

Dhaka, Thursday, July 16, 1992

A Sound Lending System for Housing Needed

The resumption of loan disbursement by the House Building Finance Corporation (HBFC) after a three years' suspension will be greeted as good news by many. The lone housing sector lending agency of the country has worked out a new guideline to do the job. Not many details of the guidelines are known, but about one thing there is no doubt that the borrowers will henceforth be charged a 'flat rate' instead of the simple-term rate of interest charged earlier. Whether this will ensure a better loan recovery or not is not yet known. But the most vexing question relating to the paid-up capital of the corporation seems to have remained unanswered.

When the HBFC stopped lending in May 1989, its total financial loss amounted to Tk 350 crore. Non-realisation of loan proved to be an insurmountable problem for the corporation so much so that it was forced to suspend its lending operation. At the time of the suspension of lending, the HBFC had an amount of Tk 1200 crore outstanding with 48,000 borrowers. The repayment situation is not known to have improved significantly even after the offer of an opportunity for a down-payment of at least 10 per cent of the outstanding loans had expired on June 30 last. The budgetary allocation for raising the paid-up capital of the HBFC is considered no solution to the problem. It is as best a measure to provide artificial blood without taking note of the causes that let down the corporation earlier.

A growing population in the country's urban centres needs more and better houses to live in, no doubt about that. But that does in no way justify an endless provision of largesse for the more advantaged in the urban society, giving rise to an elitist class. The fact that 50 per cent of the 'lump sum interests' on the loans remains payable by the defaulters to the corporation is a proof that as borrowers this class has lost its credibility. Moreover, public money, no matter how it is channelled, when spent on luxurious mansions and apartments — as is done here — is to be considered a sheer wastage, specially for a week economy like ours. The huge amount of money can surely find better use if it is invested in building cheaper but decent multi-storied flat-houses for low-income people and offered at a long-term lease, following the practices in some other countries, leading to the ownership of those flats by the lessees in the long run. Such a programme, moreover, stands to solve the acute residential accommodation problem for the government employees.

Admittedly, the focus has so far been on urban housing. This time as well the resumption of lending will be confined to the metropolitan areas of the major cities — Dhaka, Chittagong, Khulna and Rajshahi. Rural housing has completely been ignored. Only the Grameen Bank has done some work in this direction. But neither the HBFC nor any other lending agency seems to be interested to finance the rural housing programme. The experiences of the Grameen Bank should be a guide to extending loans for building houses in villages. The HBFC should give a serious thought to financing the effort of rural housing. There is no reason why the villagers should be worse borrowers than their urban counterparts each one of whom devours a great chunk with which many rural families can construct houses for a reasonably decent living.

Trees in the Kiln

The law against use of wood in the kilns of brickfields are shortly going to be made harsher. We believe that information given by the head of the pertinent ministry would prove true. Even then we shall need to keep on praying that those harsher preventive provisions would in the end be effective in arresting the transformation of green jungles of trees into jungles of concrete structures.

It is hardly a decade that our successive governments have woken up to the necessity of stopping tree-felling. Before that there was an administration which distinguished itself by cutting down sizeable parts of the green cover of the capital city as well as of many other towns and highways — which found a garish neon sign far more attractive and desirable than a grove of trees. As a ghastly testament to that supreme example of ignorance and nature-hating stands an out-of-commission mechanical fountain replacing a wonderful bower that included a rare bougainvillea at the intersection between the Foreign Office and the Shikha Bhavan. Right in the heart of the Dhaka University campus, in front of the TSC, a number of beautiful cassettes were felled to adorn that road island with plastic billboards. This we mention with a feeling of pain — students who subsequently were instrumental in saving the avenue of rain trees in front of the Salimullah Hall from the saws of the government, were in the beginning quite indifferent to the problem.

Trees have a bleak future in Bangladesh if only because its 120 million population does its cooking in wood fired ovens and would continue to do so far into the future. The prospect is further vitiated by the systematic, deliberate and endless burning of tree by the tobacco farmer and the brickfield entrepreneur. It is easier to stop the vandalism of the brickfield owners and tobacco farmers than reaching alternative fuel to every domestic kitchen. And far more praying.

Why are we failing to make the brickfields behave? After all they sell their products either to government or to projects dependent on government funding — and this even includes private housing. You simply do not buy from the culprit brickfields and make other builders to follow suit. And support this with your projected harsh measures.

Awareness of the need to have more trees is growing. Government can help this good trend by completely banning felling of trees without permission from specially appointed authority — this applying to even private individuals and their privately owned trees beyond a specified height. This must be supplemented by large-scale — by the billions that is — planting of trees with, say, the government requiring all of its offices and establishments, schools and colleges and mosques and temples to have a green cover. The above are socially involved processes needing time to yield result. Stopping plundering, specially of the type represented by the brickfields and tobacco processing, should be a good test for the government's intent and capacity for bringing the two tough tasks to success.

NO-CONFIDENCE MOTION LOSES RELEVANCE

Parties Need Dialogue to Resolve India's Problems

THE Narasimha Rao government has the rare distinction of facing a vote of no-confidence in every session of parliament. It has managed to hobble to safety every time. There is no reason why it should falter now, although it is still some 13 votes short of a majority in the 540-member Lok Sabha.

In the otherwise prosaic apathetic state of affairs, there is nothing else except a noisy parliament, that animates the atmosphere. That suits the government because it keeps the opposition occupied. No worthwhile issue is posed, no embarrassment caused and no failure admitted.

The real business of the House is transacted in a short time, generally towards the closing hours of the sitting, without any serious discussion. Many members do not even know or care what is happening, much less about the implications of a bill before them. The Terrorist and Disruptive Activities Law (TADA), which puts the onus on the suspect to prove that he is not a terrorist, is a product of one of those occasions.

The ruling Congress party believes its biggest achievement is to win on the floor of the House. It placates the allied parties like the AIADMK in Tamil Nadu and the Muslim League in Kerala. It keeps its members tethered to the promise that another reshuffle of the union cabinet is round the corner. And it goes on from one session to another. The Congress has indeed developed the exercise of keeping its flock together and of dividing the opposition into a fine art. But this success of from economic or social problems, nor from the rise or the brutalities in the name

of caste or religion. Unfortunately, the style of the Congress governance has not changed a bit. It continues to be manipulative, unaccommodative and power-conscious. Methods have ceased to matter for it, only the ends are important. The re-transfer of H R Bharadwaj to Law as its state minister is a recent example. He enjoys the reputation of bending the High Court and the Supreme Court judges and sorts does not really help the people, who have no respite some judgments shamefully carry the stamp of his interference. When the Bofors gun and the scam scandals are being unravelled for the law courts to take over, his appointment is ominous.

The Rs. 64-crore Bofors gun kickbacks was bad enough. The Rs. 8,000-crore scam is worse. The government comes out badly from them and its credibility has further lessened. But by merely concentrating on such issues, the opposition is not providing an answer to the country's problems. People too believe that the government is hiding things; they also do not give it high marks for integrity. But where do they go? They feel helpless because they see no way out. The opposition too has not placed any alternative programme whereby they will be better off. Cynicism is overtaking them. They do not like the Congress but they have found others also falling.

If the opposition feels satisfied by merely hitting the headlines, it can continue to live in a world of its own. It is becoming less and less relevant and its politics is as sterile as that of Congress. The people are equally disgusted with its doings.

The Bhartiya Janata Party, the largest in the opposition, concentrated last few weeks on leasing of the Tin Bigha in Bangladesh. After the Supreme Court upheld the lease and after New Delhi declared that the sovereignty over the Tin

live in a world of its own. It is becoming less and less relevant and its politics is as sterile as that of Congress. The people are equally disgusted with its doings.

A mockery of election in a democratic set-up. This, as well as the BJP's stir over the Tin Bigha, have affected the stock of the opposition. The voters increasingly find it only playing politics and not taking up the issues which, they feel, it should to make their lives easier. Significantly, the recent agitation for better conditions — take for instance the all-India strike by the

workers and the industrialists. But when the negotiations broke down and the workers sat in protest on a railway line, the BJP government was found as ruthless as the Congress governments.

The criticism by the Janata Dal and the Communists of liberalisation is understandable to some extent. But the economy had been reduced to a licence-quota raj. Some way had to be found to rescue industry, business or trade from the shackles of bureaucracy and unscrupulous busy bodies. However, the slogan of socialism which the parties mouth has come to mean only lethargy, inefficiency and impotence. The entire work culture has got defeated and whether it is a bank, a power undertaking or any other public sector outfit, it is the same story of pilferage, shoddy work and indiscipline.

When it comes to governance, the BJP and the Communists are no better than the Congress. Their administration is sluggish, the party cadre overbearing and the ministerial team tainted. West Bengal chief minister Jyoti Basu is the saving grace for the Communists but the BJP does not have even a single chief minister in four of the states — Himachal Pradesh, Madhya Pradesh, Rajasthan and UP — it governs coming any where near him.

The recent firing at Bhalil, in Madhya Pradesh, indicates how gun-crazy a BJP government can be. More than 40 workers were shot dead in the name of law and order. The government did not improve the workers' conditions, nor helped reinstate 2,500 of them, agitating for whom Shankar Guha Niyogi died at the hands of industrialists. Industry Minister Kailash Joshi went on saying that he was "doing his best" to restore the relationship between the

workers and the industrialists. But when the negotiations broke down and the workers sat in protest on a railway line, the BJP government was found as ruthless as the Congress governments.

Political parties should also take notice of a new trend in the country. Agitations, small or big, are going on without their being in the picture. Apart from diluting their credibility, the process can spell ruin because political parties are the sinews of any system. Without them there can be a chaos; there may be a simultaneous rash of fires which may be difficult to put out. What is happening may well indicate that the people are losing confidence in political parties.

In the circumstances, it is hardly relevant whether a motion of no-confidence is defeated. There is no alternative to a dialogue. The problem are many and enormous and unless all give shoulders to the wheel the cart will not be out of the quagmire into which it is stuck.

BETWEEN THE LINES

Kuldip Nayar writes from New Delhi

Bigha would continue to vest in India, the public, by and large, felt satisfied. But the BJP and the odd man out in West Bengal, Siddharth Shankar Ray, the Congress(I) chief, went on flogging the dead horse for political gains — the BJP trying to work up Hindu opinion and Ray Bengali chauvinism.

The Janata Dal and the Communists, who are next in the opposition line, have not improved either. They initially exhausted their energy on having a Harjan as the next president and later accepted a tribal leader. For the first time in India's history, even the highest position was drawn into the vortex of caste politics. V P Singh, the Janata Dal leader, went on to argue that the country's prime minister should be a backward, making

truckers — have been started by non-political bodies. The opposition parties continue to remain divided and personally hostile to one another. The Janata Dal is always in the midst of splitting. Indeed, the government could have been thrown out in the last session but it preferred the continuation of Congress to even a temporary truce among themselves.

During this session of parliament also, the motion for a vote of no-confidence by the Leftists and the Janata Dal has been separate from that of the BJP. The wording is the same. But there has been no consultations among them, much less coordination. What should the people infer from it? Is the opposition afraid of a mid-term poll? It has been because till the other day it rationalised its

US Authorities Move to Close Public Interest Law Group

by T Rajamoorthy

THE Christie Institute in Washington has long been the target of many right wingers and conservatives. Its activities in the field of public interest litigation (which include many landmark cases such as the Greensboro massacre case against the American Nazi Party and the Ku Klux Klan, and the Silkwood case against the Nuclear Industry) have provoked a vicious campaign by these forces which have been intent on closing it down. Recent developments clearly indicate that these forces have succeeded in enlisting the services of the US authorities in their moves to destroy this public interest organisation.

The current campaign against the Christie Institute began when that organisation filed a suit (Avirgan vs Hull) in May 1986. The suit was filed on behalf of (among others) a Latin American journalist, Avirgan, who had survived a bomb attack in La Pensa, Nicaragua. The defendants included (among others) a US businessman, John Hull, who was accused of being involved in the bombing. In his suit, Avirgan alleged that a racketeering enterprise of mercenaries and arms dealers were smuggling weapons and drugs through Nicaraguan Contra bases in Central America.

This allegation by the Christie Institute was vindicated some six months later when the Contra scandal broke out in the US. Newspapers reporting this scandal revealed that a secret enterprise managed by White House National Security aide Oliver North was buying weapons for Nicaraguan Contras with the proceeds of missile sales to Iran. Many of the figures named in the scandal had, in fact, been named as defendants in the Avirgan vs Hull case. These included Robert Owen, Oliver North's emissary to the Contras; re-

tired Air Force Maj Gen Richard Secord, who controlled the secret Swiss bank accounts where the enterprise deposited profits from the illegal sale of missiles to Iran; Albert Hakim, Secord's business partner; former CIA operations chief Theodore Shackley, and a number of arms dealers, drug traffickers and former intelligence agents.

Further vindication of the claim in the civil suit was provided by the Senate Foreign Relations Sub-Committee On Narcotics when it concluded in 1988 that Colombian drug traffickers were systematically using contra bases as staging areas for cocaine flights to the US. Pilots also testified in Federal drug trials that they had flown cargoes of weapons to contra bases and returned to the US laden with cocaine shipments.

As for John Hull, the principal defendant in the civil suit, the evidence of his involvement in drug trafficking and in the La Pensa bombing was sufficiently compelling for the Puerto Rican Government to issue warrants for his arrest on both these grounds. In fact, Hull had been a fugitive from Costa Rican justice since 1989 when he fled the country to evade prosecution for drug trafficking charges.

In the light of all these facts, it is quite clear that the plaintiff had a strong case. However, in a surprise move, five days before the trial, Federal Judge James Lawrence King of Miami ruled that there was no evidence linking the La Pensa bombing with any of the defendants and dismissed the case. The Judge held that the claim was 'frivolous' and imposed a hefty punitive sanction of \$1.2 million against the Institute.

The plaintiffs appealed against the decision, but the Federal Appeals Court in Atlanta not only dismissed the

A well known civil rights organisation with an impeccable record in public interest litigation is currently facing a threat to its very existence as a result of moves by the US authorities to close it down.

appeal but also imposed new and additional sanctions against the Institute. An appeal to the Supreme Court proved futile as the Court refused to review the order.

There can be little doubt that the imposition of these sanctions was nothing but a blatant attempt to close down the Christie Institute. Although the courts are empowered to impose sanctions in a proper case, there was no basis for holding that the plaintiff's case was frivolous or vexatious. Further, while even in a proper case the average sanctions, order is only about \$4,000, the amount imposed by the court of first instance was \$1.2 million while the amount imposed by the Appeal Court is expected to be about \$400,000. All in all, the total amount of sanctions (including interest) is expected to add up to \$1.7 million — the largest financial penalty ever imposed upon a public interest organisation.

Any lingering doubt that there is indeed a concerted move by the austerities to destroy the Christie Institute has been removed by the fact that moves are also afoot to revoke the Institute's tax-exempt status. The sole reason for this move by the US Internal Revenue Service (IRS) appears to be the fact that penalties have been imposed upon the Institute by the courts. However, there is no precedent for stripping a tax-exempt body of its tax-exempt status just on account of the fact that financial sanctions have been im-

posed upon it by the courts. The fact that such a move is being made, despite the absence of any precedent, clearly reveals that it is politically motivated.

The Christie Institute clearly has a tough fight on its hands. If the Institute fails to pay up the financial sanctions imposed by the courts, US marshalls may seize and sell all its properties to realise the amounts due. Even if it manages to stave off the danger from this quarter, the move by

the IRS to strip it of its tax-exempt status may yet seal its fate.

It is important to appreciate that what is at stake is more than the mere survival of the Christie Institute. The whole future of public interest litigation in the US is in jeopardy. The case of the Christie Institute serves to highlight the two disturbing trends, which if left unchecked, will destroy both public interest organisations and public interest litigation.

Firstly, the use by the courts of punitive sanctions to paralyse and destroy public interest litigants. In recent years, there has been an increasing tendency on the part of the judges to impose such sanctions. Further, the amounts imposed in such cases have been clearly exorbitant. It is clear that a rule orig-

inally intended to check frivolous suits is now being used as a political instrument to destroy public interest organisations.

Secondly, the increasing use by the US Government for political ends of its powers to review the tax status of non-profit organisations. This is another disturbing trend and one that poses a serious threat to all public interest organisations. It has been pointed out that even if an attempt to strip an organisation of its tax-free status fails, a prolonged investigation by the IRS can drain an organisation of its resources and seriously disrupt its operations.

— Third World Network Features

T Rajamoorthy is a lawyer and political analyst based in Malaysia.

OPINION

Cyprus : Intervention, not Invasion

I wish to draw the attention of your esteemed readers, through your kind intermediary, to a score of inaccuracies contained in the article titled "Passing through the Looking Glass in Cyprus" by Mr Cedric Pulford, which appeared in the 10 July 1992 edition of your distinguished newspaper.

Reference is made therein of a "Turkish invasion in 1974". This is a mistake. Any one who has a sufficient degree of knowledge on the historical development of the Cyprus issue is well-acquainted with the fact that Turkey "intervened" in full conformity to International Law in Cyprus as a Guarantor State, as defined in the Treaties founding the Republic of Cyprus, in

order to put an end to the annihilation of the Turkish Cypriots, as the last resort. From a brief examination of the facts preceding the intervention, it can easily be seen that Turkey resisted pressures to a similar end during a multitude of occasions in the 1960's and has tried in vain to find a negotiated solution to the 1974 crisis which compelled Turkey to intervene. It is certainly not a coincidence that the late Professor Turan Guner, then the Turkish Minister for Foreign Affairs, was in London, attempting at convincing the other Guarantor States to devise diplomatic mechanisms to stop the killing of the Turkish Cypriots, when the intervention took place.

As to the author's comments related to the "Turks making themselves comfortable in someone else's house" (Cyprus belonged to the Ottoman Empire as early as 1571), and the allusion made to Turkey's absolute non-European status (Turkey is a founding member of the Council of Europe and the CSCE, as well as the now oldest associate partner of the European Community, to name few of its European "ID's) are naturally based on subjective reasoning and deserve merit in that perspective only — since hard-facts support the contrary.

Salih Bogac Guldere
Head of Turkish Chancery in Dhaka

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.

Cruelty to animals

Sir, On 1st of July about 9-30 am some Municipal Corporation people picked up a stray dog from Road No 17, Banani, Block E, in a most savage way. Peace in the neighbourhood was cruelly disturbed; I could not eat my breakfast. A few other dogs ran away and I could only hope they would not be chased.

These are not pye dogs. Most of them are healthy. Presumably expatriates abandoned them while leaving Bangladesh. Every day I see a number of these unfortunate animals in Banani-Gulshan area, many of them are of good pedigree. I would therefore request the concerned authorities not to destroy these animals. Surely they have a right

to live. Dogs and horses are men's oldest friends. I keep on telling my friends and acquaintances how a dog saved its master who had a massive heart attack by pulling him by his collar to the main street. Or, of the dog which saved its owner who was dying in her flat, by lifting the telephone receiver. His barking made the other person rush to the spot.

In November, 1991 we have formed an organisation for protection of environment: for plantation and protection of plants, protection of animals, helping distressed women and children, cleaning of environment. Currently we are busy preparing several schemes to achieve our aims and objectives. We expect to get publicity in these matters, so that an

awareness is created in the minds of our fellow citizens.

S M S Zaman
President
Green Club, Dhanmondi,
Dhaka.

First graduate of Sylhet

Sir, I have read with interest the article — "century-old school in a state of decline" by Mr Rajat Kanti Goswami, published in your daily of July 2, 1992.

Without going into the merit of his article I would bring to his notice that first graduate of the Sylhet district is not Mr Sarat Chandra Choudhuri. As per historical record, Maulvi Muhammad Daim, an inhabitant of village Khatra-Jalapur about seven miles south of Sylhet town, is the first graduate of the district. He obtained BA and BL degree from the Calcutta University in 1965 and 1967 respectively. He is the second Muslims graduate from the university, the first being Maulvi Fazlul Karim of Hooghly

and the third was Maulvi Wazid Ali, the father of Shere Bangla A K Fazlul Huq.

A K Chaudhuri
Dhaka

Conducting enquiries

Sir, Often Management in various organizations faces problem in conducting enquiries in disciplinary cases because of non-availability of trained and impartial personnel inside the organisation to conduct such enquiries. In a recent circular issued by Advocate SA Huq, Director, Institute of Personnel Management, Bangladesh, it has been stated that outsiders may also conduct such enquiries and according to the Supreme Court — "It is now well settled that the management can appoint an independent person, not necessarily the one who is inside the management activities, and, as a matter of fact, the appointment of a stranger to enquire into such disputes is encouraged to a great extent".

We have pleasure to know

and circulate among the esteemed readers that the Institute of Personnel Management (IPM) is providing well-trained manpower for conducting enquiries.

M Zahidul Haque
Assistant Professor, BAI, Dhaka

Monkey syndrome of BTV

Sir, Mr Sabir Mustafa's observation (22nd June) on the BTV's treatment to the news of the day on 21st June calls for a short discussion. Someone staying home and relying on the news broadcast of BTV would have got an impression that there was no incident in Dhaka on 21st June. But since from the later part of Pakistan days the credibility of this media has plummeted to the bottom, so naturally we turn to foreign media.

News suppression neither helped the autocratic rulers of the then Pakistan nor our home-grown ones. A truly democratic government is in power now. They have come to

power with people's mandate. Whenever there is a democratic government there is an opposition who adopts various measures which may be unpalatable to the government. But hiding of information by the state owned media only strengthens the position of those whom the administration wants to discredit, specially in today's world when the electronic media can defy state boundaries and authorities. Had BTV given a full coverage to the incidents of the Press Club it would have a) stooped all rumours, b) reduced our dependence on BBC etc c) and developed proper respect for the administration.

The situation could be handled with relative ease by compensating the affected and injured persons and sympathising with them. But the news blackout has now created an atmosphere of distrust and the opposition has got a chance to hurl back the 'conspiracy' gimmick.

M A Haq,
Green Road,
Dhaka