

Is the Concept of Consensus Dead and Buried?

The Foolishness of these Outbursts

On Friday there was no news in the press or anywhere else of any incidence of student demonstration against the current government stand on the SSC examinations. This unfortunate piece of tomfoolery was bound to have petered out anyhow. No one in his senses, even the parents of those going to take this examination soon enough, would sympathise with either the cause behind these violence or the manner it was attempted to be redeemed. Then why did the teenage students go on the rampage path? Because they were made to believe that such demonstrations — even if lacking in moral sanction or popular support or failing to make any sense at all — do pay. And they were not much wrong. Incredibly enough it was government who capitulated and added fuel to the fire of student violence.

Did the government go about the question of amending their decision on SSC exams question-bank on purely academic merit and on recommendation from academic authorities? No, it was too transparently aimed at quelling the student unrest. It is a tradition that for petty political gains successive governments dictate and impose policies and decisions of the highest importance to education, without ever needing to do so. This infamous piece of capitulation in the shape of pledging to keep the objective questions bound to a circulated bank of 500, was in line with that. Another very good, or perhaps notorious, example of narrow political interest putting a straitjacket on education is the system of manipulating the pass percentages of the board examinations. Together with the system of grace marks gifted on direct government instruction, the whole thing is an endless sabotage against education.

Still, in the present case, we say to government bravo for not relenting any further, for putting their feet down and sticking to their point of students needing to earn at least 15 in the broad questions section — for a pass.

The students' wrath is misplaced. If they were honest they should have been grateful to the system that allows them to cross even the master's level without needing to be able to write a full sentence meaningfully in good Bengali or English or grasping the basics of any of the sciences or appreciating any beauty of the queen of them all — mathematics. If the exams were exclusively guided by pure academic evaluation the percentage of pass could never have gone beyond 15 in the first of the board examinations — whatever the mode of assessment. Why should that be so? And why should students pass even when they weren't fit to do so?

Students having their own good at heart — in an enlightened manner, of course — should be able to see through the game. It is the schools and colleges and teachers and educational administrators, managers and entrepreneurs who are, equally with the government if not more, letting them down and the peculiar exam system of repeating questions in a very predictable manner is only playing the second fiddle in the mindless exercise of making morons of the students. They must agitate to make better schools and colleges and to inspire teachers to get to some degree of education and responsibility themselves. It is again students who can initiate and fight corruption at all levels of institutionalised education — for it is they, with their parents, who are the victims. Together with the nation as a whole.

Let the foolish outbursts of student violence aimed at making a nonsense of exams set us all at thinking — the government, the parents and most importantly the students, about ways to make education pay, in all senses material and spiritual. Only true and worthy and challenging education can keep this nation — without it all other exercises are foredoomed to fail our very existence as a society.

A Question of Priority

It would be wrong to say the country does not have an ambulance service other than what passes as "service" given by various government-owned hospitals and privately-owned clinics. At the last count, the Fire Service and Civil Defence has 64 ambulances whose service can be called upon by the population at large. Out of those 64, half are under repair. Not bad, for a country of 110 million, where the vast majority of people are far too poor to afford normal taxi services, never mind a specialised one like an ambulance. Of the total of vehicles at the FSCD, 13 are deployed in the capital, half of which are again out of commission at any given moment in time. With Dhaka's population having already crossed the six million mark and rising fast, the provision of seven operational ambulances should obviously be regarded as a blessing for which we ought to be eternally grateful.

Grateful or not, the lack of priority attached to this particular type of essential service should thoroughly shame us, because it only serves to point to the disregard, if not disrespect, for life that we seem to have. In any civilised country, provision of life-saving services should be considered as a top national priority, with regular provisions of funds to purchase up-to-date equipment and employment of properly trained and adequate number of staff. In our case, given that the state of road communication is so poor, one would have thought that the FSCD would even be provided with a few helicopters to transport emergency cases. But even if one were to regard ambulance helicopters as too much of a luxury for a country like Bangladesh, then at least an adequate number of car ambulances, with proper first aid equipment and perhaps some specialised machines and trained medics and nurses on board, should certainly not be considered beyond our means. When one looks at all the "beautification" works being carried out in various parts of the capital which contribute little to the people's quality of life, one realises that funds may not be that scarce after all. It is a simple matter of priority, and unless we begin to attach the greatest priority to 'saving lives, then we will run the risk of losing our right to call ourselves civilised.

In the euphoric period after the fall of Ershad the world which seemed to capture the imagination of the people was "national consensus". The long-suffering people could regain their democratic rights only when a national consensus was reached and the struggle was launched on that basis. The transition to the parliamentary system was also possible only because the major parties could find a common ground. Naturally the nation expected that similar consensus will be forged on other key issues in particular, most thoughtful people agreed that we needed a consensus on the basic direction of the economy if we wanted to seriously address our massive economic problems. Indeed, I myself advocated, at around table discussion organized by the Daily Star in October last year, the urgent need for a national consensus on the framework of our economic policies.

It would have been very natural, given the alarming deterioration in the law and order situation, to deal with this issue on the basis of a national consensus. After all, who could disagree with the need for arresting the slide to lawlessness? The very first article I wrote in this column in the Daily Star on 4 June was on this issue. Despite some marginal improvements, in my view, this remains the number one problem until today. Of course one can say, and perhaps rightly, that the poor shape of the economy is the number one problem. Massive unemployment and worsening levels of poverty should be regarded as the highest priority for the country. I can agree with this view and yet maintain my belief that it is the law and order situation which must be addressed first before we can even begin to solve our economic problems. Those who believe that the youth have turned to crime due to lack of job opportunities must understand that we are trapped in a vicious circle. The deterioration in the law and order situation has most adversely affected the prevailing business and investment climate. This is a major if not the root cause

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of the stagnation afflicting the economy. Unless the economy picks up strength and momentum the employment prospects for the youth will not improve. We must therefore take up first thing first and restore security and uphold the rule of law for getting out of the current economic stagnation.

There is, I believe, no disagreement in any quarter about the urgent need for curbing lawlessness with a firm hand. The government is entitled to demand the full cooperation of the entire nation including the political forces in this task. No patriotic person can take a contrary view. However there is no evidence that government is either sincere in seeking the cooperation of the opposition parties or trying to take the leadership by uniting the nation on this vital question. It was the Home Minister who, in a strange show of insensitivity to the wide-spread violence and terrorism in the country, denied in the Parliament that there was a serious law and order problem. Indeed, he claimed the situation to be so good that he deserved a promotion. The haste with which the government first issued an ordinance and later enacted law, is inexplicable, to put it mildly. The views and protests of the opposition were brushed aside. Quite clearly the government has abandoned the path of consensus in arresting lawlessness and has chosen instead, a partisan approach. No wonder that we are again on the brink of another divisive and wasteful phase in our national life.

There can, of course, be honest differences of opinion on the modalities for curbing lawlessness. While the opposition parties believe that the existing laws are adequate to deal with the situation, the government has felt the need to enact a new law for the purpose. The question that has to be examined is the need and justification for such a new law. I have talked to many peo-

ple, some of them in high positions in the government and others with vast legal knowledge about the rationale for the new law. The boycott of the House by the Opposition when the bill was passed in a half empty house may have compromised its sanctity but even if we leave this aspect aside, grave questions about its character as well as its justification continues to disturb those who value democracy and the rule of law. Most of them feel that the basic problem is one of enforcement rather than that of absence of

special features in the new law which certainly deserve attention.

For example, in sub-para 6 it has been proposed, inter alia, that "causing disturbance" in the work of any office or educational institution or industry etc is an offence under the provisions of this law. The crucial question is: Who interprets what is "disturbance"? A Police Inspector? Is it not likely that under this particular provision any person or group of persons can be rounded up for having caused "disturbance" in the work of an

assumption. The new law is harsh. From the government side the reason advanced for its harshness is that his will discourage the criminals. Most of us can recall the Martial Law Courts. The procedures followed by these summary courts and their judgements were harsh. The justification given was always the same. The civilian courts were either too lenient or too slow or otherwise ineffective. But we all know that the Martial Law Courts were not the answer for the problems faced by the country. Is it not likely that we will face a similar dilemma with this harsh new law? Criminologists all over the world have been debating about the relation between the degree of harshness of the penalty and its effectiveness as a deterrent. Harshness of the penalty is only one of the elements of deterrence. There are other and more complex factors which bring about peace, stability and cohesion in a society. Law is obeyed not always because of the fear of punishment but, more often because it is the right thing to do.

We cannot ignore the impact of the new law on our normal judicial system. Legal experts have voiced the fear that it will erode the authority and standing of our normal courts which carry the primary responsibility for the administration of justice. It has been said that the party in power might use the summary powers in this law to suppress all the opposition parties. This cannot be dismissed lightly. Again, past experience should open our eyes to the inherent dangers of giving such powers to any regime. Within days of the passage of the law allegations have been heard about its use to suppress political opponents.

In the last few weeks there seems to be a lull in the gun fights and other terrorist activities in the Dhaka University campus. Is it because of the

passage of the anti-terrorism law? Unless the government has lost touch with reality it would surely know that the arrest of one single student leader belonging to the student wing of the ruling party has dramatically restored peace and quiet in the campus. The people have been wondering why only one terrorist was arrested. The confidence of the people in the government's good faith and credibility in curbing lawlessness could have been established beyond a shadow of doubt if the authorities moved swiftly and firmly against the other well known thugs masquerading as student leaders and terrorizing the vast majority of innocent students. Such action would not only have earned them the gratitude of the worried parents but also given the government the moral authority to move equally firmly against the so-called armed cadre of other parties. Instead we read reports about government plans to reward these terrorist student leaders by sending them abroad.

The example of the Dhaka University is sufficient to prove that terrorism can be stopped if the government stops giving protection to its armed cadre. No new law is necessary if the partisan approach is abandoned in favour of an impartial and responsible policy to bring back respect for law and order. Strict, impartial and vigorous enforcement of the existing laws should be sufficient for the purpose. It is a matter of regret that instead of addressing the root cause the government has chosen to clothe itself with powers which are reminiscent of Martial Law. Lord Acton's immortal words that "power corrupts and absolute power corrupts absolutely" still remains perfectly valid. There is still time to shun the politics of confrontation and begin the search for a national consensus to deal with the menace of lawlessness and terrorism. The ball is in the government's court. The people are waiting to see which path is finally chosen by the government because their security and welfare depend on the right choice.

ON THE RECORD

by Shah AMS Kibria

power. The government has enough powers to rule the country with an iron hand, if it so chooses. The existing legal system has served the British for nearly two hundred years. During the 24 years of Pakistani rule the same legal system served the rulers rather well. Indeed the legal system was strong enough even for the suppression of the independence movements. It is therefore not clear why the authorities are so keen in the face of such strong opposition, to arm themselves with what can be clearly characterized as sweeping powers, in their hands.

Legal experts claim that there are specific laws in the existing statute books to deal with the different categories of crimes listed in the new law. One is entitled to ask: Are there not laws in our statute books on robbery, extortion, kidnapping, arson, or damaging transport vehicles? Even a cursory glance at the list of crimes will convince anyone that these are the ordinary crimes which are usually committed in any society and for which preventive and corrective measures already exist. There are however some spe-

office or establishment? Is it necessary or prudent to give such summary powers to an official or a force even if it possesses the reputation for the highest standard of honesty and uprightness? While we all desire firm and lawful action to be taken against robbery or snatching or extortion or arson or destruction of property etc, one should think many times before offences such as causing disturbances (often one can interpret such offences in different ways) in the streets are also brought under the purview of this draconian law. We must guard against the possibility that the law may be misused to stifle the people's voice. The right to protest is a fundamental and in the context of Bangladesh, a hard earned and precious right and it would be a sad day for the country if the people lose this right while an elected government is in power. The society must guarantee the individual the right to ventilate his grievances legally and peacefully. There is a saying that if law can be misused, it will be misused. Given our past experience with the assorted martial law regimes and dictators it would not be an unwise

THE re-birth and rehabilitation of the Khmer Rouge, which is blamed for killing a million Cambodians between 1975-1979, has cast an ominous shadow over the United Nations-sponsored peace process and next year's elections.

The 1991 peace pact in Paris gave them immunity from prosecution and freedom to walk around without fear of attacks by victims of the Khmer Rouge.

"When I heard that Khmer Rouge leaders would return to Phnom Penh, I started to have nightmares again," said Sok Un, whose father was killed during Pol Pot's reign of terror. "I could see the blood... but we know it is politics and we can do nothing."

The Khmer Rouge is still led by its elusive leader, Pol Pot. But his Defence Minister, Son Sen, an accredited member of Cambodia's Supreme National Council (SNC), and drives around Phnom Penh openly. His victims know that for the sake of peace, they must stay silent.

As one Phnom Penh vice-minister puts it: "The UN peace agreement tries to erase the genocide with talk of national reconciliation... but still you cannot gag history."

By any standards, the Khmer Rouge comeback is astonishing. Ousted by invading Vietnamese troops in 1979, they were reduced to tattered remnants forced to flee across the Thai border.

"At that time, Pol Pot's army was dead," said Cambodia's head of state, Prince Norodom

Khmer Rouge Still the Rogue

The UN-sponsored Cambodian peace accord signed last year has given a new lease of life to the dreaded Khmer Rouge. Tom Fawthrop reports from Phnom Penh.



Sihanouk. (The United States) and China have brought it back to life.

That rebirth now casts ominous shadows on the current peace process. The Khmer Rouge tried to soften its image in the 1980's, with Pol Pot dropping out of public view and Khmer Rouge leader Khieu Samphan claiming they had spotted "a few errors" and now endorsed "free market and a liberal democratic system."

But in a 1988 lecture to cadres, Pol Pot said: "The fruit remains the same, only the

skin has changed."

Cambodian scholar David Chandler says any accommodations the Khmer Rouge have made over the years, including the signing of the peace agreement, are purely tactical shifts.

"Pol Pot is determined to remake Cambodia completely like 1975-78," says Sihanouk. "They have never abandoned their ideology. I am certain Pol Pot wants to come back to power."

While Pol Pot's victims see his regime as a holocaust which brought famine and

disaster and provoked Vietnamese intervention, the Khmer Rouge assessment is totally different.

Pol Pot, in his 1988 speech to Khmer Rouge commanders, said his regime was "the only authentic and virtuous regime the country had ever known."

During the 1991 peace negotiations, Prime Minister Hun Sen demanded that the Khmer Rouge be required to repudiate the genocidal policies of the past in order to enjoy full democratic rights being offered by a UN peace agreement.

But Hun Sen was forced to drop the condition, and even to this day, the Khmer Rouge maintain their fervent belief in all that Pol Pot and his regime stood for.

Steve Heder, a Khmer expert working with the UN Transitional Authority in Cambodia (UNTAC), says the Khmer Rouge will only disarm and allow UN troops into their territories if they are sure the United Nations will dismantle the Phnom Penh government.

"As that is not happening, they are not likely to come back onto the peace process," he said. "If they do open up their zones to UN inspection, it will be curtains down for them."

Cambodian Gen Aun Sophat estimates full-time Khmer

Rouge guerrillas number no more than 10,000. UNTAC military chief Maj-Gen John Sanderson agrees: "They are not that strong and have no chance to launch a major offensive."

But Roland Eng of the pro-Sihanouk faction warns that in the countryside, up to three villages are falling to the Khmer Rouge daily. "In contested areas, the Khmer Rouge offer free sacks of rice and salt, then they oust government officials and

proclaim a new village committee."

The biggest danger from Khmer Rouge is expected to come after the May 1993 polls and after UN troops leave Cambodia.

Says Vice-Minister Khieu Kanharith: "The UN mission's success can be judged only by (its ability to) create lasting peace. To do that they must destroy the military bases of the Khmer Rouge. And after the election, we need a strong and united government."

But analysts say the most likely election result will be a weak and fractious coalition government which will have to contend with one fanatic faction that still seeks to overthrow the system and take Cambodia back to the middle ages. — IPS

OPINION

Controversial Nirode Chowdhury

It is unfortunate and shocking that the much respected and the senior-most Indian author, now 'self-exiled' in England and just awarded CBE, is "an incorrigible cynic", as one of our leading columnist has described him. Fragile Nirode Chowdhury has used his 'golden pen' to undermine the independence and sovereignty of Bangladesh! It is good and a sign of stability that the banning of "Desh" by the government has not evoked any large-scale criticism against the decision for understandable reasons. It would be mistake to oversimplify the issue by saying that the decision of the government was a 'bureaucracy-influenced one, or that the punishment upon "Desh" was heavier than the crime it committed by tarring Bangladesh 'so-called', however 'inadvertently' it might be. After all, the blow has come from the seasoned writer, glorified at home and abroad for his candid writings, as well as from the oldest of the Indian editors. It is doubly shocking for Bangladeshis as both the writer and the editor were once born in this part of the sub-continent and as such both of them, perhaps, committed a crime against an independent country where their fore-fathers were born!

We have no words to condemn it. It is of no interest to the people of Bangladesh if "Desh's" editor Mr. Sagormy Gosh has written to our prime minister to apologize or not. The damage has been done at a time when the Bangladesh-India relations are at their lowest ebb. We know of a different Nirode C Chowdhury whose "Autobiography of an Unknown Indian" was a best-seller in London in mid 50s

and whose "A Passage to England" earned him the name of being a pro-British psychopant. But why he wrote like this? One has not to go far to seek the reason. It may be recalled that in 1971 when the whole nation was at war with Pakistani military junta it is he who chastised India for extending helping hands to us. His logic was very simple. He argued that the incident of 1971 was nothing more than a fight between the Muslims of the two wings of Pakistan and as soon as the tussle would be settled they would again be friendly as birds of the same feather! From this fact it is clear that, unlike other Indians, Nirode Babu was averse to the idea of independent Bangladesh. Even after long two decades he has not been able to reconcile with independent and sovereign Bangladesh.

For us it was not a rose of bed, nor our independence was dish out to us from the blue. It was earned at the cost of lives of three million people. The tirades or machinations of Delhi, if any, is understandable but when it comes from the Bengali-speaking neighbours it is simply painful and shocking. We know there is no last word in diplomacy or politics. But to reconcile again, both the nations — Bangladesh and India — have to seek 'panacea' in the principle of equality, justice and humanity and not on cunningness or big brotherly attitude. After all, the world is swiftly taking a unipolar shape, perhaps under the leadership of the world's second largest democracy bypassing the 'so-called' largest one. Why it is so? Ponder for a while!

Abdul Kader, Purana Paltan, Dhaka.

To the Editor...

Anti-terrorism Bill

Sir, I commend Mr S M Ali for his column 'At Home and Abroad' published in The Daily Star of November 1, 1992. Being a journalist of repute in this region and a committed democrat, his suggestions to opposition, particularly to AL for their role in connection with Anti-terrorism Bill merit consideration.

It is needless to say that in parliamentary democracy, the opposition has a greater role inside parliament than the ruling party as a watchdog and custodian of electorate's interest. But, I believe, there should be a limit to any act of intolerance of the ruling party and the role of opposition has to be viewed in that light.

The Anti-terrorism Bill has been severely criticised not only by political parties but by concerned citizens of the country. In the face of criticism by all quarters, the party in power has taken a dogged persistent stand more as a face-saver attitude without giving any consideration to merits of criticism.

The country has a prevalent

and stubbornness but considered of different shades of opinions on national policies. Democracy is not speedy but considered and concerted action, where parliament reigns supreme over individual and party whims, and stubbornness. While the role of opposition in walking out of the parliament session cannot be fully endorsed, the role of ruling party of taking a 'no-consideration' attitude cannot be supported either.

What about sending it to a select committee for reviewing the utility of the bill over existing codes and enforcing the existing laws to curb and stop all sorts of anti-social activities including terrorism and mugging by more vigorous and impartial action by the law-enforcing agencies? It is not the law but the will to enforce law that is the demand of the day.

Syed Siddique Hossain, Dhanmandi R/A, Dhaka

Public urinals needed

Sir, If someone asks me, "What for Dhaka is famous now, to your mind?" I will grudgingly reply, "Dhaka is a city of open urinals." The whole

metropolis is vitiated with the nuisance. From the parliament building to any place downtown, you will just stand and do the task. Nobody, even if he is a law-enforcing personnel, is going to prevent you.

Among all other free places, busiest Gullistan, at the heart of the city is a stark example. The busy road from Science Laboratory to PG Hospital is spared neither. You will see people everywhere shamelessly urinating by the side of the thoroughfare.

We people pay tax and RAJUK carries out development work. *exempt gratia*, storm sewerage pipes being laid at different parts of the city; digging and carpeting continuing here and there. But why RAJUK doesn't take notice of the paucity of public urinal, we do not understand. It's a crying need, and in the context of Dhaka, certainly a major and immediate one.

I hope RAJUK will pay heed to this to let the tax payers not to be overtaxed with the public nuisance.

Sabbir Siddique, Science Laboratory Road, Dhaka