but sheer fatigue led them to be swayed. Years later, the 9/11 hijackers ensured that the timeframe of their action was too short for any intervening variables to come between themselves and their intended targets. Even as US authorities thought they were dealing with 'regular' hijackings, the World Trade Center and Pentagon were hit, kamikaze-style.

Eagerness on the part of terrorists to attain martyrdom totally changed the nature of hostage-taking. Previously, political hostage-takers were ready to die for their cause if necessary, but preferred to live. If offered a face-saving way out by government negotiators, they tended to accept it. In this, they were not so

different from armed criminals in the West who, during the 1970s, would spontaneously seize bystanders as hostages whenever they found themselves in an unexpected shoot-out with policemen. Both accidental and deliberate hostage-takers of that era were open to dialogue, if given time to ponder the hopelessness of their situation and see the merits of surrendering peacefully.

The 1990s and the rise of millennial groups such as Al Qaeda brought a mindset shift into international terrorism. Now, terrorists knew that they could generate more publicity for their cause by killing a lot of people, rather than just taking them hostage and waiting for SWAT units to figure out how best to rescue them. If grabbing such media attention required sacrificing themselves, that was acceptable, since they were anyway assured of sweet benefits in the eternal hereafter. Once terrorist groups adopted a bureaucratic style of functioning, as Al Qaeda did, organizing cadres into specialized departments based on their aptitude, it was easy to create a sub-group of brainwashed suicide operatives with relatively low IQs who could

be controlled by smooth-talking handlers.

Lashkar-e-Taiba (LeT) was at the forefront of this trend. Its military curriculum was managed by ex-soldiers from the Pakistan Army's Special Services Group (SSG). In particular, members of Zarrar Company, the SSG's counterterrorist team, played a crucial role in conceptualizing the 'fidayeen' model of operations. Having been trained in the same Western-derived template of mission planning as Indian SWAT units, they understood the weaknesses of existing hostage rescue capacity.⁹ They knew that terrorists had a window of opportunity to inflict maximum damage without risk of serious opposition, in the minutes immediately following an armed assault. Thereafter, any prospect of a negotiated settlement was moot, since no government could offer safe passage to suicidal terrorists.

26/11 as a commando operation

Event timelines are crucial to understanding why the tactical response to the 26/11 attacks was so poor. From the opening shots at

2140 hours on 26 November, the clock had begun ticking for the NSG and Mumbai police to intervene swiftly, but they did not yet know it. Initially, the widely dispersed shootings were thought to be an outbreak of gang warfare. First responders were thus confused and overawed by the firepower that the attackers wielded. Once it became clear that a synchronized terrorist assault was underway, false sightings poured into the police control room, inflating the scale of the crisis to a point where the force leadership was psychologically overwhelmed. The bad luck of losing the Head of the Anti-Terrorist Squad (ATS), Hemant Karkare, crippled the one unit which was capable of reacting to the crisis. The ATS had 60 AK-series assault rifles in its inventory, while none of Mumbai's 86 regular police *thanas* had even one such weapon.¹⁰ This did not stop individual policemen from heroically trying to stop the attackers, but heroism is only the last refuge of those who have been failed by their own system, not those who are trained and equipped to do battle.

If viewed retrospectively, the Mumbai attacks inflicted so much damage because they adopted the textbook principles of a military-style commando raid. William McRaven, the mastermind of the raid on Osama Bin Laden's hideout in Abbottabad, has identified six such principles. He has observed that a small-sized attacking force must gain 'relative superiority' over a larger defending force by:

1. developing a simple plan,
2. ensuring that it remains secret until the moment of implementation,
3. carrying out detailed rehearsals of the implementation,
4. timing the implementation in such a manner that it achieves localized surprise,
5. ensuring that the speed of action is greater than the enemy's ability to adapt, and
6. maintaining a sense of purpose, despite all distractions and ground-level confusion.¹¹

The attacks were **simple** to execute, because killing unarmed civilians is actually a simple affair. The only real complication was in transporting the attackers on-site, and once the LeT developed a sea-

borne attack capability, that complication was resolved. **Secrecy** was preserved by tight personnel vetting – LeT compartmentalized the attack preparations, such that barring a few key personnel, nobody had access to the entire operational plan. Rehearsals were carried out based on topographical intelligence collected by penetration agents. The assault was timed to take place when the Pakistani foreign minister was on a goodwill mission, since that would delay recognition of the true nature of the attack ie., cross-border and state-sponsored. Speed was attained by ad hoc vehicular movement, in a context where first responders struggled to reach the affected areas. Finally, **purpose** was maintained by real-time encouragement from LeT handlers who were safely ensconced in Pakistan.

Once the attacks began, time was not on our side

The 1970s concept of SWAT deployment worked according to a lengthy timeline. It assumed that, since terrorists would not kill hostages unless provoked by police, a hasty assault should be avoided. Instead, pressure was to be built up gradually, like a psychological noose being

tightened. First, police were to evacuate bystanders and cordon off the area, a process that could take up to 90 minutes.¹² While this was going on, the SWAT command element would arrive in advance of the rest of the unit, and conduct a preliminary reconnaissance. The unit commander would contact leaders of the first responder units and agree to tactical communications procedures, while his second- and third-in command would identify potential locations for snipers and develop an Immediate Action Plan (IAP).

The IAP would be a rough-and-ready template for rapid intervention, in

The 200 men of the intervening unit, 51 SAG, were delayed by traffic congestion, particularly at the Manesar-Gurgaon toll gate.

case the terrorists started killing hostages mid-way through negotiations. It was to be ready for implementation within 30 minutes of the rest of the SWAT unit arriving on-site, with all its heavy specialist equipment.¹³ How long that would take depended on how far the target location was from the unit's base. In 1980, the British SAS took over 16 hours to move a 25-man Special Projects team from Hereford to London, despite having begun the move even before civilian authorisation had been received.

Seen from this perspective, the NSG's nine-hour deployment time to Mumbai during 26/11 was surprisingly good, considering the difficulties that the force had to overcome just to take off from Palam airport. The 200 men of the intervening unit, 51 SAG, were delayed by traffic congestion, particularly at the Manesar-Gurgaon toll gate. Had policymakers been willing to upgrade the unit's capabilities for rapid response, they would have made themselves aware of the fact that chokepoints on National

Highway 8 are clogged after nightfall, which increases NSG reaction time. During the 2002

Akshardham Temple attack, the force had been similarly delayed while racing to the airport. In the six intervening years, no effort was made to provide it with a dedicated tactical airlift capacity.

Even if the NSG had miraculously possessed the capability to become airborne within 20 minutes of the first shots being fired (ie., at 2200 hours on the night of 26 November), the flight time to Mumbai would have itself been too long to save those who had initially been targeted by the LeT

fidayeen. From available accounts, an overwhelming majority of the 176 people who died in the attacks, were felled within the first three hours. As per the current model of SWAT deployment, it would have taken the local police half as long merely to isolate a single complex that had been attacked by terrorists. Coping with multiple simultaneous assaults, unfolding in a fluid pattern against fixed targets as well as targets of opportunity, would have been beyond the capacity of any police force, Indian or Western.

Lessons: Tactical and Psychological

There were several failures on 26/11. **Leadership failure** on the part of local police is the most obvious. Once the gravity of the situation set in, top police officials showed a lack of nerve, abdicating responsibility and waiting for the NSG to arrive from Delhi. **Bureaucratic failure** meant that the Navy's marine commandos were not deployed until four hours after the attack began, because procedures for calling out the military were unfamiliar to the civil servants who were coordinating the initial response. **Capacity failure** on the part of

emergency services meant that casualty evacuation was slow, with lives being lost from arson in the Taj Palace Hotel because fire engines ran out of water. **Equipment failure** due to poor maintenance caused police firearms to jam when first used. Worst of all, **secrecy failure** led state and national politicians to issue public statements without any regard for operational security. A central minister generously revealed the timeframe according to which the NSG would reach Mumbai and begin operations – information which LeT handlers in Pakistan put to immediate use. Another politician revealed his hiding place in the Taj Palace Hotel (and that of 200 other guests) in a cell phone interview. It is only thanks to the Navy's MARCOS that indiscretion did not cost him his life. The terrorists were minutes away from locating the politician and his fellow-escapees when the MARCOS intervened, allowing the civilians to flee.

For the narrow purposes of this paper, three issues need to be especially highlighted for SWAT units:

1. **Firepower:** LeT fidayeen operate in a manner akin to

special forces, moving swiftly in buddy pairs and carrying their combat loads on a man-pack basis. On average, each is kitted out with an assault rifle, roughly 300 rounds of ammunition, a sidearm, several grenades, communications gear, emergency rations and (perhaps) night vision goggles. Their main asset is initially the ability to open fire whilst in disguise, and thereafter to remain mobile. A static defence deprives them of the initiative and leads to a drop in their lethality, even if it increases the duration of an engagement. It is therefore vital that they should be aggressively engaged by first responders even before SWAT units arrive, with view towards restricting their freedom of movement. Regular policemen need to have basic proficiency in firearms usage and maintenance, as their initial reaction is crucial in deciding the outcome of a fidayeen attack. SWAT units can provide a mechanism for such training, through running marksmanship schools in high-risk cities.

Rather than the specialized skills required for hostage rescue, first responders 'only' need to know is how to shoot moving targets whilst themselves being fired upon. Admittedly, this in itself is not easy, and weapon training is expensive. However, given the persistent threat of fidayeen attacks upon India, it is necessary to have a minimum standard which armed policemen in megacities cannot be permitted to fall below. For purposes of economy, priority for training should be given to those *thanas* that are located nearest to sites that have already been identified as likely fidayeen targets.

2. ***Real-time intelligence:*** the most important challenge facing a decision-maker during a crisis, is to recognize what kind of a crisis it is. After the international scrutiny that it attracted as a result of 26/11, LeT is chary about directly targeting Western nationals in India. This means that a hostage situation involving Westerners would probably feature non-Pakistani terrorists (perhaps even

brainwashed Indians, although this is unlikely). Any other attack would probably once again take the nature of a coordinated fidayeen strike, where the goal is not to take hostages, but simply to inflict a high civilian death toll. There are three questions which need to be answered in this situation, for SWAT to form a tactical appreciation: how many sites have been attacked, are the attackers in contact with their Pakistani handlers, and are they mobile or static? The answers to these questions will not be held by any one agency; they need to be fused together in a crisis intelligence cell. It would perhaps be worth creating such a cell in the Intelligence Bureau, with a hotline to local police officials, NSG Headquarters and the relevant NSG regional hub. The Intelligence Bureau (IB) is a logical choice for controlling such a cell, since it will be able to obtain information from local police about the unfolding ground-level situation while also exploiting national signal intelligence assets to

ascertain the terrorists' tactical objectives, in case these are dictated from Pakistan. Information needs to flow both upwards and downwards simultaneously, but with priority being given to the needs of immediate users.

3. **Image management:** LeT uses fidayeen attacks as a means of boosting its public image within Pakistan. It showcases both tactical innovation and military skill, using media coverage of an attack to reconnect with its mass constituency of rabid sympathizers in the Pakistani middle and lower classes. It is therefore vital that during a crisis, SWAT units should project themselves as far more competent than the fidayeen, even if this is not really the case. One relatively simple way of doing this would be to release pre-drafted press statements, claiming that the NSG has been extensively trained by American and British SWAT experts. This would make it difficult for commentators in the US and UK to then ridicule Indian counterterrorist

performance, as they did after 26/11, smug in the knowledge that geography protected them from similar attacks. Between them, the US and UK shape global narratives on South Asian geopolitics, often to India's detriment. To be muzzled, they should be embraced. At a more substantive level, intervention units also need to be perceived as genuinely proficient in conducting dynamic entry and precision shooting during a fast-moving engagement over unfamiliar urban terrain. This requires that they be provided with digitally-stored building plans (which would have been previously obtained through routine reconnaissance), high quality nightscopes, and hands-free tactical radios at the sub-section level. Since fidayeen are unlikely to operate in groups larger than four to six at a single location, they need to be relentlessly

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pursued by comparably-sized house intervention teams (HITs), each of which should be carrying enough hardware to allow it to fight until reinforced.

Unlike their Western counterparts, Indian security officials have a poor understanding of discourse-management. SWAT units in the West and Israel have long ago learned how to cover up their weaknesses and project an impression of omnipotence, seeing it as a psywar instrument that discourages terrorists from carrying out more hostage-takings. The British SAS is the best at this, ensuring that in-house scandals are not reported in the media and sometimes going to the extent of inflating its own contribution to counterterrorist successes in which it had only been a bit player.¹⁴ In part, this is because the United Kingdom needs modern-day heroes to revitalize its fading memories of imperial glory, and this had made the political establishment keen to project the SAS as supermen.

Even American SWAT units have been caught wrongfooted when hostage-takers suddenly open fire, but they are treated more kindly by their media. For instance, in 2011 US Navy SEALs botched up a maritime rescue operation, when Somali pirates seized hostages and upon being cornered, panicked and began executing their captives. In the ensuing fire fight, all four hostages died. Since the action took place on the high seas, away from press coverage, the US Navy was able to disseminate a version of events that was charitable to itself, and labelled the hostage deaths as unavoidable.¹⁵ Calibrating media coverage through restricting journalistic access to the operational area is important, if unflattering images are to be prevented from going viral. This requires strict crowd control.

SWAT as a way of the future

Indian security forces are not used to their cities being turned into battlefields by armed gangsters, as happens in ghettoised neighbourhoods in the West. For their part, Western security forces do not have to cope with the challenge of a terrorist state that pushes mercenaries across its borders in order to externalize

domestic militancy. This means that neither India nor the West as yet has a template for dealing with 'swarm' attacks launched on soft targets by international terrorists. The US and UK have sidestepped this problem by appeasement: they have tacitly signalled to Pakistan that it can continue to target Indian civilians, provided it cooperates in their own efforts to combat jihadist militancy. As Major General (Retd) G.D Bakshi has noted, India is the victim of a compact between the Anglophone West and Pakistan, founded on an implicitly racist logic that Indian lives are worth less than British or American ones. Having itself realized this, LeT is being emboldened to plan more fidayeen attacks.¹⁶

Preparation for meeting these attacks, in the form of capacity building for rapid intervention, should continue. 'Active shooter' protocols need to be drawn up at the police thana level, to speedily isolate each site that is known to be on the LeT target list. As soon as first reports arrive of a firearm assault at one of these sites, the protocol should be activated, along with the crisis intelligence cell in Delhi. The aim of 'active shooter' protocols should be to seal off exit routes and insert a small team of

policemen (perhaps just 4-6 strong) who can move swiftly towards the sound of gunfire and engage anyone they see carrying a weapon. Meanwhile, assessments should be prepared of the terrorists' motives, based on the nature of the still-unfolding attack. If only a single building has been hit, then the terrorists are probably seeking to establish a defensible perimeter and create a long-drawn standoff, similar to an old-style hostage situation (albeit with much greater readiness to kill). If multiple buildings have been hit, or a large complex has been attacked, then they are most likely seeking to carry out a straightforward suicidal strike that will continue until they are finally run to earth and gunned down. Identifying what kind of attack is underway will be crucial for optimising the level of force used by the intervening SWAT unit, whether it be provided by the police, NSG, or military. Should an attack fail to inflict the level of damage expected by its planners, it would count as a victory for Indian security forces, even if the attack

LeT cadres such as Sajid Majeed (who directly supervised the 26/11 attacks and ordered the execution of hostages in real-time) need to know that they might one day be found in a gutter with a bullet hole on one side of the head, and an exit wound on the other.

itself cannot be prevented owing to lack of specific advance warning.

At a more strategic level, it should be recognized that 'deterrence by denial' is not enough to defeat a group like the LeT, which receives the fullest backing of the Pakistani army. A more aggressive approach has to be taken to neutralize attack planners on their own turf. Although this is not strictly speaking a SWAT mission, it is still an essential

component of maintaining Indian homeland security. LeT cadres such as Sajid Majeed (who directly supervised the 26/11 attacks and ordered the execution of hostages in real-time) need to know

that they might one day be found in a gutter with a bullet hole on one side of the head, and an exit wound on the other. The only outstanding questions are: how long would it take to happen, and will their family members be safe from accidents in the meantime? ¹⁷ The answers to these questions need to be formulated in Delhi, as part of 'deterrence by punishment'.

Endnotes:

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2. John P. Sullivan and Adam Elkus, 'Preventing Another Mumbai: Building a Police Operational Art', *CTC Sentinel*, accessed online at http://www.ctc.usma.edu/wp-content/uploads/2010/06/Vol2_Iss6-Art2.pdf, on 9 September 2013.
3. Peter Harclerode, *Secret Soldiers: Special Forces in the War Against Terrorism* (London: Cassell, 2000), pp. 517-524.
4. Kathryn Westcott, 'What is Stockholm syndrome?', *BBC News Magazine*, accessed online at <http://www.bbc.co.uk/news/magazine-22447726>, 9 September 2013.
5. Hans Halberstadt, *SWAT TEAM: Police Special Weapons and Tactics* (Osceola, WI: Motorbooks, 1994), pp. 16-24.
6. Adrian Weale, *Secret Warfare: Special Operations Forces from the Great Game to the SAS* (London: Coronet, 1997), p. 205.
7. K.P.S Gill, 'Endgame in Punjab: 1988-1993', *Faultlines*, Vol. 1, accessed online at <http://www.satp.org/satporgtp/publication/faultlines/volume1/Fault1-kpst...>, on 10 September 2013.
8. The example of the Rhodesian Selous Scouts, one of the most effective special forces units in the history of low intensity warfare, is illustrative. Initially drawing upon both police and army personnel for its manpower, it later shifted to being an all-army unit that operated under police guidance. R.F Reid-Daly, *Pamwe Chete: The Legend of the Selous Scouts* (Welteverdenpark: Covos-Day, 2001), p. 122.
9. S. Hussain Zaidi with Rahul Bhatt, *Headley and I* (New Delhi: HarperCollins, 2012), p. 80.
10. Adam Dolnik, 'Fighting to the Death', *RUSI Journal*, Vol. 155, No. 2 (2010), p. 63.
11. William H. McRaven, *SPEC Ops – Case Studies in Special Operations Warfare: Theory and Practice* (Novato,

- CA, Presidio Press, 1996), pp. 8-23.
12. Wayman C. Mullins, 'The Role of First Responder at a Hostage Situation', *Journal of Police Crisis Negotiations*, Vol. 3, No. 1 (2003), p. 33.
 13. Andy McNab, *Immediate Action* (London: Corgi, 1995), p. 325.
 14. Peter Popham, 'The SAS confronts its enemy within', *The Independent*, accessed online at <http://www.independent.co.uk/news/the-sas-confronts-its-enemy-within-134...>, on 10 September 2013. An example is the GSG9 hostage rescue operation at Mogadishu in 1977. A two-man SAS liaison team provided the German assaulters with stun grenades and were allowed to watch the rescue mission as it was underway. However, British spokesmen mischievously told the press thereafter that the SAS team had led the assault. See The Sunday Times Editorial Team's book *Siege!* (London: Hamlyn, 1980), pp. 109-110.
 15. Jeremy Scahill, *Dirty Wars: The World is a Battlefield* (London: Serpent's Tail, 2013), pp. 482-483.
 16. G.D Bakshi, 'Mumbai Redux: Debating India's Strategic Response Options', *Journal of Defence Studies*, Vol. 3, No. 4 (2009), p. 22. Also see Saleem Shahzad, *Inside Al Qaeda and the Taliban* (London: Pluto Press, 2011), p. 94.
 17. To get to the Hizballah master terrorist Imad Mughniyeh, Israel's Mossad killed one of his brothers in 1994, in the hope of luring the man himself to come out of hiding and attend the funeral. Mughniyeh stayed away on that occasion, but was eventually killed in 2008. See Ronen Bergman, *The Secret War with Iran* (London: Oneworld, 2008) p. 242. Perhaps the only reason that people like Sajid Majeed, Abu Qahafa and Yusuf Muzammil have not yet met similar fates is because they do not appear to be worth killing, since they already live in a country where the value of human life is depreciating on a daily basis.

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The Case Against The Ordinance To Protect Criminal Legislators

- *Dr A. Surya Prakash*

The National Commission to Review the Working of the Constitution (NCRWC) which was headed by the eminent jurist and former Chief Justice of India Mr. M. N. Venkatachalaiah recommended that the election law be amended to bar any person charged with an offence punishable with imprisonment up to five years, from contesting elections to parliament and state assemblies. Further, it said any person convicted for heinous offences like murder, rape, dacoity and smuggling must be permanently barred from contesting elections.

The Second Administrative Reforms Commission headed by Mr. Veerappa Moily, a member of the Union Cabinet, recommended that Section 8 of the Representation of the People Act, 1951 be amended “to disqualify all persons facing charges related to grave and heinous offences and corruption”, with the modification suggested by the Election

Commission. The Law Commission suggested 14 years ago that mere framing of charges by a court in regard to election-related offences should by itself be a ground for disqualifying a person from contesting an election. In other words, all the three august commissions named above held the view that mere framing of charges was enough to bar individuals from contesting elections to parliament and state assemblies.

The Election Commission decided 16 years ago that candidates in parliament and state assembly elections should file affidavits about their convictions in cases covered by Section 8 of the RP Act, 1951. The commission was of the view that conviction by a trial court was sufficient to attract disqualification “and even those released on bail during the pendency of their appeals against their convictions are disqualified from contesting elections”.

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Thereafter, in September, 1997, the Chief Election Commissioner wrote to the Prime Minister in this regard and pressed for immediate amendment of the law to deal effectively with the malaise. He said there were “grave incongruities” in the existing provisions in Section 8 and wanted the same amended. The Commission said that under jurisprudence, a person is presumed to be innocent unless proved otherwise and convicted by a court of law. Thus, in strict legal parlance, a criminal is one who has been convicted of a crime by a court of law. “But the common man perceives otherwise. In his eyes, a person who has been charged with certain types of offences and is under trial is also a criminal. The common man considers it criminalization of politics if he sees a history-sheeter or a notorious bad character, involved in various crimes of a heinous nature like murder, dacoity or rape, contesting elections and getting elected”.

It held the view that “a person facing trial in a serious offence, if kept out of the electoral fray till he is exonerated of the charge, should

not have a legitimate grievance, as such restriction on his right to contest elections would be a reasonable restriction in the greater public interest and for bringing sanctity to the august Houses which are the supreme law making bodies of the country”. The Election Commission’s efforts to keep criminals out of electoral politics were stonewalled by successive governments at the Centre for 16 years.

It is in this context that the Supreme Court decided last July to strike down Section 8 (4) of the RP Act, 1951 which enabled criminals to continue their tenures in Parliament and state assemblies if they filed appeals against their conviction in a higher court. Any judge in any democracy who sees steady deterioration in democratic values is bound to correct the aberration. And that is exactly what the Supreme Court did last July. Though the court did not bar politicians who are charge-sheeted from contesting polls, it declared that a person convicted and sentenced to two years’ imprisonment, should be kept out of the electoral fray, even if his appeal is pending in a higher

The Commission said that under jurisprudence, a person is presumed to be innocent unless proved otherwise and convicted by a court of law.

court. The court also barred persons in jail from contesting elections because such persons lose the right to vote.

The Union Cabinet's first response to the Supreme Court verdict was to amend the Representation of the People Act, 1951 in order to save the seats of criminal legislators. At its meeting on August 22, it approved two amending bills to negate the recent Supreme Court verdict on disqualification of convicted legislators. The first amendment sought to add a proviso to sub-section (4) of section 8 of the Representation of the People Act, 1951 stating that the convicted member shall continue to take part in proceedings of Parliament or Legislature of a state but he or she shall neither be entitled to vote nor draw salary and allowances till the appeal or revision is finally decided by the court. The other amendment said an MP or MLA would not lose his right to vote if under arrest even for a short duration and thereby would retain his right to contest a poll. However, despite the government's desperate efforts during the Monsoon Session of parliament, it could not effect these changes because a key amending bill was referred to a

parliamentary standing committee.

The latest decision of the Union Cabinet to bring an ordinance to undo the Supreme Court's historic verdict in this case betrays its utter contempt for the opinions of some of the best legal minds in the country. Rejecting the sage counsel of eminent jurists, the political class has almost unanimously decided to challenge the Supreme Court's verdict and to take legislative measures to undo parts of the apex court's order. Sailing along with this view, which was expressed forcefully by politicians from across the political spectrum at an all-party meeting convened prior to the Monsoon Session of Parliament, the government announced its resolve to seek a review of the apex court's judgement and simultaneously introduced a Bill to amend the Representation of the People Act, 1951. The purpose of this amendment is to protect the so-called rights of criminal-politicians rather than that of the people. They are also meant to overturn the verdict of the Supreme Court relating to the prohibition on persons in jail losing their right to file nominations in elections. The Rajya Sabha cleared this

amendment first. The Law Minister Mr. Kapil Sibal, who piloted this Bill decided to utilize the opportunity to lecture the judiciary and all and sundry. He advised the judiciary to be “extremely careful” in giving rulings which have an impact on the polity. He claimed that there was a negative perception in the country that all politicians were criminals and that the courts were enthusiastic to prove this to be right.

Only a few political parties have had the gumption to oppose this atrocious move to protect criminal-politicians. Among them are the two main communist parties. The Communist Party of India opposed the ordinance which enables convicted MPs and MLAs to continue in their posts if they have filed appeals against their conviction. It said the government had introduced a Bill to this effect in Parliament during the Monsoon Session and the same had been referred to a parliamentary standing committee. Under these circumstances, the CPI said the government should not be in a hurry to insulate convicted MPs and MLAs from disqualification as

It declared that the ordinance route was “undemocratic”. The Bharatiya Janata Party sent a delegation to the President urging him not to sign the ordinance.

per the Supreme Court’s judgement. Opposing the ordinance, it said this matter needed to be discussed in parliament after the standing committee presented its report. The Communist Party of India (Marxist) also opposed the ordinance. It declared that the ordinance route was “undemocratic”. The Bharatiya Janata Party sent a delegation to the President urging him not to sign the ordinance.

Thanks to the Supreme Court’s directive many years ago, we have enough information on the criminal background of our legislators. So, let us test the actions of the union government and the Law Minister’s defence of the politician on the basis of available facts and the analysis of the background of our representatives done by the Association of Democratic Rights (ADR). This organization has found that 1460 of the 4807 sitting MPs and MLAs in the country (constituting 30 per cent) have declared criminal cases against themselves in their self-sworn affidavits submitted to the Election Commission of India prior to contesting elections. 688 (14%)

out of the total number of sitting MPs and MLAs have declared serious criminal cases against themselves. Further, ADR has found that 162 of the 543 Lok Sabha MPs (30 per cent) have declared criminal cases against themselves. 14 per cent of the current Lok Sabha MPs have declared serious criminal cases against themselves. Of the 4032 MLAs in the country, as many as 1258 (31%) from all state assemblies have declared criminal cases against themselves. 15 per cent of the current MLAs from all state assemblies have declared serious criminal cases against themselves, according to this analysis by ADR.

Mr.Sibal also made the extraordinary claim that the political class was the most accountable class in the country and that the politicians were accountable to parliament, to the election commission, to the country and to the people, to whom they go every five years. It was strange to hear this from the Law Minister of a government that wants the Supreme Court to review its decision to bar convicted persons from continuing in parliament and state assemblies and which has decided desperately to take the ordinance route to

overturn the Supreme Court verdict. It is equally strange to hear this from a Law Minister whose actions betray utter contempt for the opinions of the Law Commission, the Justice Venkatachalaiah Commission, the Second Administrative Reforms Commission, the Election Commission and the Supreme Court.

But the strangest development of all is the manner in which Mr.Rahul Gandhi, the Congress Vice-President who virtually slept through all the governmental moves since mid-July to bail out criminal-politicians, suddenly woke up last week and publicly rebuked his own government for bringing the ordinance. Realising belatedly that the government's move had created much revulsion among the people and that even the President, Mr.Pranab Mukherjee was reluctant to sign on the dotted line, Mr.Gandhi has tried to salvage his own image at the cost of the Prime Minister and members of the Union Cabinet. But this will not wash. Intemperate conduct before cameras will not explain his deafening silence on this issue for 45 days. This is yet another example of what political power does to individuals. They think

they have the power to fool all the people all the time.

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Interaction With H. E. Amb. Glenn White, Australian Ambassador To Nepal

On 3rd September 2013, VIF welcomed Amb Glenn White, the Australian Ambassador to Nepal for a brief interaction on the latest political developments in Nepal.

Having spent the last four months in Nepal, Amb White gave a succinct assessment of the ground situation in Nepal. Discussions also took place on how India and Australia can contribute to strengthening democracy and democratic values in the Himalayan state.

Both sides emphasised the need for peace, stability and progress in Nepal, which was important for the entire region.

Shri Ajit Doval KC, Director VIF, thanked Amb White for his well informed briefing and hoped to interact more with him on geopolitical and strategic issues of mutual concern.

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Launch Of 'Character – The Power Supreme' At VIF

'Character – the Power Supreme', the last book authored by late B P Singhal, former Director General of Police, Uttar Pradesh and Member of Parliament, Rajya Sabha, was launched at a function at the VIF by former Deputy Prime Minister Shri L K Advani on September 8, 2013.

Four other inspirational books written by Shri Singhal in Hindi viz 'Jeevan Ki Disha', 'Divya Manav Banne Ki Kunji', 'Pragati aur Anushasan', 'Jeevan Ka Saar' were also released on the occasion.

In his keynote address, Shri Advani paid rich tributes to the former civil servant, Parliamentarian and social worker.

Shri Prakash Singh, former DG, BSF & Member-Advisory Board, VIF, presided over the function. Eminent persons from different walks of life were present on the occasion.

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Interaction With H. E. Dr. Riyad Kamel Abbas, Syrian Ambassador To India

On 11th September 2013, VIF welcomed the Syrian Ambassador to India, H.E. Dr. Riyad Kamel Abbas for an interaction session. The interaction focused on various issues of mutual concern, including the ground situation in Syria, the issue of growing Islamic radicalism, and cross-border terrorism. The candid talk was followed by a session of Q&A.

Shri Ajit Doval, KC, Director VIF, thanked Ambassador Abbas for the informative talk. The Director and the Ambassador agreed to exchange ideas and research on radicalism and extremism.

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Launch Of Kishtwar Cauldron: The Struggle Against ISI's Ethnic Cleansing

On 13th September, *Kishtwar Cauldron: The Struggle against ISI's Ethnic Cleansing*, authored by Maj. Gen. (Retd) Dr G D Bakshi, SM VSM, was launched at the VIF. The book was released by Lt. Gen. (Retd) S K Sinha, PVSM, former Governor of Assam and Jammu & Kashmir. Also present as panellists were Dr Romesh Raina, President of the Kashmiri Pandit Samaj and Ms Sandhya Jain, eminent writer of contemporary political affairs and a columnist at Pioneer.

Maj. Gen. Bakshi initiated the discussions by giving some vital insights into his new book. He mentioned that the book not only recorded the courageous and glorious deeds of the Army personnel in Kishtwar valley, but also highlighted the disgraceful lack of moral courage that we as a nation have shown, especially in pushing under the carpet Pakistani ISI's blatant attempts at ethnic cleansing, first in Kashmir and then in Kishtwar. Dr. Romesh Raina succinctly captured the gradual and

alarming replacement of local liberal Muslims by the Wahabis who entered and settled in Jammu and Kashmir over the last five decades and began threatening the minority community.

Sandhya Jain highlighted the fact that Kishtwar is the symbol of Indian struggle against an ISI plot that challenges Indian sovereignty. She also criticised Article 370 of the Constitution, calling it illegitimate and unacceptable as it makes the possibility of saving the minorities in the state of Jammu and Kashmir extremely difficult.

In his address, Lt. Gen. Sinha argued that no State or Central government can allow such a massive scale of ethnic cleansing and with the release of this book, and many more in the future, which brings out the reality of Jammu and Kashmir, he hoped that the political class and the civil society of the country will ensure that no such outrageous attempts carried out by the ISI are tolerated any further.

Lt Gen (Retd) Gautam Banerjee, was present on the occasion.
Member, Executive, Council, VIF

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Launch Of 'Beyond A Billion Ballots' At VIF

'Beyond A Billion Ballots' by Dr Vinay Sahasrabuddhe was launched at a function at the VIF by former Chief Election Commissioner Dr S Y Quraishi, Political Commentator B V Rao and Ajit Doval, KC, Director, VIF, on September 24, 2013.

Addressing a panel discussion on the occasion, Quraishi said while Indian democracy had certain shortcomings, it also has several

achievements to its credit such as granting of equal voting rights to women, for which women in other advanced democracies such as US and UK had to struggle for over a century.

India's Election Commission had become a role model for several developing countries, he said.

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