

Democracy and Civil Society in the Himalayas: Problems of Implementation and Participation in Multi-ethnic Societies

Karl-Heinz Kramer

Civil society

Although there are many variants of the concept, civil society is made up of 'some combination of networks of legal protection, voluntary associations and forms of independent public expression.'¹ A well-developed civil society potentially influences government in two ways. It enhances political responsiveness by aggregating and expressing the wishes of the public through a wealth of non-government forms of association, and it safeguards public freedom by limiting the government's ability to impose arbitrary rule by force.² Civil society can be defined as the site where society enters into a relationship with the state. As it has been put, 'The values of civil society are those of political participation, state accountability and public politics.... The institutions of civil society are associational and representative forums, a free press and social associations. The inhabitant of this sphere is the citizen.'³ Based on rights, rule of law, freedom and citizenship, civil society becomes the place for a critical rational discourse. It is a precondition for the existence of democracy and a property of democratic states and societies. But the existence of civil society alone is not enough. An

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¹ Jean-Louis L. Cohen, and Andrew Arato, *Civil society and political theory* (Cambridge: MIT, 1992), p.74.

² Ann Marie Clark, Elizabeth J. Friedman, and Kathryn Hochstetler, 'The sovereign limits of global civil society: a comparison of NGO participation in UN world conferences on the environment, human rights, and women', *World Politics* (New Jersey), vol.51, no.4, 1998. See also, Philippe C. Schmitter, 'Civil Society East and West' in Larry Diamond et al., (eds.), *Third wave democracies: themes and perspectives* (Baltimore: Johns Hopkins University Press, 1997), p.247.

³ Neera Chandhoke, *State and civil society: explorations in political theory* (New Delhi: Sage Publications, 1995), p.9.

inactive civil society leads to unresponsive states, while only a politically self-conscious civil society imposes limits upon state power. If the political practices of a self-conscious civil society transgress the boundaries of the state sponsored political discourse, a crisis of legitimacy of the state results. Politics is about the dialogues that the society has with the state. As it has been put, "The site at which these encounters take place is a civil society."⁴

Civil society has historically been associated with attempts to control the state and subject state practices to critical evaluation. Civil society cannot ask for a democratic state if it itself is undemocratic, and democratic state requires a democratic society. Civil society can in one sense be identified with democratization and liberalization, but it is a far more comprehensive and deeper concept than democracy. Democratic practices have often been reduced to rituals and staged political events, such as elections, parliamentary representation and plebiscites which are meant to reaffirm the legitimacy of the state. The concept of civil society, on the other hand, embraces an entire range of assumptions, values and institutions, such as political, social and civil rights, the rule of law, representative institutions, a public sphere and a plurality of associations, which are preconditions of democracy.⁵

Concepts of state and society

The concept of the modern nation state is of European origin. Every civilization has its own concept and tradition of state. But the modern nation state, as it is defined by the West, has become the only accepted form of nation state in world politics. The idea of sovereignty, too, has been derived from ancient Greek and Roman Law. With the French revolution of 1789, the European sovereign state turned into nation state. Its legitimacy was based on the principle of people's sovereignty. This type of nation state became a European institution during the nineteenth century and a world institution in the course of the twentieth century. This type of nation state emerged in various parts of the world as a result of Europe's colonization of Africa and Asia, this type of state lacked the cultural homogeneity required for a nation state.

The nation state with its internal and external sovereignty arose from the European bourgeoisie society and its values of a democratic political order. The adoption of the western model of nation state by non-western cultures has been part of the process of colonization. These states failed

⁴ Ibid., p.10.

⁵ Ibid., pp.25-26.

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Samuel Huntington underlines that the nation state according to its historical definition is a democratic state. But most non-western nation states are not based on democratic societies with people conscious of their citizenship. Instead, these states are dominated by diverse ethnic identities often competing with each other. On the other hand, civil society as the basis of a democratic nation state is not defined by ethnicity. But this does not mean that the nation state necessarily has an ethnically homogeneous society. Moreover, a nation state is the result of a consensus on norms and values of a unified community.

In non-western nominal nation states identity is mainly based on ethnicity with corresponding conflicts. In such states, local forces often gain the upper hand against the central authority, since there is no political community that can integrate the different ethnic, cultural and religious groups.

What Huntington calls 'clash of civilizations' is not an international cultural war. It is more the upheaval of local cultures politically grouped into civilizations against global structures and universally accepted norms and values. Part of this struggle is the opposition against the secular nation state that has not grown from indigenous soil but has been implanted from outside. The clash or war of civilizations is a struggle against the international order of nation states, against the world order. It is a process of de-westernization. The western world order has first been conceptualized after the Treaty of Westphalia that ended the Thirty Years War in 1648. In the course of the next 300 years, the Europeans managed to impose this system upon the whole world.

The nation states of Africa and Asia are thin political surface structures. Under these structures they are conglomerates of multi-ethnic populations and diverse local cultures that are only formally superseded by the territorial national structures. The latter are the connecting links between the local structures and the global ones. Globalization produces socio-economic, socio-political and socio-cultural structures into which ethnicity and local cultures are incorporated. But global civilization as a consequence of the process of globalization has not been able to integrate the ethnic or we-groups and their local cultures. Only individuals can be integrated. The local cultures become regional civilizations in their area of origin and revolt against the concept of global civilization. They see the nation state as a western intrigue, as a strategy of *divide et impera* to suppress non-western civilizations.

The western nation state never took roots in non-western cultures. Values of local cultures are now being revitalized to fight against the European nation state. This revitalization of local cultures supports at the same time the revival of ethnic connections. Ethnicity has remained cause of conflicts between the local cultures. Applied to Nepal we have the following situation. Nepal is a multi-ethnic state as defined by the constitution and there is a large number of ethnic communities living in Nepal. These groups are not civil societies in the western sense of the word.

If you take the term civil society independent of its modern western environment then you can also apply it to Nepal's different ethnic groups. They are independent of the political structure of the nation state they formally belong to, but towards which they refuse their substantial integration. On the nation state level, there does not exist a civil society in the modern sense with a community system or at least a common identification with such kind of system. Models of identity have been imposed by the ruling elites, but they often collide with ethnic affiliations. Thus, if you want to talk about pre-modern civilizations and their local cultures, you have to consider the concept of ethnicity, since ethnic and religious identities are of greater importance than the artificially created nation state identity.

Nepal's ethnic communities, as all ethnic societies, are confronted with the modern global culture. This leads to a kind of interaction between the local ethnic cultures and their global environment, in case of Nepal, for example, the constitutional identification with Hindu symbols and values. The conflict between the different ethnic groups and the nation state only reflects the opposition of local cultures against an institution derived from the West.

Ethnicity, nation state and sub-system

Ethnicity has become the focus of anthropologists as well as political scientists working on international relations. While anthropologists and ethno-sociologists turn their attention to ethnicity as expression of a local culture, political scientists are trying to analyze ethnicity from the perspective of the world, regional or national politics. Nepal being a non-western state, the nation there has not grown out of the indigenous soil, but it has been artificially transplanted. That is why, it could be termed as a nominal nation state. Sections of Nepali society, came into contact with modern political thinking based on the concept of the western nation state in the 1930s and, especially 1940s. The modern state of Nepal that developed after the successful overthrow of the Ranas in 1950/1 cannot be called a nation state in the western sense, since it did not overcome its

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⁶ Anthony D. Smith (1986).

ethnic diversity. In modern western nation states, sub-national and ethnic communities have been integrated into a common civil society. Thus ethnic diversity can be called a pre-nation state phenomenon. Each nation as a modern formation has its own ethnic origin. Anthony Smith speaks in this context of the 'ethnic origin of nations'.⁶

Thus common civil society is missing in nominal nation states like Nepal. There is no modern community with national loyalties and patterns of identity based on citizenship, that could replace the original sectarian and ethnic bonds. There does not exist the consciousness of a citizenship that compensates ethnic loyalties and identities. When Nepal's ruling elites defined the state in the constitution of 1990, they could not break away from the civilization and culture they had been born into. If they talk about the modern nation state Nepal, then many ethnic groups, the so-called depressed castes and the Muslims of the country cannot identify themselves with this concept. Imported western institutions of democracy and symbols like the national flag or the national anthem cannot conceal the different ethnic groups existing in Nepal. The existing sub-national and sub-ethnic cleavages within the nominal nation state Nepal cannot be removed under the present conditions. The nation state defined in 1990 constitution has so far not been able to assimilate the different ethnic groups.

The roots of ethnicity originate from the socially produced and steadily changing foursome of common myths, oral traditions, values and symbols. Nations are neither in the pre-modern sense original and unchangeable nor are they totally modern. They have maintained their ethnic origins even in modern industrialized societies.

The nominal nation state does not have a historical experience of its own. Its sovereignty is nominal, not historically grown. In Nepal, even nine years ago sovereignty was still vested in the monarch. The new pattern of state has been transferred from outside. It lacks the necessary institutional infrastructure as well as the accepted legitimacy. Such an artificially constructed state is hardly able to cope with conflicts. This ethnic diversity finally leads to a struggle for supremacy within the state. In each ethnic community there exists patron-client relationship. The patron often a powerful person in a state position with access to resources uses his position to gain an advantage to his/her ethnic we-group. This leads to distribution struggles. The institutionally weak nation state in non-western civilizations is not only lacking a non-ethnic community with

⁶ Anthony D. Smith, *The ethnic origin of nations* (Oxford: Basil Blackwell, 1986).

a substantial consensus but also the political culture that defines the terms of the competition for the regulation of ethnic conflicts on power and resources. State power is not shared between different groups, but it is monopolized by the one single group.

The Nepali nationalism is not likely to regulate ethnic conflicts and to manage the ethno-politics⁷ in a democratic manner. A democratic solution would be power-sharing. But how can an institutionally weak state like Nepal develop such mechanisms of democratic government? Sovereignty and the institutionalized political order of a non-ethnic nature are substantial principles of a nation state. Ethnic conflicts are typical of political orders that lack these principles. In a real modern state, the citizens form part of a political community and not of an ethnic one. The political culture of such a state is characterized by norms and values that have been adopted by the whole population. Each group articulates its interests in the public and discusses it with other groups in a peaceful manner.⁸ Even events in the Nepali parliaments have proved that Nepal has not reached that level yet.

A feeling of nationalism must be common to all sections of society independent of ethnic, religious or political orientation. The consciousness of such a political community is the basis for a common identity, required to overcome pre-modern forms of affiliation.

And this is precisely what only nominal nation states like Nepal are missing. In most of the nominal nation states, political power is not democratically shared by the members and groups of the political community, but it is monopolized by an ethnic or ethno-religious clientele as a sub-community. Ethnic tensions are boosted, since there is no culture of democratic power-sharing.

The Himalayan situation

The following remarks are part of some fundamental ideas concerning writer's project. The purpose of this project is to test some explanatory hypotheses on democratization and development of civil society in multi-ethnic environment taking the central Himalayas, especially Nepal and Bhutan as also Sikkim and Darjeeling, as an example. All these states or

⁷ Ethno-politics means the competition among real, subordinate ethnic communities for the scarce resources of a state. Basam Tibi, *Krieg der Zivilisationen: Politik and Religion zwischen Vernunft and Fundamentalismus* (Munchen: Wilhelm Heyne, 1998), p.108.

⁸ Anthony Giddens, *The nation state and violence* (Berkeley, 1987), p.210.

regions have in common population groups Indo-Aryan and Aryan as follows: Are there democracy? Does the participation of people development of civil democratic rule still the trend to violence shortcomings in im-

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regions have in common the trait that they are inhabited by a variety of population groups belonging to three main stocks: Tibeto-Mongolian, Indo-Aryan and Austro Asiatic. The general questions to be explained are as follows: Are there common trends and problems in implementing democracy? Does the social and cultural variety hinder broad scale participation of population? In which way can democracy promote the development of civil society? Why do even states or regions with a longer democratic rule still have problems in achieving levels of governance? Is the trend to violence, radicalism and separatism the result of shortcomings in implementing democracy and participation?

The Himalayas is neither a geographical nor a social and cultural border line. As the main rivers rise north of the Himalayan chain and later break through the mountains in deep gorges, the area has always been open to infiltration by population groups from the north. So from the social point of view the Himalayas and its foothills have been a meeting place of different races, cultures, languages, religions and ideologies. Racially we come across Tibeto-Mongolian peoples side by side with Indo-Aryan groups. In recent years, anthropological research has brought to light a lot of information about the history of immigration of many of the Himalayan peoples. In addition, the growing ethnic consciousness has led to some kind of self-identification of many groups on the basis of racial, linguistic, religious and cultural features.

Culturally, the Himalayas is an area where different worlds are meeting. One of the main characteristics of every culture is the language spoken by its representatives. The multitude of languages can hardly be greater anywhere than in the Himalayan region, where we find Indo-European, Sino-Tibetan and Tibeto-Burman languages. Even linguistically, closely related languages are of such a variety that they are hardly intelligible among each other.

Similar to the situation of the languages is that of the religions. Hinduism, Buddhism, are the traditional religions of the Himalayan peoples. In the course of history they have been joined by foreign religions like Islam and Christianity with their missionary foundation; the latter, too, played an important role in the current processes of social change and political consciousness. In addition, events and developments in the adjacent northern and southern regions have often caused waves of migration into the area under discussion, where they have influenced the distribution of political, social and economic power in a decisive way.

Political influences and processes of transformation

In quite recent times, the Himalayan region has been the meeting place of two different political ideologies: the democracy in its western form as it is practised in all South Asian countries today, except in Bhutan, and the communist ideology in its Soviet and Chinese variations. The development of the modern nation states of the region must be seen against the background of confrontation of these western ideologies with the traditional elements of power distribution and participation.

The Hindu state Nepal, for example, seems to have little in common with the Buddhist state Bhutan. But when viewed closely there appear to be a lot of historical or structural parallels. In both states the power is in the hands of elite minorities who immigrated, or at least claim to have immigrated, in relatively recent historical times. These elites have made their own culture the foundation of their state boundaries. In recent times, the elites of both states feel endangered by the rise in demand for democracy from forces like disadvantaged ethnic elites, but also by the modern state of India with its type of state order closely related to western democracies, and with its efforts for security along its northern border.

Today, Nepal and Bhutan are on different stages of a similar process. Both states made very cautious experiments with democracy in the 1950s. In the case of Bhutan also in the 1960s, followed by a return to traditional forms of politics, when democratic institutions were only used in a hypocritical way. It was only in 1990 that Nepal experienced real democracy. Bhutan is yet to take this step, where so far only disadvantaged groups of population have called for introduction of democracy. In Nepal, the process of democratization has been carried mainly by special sections of the traditional ruling elite, while in Bhutan the Ngaling elite has so far not participated in this process.

The development of the small Himalayan state of Sikkim, situated between Nepal and Bhutan, has been a little bit different. Like its neighbouring countries, Sikkim had been under the political control of a minority elite, in this case Tibetans who had immigrated some centuries ago and ruled the country according to their Tibetan-Buddhist tradition of kingship. But unlike Nepal and Bhutan, Sikkim had been a British protectorate since 1860,⁹ and remained open to Indian influences. As a

⁹ Nepal had only been indirectly under British influence, in Bhutan the exertion of British influence began after 1865, but it was only in 1910 that Bhutan became a British protectorate, after the Wangchuk dynasty had established itself.

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result the country faced an immense pressure for democratization when India became independent in 1947. The forces behind this process were the Nepalis, Sikkim's most numerous population group, along with the Rongs (Lepchas) and Tsongs (indigenous groups of Limbus and Magars). India supported the replacement of the traditional royal system by a democratic one in 1974 and brought about the integration of Sikkim into the Indian Union. But even more than 20 years later it is still under discussion whether this step was right or not, and Sikkim's politics is marked by tensions that stem from the multi-ethnic population of the country. Independent of the Indian annexation, Sikkim's politics of the last two decades is a reflection of the same racial, ethnic and cultural pluralism, which the young Nepali democracy was confronted with, in the 1990s.

Another case is the Darjeeling district of West Bengal, which got special treatment in modern history. After the British forced Sikkim to cede the area in 1835, Darjeeling became a summer resort and later the centre of a flourishing tea industry. Since the middle of the nineteenth century many people from eastern Nepal were called in as cheap labourers. This is the reason why today Darjeeling's population is mainly of Nepali origin. This ethnic potential has given the politics of the district a special orientation, that differs from the rest of West Bengal. Since 1980s Darjeeling has faced a militancy similar to that of the North-East Indian states. It culminated in the clash between the governments of West Bengal and the Nepali elite of the state which is Gorkha in origin.

With the exception of Bhutan, democratic forms of government have taken the place of traditional ones, in all states and regions of the central and eastern Himalayas. But tradition has not been totally superseded, as the former systems too have retained their certain traditions by integrating some democratic aspects and institutions. One such example was the Nepali *panchayat* system that has been sold as an indigenous Nepali system of democracy by its founder, King Mahendra. The introduction of fictitious democratic institutions by the Bhutanese King Jigme Dorji Wangchuk must be seen in a similar context. But in both countries there has not been a radical coup d'etat, for example the replacement of the traditional monarchy by a republic.

The forces that have brought about democracy have made frequent compromises with the traditional forces. So, in Nepal, the monarchy that had been absolute according to western political thinking was changed into a constitutional one in very recent times, but it comes from the same ethnic and cultural groups as its predecessor. The reason is that the social hierarchy of the Hindu state had been fundamental for all kinds of

participation in the partyless *panchayat* system which dominated the thinking and structure of the political parties of the 1990s. An outward characteristic is the retention of the term Hindu state in the constitution by Nepal's democratic elite.

A bit different is the situation in Sikkim, where the integration into the republican state of India in 1974/75 meant the abolition of the Namgyal monarchy, and its ruling elite of Tibetan origin out of power, which had controlled the country for about 300 years. Since then, the political parties in power are dominated mainly by Nepalis who immigrated within the last 150 years but also by the old indigenous groups of Lepchas and Limbus. Typically enough, the great Indian national parties have hardly played any role in the past.

The role of ethnic movements

The democratization of the Himalayan states has been the consequence of the fast growing political consciousness among the different circles of society. Despite this in Nepal a traditional power structure has been retained even in communist parties like the Communist Party of Nepal—United Marxist Leninist (CPN-UML). Thus in the case of Nepal, the political, economic and social domination of the high caste Hindus has been retained irrespective of some kind of democratization in 1990.

In Sikkim the situation is different. The integration into the republican Indian state meant a total break with the tradition of the elite ruling before. With the constitutional exclusion of religion and culture from politics, the Tibetan-Buddhist Bhutia elite lost any chance to retain its former supremacy in a democratized form of government. The numerically dominating Nepali population within the political parties of Sikkim gives the impression that the changes of 1974-75 have given way to another form of ethnic and cultural domination.

Democratic ideas and the formation of civil society

Successful ethnic movements that have brought a greater power sharing in countries like Sikkim, as also in the North-East Indian states, lead to the question: Is the western democracy as a form of government, appropriate to replace the traditional systems and to solve the numerous conflicts in the multi-ethnic and multicultural states of the central and eastern Himalayas? With a western democracy, some kind of foreign tradition is replacing the indigenous one of the ruling elite. This means that the western democracy could be a positive foundation for at least a theoretically broad-based participation of that local population. The western democracy uses political parties through which persons are

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elected into offices or bodies by the people for a definite period of time. These political parties are tied to common principles of organization and state mechanism, but they, at the same time, represent different approaches of social and economic order.

Since the states in central and eastern Himalayas are multi-ethnic in nature, it is not easy for the western type of democracy to take roots there. In the course of centuries, the European states have developed a more or less single national identity.

There is no democratic country in the western world that has nearly as many ethnic groups, cultures and religions as the Himalayan states. So one has to ask the question how far western models can be transferred to these countries. King Mahendra, for example, justified his coup d'etat of 1960 arguing that the western kind of democracy had proved unsuitable for Nepal. The political system introduced by him afterwards was based on the tradition of those ethnic groups, to whom the royal Shah family belonged. But this royal system failed as well, and again it was replaced by a western type of democracy in 1990. The Nepali system of government practised in the 1950s as well as the later *panchayat* system were not suitable for the multicultural set-up of the society. Though the democracy introduced in 1990 is faced with many problems, however, the situation is different in the sense that there has been a rise in the political consciousness among the people apart from the fact that fundamental rights have been ensured by the constitution.

The current democratic system in Nepal did not supersede the tradition of the ruling elite, instead it incorporated this tradition. This means in practice that members of those population groups, which earlier constituted the ruling elite of the former *panchayat* system, today decide the politics of the political parties. It depends upon them, if they are willing to reduce the dominance of their own tradition in order to make possible the integration of other population groups into the nation. Their instruments at hand are the political parties. The constitution of 1990 prohibits the recognition of parties which have been formed on the basis of religion, community, caste, tribe or region. But the same constitution continues to orientate the state according to the tradition of the high caste Hindus of the *pahad*, Nepal's hill area. If this contradiction is not removed, the state would not be able to achieve the objectives of those who fought for the restoration of democracy in Nepal.

So, western democracy does not automatically solve the numerous problems of the Himalayan states, mainly those based on social conflicts. But different from the tradition of dominating elite, democracy can lead

to a solution, if those responsible finally make up their minds, and separate politics and culture. In view of the great importance of tradition among the peoples of the Himalayan area, it will always remain a question of tolerance, if conflicts are to be avoided or solved.

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Staff Study

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