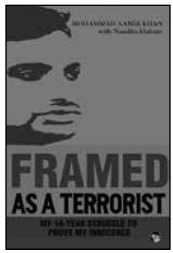
Book Reviews

Framed as a Terrorist:
My 14-Year Struggle to Prove my Innocence

Mohammad Aamir Khan and **Nandita Haksar**
(Speaking Tiger Books, 2016)
Rs 200/-



The book, *Framed as a Terrorist: My 14-year Struggle to Prove My Innocence*, is the heart-rending autobiography of Mohammad Aamir Khan from Old Delhi, who was victimised by state players and languished in prison for no fault other than being a Muslim. The book is co-authored with Nandita Haksar, a Delhi-based human rights lawyer. Aamir had plans to visit his sister who was married to a Pakistani citizen, living in Karachi. After he obtained a visa for the visit to Pakistan, he was contacted by an intelligence official who asked him to get some information and material from Pakistan. Aamir was unable to do the needful while in Pakistan and earned the wrath of the official who had contacted him. On the night of February 20, 1998, he was picked up by the police, and returned only after fourteen years; having undergone a long ordeal in prisons in Delhi and Ghaziabad.

He faced trials in 18 bomb blast cases that were slapped on him. While in prison, he lost his father and was not even allowed to attend his father's funeral. The book is a gripping account of how Aamir was brutally beaten up by the police inside different jails, how he was victimised, ill-treated and denied basic rights during his imprisonment. Aamir was tortured

and asked to give false statements and sign blank papers. The tormentors threatened to pull out his nails if he dared to resist. Even more than his confinement, the isolation, the dehumanised prison conditions, and the hopelessness of his meandering court proceedings, what grieved him most was helplessly watching his parents suffer outside. But it was also their love and faith in his innocence that sustained him through these bleak long years of suffering. The police continued to harass his parents; money for lawyers ran out, and no one came forward to help, as they were stigmatised as being *parents of a terrorist*.

While he languished in prison, 9/11 happened, followed by the Parliament attack. These events created a hopeless and communally charged situation, as the state institutions, to include the criminal justice system, got prejudiced towards Muslims and prison authorities ill-treated the Muslim prisoners. After all the cases filed against him fell (though at their own pace), he was acquitted in January 2012. Some of the most touching passages of the book are when Aamir describes how much the world had changed during the 14 years he was in jail, and how it took him some time and effort to orient himself to the ambient surroundings. He came out of jail to find that his ailing mother was bed-ridden and felt fortunate that Allah allowed him to take care of his mother in her last years.

Alia had waited for him these 14 years and they got married after surmounting the initial reluctance on the part of Alia's father who was unwilling to let his daughter marry a man who had spent most of his adult life in jail. They have a daughter now, the centre of their lives. He works with a Non-Governmental Organisation (NGO), Anhad, to promote communal harmony and justice. The book describes the creeping divide that has existed between the two communities, in India where Hindus and Muslims even while living in the same neighbourhood never interacted too much with each other. Aamir has been a witness, even while he was behind bars, to the rise of Hindu fascism and Muslim

fundamentalism; he has seen the invisible wall rise up between the Hindu and Muslim communities. Despite this, Aamir continues to build bridges between the communities. "At least a part of the reason for Aamir's belief in the values of secularism and democracy is found in the history of Old Delhi, where he was born and where he grew up and lives even now," the author writes in the opening chapter, "The Context". Like Aamir, there are many undertrials who have had to go through the worst of brutalities. If acquitted, there is no compensation for the suffering they have endured all these years. So, what goes wrong—the marginalised, who become victims or the judicial process that delays the delivery of justice or both?

The book raises several pertinent questions that warrant the attention of the society and the state. Firstly, it talks of the effective and equitable role that the judiciary is expected to play, as a tool of empowerment for the marginalised. Secondly, the state has to own the responsibility of undertrials in terms of their capability to defend themselves in the courts of law where hiring a legal counsel is unaffordable as also their ability to furnish bail bonds. Loopholes in our criminal justice system are more than visible. And, surprisingly, this disturbing trend has hardly figured in the agenda of police reforms or any mainstream political party. There are other cases with stark similarities vis-à-vis innocent Adivasis framed on charges of Naxalism or Muslims on charges of terrorism. Thirdly, our overcrowded jails call for urgent prison reforms. With mounting numbers of undertrials, prisons are overcrowded by as much as more than 150 percent and even more that 200 percent in a few states. This results in packing all grades of undertrials and convicts in a common space, which does not augur well towards the conditioning of the inmates. Also, the prevailing discrimination that minorities suffer in our prisons needs to be looked into. The Supreme Court took cognisance of the overcrowding in jails in 2014 and passed an order stating that undertrials who had spent half of their maximum sentence for the offences they are charged with, should be released. The crux of the matter is that those languishing

in jail are socially and economically disadvantaged, and cannot afford to pay for the bail bond and sureties. So, this judgment was a step in the right direction, however, its implementation is yet to see the light of day. Fourthly, is the aspect of the approach of the law enforcement agencies in apprehending and booking suspects. In order to meet the laid down performance parameters, tangibles are sought by these agencies, where there are often none. In the bargain, sections of the population suffer and get churned out of the mainstream. This results in their alienation, making them a fertile potential to be recruited by radical elements, driving them to violent extremism. Aamir, with all his sensibilities, managed to keep himself composed through his long ordeal and presently works with an NGO promoting communal harmony and fighting for cases similar to his. It would be unrealistic to expect such fortitude in all such cases. Fifthly, awareness requires to be enhanced amongst the civil society, especially in the wake of the de-radicalisation drive that the government talks of, in the current backdrop. The civil society in our context which is either religious or political, needs to broaden its horizons and extend all support towards society and nation-building. Lastly, the society and the state need to augment the inclusiveness index in relation to the agonies that the families of undertrials suffer. When Aamir came out of prison after fourteen years, he found small paper chits in his father's trunk. These chits bore the dates of his son's hearings—the endless dates. Aamir recalls the last words of his Abbu, "*Beta, main tumhari tareekh par aa na saka*". Every undertrial who has been acquitted must have similar or even more tragic stories to share. But the fact is that there has to be an end to this systemic cruelty.

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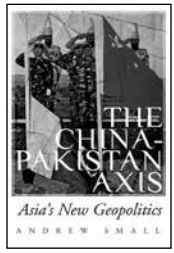
The China-Pakistan Axis: Asia's New Geopolitics
Andrew Small
(C. Hurst &Co. Publishers Ltd., 2015)
$30.39



Andrew Small's book is an account of an implicit nexus between two nations, namely Pakistan and China, which engulf India from the western and eastern borders, running closer than most formal alliances and founded on a shared enmity with India. The book, a culmination of six years of Small's travels through China, Pakistan, Afghanistan and India, identifies Pakistan's role in history when it acted as China's backdoor during its years of diplomatic isolation, the bridge between Nixon and Mao, and the frontline in Beijing's struggles with the Soviet Union during the late stages of the Cold War.

From then till now, Pakistan remains a central part of China's transition from a regional power to a global one – with Xi Jinping's signature foreign and economic policy initiatives, including the China-Pakistan Economic Corridor (CPEC) and the rather proactive Chinese role in the Afghan peace process. All through, Islamabad remains at the heart of these initiatives, including the network of ports, pipelines, roads and railways, connecting West Asian oil and gas fields to East Asia. Andrew Small places emphasis on Pakistan's coastline becoming a crucial staging post for China's take-off as a naval power, extending the Chinese reach from the Indian Ocean to the Persian Gulf and the Mediterranean Sea.

While chronicling the three wars in the subcontinent, with two between India and Pakistan (1965 and 1971) and one with China (1962), Small describes them as the last ones in which Galbraith's "nightmare" of an attack on India from two fronts was "realistically contemplated". The nuclearisation of the subcontinent fundamentally

changed the scenarios of wars. In reality, perhaps China's single greatest contribution to Pakistan's security has never really been the prospect of an intervention on its behalf in a war in India. On the contrary, it was when Beijing gave Pakistan, something far more important than that – the ultimate means of self-defence, for which, as Small succinctly points out, Pakistan will forever remain under China's debt. In this context, the author highlights the role of the US too, arguing that Washington, which once made a point of opposing sensitive Chinese military sales and nuclear cooperation with Pakistan, is now content seeing Beijing stepping up its role in dealing with the threat of rising militancy in the region.

Not that China's nuclear support was an act of generosity—Beijing continues to extract substantial strategic benefits from the decision. However, the nuclear collaboration remains considerably less vital to China's interests than it is to Pakistan's, whose autonomy, and, survival as a state, have been preserved by its nuclear capacity – in addition to ensuring that India would by re-hyphenated with Pakistan. Strategists in Pakistan clearly note that nuclear weapons provide the level of deterrence required to make asymmetric attacks a credible—and relatively cost-free—strategic option. For that matter, the author scripts that India has no instruments to punish Pakistan or change its behaviour, given that a series of terrorist attacks on major targets in India have occurred without retaliation from the Indian side.

In the chapter titled "Nuclear Fusion", Small quotes a retired Pakistan Army officer who stated, "The specific nature of nuclear agreements with China is one of the most closely guarded secrets in Pakistan". Moreover, the author cites an oft-quoted, albeit succinct sentence pointing towards the nuclear-missile nexus between China and Pakistan, from a book by Gordon Corera titled *Shopping for Bombs*, in which nuclear proliferation analyst Gary Milhollin says, "If you subtract Chinese help, there wouldn't be a Pakistani [nuclear] programme".

Among the many deductions regarding the Sino-Pak relationship, Small concludes that the civil nuclear cooperation between the two nations consistently has proved to be on a grander scale than expected – from the latest Chashma plants, to the new round of nuclear reactors in Karachi. For that matter, the $5 billion sale of eight Chinese submarines to Pakistan, confirmed in July 2015, is the largest defence deal to which China has ever agreed – thereby facilitating the next stage in Pakistan's nuclear capability, i.e., acquiring a sea-based deterrent.

While the relationship between China and Pakistan could once be seen almost exclusively through a South Asian security framework—as a subset of the China-India and India-Pakistan rivalries—there is now a host of factors that transcend it, debates Small. India still provides the strategic glue that binds the two sides together. The book discusses in detail the Karakoram Highway (KKH) as perhaps amongst the most potent symbols of China-Pakistan relations, with the Khunjerab Pass standing at 15,397 ft. The KKH was conceived as a political and territorial project, however, its direct military utility is questionable, given that it would be easy to interdict in the event of war.

Small narrates in his book, though very briefly, about his meetings with the Chinese People's Liberation Army's (PLA's) Pakistan handlers, military intelligence officers who ran China's Afghanistan operations, Public Security Bureau officers in charge of counter-terrorism strategy in Xinjiang, and Ministry of State security agents who had dealt with Taliban leaders. Small validates stories about Chinese access to the US stealth helicopter while he was in Islamabad and Abbottabad (during the weeks after the Osama bin Laden raid) *–all of which, the author states, turned out to be true.* The same goes for various accounts of meetings between Chinese intelligence officers and Taliban representatives that Small first heard about during his visits to New Delhi, and, subsequently, being verified by Chinese, Pakistani, Afghan and US officials. This can be attributed to the stakes attached – not just Chinese interests in

Afghanistan, or Pakistan, but also a set of strategic ambitions stretching all the way from Xinjiang to West Asia – with an inherent aim of what Small terms "containing instability at manageable levels".

That, however, does not take away from the sorest point in the Beijing-Islamabad equation: the restive Muslim-majority Chinese province of Xinjiang. While Pakistan was once the main religious and economic outlet for the Uighurs, Xinjiang's indigenous Muslim inhabitants, it has now become their principal connection to the world of extremism. The linkages between mounting security threats in China (Xinjiang in particular) and the rise of extremist forces in Southwest and Central Asia have caused considerable upheaval in Sino-Pak ties – to the extent, that Pakistan's 'Islamisation' puts the very underlying basis of the relationship in doubt.

The statement by Chinese Gen Xiong Guangkai, wherein he terms Pakistan as "China's Israel" outlines the tone, texture, scope and impact of Beijing's relationship with Islamabad. The book by Andrew Small, *tout ensemble*, makes for an interesting read that is rich in research. However, a major portion of the book chronicles aspects that have been known for decades, at least within the subcontinent, and therefore, the novelty quotient seems amiss to the reader at many a point.

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Military and Democracy in Nepal
Indra Adhikari
(Routledge India 2015)
$97.89

This book by Indra Adhikari is a detailed narrative about the civil-military relations in Nepal. It gives a vivid account of the role played by the military in the politics of Nepal and the slow trajectory of the development of the ideals of democracy in the country, often challenged by the military itself. The democratic movements since 1950 have been dealt with in great detail. Adhikari claims that the military in Nepal, just like in many other developing countries, has played a dominant role and had a cascading effect on the level of political mobilisation and political culture in Nepal. She argues that factors such as lower level of social cohesion, a fragmented socio-political class, absence of a strong and articulate middle class and civil society, and weak and less effective political institutions created overall anxiety and uncertainty in Nepal, posing questions regarding the legitimacy of the rulers, thereby allowing the military to expand its role ever since Prithvi Narayan Shah's offensive action of military conquest for unifying Nepal led to the beginning of the process of militarisation in the country.

The book argues that the established political system in Nepal has not gone through a smooth political development, and has instead shifted from one historical point to another: the political struggle in 1950 removed the Rana oligarchy and established a constitutional monarchy and parliamentary system; King Mahendra took over the elected government in 1960 and imposed the party-less Panchayat system; constitutional monarchy and multi-party democracy were established in 1990 by a mass movement; the King became actively against the constitutional provision

since 2002 and took over the elected government in 2005. A second mass movement reestablished the Parliament removed by King Gyanendra.

While the Ranas (1846-1950) tried to separate the people from the political process, the Shah rulers post 1950 further restored the traditional role of the King. In fact, this led to continued disintegration of the democratic forces in the face of a reassertion of strength by feudal groups. In such a scenario, both traditional forces, the Army and the King, came together for promoting their common political and professional interests that contradicted the agendas of the political parties. No Prime Minister in the post-1951 period could gather the courage to introduce any measures for democratisation in the Army. The military, thus, continued to remain the exclusive domain of the King till the second mass movement in 2006 when it was used to suppress the movement. In addition to delving into the dichotomy of civil-military relations and how democratisation and militarisation share a negative correlation, the book also provides an interesting take on the changing role of the military in Nepal. The military – which had never supported the leaders of political parties when there was a conflict of interests between its non-professional commanders, the Prime Minister and the King – helped the leaders make a smooth political transformation from changing the monarchy to a republic in the first decade of the 21st century.

Adhikari argues that the King-military combine failed democracy in Nepal by taking advantage of the weak political parties. The military was used as the source of power, with the family members of the King and the nobility using it in their conspiracies. Militarisation in Nepal can, thus, be seen as intertwined with the traditional rulers whose thrust was to perpetuate an exclusionary state. The author brings forth that by the time Nepal began moving towards democratisation, the civilian authority itself promoted the process of militarisation in Nepal after 1996. It provided executive and financial support to the military, whenever it was demanded, resulting in the collapse of civil functioning, and increasing dependence

on coercive force, more so after 2001. In fact, post-1990 politics show that the main problems before the elected governments were: (a) the King's negative attitude towards deploying the Army against the Maoists; (b) the non-cooperation of the Army in the field after its mobilisation; and (c) the Army pressurising the government to fulfill its own pre-conditions before entering combat operations in Maoist-affected areas.

During 1990-2002, democracy in Nepal was prevented from becoming the norm because of the discouragement from the political parties and their leaders. The further inability of the governments to either face or settle the challenges posed by the ultra-left Maoist-armed rebellion also weakened democracy. However, the changed political environment in South Asia encouraged the political parties in Nepal to expose the regime by the publication of reports on the human rights situation in Nepal. National interest, for the first time, superseded regime interest and the monarchy was discouraged. Adhikari is quite accurate in summing up that the King-Army alliance which continued to bypass the agenda of each elected government, finally led to the coming together of political parties after the second mass movement in 2006, with the unanimous view regarding the need to put the Army under the control of the civil government. Thus, post-2006, Nepal experienced a drastic curtailment of the power of the King and the enhanced democratisation of the military. The House Proclamation 2006 detached all the monarch's relationships with the military; thereby bringing it under a democratic government. After the Constituent Assembly elections in 2008, the Nepal Army was brought under the direct control of the Parliament.

The author has narrated many engaging and riveting interviews of civilians as well as military personnel on the role of the King-military alliance in the 20th century, to determine whether Nepal continues to be under the shadow of uncertainty and incoherence or whether it has developed its own potential of being a democratic state. The author

suggests that democracy and democratisation in a country like Nepal must be examined through the prism of social justice in which the Dalits, ethnic groups, Madhesis, women, and other oppressed and suppressed people get their share of power. Thus, the restructuring of the state and its polity has become the common issue of all democratic and progressive forces after the second mass movement in 2006, as the regimes prior to 2006 failed to understand the demands of the time.

The author asserts how traditional rulers maintain authority by suppressing political opponents. When opposition begins, the ruler becomes more dependent on the support of cohesive forces like the military. An example is the way King Mahendra staged a coup in 1960 and suppressed the political leaders with the help of the military. In such a scenario, the military also takes advantage, accelerating the process of militarisation. She, therefore, rightly argues that democracy cannot be consolidated until the military is firmly subordinated to civilian control and committed to the democratic constitutional order.

Adhikari has succinctly brought out the aspect of transitional democracy and that it is a very difficult task to contextualise the role of the military in the changing scenario of a country, especially if it is in the process of converting from a traditional one, with a closely knit integration of the political and the military elite, to a modern one. The author has also drawn attention to the most controversial issues concerning civil-military relations in Nepal, viz. the recruitment, promotion and retirement of senior officers, and mobilisation. Most civilian leaders hardly try to understand the rationale of democratic control, but politicise the military in the name of 'civilian supremacy over military', often ignoring structural constraints and customary evidence. The conflict between Gen Rukmangad Katuwal and the Pushpa Kamal Dahal Cabinet in 2009 was the result of such practices of 'civilian supremacy' where divisive party politics leads ultimately to either subjective control or military dominance in politics.

In general, the book provides a comprehensive picture of the struggle for democracy which meant the unity of the political parties for the confrontation with the King-military tandem. It overall deals with how a 'constitutional monarch' became assertive with the backing of the military, and how the military benefited from the process of militarisation. It also deals with how political parties and other constitutional bodies and the civil society and the international community responded to such a situation, eventually creating an environment for the restoration of democracy and democratisation of the military, making it national and inclusive in character.

The author very rightly argues that in spite of the competition between the political parties, they must keep in mind that their role is vital for systemic stability and institutionalisation, and a strong and stable democracy. Adhikari aptly sums up by saying that good triangular relations among society, civil government, and the military comprise the way forward to socio-political harmony so needed for democratisation, and for this to happen, the attitude and mindset of the leadership need to change. However, a major shortcoming of this book in terms of research is the absence of analysis of why the military in Nepal could not take over the reins when the monarchy was discouraged and the fragile democratic forces and political parties were in trouble. Another shortcoming of the book is the repetition of certain statements and quotes.

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