

Inspiring Example of SAARC's Success?

If our past performance is anything to go by then there is nothing much to get excited about the latest outcome of the second meeting of the Bangladesh-Sri Lanka Joint Committee for Economic Co-operation that ended in Dhaka on Thursday last. The fact that this Committee, set up in the early eighties, had met only once and that also in 1985, speaks of the seriousness with which we took our bilateral ties with Sri Lanka. However, it is our belief that, both our countries have learnt from their mistakes of not taking their economic relations seriously, and will therefore make the necessary effort to push forward the growth of trade and commerce much above the current Tk 100 crore level.

Some important new areas of co-operation have been identified, but so far they remain rather limited in scope. Areas of technical assistance have also been kept to a bare minimum in spite of the fact that Sri Lanka is well known for its highly trained manpower in some specialised areas.

A very clear message emanating out of the Joint Committee's deliberations is that the future economic ties between our two countries will mainly, if not completely, depend on the efforts of the private sector. It is the intention of the Sri Lankan Government to go the full length towards privatisation and, through further deregulation and liberalisation, take away all matters of economic activities from the realm of the public sector.

However, while welcoming the above policy emphasis, we would like to underscore the importance of the role of the government in putting in place the right policies to make the private sector efforts successful. In this connection we urge the Sri Lankan Government to give serious consideration to the issue of tariff concession on certain exports from Bangladesh which has been raised by our chambers during the latest discussion.

We are aware that one of the difficulties in promoting economic ties between Bangladesh and Sri Lanka lies in the fact that our export items and import requirements are to a large extent similar. But here lies the challenge. First of all we must move away from conventional thinking and try to discover newer areas where our economies complement each other. Secondly, where our exports and imports are common, and with the same area — the West, we can perhaps think of doing things together — sending trade delegations and holding trade fairs jointly. This will save cost and may add to our bargaining strength.

We must be able to look into the economic ties between our two countries in the proper perspective. First, there is that of the South-South co-operation. This has been an important goal of NAM which has remained elusive because very often the NAM partners failed to grasp the long term benefits of such efforts and have opted for the short term gains of going their own separate ways. Secondly, closer to home, there is the perspective of SAARC. Bangladesh and Sri Lanka are uniquely placed to demonstrate a successful example of SAARC effort. Unencumbered by either rivalry or suspicion or by huge difference in the size of our respective economies, our two countries — not too far apart in terms of technological advancement — can become an inspiring example of SAARC's success.

Dowry is a Social Evil

Despite the existence of an anti-dowry law, incidences of grooms demanding — and getting — dowries from brides' families are anything but rare in this country. It was revealed during Wednesday's hearing of former president Hussein Muhammad Ershad's on-going trial that the fallen general himself had taken dowry. Ershad's claim that he took the dowry well before the law banning the practice was promulgated (by himself), could not distract from the fact that even educated, middle class families saw nothing wrong in it.

The situation today is not much different. Dowry-taking is still a common practice which is condoned by society at large, by virtue of absence of any meaningful resistance. But there is an even darker side to the practice, in addition to the straight-forward immorality of demanding payment for a marriage. We are often confronted with newspaper reports about young, newly-wed brides meeting brutal deaths at the hands of their husbands or in-laws. Instances of such deaths are not rare, and any report of a new bride's "accidental death" causes suspicion of dowry-related foul play.

The problem is that so long as dowry continues to enjoy social acceptability, no amount of law-making will be able to eradicate it. It also follows that, until the practice becomes popularly rejected, brides whose families fail to honour their misguided commitment to pay dowry, will continue to run the risk of oppression, torture, even death.

The problem is a formidable one. If a university graduate who rose to become chief of the country's army and then president, saw nothing wrong in taking dowry, then what could we realistically expect from the millions of illiterate and socially conservative rural men?

The evident lack of awareness among women about their rights, along with an absence of recognition of the evil of dowry by conservative families, makes the task of resisting the practice a difficult one. Often, poverty itself acts as the determining factor in a family's decision to pay dowry in order to have its daughter married off.

Spread of education, particularly among girls, and alleviation of rural poverty are therefore essential pre-conditions for a change in social attitudes. But the law enforcement agencies cannot simply sit idly by until that happens. There is a suspicion that because dowry killing victims are often young girls from poor families, the police rarely feels any compulsion to act. Naturally, then a change in the attitude and practice of the police is also required. Dowry taking itself is a crime which should be stamped out, before the crime is multiplied through torture and murder.

But what about those middle or lower middle class families who demand and take dowries disguised as "gifts"? Until acts of violence against the girl is committed, legal action may be difficult in such cases. One answer may be a vigorous social campaign to vilify those who take dowries, along with greater vigilance on the part of the law.

The Abortive Coup in the Soviet Union: Some Lessons for Bangladesh

by Dr Gowher Rizvi

Special to The Daily Star

In the last few days the newspapers, journals, radios and televisions have been full of analyses attempting to explain the failure of the military and the anti-democratic coalition to overthrow Mikhail Gorbachev's government. The credit, by overwhelming consensus at home and abroad, has been accorded to Boris Yeltsin. From the ring-side the leaders of Western democracies, after earlier ambivalence, are now also smugly claiming some credit for defeating the military adventurers.

That there is some truth in both these claims is undeniable. But this is only a part of the story. The real explanation for the ignominious end of the coup is complex. Its fuller comprehension will not only enable us to put the events in the Soviet Union in perspective but the Soviet experience may also provide some lessons for Bangladesh beset by recurrent military coups.

This is not the first time that the head of a Soviet government has been deposed.

But unlike this time there was not even a murmur of protest on previous occasions. This was not for want of courage: the story of individual dissidents forms one of the most glorious chapters of Soviet history. In fact the number of protesters killed, jailed or exiled for opposing the agents of coercion in the past have been significantly more than the three martyrs of the coup on 19 August. Repression was an inherent part of the Communist-military bureaucracy; and in a state based upon terror the opposition to tyranny was perhaps limited to those handful of idealists who valued liberty more than their own lives. The vast majority understandably felt they had no stake in society and therefore remained indifferent to the struggle for leadership in the Kremlin.

The coup this time was doomed to fail. In the six years since Gorbachev came to power in 1985 many of the institutions and instruments of a civil society had been instituted, power was devolved to the local and regional governments, the single-party dominance was replaced by more open and plural democracy.

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and a modest beginning was made which allowed free electoral choices and thereby endowed the regimes at the centre and in the federating units a certain amount of popular legitimacy. Above all the political empowerment of the people gave them a stake in the Soviet society.

It was therefore hardly surprising that when the coup leaders struck against Gorbachev the population could not remain passive. It was no longer seen as a tussle for power in the corridors of the Kremlin between faceless men but an attempt by the Communist-military bureaucracy to remove a leader who enjoyed

donors) and appear to be spending more time courting their external patrons rather than mobilising the people on whose behalf they purport to speak. This is due not so much because of our extreme dependence on aid (which in itself is debatable) but because of a mistaken belief that the West is committed to the restoration of democracy and can therefore be depended upon in the struggle against authoritarian regimes. The coup in the Soviet Union and the initial timid response of

The past experience suggests that Western democracies have a marked preference for authoritarian regimes which are unencumbered by popular constraint and therefore more amenable to external influence. The Soviet experience affords a further illumination to the dilemma in Bangladesh. Gorbachev was restored to power not because of his ability to retain the loyalty of the army and the leadership of the Communist Party. In fact the coup was led by his 'trusted' and much pampered leaders in

West has been supportive of the democratic movements in Eastern Europe not because of their desire to see democracy in this region but because democracy was seen as a means to undermine Communism and towards the establishment of a capitalist society.

the West should dispel that notion once for all. Gorbachev found little succour from his Western friends either during the coup or since.

Indeed the West has been supportive of the democratic movements in Eastern Europe but this is not because of their desire to see democracy in this region but because democracy was seen as a means to undermine communism and towards the establishment of a capitalist society. It is therefore hardly surprising that during the coup the West was less concerned with the restoration of Gorbachev than the strengthening of Yeltsin's hands. The reason is obvious. Gorbachev's democratic reforms were conceived within the framework of socialism whereas Yeltsin is completely wedded to a capitalist society. Gorbachev, the architect of glasnost and perestroika, was therefore dispensable. The main interest of the West in the developing countries, especially in a country like Bangladesh devoid of any strategic importance, is to ensure an open market economy and is not fussed whether the regimes are democratic or authoritarian.

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popular confidence and emanate people's power. The very fact that some elements of civil society was in place, which had allowed free newspapers to flourish and had created an environment which alternative parties and opinions could thrive, made it possible for Yeltsin to mobilise the popular resistance against the military adventurers. And above all the people having once tasted freedom and power were not going to surrender it without a fight. The coup was a contest between two ways of life; and the outcome is the triumph of civil society.

Strengthening Democracy

The recent events in the Soviet Union will invariably be keenly watched in Bangladesh, as indeed in other parts of the developing world, where people are striving to create a civil society. The lessons learnt in Moscow may be usefully employed in strengthening our democracy.

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an important principle at stake: an elected leader is only accountable to his electorate and therefore he could not take orders from usurpers of political power. At the same time he was showing political realism. He was aware that if democracy was overthrown his own legitimacy would be destroyed. In other words his own political survival was inseparable from the survival of democracy. Not surprisingly Yeltsin spurned the offers of a deal and made the restoration of Gorbachev, his arch political rival, his central demand.

The brief history of Bangladesh is replete with instances where our politicians have rushed to pledge their allegiance to the usurpers. In the short run the opposition leaders have found alliance with military dictators an easy route to power — politicians give military regimes the semblance of popular legitimacy and in return military rulers confer on the politicians offices denied to them by the electorate — but in the process they help to emasculate democratic institutions and the sovereignty of the people. That such a policy is also self-defeating does not appear to

Trade Area (Nafta).

"We want to tie Japan down to the region, make it feel responsible for helping make everyone prosperous," says a close adviser to Mahathir.

Opponents of the Malaysian initiative, aside from abhorring the idea of giving Japan a prominent political role in the region, caution against a confrontational posture towards Europe and the United States that could threaten South-east Asia's main overseas markets.

Regardless of the outcome, the EAEG debate is a symptom of ASEAN's fear of being left out in the cold in a world where entire continents threaten to restrict access to their markets.

Other analysts suggest that while the time may not be right for a Japanese-led Asian economic group, ASEAN should enhance its own collective strengths.

"ASEAN will never be regarded as a serious organisation by the economic powers until it becomes a serious trading group," said Gosiengfiao.

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South-East Asia: Fear of Japan

network led by Japan.

Malaysian Prime Minister Mahathir Mohamad proposed the idea of a regional trade bloc, or East Asian Economic Group (EAEG) last year as the collapse of the latest round of talks under the General Agreement on Tariff and Trade (GATT) made the break-up of the global trading system appear imminent.

The original EAEG concept would join the capital-rich, high-tech nations of north-east Asia with the labour-surplus, developing countries of the south-east into a cohesive economic powerhouse.

The initial response to the proposal from around the region, including Japan, has been cool. Despite South-east Asia's increasing importance to Japanese industry, Tokyo is reluctant to voice support for a regional initiative that the United States has publicly opposed. The concept has since evolved from what was obviously an economic bloc that would exclude the United States, to a mere "consultative forum" for now.

But analysts say that if an when members of ASEAN agree on a final form for the EAEG, Japan would feel compelled to join the club, lead it and transform it.

For Japan to become the leader in East Asia would be the fulfilment of its dreams," said Victor Gosiengfiao, an economist and international trade specialist based in Jakarta.

It is a prospect that dis-

pleases more than a few South-east Asians, especially in countries where people suffered at the hands of Japanese soldiers during World War II.

Indonesia is the strongest opponent of the concept partly because of the leadership role that Japan would assume in South-east Asia. But its stand also has much to do with ASEAN's internal dynamics.

By far ASEAN's most populous country, Indonesia regards itself as the "older brother" in the region and wants to be quietly consulted on initiatives as significant as EAEG.

Malaysia had apparently not consulted Indonesia before it embarked on its diplomatic offensive to sell the concept.

Some analysts say Japan is already economically dominant in the region and its leadership is inevitable. "That doesn't mean we have to formally recognise it," says a Philippine diplomat who has been active on the issue. "Japanese domination is not something we should relish."

Advocates of the EAEG say only Japanese leadership will give the region the clout to

counter the economic power of the European Community and the North American Free

OPINION

An Overview

Indemnity Ordinance (Repeal) Bill

Advocate M A Mutaleb

After change of government in Bangladesh on 15 August 1975 by extraconstitutional method, the then President Khondker Mustaque Ahmed, on 26 September, promulgated the Indemnity Ordinance 1975 (Ordinance No. L of 1975) which is as follows: "Whereas it is expedient to restrict the taking of any legal or other proceedings in respect of certain acts of things done in connection with, or in preparation or execution of any plan for, or as necessary step towards, the change of such government and the Proclamation of Martial Law on that morning."

In short, the Indemnity Ordinance prohibited legal or other actions against all persons involved in the change of government and Proclamation of Martial Law on the morning of 15 August 1975.

(1) Notwithstanding anything contained in any law, including law relating to any defence service, for the time being in force, no suit, prosecution or other proceedings, legal or disciplinary, shall lie or be taken in, before or by any court including the Supreme Court and Court Martial, or other authority against any person, including a person who is or has, at any time, been subject to any law relating to any defence service, for or on account of or in respect of any act, matter or thing done or step taken by such person in connection with or in preparation or execution of any plan for or as necessary step towards the change of government of the People's Republic of Bangladesh and the Proclamation of Martial Law on the morning of the 15th August, 1975; ...

(2) For the purpose of this section, a certificate by the President, or a person authorised by him in this behalf, that any act, matter or thing was done or step taken by any person mentioned in the certificate in connection with, or in preparation or execution of any plan for, or as necessary step towards, the change of government of the People's Republic of Bangladesh and the

confirmed and are declared to have been validly made, done or taken and shall not be called in question in or before any court, tribunal or authority on any ground whatsoever."

The Indemnity Ordinance 1975 was a subordinate and an ordinary legislation promulgated by the then President. But all acts done during the period between 15 August 1975 and 9 April 1979 were brought under the umbrella of the Constitution ratifying and confirming those acts by the Constitution (Fifth Amendment). The moon has no light of its own, but it borrows light from sun. The Indemnity Ordinance, a subordinate law, is protected by the supreme law of the Republic, the Constitution.

Awami League has submitted Indemnity Ordinance (Repeal) Bill during the last session of the Parliament. The bill was presented as an ordinary bill under Article 80 of the Constitution. The procedure under Article 80 is adopted in order to legislate subordinate laws. As the bill was not in proper form, it was sent to a Parliamentary Committee to make it fit for presentation. The Indemnity Ordinance 1975 is protected by the Constitution (Fifth Amendment) and therefore, according to law, Awami League should have submitted a Constitution (Amendment) Bill under Article 142 of the Constitution in order to strike out the Indemnity Ordinance 1975. Awami League is a big political party. It should not have committed the mistake. It should have consulted legal experts before submitting the Bill. Such consultations economise public time and money.

The writer is the Director of the Japan-based Asian Legal Research Institute.

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.

Whither newsprint?

Sir. Our newspapers are now not that weak, but our newsprint has to be handled with a delicacy required only for new-born babies. Perhaps the newsprint is trying to match the fragility of our newly-won democracy. The paper stock cannot stand a day's handling at home. In the early days the paper was quite strong and durable. It is only to be hoped that the remedial measures are not beyond the competence of our technical staff at the newsprint factory. In fact the quality should increase with experience.

Perhaps the superior quality newsprint is being exported. What is the cost saving in maintaining this unwanted disparity? Are we expected to come down to the sacrifice level of reading torn newspaper sheets?

A. Mawaz,
Dhaka.

Income tax survey

Sir. While I fully endorse the views of Mr Mahinur Rahman (Letter, Star, 27 Aug). I would like to add some more to it. To expand the tax base, the biggest group of the salaried people — the Government, Public Sector employees should be induced in as tax payers. It has become even more pressing after the recent pay scale awards. After all the inflation and spiralling

price hike hit everybody equally and it is not fair that only the minority of the salaried people should bear the burden of tax.

While getting their tax assessed, the tax payers mostly face such newly promoted officers as are unable to overcome the greed phenomenon that allows corruption to creep in. And as such nothing suits them better than to create some competition in file of the assessee and 'extort' money from him. If investigations are carried out it will be found that the balance of under-assessed tax is going allegedly into the pocket of a Taxman who is seemingly not interested to collect tax but mainly to fill his pocket.

If some assessee refuses to be 'extorted' by them, they will make an exemplary case out of him to the extent of over-taxing so that the shortfall in tax collection is made up at his cost. They 'allegedly' have connivance of the high-ups.

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streets to man the barricades should the adventurers strike again. Nor will the soldiers themselves find it easy to defy the authority of a government enjoying popular legitimacy and still less shoot their own unarmed compatriots. Democracy can only be safeguard when the people feel the compulsion to lay their lives to defend it.

Role of Yeltsin

Our leaders, especially those in opposition, ought to ponder on the role of Yeltsin and might learn some home truths. In defying the coup leaders Yeltsin was upholding

bother them. Several hundred