



IF MUSIC BE THE FOOD OF LOVE:

tour could not have come at a more appropriate time for the residents of Lahan and other cities in the tarai.

Nepathya's annual peace concert



## Using music to spread the message of peace and tolerance

# Healing touch

#### KALYAN SHARMA in LAHAN

"Are you a Nepali?" yelled Amrit Gurung into the microphone at a concert in Lahan this week. The crowd responded with a deafening "Yes!"

"Are you proud to be a Nepali?" "Yes!"

"Let me hear that again." "Yes!"

Amrit's band Nepathya then launched into a fast-paced rendition of Raamesh's rousing Gaun gaun basti basti, which had the audience dancing in the aisles. Nepathya has been greeted by enthusiastic crowds at every stop in its current 40-day concert tour, but Lahan was different. The war never really ended here in the east-central tarai.

of the Janatantrik Tarai Mukti Morcha (JTMM), a breakaway faction of the Maoists that has itself since split into the Goit and Jwala Singh factions. The groups are competing with the Nepal Sadbhawana Party (NSP), part of the governing coalition, to lead the struggle for proportional representation of the tarai in the constituent assembly election.

The day before Nepathya arrived in Lahan. the NSP had declared a tarai shutdown. There were posters calling for boycotts of businesses owned by hill settlers, and a young bus passenger was killed in front of his two sons. A van belonging to Kantipurwas shot at. "We weren't sure whether we should go ahead with the concert," recalls Nepathya tour organiser

Kiran Krishna Shrestha, "but we thought it was more important than ever to do it."

The concert in Lahan was sold out and young people sang along with such Nepathya hits as Resham and Talko pani. But crowd-response was most intense for the song that extolled Nepali unity: Rato ra chandra surva. Amrit admits he was moved close to tears.

"It was amazing," he says, "I felt this powerful intensity coming from the audience, and it energised me even more." Nepathya closed the two-hour concert with the swaying and restrained melody of Au hat milau, which had special resonance for people in this tense tarai town.

to jhyaure blues to spread the message of peace and tolerance for the past four years. This winter, the tour will reach 25 venues, including out-of-theway places that have been scenes of battles in the past: Sandikharka, Surkhet, Besisahar, Trisuli, Jiri. Band members found audiences much more spontaneous and open than during the war years.

Gurung is swarmed by fans backstage after the Lahan concert, including four Maithili-speaking

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madhesi grievances?

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The region is the stronghold

The Nepali folk-fusion band has been using powerful lyrics set women in saris (inset) who want to take a picture with him. "People used to call us mad, going around the country singing about peace," Amrit says, "but look at this, it works. Everything will turn out right if we just keep a positive attitude." •







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# BORN-AGAIN DEMOCRACY

Nepal never fails to surprise as it goes through the pangs of nationbuilding. Extreme, even exhilarating, diversity is the leitmotif of this nation-state. In the free air of born-again democracy and on the road to a constituent assembly, a myriad of voices and demands are rising.

The vocal protests from the leaders of the madhesi community across the tarai from Mechi to Mahakali is no surprise. Madhesi political factions know that the composition of the constituent assembly is critical to their gaining proportionate ownership of the country and its governance, and they are competing with each other to strike a more radical image.

Nepali identities have layers, and the formation of the state is as if on a palimpsest. The hill ethnic demands are targeted at the Bahun-Chhetri (and some Newar) combine that runs the Kathmandu establishment. But, as the tarai leadership points out, janajatis from the hills have always had access to the national Nepali identity as part of their self-image. Even as there is unity across the tarai, there are undercurrents bubbling to the surface, between those who call their region tarai and others who would call it madhes. Other tarai sub-identities break down by religion, (Hindu and Muslim, to begin with), by caste, by language (Bhojpuri-Awadhi-Maithili), and by ethnicity and origin (madhesi-pahadi-tharu and tarai-hill).

Given these complexities in our national society, it will take some time before all historical disenchantments have been aired, some of which the Kathmandu establishment might never have known existed. Those in the capital will need to show sagacity and empathy, and the leaders of different communities need to pull back from populist brinkmanship. No one set of demands or resentments cancels out the other.

The civil society leaders gathered outside the prime minister's residence and then outside Singha Darbar this week got it wrong. They had a simple-almost simplistic-demand: announce the dates for the constituent assembly election.

The CA election process can't begin unless the Maoist arms are put into containers, which requires the UN to certify the process, which requires the monitors to be deployed. So, the demand should properly be that arms verification begins.

The real issue is the text of the interim constitution. There was no jurist or lawyer on the negotiating team, and civil society, which sometimes seem to give the Maoists an edge over the other parties, were present as observers. What matters for issues such as the brushfire in the tarai is how the document holds up. Our observers have still not told us what they think of the text from the perspective of jurisprudence and constitutionalism.

Sitting on the asphalt is all well and good, but there should first be a persuasive reason to do so.

# Draw the line

### It's not just pahadis that need to change their mindset

rime Minister Koirala recently announced that he was in touch with, and ready to talk to, the Janatantrik Tarai Mukti Morcha (JTMM). The JTMM is a radical splinter of the Maoists, and is demanding an independent madhes. The JTMM has itself split into two groupsone led by Jay Krishna Goit and the other by Jwala Singh. Whatever differences between the



two, their aim and tactics are similar: both groups have led an anti-pahadi campaign in several eastern and central tarai districts, sowing terror and mayhem.

Koirala's offer of dialogue looks perfectly fine on the surface. How best to nip a

brewing crisis in the bud than by calling for dialogue, right? But consider why this 'Nobel Peace Prize-worthy' leader doesn't issue a similar call to the moderate madhesis pining to talk to him and other senior leaders of the SPA government?

Maybe they have not noticed, but madhesi civil society leaders have still not received that call from Baluwatar so they can brief the prime minister on tarai issues. Yet the prime minister makes a conciliatory gesture to the JTMM. What message does this send?

To me, it seems pretty straightforward: no talking to you folks unless you pick up arms, sow mayhem, and call for secession, a la the JTMM.

If this is what our leaders want, it may not be too long before they get it, unfortunately. What we witnessed in Nepalganj last week was not merely a law and order issue. Neither can it be dismissed as instigated by 'regressive elements' or 'religious fundamentalists', though their possible role cannot be ruled out. Nepalganj was, in essence, a clash of cultures and identities that has long been in the making. No matter how much religious or royalist colour you bestow on it, the underlying fact is that the violence was rooted in madhesi grievances and pahadi fears of subjugation.

It is tragic that Nepal's politicians, media, and civil society have all failed to draw the proper conclusions from the riots. The probe commission, peace marches, and calls for communal harmony will have little effect

until the real issues are dealt with.

Pahadi leaders may be completely ignorant of madhes dynamics, but we don't see madhesi society trying to broaden its vision either. They are content to play the politics of victimhood, and prone to exhibiting the same knee-jerk reaction they accuse pahadis of.

Just last week, a pahadi bus helper was killed by JTMM radicals in Saptari for violating their transport strike. And yet, no madhesi group or intellectual specifically condemned it. There has been no sustained criticism of the anti-pahadi campaign by the JTMM in Siraha and Saptari, though it has been going on for months. The madhesi blogosphere today is full of antipahadi venom, and still there is no attempt to douse the flames.

No doubt, the discrimination against madhesis is genuine and pahadis would do well to address it now, before it's too late. But madhesis need to realise that they too must change their mindset and view criminality for what it is. Remaining silent in the face of anti-pahadi crimes perpetrated in the name of madhesi liberation reinforces the worst stereotypes and fears. And it does their cause little good because, in the end, if positive change is to come in this country, it can only be achieved when the majority moderates on both sides reach out and forge a common cause.

So let's hear madhesis denouncing anti-pahadi violence, and pahadis denouncing anti-madhesi prejudice. And Mr Prime Minister, before you make that call to the JTMM, how about talking to the moderates?

# The trouble with the election

Look beyond the lack of preparation and political will, and it's the constituencies

arlier this week, Koirala dropped another political bombshell from Biratnagar-that elections to the constituent assembly are impossible in June unless the Maoists cooperate by letting VDC secretaries touch base and allowing police stations to be reestablished in the countryside.



These two preconditions appear innocuous, but a closer examination of the timing, wording, and manner of expression reveals something about the seven-party alliance and Maoists: the political will to conduct the all-important elections by June isn't there.

The prime minister's argument is circular. An interim legislature and executive can't be formed without promulgating the interim constitution. That can't come into effect unless arms management is completed. That requires

the full cooperation of Maoist cadre in the countryside, which can't be assured if their leaders aren't on board in the central government.

The Maoist leadership apparently knows Girijababu's game, but is also not in a hurry to challenge the status quo. They need time and money to build an effective electoral machine all over the country. Koirala's fresh preconditions give them the chance to garner both.

At the end of the day, the Maoists won't be blamed if elections aren't held. The government made the promise, and it is the state's responsibility to declare election dates and complete the necessary procedures in time. The ruling coalition seems to have forgotten that pretexts are tools of oppositional politics, and excuses from government, failures.

The Nepali Congress has reason to be wary of a June election. For one, the fear of Maoist militia hasn't yet subsided in the countryside. Add to that the lure of district headquarters for Congress's middle ranks who have become accustomed to urban

comforts.

The NC(D) splinter group is topheavy and has negligible presence at the grassroots. The one way for this group to save itself from toppling over is to merge with the parent party. But that is a bitter pill, because the NC(D) has a higher proportion than any other political party in the country of leaders with ambitions higher than their capabilities.

Madhab Nepal knows elections can't be held in June for practical reasons related to constituency delineation, distribution of citizenship certificates, and compilation of updated electoral rolls. So he has directed UML leaders to play the dual role of partner in Singha Darbar and opposition in the streets. It's a dicey strategy, but faced with competition from Maoists for the same constituency-the vocal petty bourgeoisie who worship mammon but swear by Marx and Mao-the UML has little choice.

Left to themselves, it looks as if the political parties are happy to keep the

country in permanent limbo. The commitment of the political class to CA elections is a compulsion forced upon them by the April Uprising. The Maoists too are uncomfortable with the uncertainties of electoral politics and have agreed to playact, "I'll pretend to beat you while you act hurt and cry," as it goes in Nepali.

Civil society, while it does realise the futility of an endless wait, doesn't acknowledge that an interim constitution which doesn't create the grounds for fair polls is redundant, if not outright counterproductive. From whatever has seeped into the media, the proposed statute intends to keep intact unequal constituencies. By insisting on its immediate promulgation, civil society is complicit in sabotaging meaningful changes in Nepal's polity.

The tribulations of democratic struggle in Nepal are far from over. Only the contestation of the marginalised can expose the witting or unwitting conspiracy of consensus being imposed upon a hapless population.

### LETTERS

#### LAL AND LAK

I want to congratulate *Nepali Times* and CK Lal for writing such a wonderful review of 2006 which is right in every sense ('A year of living anxiously', #329). I really hope Nepal's politicians learn a few lesson about politics, morality, responsibility, and vision from Lal. Once again, thank you for such a delicious offering

#### Amit Kandel, Kathmandu

An excellent piece by Daniel Lak ('Yes. Or No', Here and there, #329). He has written what Nepali journalists and opinion piece writers chose not to comment on. The writing is on the wall if only the so-called intellectuals and punditry of Nepal could read it. Why is it always a white man's burden to assess our condition? Why can't we, for the greater good of the nation, be real, unbiased, and see things for what they are? This will help us mend our ways and construct a new Nepal. Thanks a lot, Mr Lak. Keep on showing us the path till the next generation of professional journalists and independent thinkers is born in Nepal.

#### Hari Bansha Dulal, Virginia, USA

• Keep it up, Mr Lal. You're better at recording history than making predictions. But please don't make mountains out of molehills. Girija Prasad is no Jawaharlal Nehru, and parliament's proclamations in May 2006 can't be compared to the Magna Carta. **S Pal, email** 

• Thanks for your extended yearender edition. I loved that the cartoon roundup, CK Lai's State of the State column, and your editorial ('Starting over again') struck just the right balance between the despair and hope we went through in the past year. Let's hope 2007 will emphasise the latter.

Kiran Rana, email

#### PROPAGANDA

What you forgot to mention in your editorial was the influence of foreign forces active in the country. We are not idiots, intellectual propaganda does not fool us. You sell words, but you do not even have the character to sell the truth to the people. The king was facing some of the most powerful hidden forces in the world all alone and these forces used the people against him. This was our historic tragedy. Keep fooling yourselves with your clever words. When the time comes, call our name and we will come back to save you as well. The king did his duty to his people and his country, knowing the consequences that would befall him. That, my friend, is 'Character' with a capital 'C', something you unfortunately lack.

#### Bal Malla, email

• Your photo feature ('The year in pictures', #329) has a glaring error in the caption for Girija Koirala swearing his cabinet. Prime Minister Koirala was sworn in by King Gyanendra in May, and past prime ministers have always sworn in the cabinet. The only thing different this time was that the king wasn't present when the ministers were sworn in by the prime minister.

#### D Ghimire, Kathmandu

#### INCLUSIVE

Hats off to Sheetal Kumar for addressing such important questions in his Eyes Wide Shut column ('Open your eyes', #329). But I wonder if his analysis is not too sophisticated for the hill audience which doesn't want to listen to the fact that our Nepal is not as inclusive as we boast it is.

B Nepali, email

• Who is this Hand (Foreign), and why, when he has so obviously lived here long enough to have the right to comment, does he prefer to remain anonymous?

Still, even though his Moving Target is accompanied by a fetching sketch rather than a photo, I've enjoyed his thoughtprovoking contributions immensely. I only hope that Dahal and Bhattarai took the time to peruse his piece on Maoist economic policy ('You owe me', Foreign Hand, #329) and realise that there are people, foreign or not, who remain unswayed by their catchy slogans for a new Nepal and are waiting to see real results from their brand of communism.

#### Tilak Prasad Yadav, Kuleswor

• You do a great job of givng space to voices not often heard, whether of dissent, moderation, or ethnic minority. But I find it depressing that women are so underrepresented in your columns. It's true, Sheetal Kumar and Foreign Hand do not have photographs accompanying their columns, and that gender subterfuge may be part of their hidden identity. But how about some concrete evidence that there are women out there who write columns on things other than music and meditation. Perhaps you should have an anonymous contest to pick a new political columnist, and see what comes up.

#### Janaki Gurung, email

#### ASSET

I've become quite a fan of your backpage Ass. As he says, 2007 BS was an eventful year for us all. So will 2007 AD be, if we are ready for Three Resolves: adopt the Gregorian calendar, change Nepali Time to +5.30 or +6.00 hours from GMT, and make Sunday a holiday. This will make our life easier and synchronous with the rest of the world.

#### G Rimal, email

Loved your toys, expensive and unavailable in Nepal though they might be ('Play the winter away', #329). You caused some serious problems in the household Friday AM with the picture of that very comely bike. Catching sight of it as I perused the paper in our (small) car, the spouse nearly drove into a roadblock, aka, cow. Thanks to her superb recovery skills, we avoided the holy beast, but it did make me even more wistful about the panache, pizzazz, and petty flouting of traffic and other laws facilitated by an electric bike.

R Ravi, email

#### CORRECTION

DIVERTED

The website for Kosmandu in 'Clear skies, fresh start' (Stargazing, #329), should have read www.kosmandu.com.

#### **LETTERS**

Nepali Times welcomes feedback. Letters should be brief and may be edited for space. While pseudonyms can be accepted, writers who provide their real names and contact details will be given preference. Email letters should be in text format without attachments with 'letter to the editor' in the subject line.

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# Hope amid pessimism

### The short-term outlook aside, things are looking good for Nepal

or months now, understandably, optimism has been the defining mood in Kathmandu. Last week's coverage of the events of 2006 explains why-Gyanendra's exit, the Maoist ceasefire, a peace accord, agreements on arms management, interim government, constituent assembly elections, a role for the United Nations.

These good things were almost unimaginable a year ago when the dark forces of conflict and idiot authoritarianism were at large. Kathmandu has been partying, even if the rest of the country was less enthusiastic, given that the peace dividend was hardly on offer in many districts.

Lately though, I detect a scrabble of hands in the capital reaching for the switch. As in "turn out the lights, the party's over."



There are myriad reasons for this New Pessimism, just as HERE AND THERE there were for optimism. The timetables set by overenthusiastic negotiators

seem un-meetable, if not dangerous. Political infighting has resumed. Long-discredited ideas and nostrums are still being bandied about by people with little credit. Authoritarian monarchy may still be meddling. Maoism remains on the agenda. The international community's response time, however quick by global standards, can't keep pace with expectations.

The coming weeks and months will doubtless throw up more reasons for pessimism. A month of dreary weather lies ahead and nothing aggravates gloom more than the bone-chilling greyness of winter, days when even a civil servant can't take a sun bath.

Yet, set aside for a moment the hard, perhaps unworkable deadlines and the ridiculously impatient timetables of the November agreements. Ask this question and answer it honestly: what am I optimistic about in Nepal? Write down your answers, speak them out loud, tell friends, colleagues, and people on the street.

Forget Kathmandu if that helps, examine history, look around the world, make an effort to see the points of light, read those newspaper stories that rarely lead the front page but are almost always there. Listen to voices that rarely get heard. For a long time now, I have found reason for hope about Nepal, and here's a partial vision, admittedly longer-term, vision of what I think the future holds, if not how we're going to get there.

Nepal's social development indicators will continue to improve with literacy, women's empowerment, and education leading the way. Technology, money from out-migration, and growing political awareness will transform politics, whatever the scoundrels get up to in Kathmandu. More and more jobs will be created here, largely because of booming economies in India and China. The Nepali diaspora will finally engage with the homeland, bringing investment, ideas, and energy. Nepali pop culture will continue to flourish and move outward from the capital. Political power will devolve because it has to; de facto federalism will help address generations of exclusion and discrimination, if not resolve them completely.

Yes, these are all wildly general points. The devil is in the detail and many pitfalls lie immediately ahead. There will be unexpected, even catastrophic challenges. The main political players in Kathmandu must be watched closely and held to constant, daily account. The New Pessimism will grow, but for the short term. I remain stubbornly optimistic about this youthful, dynamic land. Nepal has a bright future, if we dare to hope.





There's no justice for victims of the state and the **Maoists in** the draft interim constitution

# Getting away with it

#### NARESH NEWAR

or thousands of Nepalis whose children, siblings, parents, and friends died in extra-judicial killings by the security forces, who were executed by the Maoists, and abducted or tortured by either side, the draft interim constitution has come as a bitter reminder of their helplessness. Human rights groups in Kathmandu say that under the terms of the new dispensation, perpetrators of such crimes will essentially walk away with total amnesty.

There are literally thousands of cases related to extrajudicial killings, torture, and summary executions recorded by OHCHR, NHRC, and rights NGOs. There are names of violators, locations and dates, witnesses, comprehensive investigative reports, but not a single case has gone to trial. Families of victims and human rights activists, who were optimistic after the signing of the peace deal, are now seeing their right to justice being erased from the very constitution.

"We spent all these years analysing individual cases, gathering evidence, preparing arguments. Now it looks as if it will all have been in vain," says Mandira Sharma, a lawyer with Advocacy Forum, which lobbies against impunity.

Advocacy Forum alone has documented over 800 cases of extrajudicial executions over the past five years but say that the police are hesitant to register cases, fearing backlash from their own

departments, the army, and the Maoists.

In the 11 months from July 2005 ro June 2006, the Forum documented 86 cases of extrajudicial killings by the security forces and 81 cases of cruel and inhuman torture and killing by the Maoists. Also on record are cases of rape by the security forces and Kapilbastu's anti-Maoist vigilantes. Advocacy Forum says that young girls and elderly women were specific targets of securitymen.

Lobbying by Sharma and other Forum lawyers has worked to the extent that police stations in the capital and in a few districts have agreed to register a total of 30 cases. Where the police lacks the resources and independence to conduct investigations, bodies like OHCHR don't always insist on full access to the records they need to complete investigations, as became evident in the case of Maina Sunuwar.

The Maoists and party leaders both lack the political will to deal with holding the rebel army and the state security apparatus accountable-neither Pushpa Kamal Dahal nor Girija Prasad Koirala have so much as mentioned the question of accountability. "They don't realise," says Sharma, "that if you give one known perpetrator amnesty, hundreds of others get away. But if you bring to trial even a single case, you're coming a little closer to justice for thousands."

Some activists argue international pressure, from the UN and foreign diplomatic

SUCH A LONG WAIT: Kul Kumari Chapagain (left) wants justice for the death of her 21-year-old daughter Asmita in a Maoist bombing in Nawalparasi in February 2006. Debi Sunuwar knows all the evidence against three NA officers involved in the extrajudicial torture and killing of her 15-year-old daughter Maina. Now, she wants to see them punished.

missions in particular, would make the state and the Maoists more responsive to human rights concerns. "OHCHR is not really fulfilling its mandate," says a rights worker who asked not to be named. "They are nowhere near addressing impunity the way they should, if the UN is to play a real role in the peace process."

An immediate step would be for the UN to ask OHCHR prepare a list of violators from the army, which would then be passed on to the Security Council, and result in their being vetoed for peacekeeping missions. Human rights watchers are hoping that the planned visit of UN High Commissioner for Human Rights Louise Arbour later this month will have concrete repercussions.

Earlier this week, victims' families, rights activists, and lawyers formed Citizens' Commission on Transitional Justice to demand that the draft interim constitution be modified before it is passed to both allow for justice in the short- and longterm, and to bar those named in human rights abuse investigation from contesting elections.

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## Shut down

Citing "recent threats, unreasonable demands, and disruptive activities of Maoists", Dabur Nepal has decided to close down its greenhouse for rare and endangered medicinal plants in Banepa. The company says it received demands that members of the Maoistaffiliated All Nepal Trade Union be given employment, and that on 21 December a group of Maoists forcibly entered the greenhouse and "threatened and misbehaved" with the 60 female staff present at the time. They also claim that the Maoists threatened VDC representatives who attempted to resolve the issue. Dabur Nepal says that the closure puts at risk 1.5 million samplings, but that the company cannot compromise staff safety.

Cricket coupons The Sarbagun Sampanna Wai Wai range, which includes chicken, vegetarian, and tom yam flavours-has introducing the new Wai Wai Hot Shot scheme, giving cricket fans a chance to win an all expenses paid trip to watch the World Cup Cricket 2007 live in the West Indies. There are also Hot Shot coupons for instant cash rewards and cricket games with cash prizes.

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# **Envoy envy**

# An embassy is not a reward, it's a job

o sooner had the government made the names of 14 ambassadordesignates public last month. than the Maoists called a series of bandas, for not having been consulted on these. Faced with a day's shutdown which mocked all Nepalis' right to go about their daily lives without bowing down



#### STRICTLY BUSINESS Ashutosh Tiwari

to Maoist diktats, the government backtracked and agreed to come up with a new list accommodating the comrades.

Such a list will include loval members of all parties. But it is unlikely to contain Nepalis who can rise above narrow partypolitics to practice the kind of diplomacy we desperately need: economic diplomacy, which results in increased sales of Nepali goods and services abroad, and additional investments in Nepal.

This is essential to re-frame the way the world views us: not as a perpetual charity case, but as a potential trading partner. Our netas wax eloquent about how the world drops everything to applaud our evolving political processes. But as a relatively insignificant country on the global stage, we do not make our two giant neighbours and the world's only superpower uneasy. And while the rest of the world may wish us well, but could not care less what we are up to. The only way to matter to other countries today is by increasing

our volume of trade with them.

And that is where economic diplomacy comes into play. Running a diplomatic mission is not about setting up a taxpayerfunded dormitory in a foreign capital for politicians' sons and daughters. Nor is it a sinecure for services rendered to one's political party in Kathmandu. Nor either is it about engaging other countries about the finer points of Maoism, Marxism, or socialism. The world is not interested in Nepal's socalled 'soil-suitable' political philosophies which make life easy for netas and difficult for citizens.

We need to rethink the process of choosing ambassadors in today's globalised loktantrik Nepal, and ensure that we have affirmative answers to these three basic questions:

• Can this nominee be a credible salesperson for Nepal? • Can she work effectively with the Ministries of Commerce, Labour, Hydropower, and Tourism, and with members of the Nepali diaspora to make it easier for others to trade with Nepal? • Can she help boost tourism, make it easier for Nepalis to work abroad, and attract investment to Nepal?

It's not enough to dispatch a few smart young economic officers to missions abroad. In most cases, they get unfairly lorded over by grey-haired ambassadors who, with deeply entrenched sarkari attitudes, dislike seeing juniors doing well. Given how politicised diplomatic talents have become, we also need to create space for successful, self-confident and non-party political Nepalis who



KIRAN PANDAY

NOT PERHAPS AMBASSADOR MATERIAL: Shailaja Acharya is one of the more controversial nominees.

are willing to measure their own ambassadorial performances by how they lead their respective teams to 'sell' Nepal as a commercial and a recreational destination.

The selection process we have repeats the Panchayati practice of paying no attention to national aspirations while rewarding loyalists. Such practice routinely puts the training and orientation needs of ambassador-designates on the backburner, leaving them unprepared to be effective envoys. No surprise then that the most tangible consequence of such appointments for the nation are the catfights over which parties get what spoils of loktantra.

This is the situation on any normal day at Tribhuban International Airport in Kathmandu. Things are much more chaotic when the weather is worse and flights get cancelled as they did this week with Delhi out of action, or the airport is gheraoed by burning tyres on the Ring Road, ensuring that no one can get into town.

But if there is chaos on the ground, things are getting untenable in the air. Kathmandu's airport has been overrun by urban sprawl and now sits in the middle of a crowded city. At this time of year, Kathmandu Valley's pollution and winter inversion close the airport until past noon on most days. Big jets need at least 2,000m visibility, but winter fog has been made even worse by brick kilns on the approach path in Lalitpur. On 18 December, a jet with 250 passengers on board that was running low on fuel finally landed on its fifth attempt. Early morning flights from Dubai, Bahrain, and Doha often circle for three hours before diverting to Delhi or Dhaka. Even domestic flights returning from Lukla or from mountain flights have to make expensive detours for instrument landing from the south due to poor visibility. "This is a very challenging airport, but these days it has become much worse because of smog," said one international airline pilot who regularly flies into Kathmandu. Nepali pilots have written to the Civil Aviation Authority demanding urgent attention to everything from deficient navigation aid and poor transmission quality of air traffic control, to ground and air congestion. Says one pilot: "I guess the airport just reflects the general state of the country."





#### **KALA PRADHAN**

onday afternoon at TIA. The seven parking slots at the international apron are full. The two gates that can take heavy jets are both occupied by 777s of Korean Air and Thai. A Gulf Air 767 that was diverted to Dhaka because of poor visibility has just flown in and has nowhere to park. Last week it was worse: planes had to wait for up to 45 minutes after landing before passengers could disembark.

The domestic terminal looks like the deck of an aircraft carrier; the only thing

missing is the catapult. With random parking and unauthorised ground vehicles moving about it is a miracle there aren't more collisions. Inside the international terminal it's bedlam. Passengers waiting since morning are packed like sardines into two cramped departure halls. The line for men at the security check stretches all the way back to immigration because only two of the four x-ray machines work. Though there are only two women at the female security check, no one is taking the decision to shorten the male queue.

Two trekkers are being grilled after

passenger who decides against making a fuss. Bhutanis on the Druk Air flight are singled out for special extortion and harassment.

**Chaos on the** 

security and their sunblock rudely

helps himself to a \$20 note from a

confiscated. The frisker does a "wallet check" on an unsuspecting passenger and

airport

In the dingy arrival hall, tourists who arrived without visas have now waited for more than one-and-a-half hours in various queues. Even Nepalis have to wait to get back into their country because there is only one counter for them, and they grumble darkly.

Downstairs at baggage claim there is utter chaos and no one knows which flight's luggage is on which carousel. Some passengers who arrived on the Nepal Airlines RA 416 flight from Kuala Lumpur at 11AM are still waiting for their baggagethere has been an epidemic of theft in the luggage handling area.

Outside, hundreds of people who have come to receive passengers throng the gate. The flight information screen doesn't work. Clueless people ask clueless policemen on duty about flight status. Tourists are swarmed by touts, and those who opt for pre-paid taxis are bundled into 30-year-old Datsuns that belong in museums.

# "The royal threat is still here."

Interview with Baburam Bhattarai in Janadesh, 2 January जनादेश

## Who do you think was responsible for the communal clash in the tarai?

Since the signing of the 12-point understanding, the palace and its loyal foreign powers had been scheming together to jeopardise our peace efforts. The framing of a new interim constitution has made it possible to end the monarchy and pave the way for a republic. Royalists are panicking and were responsible for the rush to nominate ambassadors. They also provoked the riots in Nepalganj to cripple the peace process and delay the finalising of the interim constitution. The palace had a hand in all these incidents and was backed by reactionary powers within some political parties.

#### If regressive forces try to create anarchy following the management of the PLA's arms and army, how can the people defend themselves against vigilantism?

We are now certain that the level of awareness among the people is quite high. There is no need to panic. We've seen that though regressive forces might try to provoke similar incidents, the people unite to prevent it. In Pokhara and Kathmandu, when students reacted against royalists by stopping their meetings, it was misinterpreted as a violation of human rights. But such an allegation only implies support for the royalists. The people have to take many precautions until a democratic republic is formed, and they have the right to fight against regressive elements. What should the role of the people be in the coming days? There are still conspiracies to weaken the peace process, and prevent the implementation of the peace agreement and the passage of the interim constitution. All people, citizens' groups, and the media need to exert a lot of pressure to ensure that there is

no delay and that the dates of the constituent assembly elections can be announced. Our people need to be constantly vigilant. The threat is still there.

## How long will it take to finalise the interim constitution?

We'd agreed to finalise the interim constitution within a few days of drafting it. But the palace and royalist supporters, including pro-king loyalists within some of the parties, managed to delay the process through the appointment of ambassadors and the Nepalganj incident. We also feel that they were responsible for delaying the UN process to support arms management. But people's pressure has helped speed up the UN process of verification and an agreement on the interim constitution.

### Mixed signals

A day after a meeting between Kathmandu-based donors and the top leadership of the CPN-M, the World Bank's Nepal Representative Ken Obashi spoke

Representative, Ken Ohashi, spoke to Navin Singh Khadka of the BBC Nepali Service about the outcome of the meeting. Excerpts:

BBC Nepali: Is there nothing in the CPN-M's economic vision you agree with? Ken Ohashi: I think many donors would agree with many of their stated objectives, but the means by which they plan to achieve these is still not clear enough. In some cases we feel that there may be inconsistencies in what they are saying.

#### Such as?

For instance, they emphasise on the importance of developing a market-based economy, with which we agree, but at the same time Baburam Bhattarai stressed the need for land reform and a land holding ceiling of four hectares. He guessed that perhaps 25 percent of land holdings-a pretty significant amount-would be above that ceiling and would therefore be available for distribution. This may be true, but if the Maoists say they respect the market system they implicitly accept private property rights. The question is how the government will pay for such a large-scale purchase of land. Will they forcibly take the land? I think that this really undermines the

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investors' confidence. Maybe there is a good explanation for this, but we came away feeling we don't quite understand their plans.

#### Will donor agencies be reluctant to continue assistance as a result?

The Maoists pointed out that when they join the interim government, it will be an interim government of eight political parties. They will have to compromise with the other constituents of the government. They come with certain ideas, but it is not easy at this point to guess what the interim government will do. Donors will see what the government comes up with.

#### But the donors do know that the Maoists' ultimate goal is a communist society which does not accept the norms of a market economy?

That's a classic communist program, but they repeatedly emphasise that they are different, that they do respect market systems. I guess we don't fully understand what they mean by that.

## Syndicated

Himal Khabarpatrika, 31 December 2006 – 14 January 2007

On 14 November last year, the Biratnagar Appellate Court passed an interim order to the Nepal Truck and Freight Federation to not implement the syndicate system which it had started from





## 5 - 11 JANUARY 2007 #330

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हिमालमिडियाको कुनै एउटा प्रकाशनको ग्राहक बन्नुहोस्, तत्काल, हरेक महिना र ६-६ महिनामा उपहार प्राप्त गर्नुहोस् । यो योजना\* ९ भाद्र १०६३ देखि नेपाल अधिराज्यभर लागु हुनेछ ।

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28 October 2006. The order has not been followed. Acting Secretary of the Morang Business Association, Shyam Bhandari, complains that, despite repeated requests, the district administration has not stopped the syndicate system.

Arjun Kumar Bhattarai, general secretary of the Morang Truck Entrepreneurs' Association, says the system is not really a syndicate, and is designed to streamline the transport order process.

The syndicate system, which is widespread in western Nepal, was also implemented in the east after a federation decision, and one of the first steps was the establishment of centralised 'information centres'. Morang's entrepreneurs say that though the information centre has been taken down, the syndicate remains. Four of the 17 truck and tractor operator associations are in the east.

The business community says that the high rates fixed by freight operators has negatively affected competitiveness as well as reduced production of food and construction materials. Bhandari claims that the syndicate system ensures that there is no reliable freight facility, saying, "After this system was implemented, freight costs have risen by 20-100 percent."

The Mechi Highway is an example of how unhealthy competition has become among transport operators. Some entrepreneurs have even hired muscle to stop the competition. Two transport associations, Mechi-Kankai in Birtamod and Mechi-Hile in Ilam have appointed individuals to 'check' vehicles from the Phidim-Panchthar Transport Association.

# **Troubled** tarai

Jana Aastha, 3 January

3115551

The Maoists may have joined peaceful politics but the Janatantrik Tarai Mukti Morcha has instead spearheaded a rash of violence in various districts in the tarai. Soon after UN special representative lan Martin urged the government to clarify its stance on the JTMM in a press conference this week, Prime Minister Koirala said the government would start talks with the group.

Jwala Singh, president of the group that has enforced shutdowns across the tarai, has announced nine-point conditions for talks with the government. "If the power that lies in the hands of the hill ethnic communities is willing to consider giving the 14 million people of the tarai our rights, we will sit for talks. We are not against talks," he said.

Singh's minimum conditions for talks are that: the tarai should be declared sovereign; that constituencies be formed on the basis of population and equal participation; that the administrative and security agencies be taken out of the tarai and the vacant posts be turned over tarai inhabitants; that the population count (census) be coordinated by madhesis; that citizenship certificates are allowed to be issued and distributed by the madhesi leadership in the tarai; that the families of those killed by the army and Maoists be given compensation of Rs 1.5 million each; that land confiscated by the Maoists be returned, and extortion and 'taxation' stopped; that further oppression, abductions, and attacks by the Maoists on the madhesi people be stopped immediately.

The JTMM, a Maoist splinter group formerly lead by Jay Krishna Goit, has recently unleashed violence in the tarai, demanding more rights for the madhesi people. The group has been abducting and releasing civil servants of hill ethnicity in the tarai, and recently murdering one Arjun Funyal in Saptari. Jwala Singh denied the accusations, saying, "We are not for killing people, even people from the hills. Except for the Saptari case, those killed died in confrontations with the Maoists. When we abduct people, we follow the Geneva convention."





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ALL PICS: HIMALI DIXIT

# Empty, stately Thapagaun

The Thapas of Muga must act fast to preserve what the past has gifted them

#### HIMALI DIXIT in DHANKUTA

n a foggy winter day, the traveller first sees the village from a kilometre away, down the slope and round a bend some two hours' walk from Pakhribas bajar, itself an hour's drive from Dhankuta by way of Hile. Four or five brickand-lime mortar Rana-era houses stand tall on otherwise empty, uncultivated ground marked by red earth. The place is called Muga, after this colour.

Slowly, fine cornices and engraved windows come into view. Some houses have multiple roofs of sloping *jasta*, and others, wood and glass sunrooms with pious words worked into their carved facades. Muga's Thapagaun, spread along a ridge in Dhankuta district above the Arun river, has a dozen or so such houses, which give it an air of rural grandeur unique in Nepal.

Why are these stately buildings even here? Muga was never an administrative centre, nor does it lie on an old trading route of any import. It is far from the capital and in a region not particularly productive.

It seems that wealthy and powerful Lamichanne Thapas came to settle here from around Pokhara, in the footsteps of the expanding Gorkhali state. Their income came from the harvests of rice fields nearby and *mauja* in the tarai. Originally served by itinerant Bahun priests from Khotang, the story goes that the Thapas invited one of them to settle down in Muga, offering him



GHOST TOWN: The mansions of Thapagaun may have fallen into disrepair (top), but they still dominate Muga's skyline (bottom left). Former prime minister Surya Bahadur Thapa's ancestral home was bombed by Maoists in 2004 (bottom right), but the pony he used for transport during his election campaigns remained unscathed (facing page).



choice land amidst the Chhetri households. This explains the presence of Ghimires in a cluster of houses called Bahungaun in the middle of the Thapa village. Kamigaun lies further up the hill, and Raigaun down the slope to the south.

Those who remember Muga's days of glory say that Thapagaun is now just a sad remnant. Neighbours from nearby villages remember the hubbub in these, by Nepali hill standards, mansions, the high living, the horses, and the crowds of retainers. Thapagaun's houses were built by masons from Kathmandu, and it was one of the first villages in the hills to receive piped water. The principal spigot, known as Kaptan Dhara, has the date BS 2001 inscribed into its rock and still works. The residents' regular contact with Banaras and Calcutta facilitated cultural and material exchange. This hillside was once full of majestic treesnow all hacked down-and exotic fruit orchards. Kedar Ghimire, a local Congress (D) politician, describes how an expert from the Pakhribas agricultural centre once gave a long lecture on guava cultivation, only to find that there was a fruiting guava orchard on the next terrace.

That Thapagaun declined is not surprising. The pull of the power and privileges of Kathmandu was too strong to resist for its feudal scions, educated in Darjeeling, Calcutta, and Allahabad. As the country moved on from Rana rule, these Thapas became part of the national elite, and participated in the task of modernisation as engineers, administrators, and managers. The accelerated and massive centralisation of the country over the past five decades is seen in this emptying of Muga. Today, Thapagaun's children visit this ghost town once in three years, staying overnight for the Diwali clan puja. Caretakers and their families live in the houses, occupying only a few of the spacious rooms. The buildings are slowly going to seed. Though the tin roofs managed to keep the ravages of the monsoon at bay for decades, the tin is now mostly rusted, the wooded carvings are frayed, and the rain has got through to the mud brick. During the height of the insurgency, villagers of Raigaun, Kamigaun, and Bahungaun, and the caretakers of Thapagaun regularly housed and fed Maoist cadre, and lived in fear of their parallel justice system. Even the

Diwali visitors stopped coming after Maoists killed Ramji Thapa, one of the two householders who had stayed behind, in the summer of 2004 in the flats by the post office.

Shortly after, rebels set off two explosions in the grand mansion of many-time prime minister, Surya Bahadur Thapa. Built by his illustrious father, Tek Bahadur Thapa, the building, furthest down the ridge, was by far the grandest in Muga. The front porch and the eastern wing of the building were all but destroyed. Bales of straw stored in the attic were set alight, causing further damage.

Today, the deities in the pigeonholes by the main entrance wait for rare visitors, the frequent sound of helicopter rotors a distant memory. In a shed behind, a pony stands as a silent testimony to good times and bad. This pony, used by Surya Bahadur Thapa in his election campaigns, is now the local ambulance service, ferrying the ill from Muga and neighbouring villages to the hospital in Dhankuta.

The day of the pony may soon be over though. The track down the hill from Hile via Pakhribas has been expanded, and jeeps and buses will be able to travel to Muga as early as next month. The inauguration of a suspension bridge on the Arun river has opened up trail traffic to about ten VDCs of Bhojpur, and the opening of a bus line will bring new bustle to Muga's villages.

The arrival of a motorable road can often mean cultural loss, but new infrastructure almost always brings new opportunities. The road could provide precisely the incentive necessary for the maintenance of the mansions of Thapagaun. The historic settlement is perfect for the development of high-end, well-planned tourism in this corner of east Nepal, and it would be one way to use the feudal past to preserve these houses from the onslaught of raid modernisation and to provide opportunities for those who remain in Muga. The high level of literacy among Muga's youth, thanks to the local Sriram Madhyamik Vidyalaya, and the presence of electricity open up great possibilities. When the road arrives at the field by the post office, midway down the slope on which these magnificent buildings stand, perhaps Mugali Thapas will start visiting again. •





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# The face of a revolution

ost revolutions have an iconic figure. The first People's Movement had Durga Pokhrel, and the second has Krishna Bahadur Thapa.

People usually don't realise who he is until he smiles, when they find themselves looking at one of the most recognisable faces of Jana Andolan II. The image of Thapa parodying royal gestures in his paper crown has become an enduring statement on the nature of the movement ('Paper crown', #295).

As day after day of the curfews continued, Thapa and his friend Suman Sagar Jung KC wanted to protest too, but they wanted to do it peacefully and use the power of ridicule.

Taking advantage of a huge group of protestors who had already assembled at Tundikhel on 22 April, Krishna put on his crown and showed off his half-rehearsed, half-improvised act. The crowd went wild. "We had not anticipated such overwhelming enthusiasm from such a large crowd," says Thapa.

This one-man show, the top story in all the papers the next day, spurred scores of other people on to break the curfew and join the rallies.

The idea was not a flash in the pan. Thapa and six of his friends run Social Organisation for Liberal Volunteers' Engagement Nepal (SOLVEN), a loose group of politically aware students not affiliated with any party, who want to present new political ideas, and express dissent and approval in peaceful, creative ways. They say they want to engage in "productive politics", and are educating their peers about the constituent assembly and republicanism, and encouraging them to get involved in the process of state reconstruction.





# Conventional wisdom The challenge is following conventions after they've been ratified

#### MALLIKA ARYAL

tates sometimes need a little help in staying accountable for the well-being of their citizens and their rights. That's one of the reasons Nepal has, since the restoration of democracy in 1990, ratified 18 international human rights conventions.

In theory, this means that the state is responsible for both adhering to international laws, and making amendments to domestic ones so they conform to the spirit of the various conventions. Again, in theory, this means that if, for example, you are tortured in Nepal, or discriminated against on the basis of your gender, or denied the right to an education or the vote, there is legal redress.

The signing of some conventions did have positive fallout, as new ministries and commissions were formed. Nepal signed the Convention on the Elimination of All Forms of **Discrimination Against Women** (CEDAW) in April 1991, and the next month, the International Convention on Elimination of All Forms of Racial Discrimination. and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. "As a result, the Ministry of Women, Children, and Social Welfare was formed in 1995, the Torture Compensation Act was passed in 1996, and the National Dalit Commission was also established," says Kedar Paudel, Ioint Secretary at the Ministry of Law, Justice, and Parliamentary

Affairs. Nepal is now a party to 18 UN conventions relating to human rights.

But that's only part of the story. For six of these conventions, being a signatory means that the state is obliged to send regular reports to the treaty body for review. Over the past decade, Nepal has consistently missed report deadlines. In 1991 when the Convention Against Torture was ratified, the government agreed to send an initial report after the first year and periodic reports every four years after that. After the first report was filed, Nepal sent the next one in 2005—a combined report from the last twelve years.

Paudel argues that there were genuine reasons for noncompliance. "At first there was confusion over what department or ministry was responsible for the reporting process, and there was a language barrier because the report had to be in English. We did not have experts who understood UN guidelines, and bringing in outsiders meant we needed extra resources." Finally, in 2003, the government divided up the reporting work, and today four ministries are responsible for sending the periodic reports to the respective treaty committees, a progress on the ground, citing the example of positive decisions by the judiciary on laws related to CEDAW in particular. The Law Ministry and parliament were both supportive, but, Malla says, many of the legal changes came about only after intense lobbying by women's interest groups. "The effectiveness of laws depends on the level of awareness of those who claim their rights, and on their ability to make the government accountable. We still have discussions about CEDAW, we conduct regular trainings for government, judiciary, and civil society members, we've conducted comparative studies and distributed a Nepali translation of CEDAW too," she explains.

Paudel, from the Ministry of Law, adds that because implementation is always going to be a challenge for the government, civil society has a big role to play in lobbying and disseminating information. "International laws have created rights for the people and given obligations to the state. The state has the responsibility to fulfil these obligations, but interest groups and civil society can assist us in informing people of their rights," he says.

Civil society groups say Nepalis need to actively use the international conventions as tools to demand their rights. "Instead of saying that the government signed these conventions without making necessary arrangements for infrastructure," argues Malla, "we should use these laws to make the government accountable."

Thapa, who is earning an MA in curriculum planning and evaluation, describes himself as a socially and politically conscious student activist, but says he wants to remain independent of party politics. "Political activism doesn't end merely by aligning yourself with a party," he reasons, "you have to get involved in social and development issues."

The group recently successfully lobbied the Maoist students of their own campus, Tahachal's Mahendra Ratna, to play the madal instead of burning tyres during demonstrations.

Unfortunately, says Thapa, who comes from Palpa, as good an idea as SOLVEN is, it is having trouble getting itself heard on higher levels. "Our problem is we are not politically connected, we aren't plugged into the network that gets you to the big shots in Kathmandu."

Most importantly, says Thapa, there must be space for young people in politics if the leadership is to change in the next five to seven years. "Youth are neglected despite their potential to contribute so much towards a healthy political climate," he says passionately. *Naresh Newar*  development human rights groups here say is a major step forward.

Lawyer Sapana Pradhan Malla of Forum for Women, Law, and Development cautions against equating better compliance with treaty requirements with actual



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# Time lost, lessons unlearnt

t's been over three years since 18-year-old Prajwal Raj Gyawali started marking off every school day that's been disrupted by strikes, bandas, and chakkajams. Prajwal's calendars start with the five bandas in April 2003, and go right up to the one on 23 December protesting the ambassadorial appointments. In that time, a total of 94 school days have been lost to shutdowns.



Prajwal's calendars are a telling record of the chaos of the last few years. Marked off is the 13-day educational strike that the Maoists called in June 2004 demanding for lower school fees, as well as the days that were lost in September 2004 after 11 Nepalis were killed in Iraq, and the 19-day shutdown for Jana Andolan II last April. Prajwal was in grade eight in Rato Bangala School when he started keeping track, and he's now in his first year of A levels. "I've been robbed of more than four months of school days," he notes.

For Prajwal, the project is about more than making sure there's a record of how his education has been disrupted. He's interested in the sociological and psychological reasons and consequences of shutdowns. Prajwal plans to become a lawyer—he's done a three-month internship with Pro-public-and has much to say about the way protests are carried out in Nepal. "Closing down educational institutions and resorting to vandalism to lower school fees didn't seem like a good idea to me," he says in an understatement. "When Nepal closed down for 19 days for the mass movement, I didn't feel as sad as I usually do during bandas, but it is depressing that the behaviour of politicians remains unchanged."

Prajwal is concerned that the banda mentality sticks, despite progress in the peace process. "Protest through movies, newspapers, radio, tv. Organise concerts and sing freedom songs. Ask for reasonable things through proper channels. Why do you need a banda?" he asks. ● Dambar K Shrestha

DAMBAR K SHRESTHA

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INTERLOPERS: Sometimes, the passage of time is as much an invasion as outsiders.

# Xenophobia

## On 'outsiders', Nepal is lurching into the 20<sup>th</sup> century

he recent promulgation of the Citizenship Act has the country lunging forward to within a half-century or so of real-world time. Unprecedented vision was evident in conceding to women the status of human beings, and granting their offspring the right to citizenship, even if the father is absconding, a foreigner, or both.

The enfranchisement of millions in the tarai defuses a time bomb and reverses deeply-ingrained traditional policies of exclusion. Such change would be truly revolutionary if it weren't long overdue and didn't expose the latent fears of hill Bahuns and Chhetris.

The Hand, foreign by birth, alien by nature, disenfranchised by



en by nature, disenfranchised by choice, observed with increasing mirth as panels of distinguished lawyers and intellectuals minutely dissected the Act. Such a liberal document might allow people from another country to which had the *budhijibis* frothing

acquire Nepali citizenship (gasp), which had the *budhijibis* frothing indignantly in eloquent legalese.

This all highlights the comical disparity between the effusive hospitality of Nepali people and the government-sanctioned policy of paranoia towards outsiders so evident in the bureaucracy.

State-endorsed xenophobia in Nepal dates back to the Mughal incursions across North India in the 14<sup>th</sup> century. Rajputs and others fleeing the invaders settled many Himalayan valleys and firmly closed the passes behind them. The next reason to shut away the country came a few centuries later, as the British started conquering up the Ganga from Calcutta. The brief war that resulted in 1816 forced Nepal's government to permit a Resident in Kathmandu. This first foreign representative was placed far from the city gates (in what is now the British embassy, Lazimpat), and had to get written permission—which could take months—to even visit town. Still, the Resident made close friends in the court during his decades-long stay.

The only foreigners permitted to enter Nepal under the Rana prime ministers were Hindu Indians on their way to Pashupatinath for Shivaratri. Bonafide pilgrims were granted three months stay at the frontier, and those who lingered were forcibly escorted back to the plains.

The modern era in Nepal's foreign relations began with the issuing of tourist visas and the hippy influx in the 1960s. This tribe sought enlightenment and cheap hashish, not trade concessions and

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 territory. But the idea that outlandishly-garbed crazies wanted to stay on in the kingdom made immigration department bureaucrats the latest line of defence against invasion from the world outside.

In a career spanning three decades as an interloper-cummeddler, your eternal stranger recalls the hoops jumped through to satisfy paranoid officials, and countless ignorant questions fielded as to his *real* reason for being here (meddling, for some reason, was never considered reason enough, nor was making a buck).

Today, the Maoists stand out for their jingoistic rhetoric and self portrayal as nationalist heroes. Despite having bought into a foreign ideology, their knee-jerk xenophobia is tragically apparent every time they target the Indian business community or launch another diatribe against imagined American Imperialism.

The Hand takes his amusement where he finds it. When local friends wax darkly about giant neighbours coveting their motherland, he points out that no one sane would annex a country bereft of oil, assets, and honest civil servants. Xenophobia is a pointless, dated exercise when the liability of absorbing your illiterate, impoverished masses outweighs any possible strategic advantages.

As Nepal is dragged kicking and screaming into the 20<sup>th</sup> century (*sic*) through such leaps of faith as the Citizenship Act, we must allow chauvinist, feudalist, communist, royalist, maoist, and running dogist ideological nonsense to play out, with attendant death throe convulsions. Common sense long lost, your Hand (Foreign) has thrown his lot in with the only Marx still making sense (Groucho), and adheres to the maxim of never joining any club that would have him. Life as an outcaste by predilection looks better than ever.

# **Victors' justice** From Iraq we learn of the ironies of war and survival through destruction

FALLING APART: Although traces of Saddam Hussein's rule, such as this statue, were removed as long ago as 2003, his execution last week still has the power to divide Irag. The way in which the various religious and ethnic groups in Iraq responded to Saddam Hussein's execution is emblematic of the difficulty of holding Iraq together as a coherent entity.

To the Shiite majority, long brutally oppressed by Saddam and all previous Sunni-dominated Iraqi regimes, Saddam's death symbolises their attainment of political hegemony. Their triumphalist rejoicing is a cruel reminder that when the oppressed become liberated, they easily turn into oppressors themselves.



To the Sunni minority, pushed from power by the American invasion and venting their frustration through daily attacks on the Shi'a population and their holy sites, Saddam will remain a hero. The Kurds who, like the Shi'a, were victimised by Saddam for decades, quietly cling to their de facto independence in the north, making sure that they will never again come under Arab rule.

Iraq's prime minister, Nuri el-Maliki, representing the ruling Shi'a-Kurdish coalition, expressed the hope that the dictator's end would help to heal the sectarian divides. But the ugly verbal exchanges surrounding the act of execution itself will do little to dispel the notion that this was justice by the victors, the Shi'a.

None of this augurs well for the future of what we should get used to calling 'the former Iraq'. The Washington debate surrounding how to fix Iraq is irrelevant, because Iraq as a functioning state that can be fixed does not exist. Under the guise of US-inspired constitutional arrangements, the Shi'a majority has abrogated nearabsolute power to itself.

What a few months ago had looked from Washington like a successful transition to representative government is a travesty. As under Saddam, power today grows out of the barrel of the gun. Only now the state has no monopoly on the means of violence. Every militia, every ministry, every Shi'a political faction, has its own guns, goons, and death squads, while Sunnis continue to use the stockpiles of weapons they accumulated under Saddam to fight a rearguard action against the new order, apparently legitimised by elections.

There is no power, save a new violent dictatorship, that can bring Shi'a, Sunnis, and Kurds to live in one body politic. America's chimerical dream of democratising overnight a deeply divided society accustomed to violence and coercion has unleashed an array of political demons.

The future of Iraq will be decided by the people of Iraq, but with bullets, not ballots. The US and the international community are utterly unequipped to deal with this version of Yugoslavia and its regional consequences. And, unlike Yugoslavia's successor states, which could look to Europe, the lack of a legitimate Arab democratic role model makes crafting a democratic order even more difficult.

Some Europeans and others may gloat over America's failure in Iraq, and the ineptness or worse of US post-occupation policy. Yet the root causes of that failure go deeper, to Iraq's creation as an artificial entity in the 1920's by British imperialist planners, who stitched together three disparate provinces of the defeated Ottoman Empire into a state that never had a coherent identity.

The foundation of Iraq was based on victors' justice: the British Empire vanquished the Ottomans and made the Sunni Arabs overlords in a country in which they were a minority.

The consequences of this new victors' re-ordering of power are not yet clear. But a coherent Iraqi state, unitary, federal, or confederal, will not grow out of a society in which one part of the population views Saddam as a gruesome oppressor, while another reveres him as a hero and martyr.

Wars have unintended consequences and cruel ironies. In Iraq, it is becoming evident that some states cannot be saved without being destroyed.  $\bullet$ (*Project Syndicate*)

Shlomo Avineri is professor of political science at the Hebrew University of Jerusalem and former Director-General of Israel's Ministry of Foreign Affairs.

Women on top Equal opportunity throws up new leaders, whatever their values may be

hat will international summit meetings be like when American President Hillary Clinton and French President Ségolène Royal join German Chancellor Angela Merkel in a formidable triangle of women's power? The scenario is not unlikely. In the US and France, there are even alternative female candidates for the presidency (Condoleezza Rice and Michelle Alliot-Marie). Will this mean a new style of both domestic politics and international relations?



concern about globalisation's losers and the underclass.

The leader of Britain's Conservatives, David Cameron, startled old-fashioned party supporters by saying that people released from prison "need, above all, love." When Prime Minister Tony Blair described the next election as a fistfight in which the "flyweight" Cameron would be carried out and the "heavyweight" Brown victorious, his supporters in the House of Commons applauded. But the advance is simply the normal consequence of the gradual move to effective equality of opportunity that began in the 1960s. It took decades to become real, and there are still countries that have a long way to go. Despite Tymoshenko's leading role in Ukraine, it would be surprising to see Russian President Vladimir Putin replaced by a woman. China has a female vicepresident, but this is unlikely in Japan any time soon.

In parts of the world where women have made considerable headway on the path to the top, this has been helped by explicit policies. David Cameron prides himself on making 40 percent of all Conservative parliamentary candidates in Britain women. This is precisely the point. It is not the women at the top who have changed the scene. Rather, it is a more general trend, helped along by open-minded leaders of both sexes, that has changed the political climate in countries. No one, man or woman, can today aspire to setting the tone of public discourse without recognising that politics is no longer only a man's game. In other words, normalisation by equal opportunity is itself the change. Whatever the particular values of leading candidates, this is undoubtedly progress. (Project Syndicate)



#### COMMENT Ralf Dahrendorf

The answer is not obvious. Think of Indira Gandhi, Golda Meir, or Margaret Thatcher. All three were powerful prime ministers of their countries, though perhaps not the epitome of what might be regarded as feminine values. They all outdid men at their own game and had little time for what came to be

#### called feminism.

Another trend may be more significant. When it comes to the formation of governments, women have broken out of the prison of their traditional domains, such as education and social affairs. Foreign policy in particular has become a female aspiration. Both the US and the EU have women leading their foreign offices, as do half-a-dozen EU countries, including Britain. Has this changed the style or the substance of foreign policy? A shift in policy styles is occurring in many parts of the world. It appears that the Reagan-

Thatcher period is over. Opponents of globalisation still fight "neo-liberal" policies, but political discourse has taken a new turn. Words like 'justice' are back in fashion and there is remark went down badly with voters, who somehow prefer 'softer' values than they did two decades ago.

Yet the leading women do not above all represent these values. Merkel's stance was originally more of the Reagan-Thatcher variety, and only softened since she presided over a grand coalition. Yuliya Tymoshenko was clearly the most stouthearted leader of Ukraine's Orange Revolution, and no one has described Hillary Clinton as particularly soft. On the contrary, her possible Republican opponent in 2009, Senator John McCain, while a war hero, also represents to many Americans the new soft values. Only Royal may be said to represent softer stances against the hard-liner of the governing party, Nicolas Sarkozy.

In a sense, women's

Ralf Dahrendorf, author and former European Commissioner from Germany, is a member of the British House of Lords.

# MAKING SENSE OF IT How do you say?

#### WAYNE AMTZIS

1. The gun had a need now to be fired. It had a will to be taken in hand It had a power among many

to lead them together. It had binding force It was the rule maker, the rule breaker Son of the stone in hand that raises man above man

A sun-king shadowing all Taxing the air, demanding of the earth a relentless harvest. *O*, the long flowing rivers

bled dry. *Ah*, the un-gathered bones *Hung!* Spent are the lives... *Hung!* Spent are the seeds...

... everlasting

2. And so the historians like accountants, and the accountants

like historians keeping all in place, in neat little rows,

tidying up for their un approachable masters, who table

round, licking fingers, snapping ribs, tossing

coins... (from tongue to tongue —a universal Babel, Hate, the gold standard)

weigh their course: ...a prior obligation ...a future obliteration No telling other than theirs

No accounting but this

3. And so to forestall the future,

by way of the dead, we are told

(# of deaths) X (possibility for change) (nature of man) =S (what happens now) Flogging the innate goodness of man, those intent

on applying this formula, have inferred: *Only the Rulers rule* 

The constant in their equation is impunity. The constant in their equation

is impunity.

4. Read it this way (THREE VOICES) In three columns down the page

1. ..was killed

2. kill..

3. fill in the name

alternating 1/ 3 2/ 3 like that till the names

are exhausted Adding to them each day

Each hour, each minute, if need be

Set it to the streetborne contrapuntal beat of "*Victory!*"

and "Death!", droning the names of the fallen

...was killed/ kill... ...was killed/ kill...

was killed *"Beena"* Kill *"Beena"* 

was killed *"Hari"* Kill *"Hari"* 

Barely keeping up, barely catching our breath,

(making sense of it all ...was killed/ Kill...)

with no end In sight Wayne Amtzis is a poet, photographer, and long-time resident of Nepal. alking to Hill Peoples, or Pahadi Bolichali, is an amusing diversion from the slew of academic and otherwise weighty books which set forth a series of problems and solutions for Nepal. For anyone who has ever moaned about the absence of local cultural knowledge in the undertakings of non-profits or central planners, this squat volume provides one of the first steps. It teaches the brave of tongue to say anything from "Don't you have any other food than chauchau", to "I'm suffering from yesterday evening" to requesting a visit to "the water source to determine how many taps are needed", in nine languages in Devanagari and Roman scripts: Nepali, English, Limbu, Rai Bantawa, Tamang, Newar, Gurung, Magar Pang (Kham), and Magar Dhut.

o. खाना खानुभयो Khana Khanub Did you eat fo (डिड यू इट फु	hayo ? od ?			
(188 9 20 3	विविध भाषामा	रोमनमा		
0	तक/चा केज्ये वि ?	Tak/Cha Kejye Bi ?		
लिम्बू (Limbu) राई बान्तवा	कोक् टचोम् ?	Kok Tachom ?		
(Rai Bantawa) तामाङ (Tamang)	कन् चजि ?	Kan Chaji ? Jyana Yanadi Dhunala ? Kain Chainwa ?		
नेवार (Newar)	ज्यना यानादी धुनला ?			
ন্হ্র (Gurung)	के चैवा ?			
मगर पाङ (खाम (Magar Pang (Kh	) काङ जे ज्योदुच्यो am)			
(Magar Pang () मगर हुट (Magar Dhut)	ज्याद् ज्या ?	Jyat Jya ?		

The English versions of some of the sentences will give the native speaker pause, but a quick survey of some Limbu, Tamang, Gurung, Newar, Magar Kham, and Rai Bantawa speakers suggests that the translations in those languages are more or less adequate.

Pahadi Bolichali offers further instruction at the back of the book in the form of tables of janajati lipi, or scripts, and brief introductions to each of the ethnic groups represented in the book, which each end with a quirky list of possible areas of research, such as how Tamangs treat their sons and daughters, and the overlaps between Magar customary law and contemporary Nepal's justice system. The 600-page volume closes with a quick rundown of

terms of social organisation in each community, and a little combined glossary.

Anju Khadka and Keshar Jung Magar, in consultation with TU's Bidya Nath Koirala, say their work is aimed at redressing the effects of the "language injustice" in the government's lack of a "language co-existence" policy, which is resulting in the irreversible decline and, in some cases, death of Nepal's less powerful languages. Their labour of love, the authors tell us, will soon include similar phrasebooks for the five madhesi languages and six himali tongues.

The point is well taken. Few will claim, particularly in these ethnically-charged times, that linguistic liberality is unimportant, and fewer still will discount the value of familiarity with local languages as a means of improving delivery of basic services in remote areas. But given the randomness of the selections, and the fact that not all communities in all locations will have similar subjects or modes of conversation, it is likely that the researchers, educators, and tourists the book is

aimed at will learn in other ways how to communicate in languages other than Nepali and English. However, this is precisely the kind of effort armchair linguists enjoy, and there is plenty of good-natured everyday amusement to be had with *Pahadi Bolichali*. A recommended addition to an amateur's library.  $\bullet$ 



Talking with Hill Peoples/ Pahadi Bolichali, PUB, Rs 100, ISBN 99946-974-4-7

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## 5 - 11 JANUARY 2007 #330

I'M SO COLD

THAT I'M BORED

 $\mathbf{O}$ 

#### by MIKU

WHAT

#### ABOUT TOWN

#### **EXHIBITIONS**

- \* Heartbeat 2 Photographs at Tantra Pub, Thamel until 12 January.
- Modern Art in Nepal Work of seven contemporary painters from Kathmandu, 10AM-6PM Sunday-Friday, 9AM-11AM on Saturday at Kasthamandap Art Studio, Kopundole. 5011573
- Tantric Sculptures and Nude Croquis (Sketches) Mixed media art by Park Geun Yong, 9-23 January at Siddhartha Art Gallery. 4218048

#### **EVENTS**

- The Meaning of Beauty Dialogue session at Mind Body Library, Tripureswor, 1PM on 5 January, 4279712
- The Increasing Gap Between Student Unions Discussion at Martin Chautari, 3-5PM on 5 January.
- German with Germans Language exchange at KC's restaurant building, Thamel, 3.15 PM on 5 January. 4700835
- Krishnamurti Dialogue Session at The Quest, Tripureswor on 5 January at 1PM. 4279712
- Shastrartha at Martin Chautari by MAPS, 3-5PM on 6 January, to discuss Development and Planning in New Nepal.
- Civic Concerns One-day workshop with Youth Initiative, 10.30 AM-5.30 PM, 6 January at PIC, Kamladi. 4107599
- Salsa Workshop 13-21 January with Binayek and Katia. Weekday and weekend classes for Rs 1,000 per person, Rs 1,800 per couple at Salsa Dance Academy, Bhatbhateni. 4422019

British Film Festival 2007 15-19



 in Pokhara.
Children in the Shadows Free film festival 13-20 January, information at www.childrenintheshadows.com.

January in Kathmandu, 26-28 January

Hata Yoga classes, 7.30-8.30 AM and 5-6PM, Sunday to Friday, 40 percent discount at The Self Awakening Centre, Baber Mahal Revisited. 4256618

#### MUSIC

 $\dot{\mathbf{v}}$ 

- Moksh Live Presents 1974 AD and friends, followed by a DJ session for Rs 150 on 5 January, 8PM onwards . 5526212
- Open Mic Night at Via Via Café, Thamel every Friday, 8PM.
- \* Classical Fusion Music at Jatra, every Saturday, 7PM onwards.
- Gandarbhas perform at every lunch and dinner, Club Himalaya Nagarkot. 6680080

#### DINING

- Walk and Lunch Every Saturday until 27 January at Shivapuri Heights Cottage. 9841371927
- International Brunch weekends, 11AM-3PM for Rs 499 per person (Rs 299 for children) at Hotel Himalaya. 5523900
- Farmhouse Café at Park Village Resort. Dine alfresco with the birds and the butterflies. 4375280
- Te Tibetan delicacies at Nepal's first noodle bar, Bluebird Mall Food Court.
- Calcutta's Famous Rolls, biryani, kebabs, and Indian cuisine at Bawarchi, Bluebird Mall Food Court. 9741000735
- Authentic Japanese cuisine daily noon-3PM, Rs 500, at the Coffee Shop, Hotel Shangri-la. 4412999
- Pizza from the woodfired oven at Java, Thamel. 4422519
- Cocktails and Mocktails Happy hour everyday 4-7PM







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- at Kathmandu Revolving Restaurant, Ratna Plaza, New Road.
- Some Like It Hot Cosy winter cocktails with live music from Side B every Wednesday at Fusion-the bar at Dwarika's. 4479488
- Happy Hour at the Lost Horizon Bar, Hotel Shangri-la, from 5-7PM. 4412999
- \* Thakali Lunch at Moksh, Pulchok. 5526212
- Clay Oven Creations at Stupa View Restaurant, Boudha Stupa. 4480262
- Woodfired Pizza at Roadhouse Café, Thamel and Pulchok. 4262768, 5521755
- \* AKA Pizza at Moksh, delivery available. 5526212
- Momo and Sekuwa Revolution every Saturday at the Tea House Inn, Nagarkot. 6680048

#### GETAWAYS

- Winter Package Three days and two nights at Shangri-La Village Resort, Pokhara. Rs 7,499. 4412999
- Experience The Jungle at Rhino Resort in Meghauli, Chitwan National Park. 4265454
- Harmony of the mind, body, and soul at Club Oasis, Hyatt Regency Kathmandu. 4491234
- \* Aesthetic Living in pure nature at Park Village. 4375279

For inclusion in the listing send information to editors@nepalitimes.com



#### by NGAMINDRA DAHAL

Thursday afternoon's satellite picture shows how the mountains moderate weather. In this case they block off the polar waves from the north. The flip side is that the fog over the tarai results from smog and a stagnant pressure system caused by the lid-type feature of the northerly jet stream. The hottest regions of the country-Dhangadhi, Nepalgang, Bhairawa, Simara-are thus experiencing maximum daytime temperatures 12 degrees lower than usual this week. This will change early next week, as an emerging low pressure system over central Tibet pulls across fresh westerly fronts and some moisture laden clouds, leading to brighter days. Over the weekend, though, only hills, valleys, and riversides will see the sun break through late mornings.





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DIFFERENT COUNTRIES, DIFFERENT CRIMES: Maoist spokesperson Krishna Bahadur Mahara speaks at a Maoist rally on Sunday to protest the execution of Saddam Hussein in Iraq a day earlier.



KIKAN PANDAT

GUIDING LIGHT: The first full moon of 2007 hangs low over Patan Darbar Square on Wednesday.



GOING TO GET 'EM: Armed police on their way to Bhadrakali on Sunday, to face off with revolutionary students (ANNFSU-R) staging a sit-in program demanding that top university spots be filled.



here's a Nepali face on one of a series of six British Post stamps released to commemorate the 150<sup>th</sup> anniversary of the Victoria Cross. The VC, awarded without regard to rank, is the highest British decoration for gallantry in the face of the enemy. The Royal Mail stamp, issued in September, features Rifleman (Acting Naik) Agansingh Rai from the 5th Royal Gurkha Rifles (Frontier Force). who was awarded the VC for his "brave act of leadership in Burma on 26 June, 1944".

The stamps were chosen to represent various segments of the British Army, explains Didy Graham, Secretary of the Victoria Cross and George Cross Association. "From the Gurkha Regiment, it was tough to decide whose face should go on the stamps," she says. "Everyone had an amazing tale of bravery, but we decided on Agansingh Rai as a representative of the whole Regiment." Selection is only made from among the deceased, as, with the exception of the British Queen, Royal Mail does not issue stamps featuring people who are still alive.

The choice was made from a total of 1,351 VC awardees, of which 26 are from the Gurkha Regiment. There are 13 Gurkha VC holders from Nepal, four of whom are still alive. Historians of the GR such as Major Gerald Lawrence Davies, Curator of Winchester's Gurkha Museum, point out Nepalis were only thus recognised from 1912 on. "Before 1911, the list contains

# Stamped on history



only the British officers who were serving in command of Gurkhas. Before 1900, the VC was not awarded posthumously. [We] do not know how long the list would have been had these two conditions not applied," writes John Chapple in *The Story of Gurkha VCs* 

Gurkhas have been serving the British Crown since 1815, and in 1957, their numbers reached 15,000. Today the number of Gurkhas serving in the British Army is limited to 3,200.

The stamp was issued as ex-Gurkhas, taking advantage of a change in regulations, are migrating in large numbers to the UK to take up work as security guards and bus drivers, among others. British Nepalis will doubtless pay more attention to the stamps they use to mail their greeting cards, bills, and other correspondence this winter.

Deepa Rai in London



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5 - 11 JANUARY 2007 #330

# Animal Farm in 1984

s it just me or does everyone get the feeling that after the original 40-point Demand, the 12-point Agreement, the 8-point Accord, and finally a series of Pointless Summits, the plot is beginning to thicken and take on an **uncanny resemblance** to Animal Farm?

Orwell slipped a cynical donkey named Benjamin into his satire of Stalinist tyranny and the wise old ass was always doubtful and irreverent about the **Pig Leadership**, although he was devoted to Boxer, the hardworking proletariat horse. "Donkeys live a long time, **none of you has seen a dead donkey**," Benjamin reminds the other animals on the farm. Ahem.

This Ass, like old Ben, never expects anything positive from any revolution because he knows that all Napoleons who come to power start to emulate Mr Jones. The donkey is the only one to see through the pigs' hypocrisy and lies. He also notes that Mr Jones is conducting **nocturnal meeting** at homes of cronies in Jawalakhel, Kamladi, and other venues.

#### ഗ്രര

The Ass has just perused the latest edition of the Maoist daily *Janadesh*. If this is what the mouth organ of the ruling party is going to look like when the comrades join the interim government, then we are getting quite a **preview of Animal Farm**. The only three ads in the paper are from Buddha Air, Yeti Airlines, and Makalu Yatayat. Is there a **barter** arrangement somewhere?

And just as well that the editors decided not publish the full transcript of the proceedings of the World Bank-organised conference in which PKD and BB held forth recently on the Maoists' economic policy, assuring everyone that the party is not set in its ways. At one point The Ferocious One even described himself as a "**rightist communist**". This is getting to be like Animal Farm and 1984 doublespeak rolled into one. As if we didn't have enough problems of our own already, Nepali political forces are falling over each other to denounce the execution of Saddam Hussein. Winter has always been traditional effigy-burning time, but the Ass is intrigued about why our **holierthan-the-pope** revolutionaries had to set fire to George W Bush when there are so many local effigies we could burn to keep ourselves warm. It really does look like many of our civil socialites are in permanent andolan mode. If it isn't ambassadorships, then it is Saddam. Perhaps they belong on the streets, because probably no one in their right mind would ever elect them.

#### ୬୦୧୪

Comradissimo Prabhakar has a great idea, though, to move the cantonments to Tundikhel if there are any more delays in arms management. If the Nepal Army can take over **half of Tundikhel**, there is no reason the comrades can't take over the other half. After all, we will have a one-country-two-armies system of government very soon. Prabhakar probably got the idea from freed Kamaiyas who got tired of waiting for land and **helped themselves to Tinkune**.

#### ഗ്രര

Now that Julia Chang is returning to Nepal, there is a sense of déjà vu in the Deuba camp, which is rubbing its hands in anticipation that the Lion of the West will head a unified post-Girija Congress. But the fourtime PM will have a lot of explaining to do about being Kingji's drinking buddy. Although, if the newlyformed Chhetri Federation is anything to go by, then the Sher has a lot going for him. Chhetris represent the highest percentage of Nepal's

population (20 percent) and if elections are going to be based on proportional representation, they have the strongest claim to the **plum post**, including that of president of the republic. We do want to be inclusive, right?

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