

## The Ordinance: What Next?

The promulgation of the Anti-Terrorism Ordinance which came into effect on Wednesday would appear to its critics as a case of fait accompli. Many would say, in a mixture of despair and disappointment, the die is cast. Behind this mood lies serious misgivings, shared by this newspaper, that notwithstanding the genuine concern of the administration of Begum Khaleda Zia for curbing terrorist activities and freeing the country of rising lawlessness, we can do without this particular ordinance. As we said in this column last Wednesday, in dealing with the present critical situation, especially the campus violence, what is needed most is the strictest possible enforcement of existing laws rather than the promulgation of a new ordinance, backed by a strong political will and a constructive dialogue between the ruling party the opposition. Significantly enough, just when the stage was set for the promulgation of the new ordinance, the police had acted firmly and decisively. In arresting Ilyas Ali of the Jatiyatabadi Chhatra Dal (JCD) and in carrying out a successful raid on the central office of a right-wing extremist group, thus making the public aware of the powers the police do possess in dealing with terrorist suspects.

The question that will be uppermost in public minds is: What happens next? Here, to give the government the benefit of doubt, we assume that, under the cover of the new ordinance, the drive against all forms of terrorism will be stepped up and that we shall see the results, hopefully, within a short time. We wish every success to the administration in this regard, conscious as we are that it has taken a lot on its shoulder and that it can fall only at its peril.

We also have other, more important, worries. They relate to the implementation of the ordinance, especially where its much-feared abuse against political opponents of the government is concerned.

Judging by some of the clauses in the ordinance, the authorities seem aware of the danger. For one thing, the trial of persons arrested under the ordinance would be conducted by tribunals, headed by retired or sitting Judges. There are also other provisions, concerning the duration of the investigation and of the trial by the tribunal itself, not to mention the right of appeal by an aggrieved person, which provide considerable safeguards against the misuse of the ordinance. However, in our view, there is room — indeed, an urgent need — for strengthening these safeguards. We suggest that all appointments of judges for the tribunals be made by the Chief Justice of the country, rather than by the Home Ministry. We also feel that it should be the Chief Justice who should head a high-level committee that reviews the implementation of the ordinance perhaps every two months. In other words, the work by all the tribunals should form part of the judiciary.

While we are relieved that the ordinance does not provide for "detention without trial", we are not quite sure if the authorities have given enough thought to the danger of an arbitrary arrest of a potentially innocent law-abiding citizen by the police and keeping him (or her) in custody for as long as 30 days without producing the person before a tribunal. Maybe the period of detention can be shortened. Or maybe the tribunal can be notified when an arrest has been made. The important consideration should be to curb the danger of highhandedness by the police or the risk of corruption finding a new avenue to the law enforcing agency.

Finally, once the ordinance has served its purpose within a definite time frame, it should be allowed to die its natural death, instead of being turned into an act by the Jatiya Sangsad.

## Again That Terrible Spectre

One never thought this could ever again be seen in Dhaka — a city supposed to have been grown aware enough — environmentally. Come to think this happening in the heart of the Dhaka University campus. Battles royal between phalanxes of arms-toting heroes of our glorious political parties, fighting out mostly among themselves, are a commonplace in the university area. But not this. One doesn't fail to remember that closely on the heel of General Zia's tree-felling campaign of making Dhaka a city clean of supposed to be strategically unsafe and uncivilised tall and sprawling trees—a band of lumberjacks, supported by executive fiat, was frustrated by sheer student power in their mission to start cutting down the wonderful array of rainforests lining both sides of the avenue running between Salimullah Hall and the Architecture faculty of BUET. If on that occasion students failed to foil the state-sent vandals, that enchanting green archway would have been reduced to a treeless Pantha-Path long before Ershad promised not to emulate General Zia at least in his anti-biosphere zest.

Now, years of green-friendly campaigns later, they have cut down a mountain-sized rainforest — limb by limb and day after day — before the eyes of self-same green-defending students.

The tree was auctioned to be felled — the winning bid was 1.26 lakh. Reports said it was worth many times, suggesting that the university was cheated of some fat amount of money. Cheating is a pervasive business and we are interested more in the real value of the services rendered by a tree of that size. Discounting the value of the timber it yields only after it is killed, the value of the services such a tree gives in Taka terms has been estimated at around five lakh per annum — mainly accounting for the oxygen it generates and carbon dioxide it takes out and the quantity of dust it cleans the air of.

What irony can beat this sad university episode if it is rounded off by some of those accepting this new kind of university terrorism go about lecturing on the evils of harming the environment specially by defoliation? And what cruelty can beat the sight this our hapless tree presented on the last page of a recent issue of a national daily? It was as if the long-living Biblical Methuselah — standing bare — as in the garden of Eden may be, all his limbs sawed off and a stump of a torso still remaining only to be mauled down any moment — by some satanical handwork?

Dhaka, especially after 1928, had a green canopy hardly matched by any other town in the world. The main component of that were the rainforests. G.S. Madani cut the first one — the grandest of them all — that stood ennobling the elevation of what is now known as the Foreign Ministry. That set the ball rolling.

One thought that we have passed that phase of madness. The university authority's green terrorism and its condoning by teachers and students definitely proves that we haven't.

A very important Awami League leader and a confidant of the party chief replying to my question concerning the importance of the council session beginning tomorrow said, "It holds the possibility of our meteoric rise, if we are able to take the correct decisions. Or else we will suffer further erosion in popularity and public confidence." When I posed the same question to Sheikh Hasina, hers was a matter-of-fact reply saying that it was like any other council session, which by itself is a very important event in the life of the organisation. She did not miss the chance to make a dig at the BNP which she said, "so far never held a party council session". If her perception is really that of a matter-of-fact event, then she will have to totally misjudged the importance of the occasion and as such run the risk of missing an historic occasion to give a new fillip to her party, which it so badly needs. Whether Sheikh Hasina was deliberately underplaying the importance of the council session publicly, or whether she reflected her real feelings about it, the events of the coming few days will show.

However, for the keen observers of the political scene, it is a testing time for the Awami League. The council session which will be held in Dhaka from 19 to 20 September will test the capacity of this 43-year old party to adjust itself to the changing times and needs. Whether or not it will be the party that will seek support on the basis of what it did in the past, rather than for what it stands for now, it will be a testing time for the AL to prove to the people that it is capable of introspection, soul-searching and self-criticism; and that it is still able of bringing new thinking into politics. It will be an occasion to take up new policies to regain popularity for the party which had a magnetic attraction for the young and the old, for the rich and the poor, during the fifties, sixties and early seventies.

The events of the next few days will prove for the public as to whether the democracy that the party preaches outside with vehemence, is also practised inside with vigour. It is a time that will test the party's ability either to open itself up to diversity of views within the broad politics of the party; or to continue to function in the highly-centralised manner that has, unfortunately, become the hallmark of all leading political parties of the day.

The most critical test before the AL is whether or not it will be able to emerge as a party with a vision of the future — one that gives us practical programmes for poverty alleviation, for eradicating illiteracy, for increasing industrial output, for moving towards self-reliant and sustainable development, etc. The bottom line being, will Awami League be able to emerge from its psychological dependence on the past and come out with a brave new programme for the future. Its dependence on the past is understandable for the simple reason that it has much more of it than its archrival the Bangladesh Nationalist Party (BNP). Awami League feels that no party can match its performance in the past and as such the more it talks about it the more support it will muster.

Unfortunately, it has not worked that way. In fact, probably, the reverse is the case. In the game of invoking the past, the BNP has shown itself to be more adept and so far nothing much can be said about AL's

## AWAMI LEAGUE COUNCIL SESSION

## Look to the Future, Not the Past

gain from dwelling on it. Times have changed and so have the needs of modern day politics. No party stands to gain much out of playing politics solely on its past glory. Such politics does positive harm to a nation that needs so desperately to move forward.

From what we have read so far in the press, and what I could gather from my discussions with party leaders, the focus of the council session has been not so much on new policy directions for the future, but more on matters dealing with Constitutional amendments and with the election of the new party general secretary (GS). As for the changes in the Constitution, two points are of interest. First, each Presidium member will be given charge of a specific area, like education, finance, industry, commerce, etc. Though the name is not being used, what we see here is the formation of what, in the western parliamentary democracies, is known as shadow cabinet. This paper had, on several occasions, suggested the formation of a shadow cabinet, which we think will enhance AL's technical capability in formulating action-oriented proposals. It will introduce more professionalism in the party and help to make its role as the biggest opposition party, more constructive.

The second Constitutional change deals with the formation of advisory councils at various tiers of the party, going from the top downwards to the district level. The advisory councils will have no organisational clout in the decision making process, except for providing alternative expert advice on various political, economic and social questions. I suspect this to be AL's move to counter the impact of the formation of the Democratic Forum. The AL, especially its leader, did not take very kindly to the birth of the Forum. It was widely thought to be a move to split the party. So to counter whatever attraction the AL's supporters from the elite and intellectual classes may have for the Forum, the AL as a party is now providing a way for these supporters not willing to become members' a chance to play a more participatory role in the party.

It is the election to the party's second most important post, that of the general secretary (GS), that all attention is now focussed. Hidden in the question as to who will be the next GS of the party, is the question of the 'process' in which the election to that position is to take place. Connected with the 'process' of election, is the critical question of how Awami League will be governed as a party — under a very highly-centralised leadership where loyalty is more important than efficiency and effectiveness. Or under a process where powerful posts are earned through contribution to the party; where aspirants for all posts, especially the top ones, are elected. The way in which the party elections will be conducted will speak volumes on how open and democratic the party will become in the coming days.

According to the party constitution, it is the 2,500 odd councillors, representing all the district committees and other tiers of the party that elect the president and the general secretary and the sec-

retariat members of the party. Traditionally, this election has been managed so that a consensus panel is usually given to the council, which rubber stamps it. In the last council session in 1987, Sheikh Hasina's personal choice won the day over what was widely reckoned to be the popular choice — Tofael Ahmed, the

journalist, nobody talks about such people." The hint as to her choice for the post of GS — in fact much more than that — was clear.

The AL chief can take Razak as the next GS. But the popular former party general secretary suffers from the stigma of having abandoned the party once. His election

## The Third View by Mahfuz Anam

organising secretary. In a sense Hasina is back to square one — after five years she faces the same choice — either to accept Tofael, again rumoured to be the popular choice of the glass roof party cadres or to bulldoze her own candidate. As a reply to my question Sheikh Hasina said, "You people only talk about those who are publicly known and who attends dinners and parties and gives you people a lot of time. But for others who spend most of the time for the party, and who has no time to hob-nob with

will also provide additional fodder for AL's opponents to say that the party is now under the control of a BKSALite — an accusation that AL can well do without. As for the option to retain Sajeda Chowdhury, the incumbent, in the present position, it is really no option. It will mean 'business as usual' for Awami League. Something which is not likely to do much for the revival and future growth of the party. With all due respects for the veteran politician, she really has not proven to be a very successful

party GS during her tenure. She is too overwhelmed and too much under her Chief's shadow to serve as an effective rejuvenator for the party. Therefore Sheikh Hasina's choice really comes down to two — the not so well known, and more damagingly, not very popular among party cadres, but hard working and extremely loyal Mr. Amir Hosain Amu; and of course the well thought of, both inside and outside the party, the popular and articulate Mr. Tofael Ahmed.

Hasina's mistake was to have become a party to the rivalry between the various aspirants to the post of the general secretary. She, both as the party chief, and especially as the daughter of Bangabandhu Sheikh Mujibur Rahman, should have remained distant from it all. Now, quite unnecessarily, one candidate's victory will look like hers, and another's, as her defeat. She should have remained above all this.

For good or for the worse

Hasina is truly in the driving seat of the AL. It is good because it saves the party from leadership crisis and rivalries that have been known to tear opposition parties apart. It is not so good because Hasina's leadership record leaves far too many party workers wondering where she will take them.

As some one in full control of her party, Hasina needs to prove that she has grown and that she is capable and willing to work as a team leader. Her recent encounter with Benazir should provide some insight as to how the Pakistani leader herself has changed and how, through flexibility and forging new alliances, she is once more becoming a serious contender for the country's leadership.

For the sake of strengthening our democratic process and for the sake of institutionalising parliamentary democracy in this poverty stricken and problem plagued country of ours, we hope all our political parties, especially the major ones like the AL and BNP, become forward looking, flexible and democratic in its workings. Let the AL take the lead in this.

## Hasina's Stewardship—A Mixed Bag

by Farid Hossain

WHEN the Awami League opens its 2-day council session on Saturday delegates are expected to greet Sheikh Hasina with bouquet and protest.

Thirst at the helm of the Awami League to avoid a rift 11 years ago Hasina faces no real challenge to her leadership of the 43-year-old party, once led by her illustrious father slain president Bangabandhu Sheikh Mujibur Rahman.

But her stewardship, marked by achievements and failures, is no more as undisputed as it was in 1981 when she was elected president of the largest opposition party at a crucial council at Dhaka's Eden Hotel premises.

To her supporters Hasina is the only leader who can keep the fractious party united and bring it back to power. Yet she failed to make the party victorious in the two parliamentary elections she participated in 1986 and 1979.

Still, her supporters would give her credit for rejuvenating the party into a strong opposition group, which has increased its parliamentary strength remarkably during the last elections. The post-1975 Awami League had won only 39 seats in the 330-member parliament, that number raised to 76 in 1986 and to 93 in 1991.

Hasina's critics inside the party and outside would not like to call the party's performance in the last elections a success story. They argue that the party squandered a golden opportunity of returning to power after 16 years in the opposition mainly because of what they call unpredictable and unstable leadership of Hasina.

Hasina's own defeat in two of the three constituencies she contested during Feb. 27 elections is often cited against her by the critics. However, Hasina and her supporters blame the defeat on unidentified conspirators who once again prevented her party from returning to power. Her supporters pride in the fact that Bangabandhu's daughter has presided over an "election

victory" by securing 31.89 per cent of votes, more than the ruling BNP has got.

Hasina's supporters would like to add another feather to her crown: the country's return to parliamentary form of government ending 16 years of presidential system. They say, Prime Minister Begum Khaleda Zia would not have switched over to parliamentary system had there been no strong pressure from Hasina and her party.

Political observers watching Hasina closely, however, agree Hasina has not been able to manage her own house — the Awami League — as neatly as expected. In creating her own image as Awami League chief she has distanced herself from a number of party stalwarts who include Dr. Kamal Hossain, Abdul Mannan, Begum Zohra Tajuddin and Abdul Momen. Dr. Kamal in particular has turned into an Awami League leader not really belonging to the party. That perhaps prompted him to float his organisation — Democratic Forum where he can be on his own.

According to observers Hasina finds it difficult to fully trust the so called stalwarts mainly because of their failure to protect the tragic assassination of her father, mother, brothers and other relatives. Hasina has simply ignored the senior leaders instead of driving them out from the party, a situation that has melted away much of the party's dynamism.

On the other hand Hasina rallied behind her young Awami League leaders like Amir Hossain Amu, Mohammad Nasim and Abdul Jalil. But some of the young leaders are still controversial and they lack the clout to keep the rank and file united.

Hasina's lack of trust in many of the senior and otherwise proven Awami League leaders has always plagued her choice of an efficient General Secretary of the party. After the departure of Abdul Razak (who has now returned to the

Awami League) the office of the General Secretary virtually remained vacant though Hasina filled the post with Begum Sajeda Chowdhury as a compromise move. The aspirants for the office six years ago when the last Awami League council was held are still competing in the same spirit. The question now is — Will Hasina pick Tofael Ahmed or Amu. Abdul Razak or someone else? Or will she simply continue with Sajeda Chowdhury?

Factionalism is one phenomenon which is common to almost all political parties in Bangladesh. Hasina cannot just wish it away. But her sympathisers believe that Hasina, being the daughter of Bangabandhu, was the best person to ease the problem if not eliminate it.

Many have praised Hasina for being firm against Mostafa Mohsin Mantu who is said to be leading a faction of Bangladesh Chhatra League responsible for gunning down rival BCL activist Manirul Islam Badal. But the expulsion of Mantu unfortunately was not unanimously accepted by the party's leadership, with Begum Tajuddin and her supporters openly siding with the renegade Juba League leader.

Hasina is an Awami League leader today because of assassination of her father in the 1975 coup. She is leading a party which was founded by Maulana Bhasani in 1949 and subsequently steered by her father Sheikh Mujib. Launched as a party of middle class and lower middle class people to fight the then ruling right-wing Muslim League and protect the interests of Bangladesh in erstwhile East Pakistan, the Awami League has always been a centrist organisation except for the post independence days. The Awami League, essentially a petty bourgeoisie party, turned to the left after Bangladesh's independence when Bangabandhu adopted socialism as one of its main principles.

Being one of the most struggling political party and

having the glorious past of leading the country's independence war the Awami League has ruled Bangladesh only for three and a half years. Tragedy struck the party amid allegations that Bangabandhu, founding father of the state, failed to live up to people's expectations in running the administration first as prime minister and then as president of the country. Moreover, his introduction of one-party rule in the form of BKSAL was widely denounced as an authoritarian move.

With BKSAL gone and the Awami League revived in late 1970s, the party was still struggling to reorganise itself and fight for survival until Hasina took the reins. But its socialist tinge lingered with emphasis on public sector until recently when the Awami League opted for competitive free market economy. The latest move is designed to make the party acceptable to the business community which still harbours a fear about the Awami League. Analysts believe redirecting the party towards promoting the private sector is one of the best moves Hasina has taken in her 11-year leadership.

The latest economic manifesto is expected to be endorsed by delegates in next week's council which will also amend the party's constitution and rewrite some political strategies. A pressure Hasina is expected to face from a strong lobby is to further democratise the organisation, may be introduction of the system of secret ballots to elect the leadership at all levels, especially the central working committees.

But the main focus will be on how the organisational strength of the party can be beefed up to reinstall it to power through popular votes. If no more council session is held by 1996 when the next parliamentary elections are due, the forthcoming council should lay the political and socio-economic programmes that may transform the party from the largest opposition group to the ruling party.

## 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.

## Affiliating University

Sir, A news item published in the press recently says that government has decided to set up a National Affiliating University in the country. The proposal is a very pragmatic one which is welcome to one and all. It is well-known that academic atmosphere of our existing universities is marred by session jams, student politics, strikes and a host of other bitter problems. Moreover, the universities are so busy with their day to day problems that they can hardly pay any attention to the needs and problems of the affiliating colleges.

Once the Affiliating University starts functioning it is reasonably expected that examinations of that University will be held on schedule because strikes and agitations in a few colleges can not influence the decision of the Affiliating University as all the colleges of the country will be under it and most of the colleges and their students are likely to be in favour of timely examinations. When students of existing teaching universities will see that their fellow Pass, Honours and Master's course students of the Affiliating University are pass-

ing out on time, it is likely that they will not demand shifting of examination dates. This will allure them to study and attend classes regularly and thus pass out of the universities on time.

As things stand now, students of affiliating colleges are paying a heavy price for the misdeeds of others at the existing universities. Hence I urge upon the government to expedite setting up of the National Affiliating University to serve a genuine national need.

Saleh Ahmed Chowdhury  
Dhaka Cantonment

## Bosnia-Herzegovina

Sir, The solution of ethnic and religious problem of Bosnia-Herzegovina lies in recognizing the right to live independently of the three groups viz Bosnian Muslims, Serbs and Croats. Declaration of Independence of Bosnia-Herzegovina through voting in their parliament pointed to this basic need — 55% voted for independence and 45% against this secession. This points to the fact that a large group does not want to be a minority in the independent

state of Bosnia-Herzegovina, when they were part of majority group of former Yugoslavia.

As such, it is wise to divide this state into two on the basis of population — one for the Bosnian Muslims and Croats (if Croats agree), and the other for Serbs. Without this, I think it is very difficult to bring peace in that country.

Recently, former Russia realised it and after applying this solution they are now in the path of peaceful co-existence. This solution should be applied in this troubled area also or else, in the words of an eminent prime minister, Muslims will hard to be found in this country in the next century.

Therefore, UNO should now impose this solution on the warring factions of this country and immediately there should be an end to fighting and atrocities.

A K Azad  
Uttara, Dhaka

## An open challenge

Sir, After a heated debate Prime Minister Begum Khaleda Zia has defeated the critical 'no confidence motion' of Awami League on law and order situation in the Jatiya Sangsad on 12-8-1992. But a few days later it was a bolt from the blue. Some unidentified assassins shot Rashed Khan Menon, MP. It was not only an attempt on life of Rashed Khan Menon but it was also an ominous threat and open challenge to our hard earned democracy.

We are all stupefied. What is happening in our country year after year? Are we heading towards becoming another Lebanon, Sri Lanka, Somalia or Bosnia? Lawlessness, violence and terrorism would set our entire country on fire.

Condemning attempt on life of Menon the Awami League Chief Sheikh Hasina said "I give a challenge, the situation in the country will not have been so bad if Awami League had been in power."

We are at a loss to understand as to what to do and what not. If we accept Sheikh Hasina's assertion we wonder why Sheikh Mujibur Rahman was killed when Awami League was in power? We are also surprised why Ziaur Rahman was killed when BNP was in power?

We strongly believe that neither Prime Minister Begum Khaleda Zia nor the Leader of the Opposition Sheikh Hasina nor anybody else can tackle the manifold socio-economic, administrative and political problems single handedly.

The need of the hour is that all our public leaders, both in the treasury and in the opposition benches, may kindly form a consensus, cooperate and coordinate with each other and combat the acts of lawlessness, corruption, irregularities, hi-jacking, violence and terrorism unitedly, failing which a great catastrophe may overcome us all.

O H Kabir  
Dhaka 1203

## Old Dhaka

Sir, A seminar titled "Old City Dhaka's Environment: Problem and Prospect" jointly arranged by the Bangladesh Society for Conservation of Environment (BSCE) and the Students' Union of Sir Salimullah Medical College (SSMC) held recently at the SSMC premises identified some main problems: traffic-jam, unhygienic dumping of various wastes, unplanned road and building constructions including hat-bazars, high population growth, poor law and order situation, etc. Mr. Md Quamruzzaman, who presented the paper, observed that despite the limitations of resources and technology-transfer, the present and future environmental problems of the city could be solved through proper and justified use of available resources and appropriate administrative measures.

Among others, Prof. Abdullah Haroon in his address stated that the old city was once treated as the most modern city with adequate amenities where the important organizations like the Court, Museum, Mitford Hospital etc were built. In those days, the old city was not so densely populated and congested like today. It was then the major area of business activities and an abode of the aristocrats. But now the situation has changed, the environment of the old town is too much polluted and it is difficult to breathe fresh air in this part of the metropolis. He stressed on the need for

conservation of both physical and cultural environment.

Prof. M. A. Majid in his speech emphasized on the proper issuance of fitness certificates to motor vehicles so that these may not pollute the environment by releasing black smoke. Prof. Firoz Ahmed of BUET urged for creating water purification facilities in the old city. He said that a huge amount of wastes of the Dhaka city is thrown in the low lying areas of the Buriganga river which is causing a serious environmental degradation and which needs to be checked immediately. He suggested re-excavation of the city canals for rapid discharge of wastes.

Dhaka City Corporation Mayor Mirza Abbas MP, who attended the seminar as the chief guest, in his address informed that fund crisis is the main development bottleneck for the city. Nevertheless he assured he would take necessary initiative to solve the problems of the old city. He requested the city dwellers to abide by the rules and regulations of the city corporation for a healthy environment.

It is sincerely expected that the city corporation in collaboration with other concerned government departments will take pragmatic steps for the improvement of the physical environment and for the conservation of the cultural environment of the old Dhaka city.

M Zahidul Haque  
Assistant Professor,  
Bangladesh Agricultural  
Institute, Dhaka