

Outcry over Press Curbs in Nepal

Jan Sharma writes from Kathmandu

In Kathmandu, a new restrictive law on the press — a measure agreed by the previous interim government — is casting a shadow over the revival of democratic processes

An Import We Can Do Without

Three residents of Kanaighat upazila of Sylhet have hit the news — and in some cases the headlines — on a matter of great concern to the nation and of immense personal tragedy to themselves. It is suspected that they might be suffering from AIDS which, reportedly, they contracted in Dubai and brought with them to their native village. The first thing that needs to be done is to ascertain whether the illness they are suffering from is actually the dreaded AIDS. Once ascertained they should be immediately given the due medical attention and care that they require.

Whatever be the outcome of the medical examination, the incident should serve as timely warning to us all, especially the health authorities of Bangladesh. We seem to operate under the notion that as Bangladesh continues to be relatively unaffected by AIDS, therefore, we need not be too concerned with adopting adequate precautionary measures against it. First of all, how scientific is the basis of our data regarding the spread of AIDS in Bangladesh? Have we really conducted serious investigation as to how many of us have AIDS? One can be a carrier of the disease which sometimes takes as much as 10 years to manifest itself. The cases in Kanaighat, if found to be true, show that the victims are returnees from the Middle East. It is plausible because in many ways the Middle East is a melting pot, taking in workers from many countries, in some of which the incidents of AIDS is quite high. The fact that the workers from Bangladesh are very often not allowed to take their families with them compounds the possibility of contracting the disease. The message here is clear. Bangladesh must take adequate precautionary steps to "nip the disease in the bud" so to say. Preventing the disease from entering, and as and when it does, to try and contain it as much as possible is not only the most prudent thing to do, but the most cost effective way of fighting the disease.

According to news reports the people of Kanaighat area and of the Sylhet district as a whole are frightened at the occurrence of the disease. People of Sylhet town have reportedly threatened to set the local hospital on fire if the alleged AIDS patients are brought there. How will the nature of their ailment be confirmed if they are not allowed to come to the hospital and have the necessary medical check-up? Preventing them from coming to the hospital indicates the poor level of knowledge about the disease among our people. What this incident reveals should immediately gear us into taking strong and effective measures concerning informing the public about AIDS. Public education is a major component of the global strategy in combating AIDS. This is necessary not only to give the afflicted their due medical attention but also to educate the people as to the steps they need to take to save themselves.

The Kanaighat incident shows us clearly as to how vulnerable we are to the spread of this disease and how urgent is the need to take the necessary preventive measures.

The Business of Faking Marriage

Problems come in so much diverse shapes and sizes, colours and contours. There was a time people of this part of the subcontinent used to have a hearty laugh over the matrimonial columns in newspapers like the Ananda Bazar Patrika — in fact there would be pages after pages of them on certain days of the week. It is not that people in Bangladesh has no idea of how difficult it can be to find a good and likeable match for one's daughter or son. The problem here — as elsewhere, we are sure — has been with us for hundreds of years. But the idea of resorting to advertising in search of a spouse was too much for those of us who had a more bucolic and pastoral background than the other Bengali speakers across the border.

Then of course news started pouring in of computers doing matchmaking in developed countries. That somewhat made our laughs to dry up midway in the process. Then some of our dailies and weeklies started, albeit humbly enough, to publish matrimonial columns. The problem of dowry was there and in a particularly bad shape taking a lot of newspaper space with cruelties and violence born of that.

With fifty million of people of marriageable or remarriageable or divorceable age, there must be tens of thousands of marriages being contracted and consecrated everyday. Such huge pairing business, no wonder, should pose an evergrowing problem. And this cannot be simply true that all these weddings do take place with a government functionary doing the registering of all of them. A sizable part of weddings always slipped past this registering business.

There always was a prospect of striking up business in the gap between registered and unregistered marriages — the latter being completely correct if only religious requirements were fulfilled. But unregistered marriages posed a problem for the wife to be divorced. She could not force any claim down the fiend's throat.

That was another problem related with marriage in Bangladesh. Even people having no capacity to pay the fees once a marriage registrar is called to do the service — specially the bride's side — started looking for the man who would write the marriage down on government paper. This bolstered the chance of good business.

So, the business started and boomed — of fake marriage registrars. And in Rangpur to begin with. Of course, this comes as a great help — as all illegal and illicit circumventions like bribing and jumping the queue do — only to bring in its train much suffering and grief.

In spite of the successive governments' continued attempts to bring marriages and divorces and the conjugal rights and obligations under some kind of uniform and civilised norms — over and above what religion has already prescribed, the whole thing continues to be tricky, difficult, unpredictable and always wanting in ways to cope with the latest in upcoming problems. In spite of our mushrooming fake marriage officials, things are not that bad at the commencement of the pairing. What follows is often-times gruesome even by the standard of horror stories. We hope some fake people came up and made a business, reducing that pernicious practice of dowry killings.

THE new democratically elected government in Nepal faces its first major test with demands for reform of the kingdom's restrictive press legislation.

Pressure is mounting on Prime Minister Ojra Prasad Koirala to amend the controversial legislation which places new restraints on journalists and amounts, according to its critics, to press censorship.

The new Press and Publications Act, introduced hours after Mr Koirala took charge, has met with sharp and bitter criticism from wide sections of the press, including the communist-dominated tabloids. A mood of gloom pervades the offices of private newspapers and businessmen who risked investment in the press and are failing to hide their nervousness.

"It has come as a shock to many of us in the fourth estate," says Gopal Das Shrestha, veteran editor of the "Commoner", the oldest English-language daily tabloid. The law would "severely constrain freedom of expression

itself if strictly enforced." The Act includes some welcome provisions. For example, it gives guarantees against possible closure or confiscation of printing presses as well as cancellation of licences of newspapers and journals. Such measures were used freely by the panchayat rulers to silence critics, both Nepali and foreign.

However, new regulations prescribe a fine of Rs 10,000 (US\$300), or a year in prison or both, in the case of Nepali journalists — and expulsion in the case of foreign nationals — for working without formal accreditation. "This amounts to prohibiting freedom of speech without official certification," stated the "Commoner".

The Act prohibits derogatory remarks aimed against the Nepali monarch or members of his family. Restrictions have also been imposed on writings that

jeopardise national sovereignty, territorial integrity and national security.

Yet it is not these restrictions that have sparked the furor. The controversy is over vaguely worded definitions of offences under the Act which could be construed to mean almost anything, as happened during critical years under the panchayat regime.

It is feared that the new measures could also be misused to lock up critics and muzzle dissent. For example, the Act restricts "materials deemed conducive to communal hatred and tension or to destruction of the moral and social fabric of the society and the people."

Under the new Act, a printing outfit cannot be run without obtaining a licence. Failure to have one will cost a Rs 10,000 fine.

Publishers and editors

falling to adhere to the size, page numbers and print run of a newspaper or periodical on a "regular" basis are liable to be fined Rs 5,000. Production of an "unauthorised" publication risks a fine of Rs 5,000 and/or six months in prison. A person selling or "exporting" a banned publication is liable for a Rs 5,000 fine, besides the confiscation of the publication.

The Nepal Journalists Association (NJA) describing the Act as "undemocratic" has threatened to launch "any form of struggle" if the government fails to abrogate the law. Enforcement of the Act would be tantamount to obstructing freedom of the press. "The Act is ridiculous in a democratic Nepal," said Padma Singh Karki, the NJA general secretary.

Govind Biyogi, NJA president and editor of the moderate left-wing "Matribhumi" weekly who is also a

member of the government nominate Press Council, likened some of its features to those of the discredited panchayat regime.

The new communications minister, Basu Rimal, has appeared sympathetic to demands for revision of the law. But it is not clear at this stage what changes, if any, could be incorporated.

Mr Koirala, whose Nepali Congress Party spearheaded the movement for democracy in February 1990, is visibly embarrassed by the Act which infringes democratic rights guaranteed by the Constitution promulgated last November.

Yet in his first press conference (June 16) after assuming office, Mr Koirala dismissed suggestions that the controversial Act be abrogated.

The Act was drafted jointly by the representatives of the Nepali Congress, the Comm-

unists, the Press Council and media representatives. Let us leave it for some time and later see if something needs to be done," he said.

The Act, approved by the interim coalition government headed by Krishna Prasad Bhattarai, was given the royal assent by King Birendra soon after Mr Koirala assumed power following the May 12 elections. Ironically, the United Marxist-Leninist faction of Communists, who were partners in the coalition, are now trying to give the impression that they had nothing to do with the Act.

What most journalists think of the new law has been summed up by Mr Biyogi. "At best," he said, "it is tyranny against the press."

Ram Pradhan, editor of the Nepal news agency, Rashtriya Samachar Samiti, has called for parliament to debate the merits and demerits of the law and make whatever changes need to be made. What is at stake, he says, is "the development and quality of a free and vibrant press in Nepal."

—Depthnews Asia

South Africa's Anti-apartheid Situation

Developments Stress the Need for Reforms

by A.S.M. Nurunnabi

THE release of Nelson Mandela on February 11, 1990 was a great event. He came to symbolise an entire people's struggle against apartheid. In the space of one extra-ordinary year, South Africa move from its nightmare of racial conflict to a dawning of racial reconciliation — and that was largely due to Mandela's statesmanship. No other leader commands the respect not only of many blacks but also of de Klerk and his fellow African reformers.

Over the last three years since de Klerk took over the leadership of the country, the authorities in Pretoria have reconciled themselves to the truth that apartheid could not go on and that a country could not forever keep its majority population away from the centre of political power. The international community made certain that economic and political sanctions buttressed the whole onslaught against apartheid. Faced with these stern realities, de Klerk moved swiftly to end statutory discrimination. Neighbourhoods, hospitals, property ownership, parks, beaches and many other facilities have been legally desegregated. Parliament later abolished the last major apartheid law in an overwhelming vote that ended the racial classification of South Africa's citizens. The repeal of the Population Registration Act of 1950 was a milestone in the dismantling of apartheid. This Act classified citizens as black, white, Asian or mixed race and

served as the foundation of virtually all apartheid measures. "It was an act of racial bigotry and caused untold suffering and humiliation", said Barney Desai, spokesman for the Pan African Congress, a militant anti-apartheid group. Parliament also scrapped all restrictions on the neighbourhoods where non-whites can live or the amount of land they can own. It also approved legislation allowing Johannesburg and other cities to form integrated local Governments. In his measures, the President has taken calculated risks, those that entailed the fear of a conservative white backlash.

The task now facing the South African Government, ANC and Inkatha is to set the stage for political and constitutional reforms. This involves serious long-drawn-out negotiations among the concerned parties.

But for the vast majority of blacks, little has changed in their daily life. Black townships and schools are overcrowded and underfunded, the best hospitals are far away. Most blacks cannot afford relatively inexpensive homes in black neighbourhoods, let alone those in affluent white suburbs.

De Klerk's legal reforms have induced foreign Governments to begin dropping the various sanctions that have made South Africa an international pariah. At Britain's behest, the European Community last year revoked a voluntary ban on new investment in South Africa. In February the EC voted to lift all important restrictions on

has written to Governments saying that they should be prepared to halt their plans to relax sanctions until de Klerk takes firm new action to end the violence. At its summit meeting in Abuja, Nigeria, the Organisation of African Unity (OAU) called for all sanctions to be kept in place until there were surer signs that apartheid was really on the way out.

Pressure was, however, building up in the US to end the five-year-old economic boycott. President George Bush had hinted that he would move to lift US economic sanctions shortly. Our of the five conditions established by the US Congress were already met by the Pretoria regime: legalising the ANC and other democratic

authorities have ways of maintaining apartheid, despite national law — for example, by providing such facilities as campgrounds and swimming pools.

President Bush announced US decision to lift economic sanctions against South Africa on 11th July. Not many people will agree with this decision. The Speaker of the House of Representatives expressed his doubts whether all political prisoners in South Africa have been freed and the National Association for the Advancement of Coloured People (NAACP), one of America's leading civil rights group has called the presidential decision to welcome South Africa back into the global community an act of criminal irres-

ponsibility. But beyond the anger and all the suspicion about the Government of President de Klerk, it is very important to realise the nature of the change that has come over South Africa. The US President has called the change in South Africa a moment in history that many believed would never be attained. The change has provided an important lesson to the rest of the world: which is that given collective determination, a bad political system could be brought to a speedy end.

There are, however, certain weak spots in the anti-

apartheid scenario. President de Klerk has been unable to stem the violence that has bedeviled relations between Mandela's African National Congress and Chief Buthelezi's Inkatha Freedom Movement and there have been charges made by Black politicians that the President might perhaps be responsible for much of the violence that has taken place. The suspicion has been lately gaining ground that President de Klerk has been trying to keep the ANC from power by creating a coalition between de Klerk's white National Government and Inkatha. It is alleged that while the divisions between Inkatha and the ANC are being violently whipped up by the activities of the South African police, much outside

help is being given to strengthen Inkatha. The task now facing the South African Government, ANC and Inkatha is to set the stage for political and constitutional reforms. This involves serious long drawn-out negotiations among the concerned parties. By now, President de Klerk might have known fully well that it is one thing to dismantle apartheid, and it is quite another thing to create a new political structure, based on democracy, equality of all people and equitable economic opportunities for black, white and mixed races. Although Mandela and de Klerk would seem to be locked into a process towards an all-party conference leading to a new constitution, it is getting difficult to see how Inkatha, the ANC and others can sit down at the same table when constitutional talks begin. The inter-party differences apart, their main goal should be to thrash out a constitutional deal which not only gives South Africans the right to form a Government based on the aspirations of the majority but also provides a fool-proof security for the minority.

It is plain that the legacy of apartheid, the scars of violence and polarisation of society have left their mark on the whole country. Now, without a commitment by all major parties to a common future, South Africa could still plunge into the abyss of race war or the violent throes of partition.

The real issue is not having a strongman at the national level," says Segundo Romero of the University of the Philippines.

"It is decentralisation. It is having an effective local government that can respond to really felt needs at the ground level."

Romero recalls at prescriptions for strong leaders, saying this "borders on the strongman".

For all his power, Marcos failed to dismantle the oligarchy of landed and industrial interest groups which held real power in the country while presidents came and went.

Another strongman promising social reforms poses the frightful prospect of having a ruler far stronger than Marcos, Romero said.

Every time a pay and service commission report is implemented, the poor gratuity cadres are subjected to severe financial distress due to onrush effect of pay and wage hike. Once these gratuity cadres retire, they are totally severed from employers while the pension cadres get some benefit as per government policy. The gratuity holders mostly belong to various autonomous bodies though since liberation these bodies lost autonomy towards pay, wage and benefit fixation enjoyed during Pakistani days. Let the government look into the matter.

Sadik Alee Maghazara, Dhaka

Philippines

Lured Again by Strongman Rule

Disillusioned with ineffectual democracy, some Filipinos seem to be lured once more by the prospect of an authoritarian leader to set things right. Ramon Isberto of IPS reports from Manila.

the executive, legislative and judicial branches.

But US-style democracy only provided the veneer for a 'feudal political process that has allowed the propertied elite to monopolise power.

In 1972, saying he would dismantle the oligarchy, save the republic and build a new society, Marcos declared martial law. His slogan was: "For the country to progress, discipline is needed." Fourteen years later, Marcos fled in disgrace and left the economy in tatters and 26-billion-dollars deep in debt.

Authoritarianism as an agency of development was utterly discredited. The new constitution clipped presidential powers to declare martial law and provided for a strong

congress as a check and balance.

Filipinos showed the depth of their pro-democracy sentiments during the Aquino presidency by denying significant public support for all of the six or so major coup attempts by military rebels.

But five years later, with presidential elections set for 1992, some commentators say democracy under Aquino has made East Asian authoritarianism look good.

After a brief spurt of consumer-spending-led growth in 1987 and 1988, the economy has faltered. While Manila struggles to achieve a two per cent growth rate, a prospect made more difficult by coups, earthquakes, typhoons and volcanoes, the country's neigh-

bours — Thailand and Malaysia — keep pacing the world with growth rates of seven to eight per cent.

The most ardent admirer of the East Asian dragons seems to be Aquino's former press secretary, columnist Teodoro Benigno, who argues that the region's economic success stories, with autocratic regimes at the helm, "could be a model for this country".

Other columnists say that success or failure has more to do with the economic policies adopted by government rather than their being democratic or non-democratic.

Editor Amando Doronila of the 'Manila Chronicle' says that the presidency has not lacked for power. The tragedy, he says, is that Aquino has not

used these powers, making the administration look weak, inept and ineffectual.

Aquino popularity ratings have fallen. The latest survey of Manila residents by the Social Weather Stations (SWS), a private polling firm, show her ratings at their lowest ever.

More ominously, says SWS political analyst Felipe Miranda, the survey data show the people's "constitutional sentiment" on a downturn, with a growing number not ruling out social change through violence.

"Filipinos still prefer constitutionalism. But at the same time, the people do not seem to be completely hostile to extra — or anti-constitutionalist forces," he said.

The immediate beneficia-

ries of the growing clamour for firmer leadership are the presidential aspirants who project tough images, like defence secretary Fidel Ramos, a former armed forces chief.

Other analysts say the debate has been excessively focused on Manila-centric concerns about the national leadership.

M. Zahidul Haque Assistant Professor, Bangladesh Agricultural Institute, Dhaka-1207.

Pension versus gratuity

Sir, The British government introduced pension scheme for those personnel who were needed towards collection of taxes, law and administration, a few sectors of social services etc. Till date the same system is in force while it is unfortunate to observe that persons engaged in production activi-

To the Editor...

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.

School children and trucks

Sir, Armanitola is a very famous place in the old part of the city. There are dozens of schools for children and thousands of boys and girls of different ages ranging from four years to 16 years are studying in those schools. But unfortunately hundreds of trucks are either parked or plying or loading and unloading com-

modities round the clock, in the locality, without maintaining the time fixed by the traffic department. Of course police sergeants are there, but what for only God knows. Local people are fade up with traffic jams in and around the area every day. Children are going and coming from the schools at high risk. Police (traffic) can be posted for helping children at Armanitola crossing leading to Bawany school. However,

traffic police is often seen there providing parking facilities to truck drivers, as if they are there to extend help to truck drivers only and not to the school going children.

I would like to draw the kind attention of the popular government through your esteemed daily to provide immediately traffic police for the safety of the children and to prevent traffic jam. People of the locality will appreciate if government officials including honourable ministers pay surprise visit to see the situation.

K. M. Mashooque Armanitola, Dhaka.

Welfare of people

Sir, We cannot put any doubt on the sincere efforts of the new government to estab-

lish true democracy in the country. It is attaching top priority on the projects relating to the improvement of the lot of the common people. But still the situation is not improving! The prices of the essentials are rising. There is unrest on the campus: Law and order situation is not beyond criticism. There perhaps exists even political instability; certain vital issues are on the list, such as, trial of the murderers of Bangabandhu and President Zia, citizenship of Mr. Goolam Azam etc, etc.

The question is, where is the fault? I think, not all the quarters are sincerely cooperating with the government in realizing the people's hopes. Isn't it possible on the part of our esteemed politicians to work with real patriotic zeal

for the welfare and development of the people, and the people in general? How long our dear motherland will have to bear the sorrow and pain we cause to her?