

Children's Rights

Yesterday we observed the World Children's Day against a very sensitising backdrop. After a martyr's death of Yasmin in Dinajpur we have seen a heightened national consciousness about the deplorable vulnerability of the girl child in the hands of lawmen who ought to have been her unquestionable protector. This evoking a round of international condemnation in the World Women's Conference in Beijing, to the detriment of our national image, the sensitivity to child issues grew even more here.

As if to cater for this high degree of popular receptivity on the subject—which hopefully has infected the government no less—came the dismal portrayal of the child rights situation in Bangladesh through a study which was sponsored by the Swedish Save The Children Fund. The findings of the 2-year survey, focused on children in the age group of 8 to 16 years, boil down to: (a) their rights, especially those of the girl child have been abused so badly that the infractions raise questions of social justice and human rights; (b) police being the most important institution to come in contact with children have a very large share of the blame; (c) turning down the 'much-vaunted pretext about the lack of personnel, resource or training affecting police efficiency the study asserts the problem lies somewhere else: the police force being 'a law in itself' and not 'accountable to the public it should serve'; (d) police are making 'considerable profits earned through the prostitution of 11, 12 or 13-year old girls'; and, therefore, (e) effective changes need to be made in the ways the police exercise their mandate.

There is absolutely no question about the police reform being overdue. However, it devolves upon the departmental top-brass—pending reforms—that they do some housecleaning to make up for the latest tumble of their image. It is unbelievable that the black sheep within the force cannot be neutralised by a majority of well-meaning officers and men who know that they cannot thrive on public hatred.

The media have a key role in highlighting the violations of social justice and human rights. If their reporting has so far exposed only the 'tip of the iceberg' they surely can try and do a much better job than that. But the question is that many of their exposures have not had the desired effect on people who committed excesses. That hurts.

Sharpen Flood Approach

The latest round of flooding, the third on such a scale since early June, finds us visibly jarred into action to meet the revisiting calamity. We seem to have been caught unawares. But why?

Bangladesh is usually flood-prone until the end of October. This proclivity has been more serious this year as the monsoon season shaped up badly from the very beginning. The daily average rainfall surpassed previous records both inside the country as well as in the upper riparian regions. The Met Office only underlined this phenomenon in broad terms but could not predict the timing, duration and nature of an upcoming flood. A forecast networking with the regional countries must be of help.

There are quite a few authorities at the national level having to do with flood or cyclone forecast and monitoring and disaster management and relief work. Let these be placed under a unified command, preferably at the Prime Minister's Office with links to all the operative ministries, so that it can transmit a coherent set of directives to the administrative epicentres and ensure compliance therewith.

At this stage gratuitous relief is going to be given to the freshly affected people. This must be available to those who need it the most. For this to happen the authorities will have to associate local units of national political parties with the relief operation, specially when it comes to reaching out to all the needy folks.

A Happy Vijaya

Devi Durga has a special place in the sub-continental pantheon of gods and goddesses—she acts as a saviour of the gods and their habitat, the heaven, by demolishing Shumbha and Nishambha, Madhu and Kaitabha—the demons out to wreck the rule of the gods. Then she vanquishes the fiercest challenger of the gods, Mahisha, the buffalo demon who epitomises in him all the forces of darkness. Devi thus establishes the supremacy of light in the working of the universe.

The homely Bengalee imagination—and sentiments that go into its building—however make a human-parameters edition of the cosmic-level manifestations of Devi Durga. The radiant chastiser of Mahisha is only Uma Parvati to the Bengali, the daughter of the Bengalees' near and dear Himalayas who had fallen desperately in love with Shiva Mahadeva, residing in far Kailash and now comes on a yearly *naiyor* from her conjugal resort to these eastern parts. Her time over, she returns making tens of millions here weep over her departure. Durga has been turned into a most touching familial drama.

The long—from Mahalaya to vijaya it is ten days—chain of festivities, rightly called the *Durgotsav*, is actively richer in cultural content than in any persistence of esoteric doctrines.

In the year of the march of women towards new victories the celebration of the mother principle in Devi should lend some extra inspiration.

A happy vijaya to all.

PEOPLE MAY SURPRISE THE POLITICIANS

Governance and Political Culture

by Hossain Zillur Rahman

Bangladesh through the Liberation War of 1971 did not generally bring about any significant break with the institutional tradition of bureaucratic rule, a tradition largely forged under colonial rule. The institutional hegemony of the bureaucratic tradition went side by side with a process of political competition which saw violent changes in power through the assassination of Presidents Sheikh Mujibur Rahman and Ziaur Rahman. The 1980s, however, witnessed an altogether different political culture at work. Violence was routinized initially as an instrument of political competition but increasingly as an instrument of political exclusion. The local-level elections of 1983-84 and 1988 saw the flowering of a political culture epitomised by voterless elections. Violence in this instance

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The balance of terror is a political reality. It is not the people's choice. Such a reality is not necessarily bad if the terror is muted, not actually practiced, if it serves as a deterrent on excesses. There have been many a case of political maturity emerging out of a balance of terror. This is where the anxiety is on the current political stalemate. Will the political culture move towards maturity or will the 'cease-fire' be irretrievably sundered?

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took on the form of wholesale intimidation to deter people from voting to bring the electoral process totally under the arbitrary will of the ruling group. The 1988 local elections marked the high point of such an exclusionary, imperative with participation in voting reduced to a virtual minimum all across the country under brazen and wholesale display of violence. However, the rule of General Ershad was unable to sustain such exclusionary political domination in the face of internal and international pressures. By the upazila elections of early 1990, the autocratic political culture was in the retreat. This retreat became definitive with the forced departure of General Ershad through the mass upsurge of December, 1990.

The political significance of the December upsurge was in restoring the space of political competition from the abomination of the voterless elections of the eighties. The rules of this competition was forged in the instrumental use of violence by the major political contenders one of whom continued to be the political faction of the ousted ruler. It is a rule familiar to students of international relations, namely, the doctrine of balance of terror. This doc-

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and a half has not degenerated into political anarchy is the fear of the political contenders of risking the loss of electoral support if any of them unilaterally resort to widespread use of force. In this specific sense, it is possible to argue that a certain kind of people's power is in operation, power in the negative sense of constraining anarchy.

But what of a more positive sense of power? Power to orient politics towards the institutional consolidation of democracy beyond the narrow goals of political competition? Power to transform political energy into institutional capacities for agenda-building and policy-making? One does not need to be too perceptive to note that the political reality is yet to be characterised by the above positive meanings of people's power. Unfortunately, it is

civil administration at district and thana (sub-district) levels have remained disproportionately biased towards the magisterial and police function. Officers representing crucial sectors such as education and social welfare are accorded little prestige and are seen and treated as being near the bottom of the administrative pecking order.

EX-OFFICIO CULTURE. A different twist to the primacy of magistracy function at the district and thana levels is the prevalence of the so-called ex-officio culture. Even as the demands of development continue to create new functional jurisdictions in the sphere of governance, growth of professionalism is seriously hampered because leadership in the relevant committees become ex-officio vested in the DC or the TNO at their respective levels. A DC on average is the chairman of 30 odd commit-

tees and can hardly attend all or even a few with any seriousness. The ex-officio culture thus is mainly meant to buttress administrative primacy and not functional efficiency.

THE PATHOLOGY OF LAW: There are two aspects of law which have critical bearings on the efficiency of governance. The first has to do with the functioning of courts in which there is a radical discrepancy between judicial procedures and the cause of judicial efficiency. The consequence is aptly summarized as 'the certainty of expense, the uncertainty of results'. Secondly, the growth of law in Bangladesh has been less with reference to constitutional principles and more as a body of administrative regulations covering nearly all aspects of social and economic life. The focus on law in the post-colonial era has generally failed to bring this sphere of law, i.e. administrative regulations, under democratic scrutiny. The persistence of such regulations carrying the force of law has been particularly detrimental for civil initiatives and has generally constrained civil society space.

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AMBIVALENCE TOWARDS LOCAL GOVERNMENT: Bangladesh has no constitutional local government. However, local government as an area of administrative action dates back over a century. A basic conclusion to draw on such administrative experimentation is the fundamental ambivalence of policy-makers towards effective local government. Such ambivalence is reflected above all in the radical imbalance between the level of attention paid to representational issues at the expense of jurisdictional issues. The weakness of local governments is crucial to the hegemony of the bureaucratic tradition. Ironically, the attitudes of the major political actors is imbued with the very same ambivalence which continues to inhibit the emergence of effective local governments as a key political agenda.

Best of Times, Worst of Times

It is easy to despair of Bangladeshi politics and never more so than now when the unprecedented popular enthusiasm unleashed by the restoration of democracy in 1990 is seemingly mired in a minefield of political uncertainty. Poverty remains ubiquitous and insecurity endemic in a multitude of social pockets. Political culture continues to be underwritten, and increasingly so, by the doctrine of balance of terror while the hegemonic position of the bureaucratic tradition shows little signs of weakening.

Yet, there is also a curious confidence in the helter-skelter pace of urbanisation, in the unleashing of new social energies by the NGO movement, in the resolute 'normalcy' of economic life over the period of the political stalemate, in courageous decisions of the election Commission such as the recent one of barring debt-defaulters from contesting in elections, and not the least, in the enthusiastic preparation for elections at the ground level. Such confidence in no way lessens the enormity of the challenge of political graduation which can attack the roots of bureaucratic dysfunctionality and establish politics on a wholly new footing. The important thing, however, is that the above processes do constitute unmistakable silver linings on the landscape of political despair. Bangladeshi people could yet surprise their politicians.

Powell's Presidential Journey

THE CAPITOL LETTER

Masud Hasan Khan writes from Washington

WHEN his tour to promote his forthcoming autobiography 'My American Journey' ends in mid-October, retired General Colin Powell might start yet another trip—to the White House.

So far, he is only a potential candidate for US President. He has neither said if he will run as an independent candidate, nor has he started his own party, nor started raising funds. But his unusual combination makes him a character different and one of the most admired personalities in America.

The Gulf war hero, Colin Luther Powell Jr., has served the US Army for more than 35 years. Before retiring two years ago, he was the youngest ever Chairman of the Joint Chiefs of Staff, the only African-American in the Army to serve such high a position. He was one of those who designed the US response to Iraq after the country invaded Kuwait.

He commanded the US invasion to Panama. He was the only American ever awarded the Medal of Freedom by two presidents—Bush and Clinton. He was also knighted by the Queen of

England. He has inspired adulatory media coverage usually reserved for the Pope or Mother Theresa and many voters regard him one who transcends the barriers of race and colour, high above head and shoulder from other potential candidates.

A Time magazine poll has showed that if the election were held today, Colin Powell would beat President Clinton but would finish third with about one-fourth of the vote when tested against Clinton and Senate majority leader and Republican candidate Bob Dole.

Yet, the crucial factor still remains that Powell has not announced his decision. Both Democratic and Republican parties have unsuccessfully tried to woo his loyalty. Washington is buzzing with speculations on how the soldier-turned-writer-turned-president candidate would fare in the cross current of the US national politics.

Where his exact position lies in the middle of America's two-party politics

is speculative. If his is popularity would last, until his arrival at the White House. Analysts believe if Powell sought GOP nomination, he would have start far behind other Republican candidates like Senator Dole, or Sen. Phil Gramm. Fund-raising for candidacy would pose a serious challenge to Gen. Powell.

Unlike the former president candidate Ross Perot, who had his personal wealth to finance his independent bid, Powell would have to compete with the major party candidate, who have greater access to federal matching funds and secure backup from private and other financiers.

"In November I have to—as we say in the United States—fish or cut bait," Powell said in a television interview with David Frost. "I have to fish or cut bait particularly if I decide to move forward, and decide to move forward as a Republican, then filing deadline become the pacing time," he said. The second option—taking an

independent route to the White House—would put him to the task of collecting 7,00,000 signatures in order to get on the nation-wide ballot. Independent or not, many analysts believe Colin Powell would fill the void left by the two major parties with his middle-of-the-roads standing. He is a conservative for the '90s with the social conscience from the '60s.

House Speaker Newt Gingrich believes Powell's candidacy would bring him down from his elevated position of the hero. "He will never again be as unblemished and as desirable as on the morning before he announces," Gingrich said. Sen. Jesse Jackson, who has criticised Powell for not coming out strongly on black, said the General had the "right stuff". Former Education Secretary William Bennett, a leading GOP Conservative, said in an interview that Americans see Powell as a potentially strong leader. "The American people look at him and say: 'may be this guy can talk to the American people, can talk to the young people and get them back in some sense of good direction.'"

To the Editor...

What a shame

Sir, The photographs published in The Daily Star of 17 and 18 Sept '95 of the gentleman who had been stripped of his clothes sitting on the road and begging for his clothes near the Doel Chattr, and of the old man being manhandled near the north gate of the Baitul Mukarram mosque by the pro-hartal activists of the opposition parties are documentary evidences of the 'shame' of the century for the nation. Can this be expunged? No. Those who are responsible for this national shame have been condemned by all and sundry. Let this be a lesson for all of us.

We better learn what our teachers have said, such as "obstructing people from leading their social life in the name of hartal is against democracy and human

rights" or "hartal means neither curbing people's democratic right, nor making their life miserable and insecure". The teachers would add further, "Hartal is an important means of placing political programmes before the people. But it is desirable that such hartals are observed spontaneously through people's support and not through any form of coercion."

Teachers are learned persons and they are respected. One should be influenced by their wisdom and teachings. It is already delayed but let us have hartal on the issue(s) the opposition or any party declares it for, strictly on the condition that there would be no coercion, no activity jeopardising the basic human rights of free movement, use of legal modes of movement, normal and usual working for living etc. Let there be pick-

ets standing at different places holding festoons, placards, banners requesting people to support them but not forcing them away from work, stopping their movement, scaring them with bombs, manhandling, stripping, brickbating, burning of vehicles, etc. All these activities fall in the category of 'terrorism'. These are definitely taking away the basic rights of a human being by the activists of the political parties.

No political party is liked if it takes away the basic human rights. Unless we are successful in having spontaneous support of the people and a spontaneous hartal, thanking the people for the hartal enforced by terrorism of the activists becomes ridiculous.

Let us remember that in March 1971, the great

leader, Sheikh Mujib, asked for non-cooperation and all of us non-cooperated but not a single bus or car was burnt or destroyed, no one was manhandled in the street because he or she was going for his provision or medicine. The great leader would have committed suicide if anybody was stripped of clothes by his activists as was done on the 16th September.

The present leaders may kindly take stock of things—the loss or gain out of the 'enforced' and 'terrorised' 58 days hartals during the last four and a half years of this democratic government. Actually people are being diverted away from the opposition parties due to their ridiculous activities.

A citizen  
Dhaka

Art Buchwald's COLUMN

Coming Up Next

THE most pressing question Americans face today is, what will they do with themselves once the O J Simpson show is over? It is predicted that millions of people are expected to go berserk when they have nothing to watch in the afternoons and will resort to all kinds of myhem.

A special task force has been set up in Washington to deal with what is now called the "Post O J Simpson Syndrome." It includes psychiatrists, legal experts and members of the Joint Chiefs of Staff—all of whom report to Judge Ito in his chambers.

John Kirby, spokesman for the task force, said many ideas have been tossed out to deal with the crucial withdrawal problem.

"In the best of all possible worlds we'd just find another trial as spectacular as this one—preferably with the accused being either a member of Congress or a golf player of renown.

"If that doesn't pan out, there's talk of continuing the trial without O J but keeping all the lawyers, the judge and the DNA experts on the air."

"But who'd be the accused?" I asked Kirby. "Mark Fuhrman and the entire Los Angeles police force. The viewing audience is familiar with the cast by now and have a rooting interest in how many times they accuse each other of lying."

"What would you do with O J if he's found innocent?" "Make him the play-by-play commentator. O J is very well versed in the law, and his remarks would keep the show bubbling."

"And if he's found guilty?" Kirby explained, "That wouldn't bother us because his appeals could stretch out another four years. You have to realize this commission is not interested in guilt or innocence. Our concern is to prevent the public from going into a depression because of a sudden void in their daily lives. A generation of Americans has been raised on this trial, and heaven knows what will happen the day Judge Ito says, 'Has the jury reached a verdict?'"

"Maybe you could replace the trial with a Mike Tyson fight."

Kirby said, "That would take only two minutes. How would people spend the rest of the day?"

"Did anyone realize when they started the trial that at some point it would be over?" "No, we just assumed it would go on forever. Six months ago I was asked if we had any contingency plans once it was finished, and I had to confess that we didn't. So President Clinton asked for a statement to read on TV informing the country that the trial would be leaving the air."

"The President is the best person to make such an announcement," I agreed.

"We're also thinking about having an O J anniversary party in Brentwood a week after the verdict. All the trial participants would be invited to relive their courtroom experiences. This would give us a chance to buy some more time until we figure out what to do with the empty TV screen."

"Would live bombing of a Sarajevo hospital be a good substitute for the trial?"

John shook his head. "It's not even in the same ballpark."

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