

Economy at Turning Point

The World Bank's assessment that Bangladesh's economy is finally poised to break out of the low growth cycle has heartened us. But as we zero in on the factors that contributed to this positive outlook, we cannot help thinking that it would really take some doing to sustain it, particularly to a point where a seven per cent growth would be guaranteed by the five-year plan period.

There has been a greater proportion of fortuitous elements than conscious steps on the part of the government behind this upward growth curve. In other words, potential variables remain in the situation which, if not consciously averted by all concerned, might well set the clock of progress back. For instance, the return of political stability and relatively lower incidence of disruptions in Chittagong port operations have made a difference from the past, according to the WB economic update under reference. Short spells of normalcy have done this good.

We have been putting out impassioned calls from time to time to exclude the national economy entirely from the clutch of hartal and reach a point where the ruling party and the opposition will have signed an accord to abjure it completely. As if to force us on the downhill, the Chittagong port which has earned the sobriquet of a trade unionised den of local political rivalries, is itching all the time to shutter down.

One big damper for productivity and progress is the erratic power supply which must be radically improved if we are to meet the growth targets.

The financial sector creaks under the weight of big loan default both in the private and public sectors. The decline in government borrowing is a positive feature but again reduced broad money supply is indicative of a credit squeeze on the private sector.

With our taka value appreciating as against the currencies of our competitors in the world market it might be difficult to sustain the marked export growth we have achieved lately. But we ought to do better with import of goods that bolster investments. The thrust areas are thus identified for action, now it is for the government to put its shoulders to the wheel.

Stasis at Ctg Port

Caught in a welter of disruptive programmes through the year Chittagong Port has experienced another round of trouble yesterday and, we are afraid, if the government does not show firm determination and a hard face, problems might just spill over. Coalition of 22 Trade Union bodies of the port employees staged a four-hour strike as a protest against government's permission to an American consortium for setting up private container terminals at Chittagong and Dhaka. The TU leaders have announced a nine-hour work-abstention for August 26 if the green signal to Stevedoring Services of America is not withdrawn. We are afraid, the attitude of TU leaders in matters like these is hardly any better than that of the dog in a manger. They won't work and they won't let others work. If anything the arrival of private sector in the port operations threatens their vicelike grip on the port which has proved to be a dripping roast for them.

We feel the government would make a mistake if it pulls its horns in the face of the tantrums thrown by the TUs. It has decided to do something to rid the port of its baggage of problems and it should stick to its guns. No political consideration, however expedient, should come between the party in power and its keenness for curing the premier port of the country from a plague that has come to devalue it for years. At the same time it should spare no efforts to calm the fears in the mind of the port workers and employees that the coming of the private sector does not necessarily mean a curse in their life. That the American consortium will, contrary to the port workers' apprehension, generate employment opportunities for them, should be got across to the workers as loudly and clearly as possible. Given the culture in our politics and the many fathoms deep the negative tradition of TU has struck roots, it is not going to be an easy mixture. Still the government has to do it.

Double Punishment

Perhaps the days of complacent unconcern about Kala Azar is over with reports of a spurt in its incidence in Shahjadpur. A national daily report claimed on Tuesday that there was hardly a family in the area unaffected by it.

Nothing hurts a peasant family more than a loss of cattle. Families are known to have been ruined for the loss just of one or two cattleheads. The peasant is protective of his cattle as a tigress is of her cubs.

With water submerging everything for miles and miles, the cow-lifting gangs find it easy to come in strength by boat and break into goals and bathans. Shahjadpur is an area where quality breeds of cattle are husbanded, traditionally and methodically. Each Shahjadpur cattlehead fetches a hefty price. All gangs in the neighbouring districts have a greedy eye on the cows of the area.

How to fail these gangs? The peasant and his men have to sleep with the cows and this has proven an effective deterrent. Well, the cows are saved but not quite the men. The rotting water and stinking filth of the cowshed is ideal breeding ground for the Kala Azar carrying flies. And the guards get their disease from them. Unfailingly.

It cannot be that the police do not know about the gangs. Goru-chores are professionals infamous throughout a region. If only these gangs could effectively be chased and caught, Shahjadpur peasants could be spared double punishment: Kala Azar and loss of cattle.

SHOW me the person, I will show you the rules. In Bangladesh today, application of law will depend on the individual concerned. We therefore no longer live in a decent society where no one should be above the law. From the Prime Minister down to the municipal sweeper, one and all, must face the same law of the land; administered through the same due process without any fear or favour. This has never been the case since fear and favour continued to vitiate the system of governance of the country.

This is the biggest crisis that we face today. There is no rule of law. Its application is highly discriminatory depending on who is who in our impoverished society.

The present day system of law, its enforcement and the process of adjudication were first instituted during the colonial period way back in 19th century. The basic set of laws were laid down in the penal code, criminal procedure code and the civil procedure code. Police administration with thana as the basic unit of management, the magistracy beginning at the sub-division or sub-district level and the judiciary at the district level were all established for maintenance of law and order and administration of justice. Not that it was a perfect system but workable institutions were developed which outlasted the colonial period.

Within the limitations and severity of the colonial rule, the basic conditions of a decent society was established no doubt since lawlessness was the ex-

ception rather than the rule and justice prevailed in case of an act of crime. No body ever heard of notorious criminals after committing rape, murder or robbery moving about freely without any fear. Such criminals were not patronized by colonial rulers nor the police suffered from any handicap in taking action against them. Rule of masters did not prevail and shopkeepers did not pay protection money to survive. Of course there was corruption but those were mostly confined to lower echelons of the government. Basically, the police and the magistracy, within the ambit of the law, were free to exercise their authority and therefore had the capacity to live up to the expectations.

Since Pakistan time, there has been severe erosion of the authority of the law enforcing agencies. Political patronage of criminals led to compromise with the law. Not only that, instead of law and order duties, police and magistracy were utilized for direct political purposes. One infamous Governor of East Pakistan used to be in direct contact with thana police officials in order to ensure support for the Master (not friend) of the Nation.

Unfortunately, the ignoble trends not only continued but were reinforced after 1971. Special armed forces were created to eliminate political opponents. Thugs and hoodlums were engaged to dominate the

students politics in educational institutions, trade unions and in constituencies for election. The disastrous consequences are all there to see. Politics today is dominated by money and muscle. In fact, money only may be sufficient since muscle is a marketable commodity today and with sufficient financial resources, the big and the influential politicians can corner the entire market of professional gunmen, trouble makers and slogan mongers of a particular locality.

As a consequence, law breakers, law makers and protectors of law have all joined hands fishing in the dirty waters of the growing indecent society. There has been an unique convergence of selfish interest of the three groups. They are fast becoming one and the same: while, the society as a whole is reaching the high point of indecency.

I recall more than 30 years back, I was SDO Cox's Bazar and one evening at Teknaf Rest House, the Officer in Charge of

environment has changed due to elf influences, beyond and outside the lawful authority. I do not know of few hundred station house officers of today, how many are acquainted with Buddhadev Bose. Perhaps if they were, they wouldn't last in the police service of today.

The prestige, honour and, most important, authority of the police as a force and as a significantly important institution of the nation need to be fully restored. The administration of a police station and management of law and order within its jurisdiction evolved through more than two centuries of continuous practice. It developed as a powerful storehouse of information on crimes and criminals. It is the only office of the government which even at the remotest corner of the country, is always kept open — 24 hours, 365 days a year. Provided there are sufficient forces, there is no undue interference from above and if properly recruited and trained officers (recall my role model SHO of Teknaf thana) are in charge of police stations, we would make a definite progress towards a decent society within a short time.

At present the system of punishment has fallen into disuse while there is no reward for achievements by any public servant whatsoever. At the same time, tell me who does not crave for an apartment in Dhaka? Why not reward the

station house officers with an apartment for achieving crime free thanas? I am sure it would be a worthwhile expenditure.

The next important consideration is the quality of magistrates and police-magistracy cooperation. It begins with the relationship between SP and the DM and goes down to thana magistrate and station house officer. They should be like two sides of the same coin, if crime prevention should become an important business of the government.

The Rubel murder is the symptom of a deep seated malaise which had its origin long time back. The continued march towards an indecent society must be prevented. There cannot be change of guards. We need a change of damaging practices and procedures which have thoroughly tarnished the basic system of management of law and order as well as dispensation of justice. Law and order is a priority issue before the nation. It is now more important than poverty alleviation since without the foundation of the rule of law and a relatively crime free society, the social targets or the economic objectives cannot be realized.

In fact, the dichotomy between law and order on the one hand and development administration on the other is essentially superfluous. The District Magistrate is perhaps more important than the Deputy Commissioner as the chief development coordinator of a district. Without law and order, development administration must inevitably fall apart.

Towards a Decent Society

Law and order is a priority issue before the nation. It is now more important than poverty alleviation since without the foundation of the rule of law and a relatively crime free society, the social targets or the economic objectives cannot be realized.



Window on Asia

Shahed Latif

The police have therefore been truncated of its lawful authority. The arrest of a hardened criminal can easily be nullified by a simple telephone call from a political bigwig. Why then the police should be active in apprehending criminals? On the other hand, police or the magistrates are also no saint. After all, they must get their salaries at the end of the month. Other sources of income should also be protected since the meager salary is not enough even to meet the high cost of private coaching for the school going children of either the police or the magistrates.

Teknaf Thana came to me with a Bangla novel (Nithidhor, Buddhadev Bose) for me to read and pass the boring evening alone in the rest house. It was not only an admirable gesture, it proved that the police officer was a highly sensitive person. I came to know that he was an avid reader of Bengali literature and had the ambition to become a novelist based on his experience as a police officer. I strongly felt at that time and still feel today that police officers with such interest and background is what we need to take care of the interest of the common man. However, the en-

Kashmir Dispute: Democratic Traditions in Peril?

by Barrister Harun ur Rashid

Both Indian and Pakistani leaders carry a heavy burden of responsibility to find a mechanism to resolve the thorny issue of Kashmir. This is needed more in the context of present border skirmishes along the cease-fire line. Kashmiris ought to be given the opportunity to exercise their democratic and human rights in a free and fair environment.

THE Kashmir dispute, to put simply, relates to a claim by Pakistan that Kashmir, being a Muslim dominated territory, should accede to Pakistan as British India was partitioned in 1947 on the basis of religion — Hindu and Muslim. When the Hindu ruler ceded Kashmir to India, an uprising among the Muslims erupted (India claims that the uprising was prompted by Pakistan) and a short war broke out between India and Pakistan in 1948. The UN brokered a cease fire between the two countries and a UN resolution was adopted to hold a plebiscite to allow Kashmiris to decide their own future. India has yet to hold the plebiscite in Kashmir.

India claims to be the largest democratic country in the world and it gives credit to Asia of being so. India is the key player in the Non-Aligned Movement and its first Prime Minister was one of the founders of this Movement during the cold war period. India can take pride that it has opened its arms to accept the refugees from many countries. Indian leader, such as Mahatma Gandhi, is respected for his advocacy of non-violence throughout the world. Nobel laureate Rabindranath Tagore is admired worldwide for his contribution in literature.

With such credentials, the questions often asked are: why does India want to keep the Kashmir territory? Why is there so much Indian opposition to hold a plebiscite in Kashmir? There are number of reasons, in my view, which propel India to embark on a self-defeating policy for the last 50 years.

To the Editor...

Hopeless banking
Sir, I wish to express my dismay and shock at the recent happening at the branches of Sonali Bank in London. They are a disgrace to the nation in particular and banking sector in general.

Recent newspaper reports indicate that senior officials of Sonali Bank and Bangladesh Bank during their recent visit to London failed to convince the Bank of England to give a fresh lease of life to a bank that failed to live up to the minimum standard required for operating in a developed country. Before cancelling the banking licence to operate in the UK the Bank of England has repeatedly asked them to improve its banking operations and efficiency but no attention was paid to this. Ultimately Bank of England was left with no option but to cancel the banking licences of all six Sonali Bank branches in the UK.

We therefore strongly feel that a bank that has brought disrepute to the country and country's banking should not be allowed to function in any foreign country. All their foreign branches must be closed forthwith to save us from such embarrassment and also save the nation from incurring losses in foreign currency which it can ill afford.

Salahuddin Ahmed
75, Indira Road, Dhaka-1215q

SOFA
Sir, After going through the letters published in the DS on SOFA and after mulling over the matter for some time I have come to the conclusion that we should have signed the Status of Forces Agreement not only for humanitarian reasons but also taking into account national security concerns. Recently India and Pakistan became nuclear weapons states and are now almost in a war-like situation. Also the recent efforts by the Maharashtra government to foist Indian citizens on our shoulder a matter of concern.

First, Kashmir territory has sentimental attachment to the first Prime Minister Pandit Jawaharlal Nehru. His ancestors were known to hail from Kashmir and there is a view that he wanted to keep Kashmir within Indian Union. History tells that the decision of the accession of Kashmir by the Hindu ruler to Indian Union was only a temporary step and Lord Mountbatten, the Governor-General of Indian Union, accepted it on that condition. To him, it was quite logical that the people of Muslim dominated Kashmir would be given the right of self-determination, to decide its future.

It is interesting to point out that decision of the Muslim ruler (Nizam) of Hyderabad state to remain independent of India and Pakistan was not accepted by India while it accepted the decision of the ruler of Kashmir. A view prevails that this reflects India's double-standards policy.

Secondly, India reneged on the commitment to hold the plebiscite on Kashmir when in mid 50s Pakistan joined the SEATO (South East Asia Treaty Organisation) and Baghdad military pacts with the US. India argued that Pakistan, by joining the military pacts, was in serious breach of the conditions under which plebiscite was accepted by India. By becoming a member of military alliances, Pakistan had changed the circumstances ex-

isting at the time of India's undertaking to hold a plebiscite.

To support this proposition, India was reported to have invoked the legal principle of rebus sic stantibus whereby a party could terminate a commitment or undertaking if there was a change of fundamental circumstances (as codified in Article 62 of the 1969 Vienna Law of the Treaties). It is arguable whether Pakistan's joining the military alliances with the US constituted "the fundamental change" of circumstances that underpinned the agreement to hold the plebiscite. The majority view among the legal experts appears to be that India's position is misconceived and it could not rest its case on this legal principle.

Thirdly, India argues that the Kashmiris were given many times the opportunity to decide their future in the elections conducted by the Indian government. Since they had participated in the elections, there is no need for a plebiscite to allow the Kashmiris to decide their own future. India argues that by holding the elections in Kashmir the UN resolution was implemented. This position appears to be flawed since no third party supervised the elections and further the purpose of elections that were held by Indian administration was not to decide the future of the status of Kashmir. Furthermore the elections were held only in In-

dian-administered part of Kashmir.

Fourthly, to India, Kashmir has been much more than a territorial dispute. India wishes to be seen as a secular country. As Kashmir is the only Muslim majority state in India, it cannot afford to lose it because India fears that it will not be able to hold up stronger evidence that it is a secular country without Kashmir.

Fifthly, to concede to hold a plebiscite in Kashmir, India thinks, it would encourage other separatists, in particular the Sikhs in the Punjab and the tribes in the north-eastern states. The insurgency in the north-eastern states has been seething for some time which could be a threat to its security and integrity. In recent years it has become violent and it poses a big problem for its law-enforcing agencies as the insurgents usually move across the borders into China and Myanmar.

In addition to the above, the

Valpavee government with its tenuous alliance with thirteen disparate parties is not politically strong to take any decision on Kashmir other than to adopt the stereotyped position. Furthermore by conducting the nuclear tests in the event the Valpavee government adopts a pragmatic decision with regard to Kashmir, the government will be perceived as weak under the nuclear might of Pakistan. The Valpavee government can hardly afford to do that.

Where Do We Go from Here?

To untie the knot on the Kashmir issue, we need bold leadership from both Indian and Pakistani. Leadership is about being decisive and about being true to a vision. Leadership involves knowing where one wants to go and a capacity to sell the need for change to the electorate. India and Pakistan should not be imprisoned in their own attitudes. There is a desire for a new beginning by the people in South Asia at the

threshold of the 21st century. A great gap appears to have opened up between the yearning and the lack of response from the political leaders.

I would argue that by refusing to hold a plebiscite in Kashmir, India's democratic credentials are severely dented in international community. India would stand tall if Kashmiris are given the right of self-determination to decide their own future.

Both Indian and Pakistani leaders carry a heavy burden of responsibility to find a mechanism to resolve this thorny issue of Kashmir. This is needed more in the context of present border skirmishes along the cease-fire line in Kashmir. Kashmiris ought to be given the opportunity to exercise their democratic and human rights in a free and fair environment. In my view, it will be appropriate for India and Pakistan to demonstrate their leadership in resolving the issue for peace, stability, progress and prosperity of the 1.2 billion people of South Asia. Permit me to conclude by referring to an old maxim, "the slower one acknowledges one's ignorance, the longer one has to correct."

The writer is former Bangladesh Ambassador to the UN in Geneva.

OPINION

After a While ...

I think it was in 1997, I needed to go to Barisal to visit a rural development project several kilometres away from the Barisal airport at a place called Rajoir in the district of Madaripur. We were required to come back the same day. It was a big group, consisting of several Japanese, two ILO officials, several Pakistani visitors and a few Bangladeshi officials. We could do so because of a private airline despite various odds on the road.

The project was spread over a huge campus, consisting of residences for trainees and visitors, a hospital for children, several fish ponds, gardens of fruits, flowers and medicinal herb, besides a bakery and a workshop for block printing of dresses.

Like other NGOs, the organisation has mobilised local people in groups and federations for undertaking savings and income generating activities and also for empowerment of groups and federations in promoting communal harmony, campaigning for fair elections, preventing oppression of women in particular, and advocating liberal social attitude in the rural areas.

Our interests were mainly two: one was to establish link between government agencies delivering services for agriculture, forestry, fisheries, livestock, cottage industries, and income generating activities and the groups and federations for better utilisation of government facilities and for reducing service cost of the NGO.

The second interest was to diversify, expand and modernise income generating activities, already introduced by the groups and the federations. Two vehicles had already travelled by road to meet us at the airport so that we could travel speedily to the project sites.

If I am not mistaken, there were at least two very short-distance ferries from Barisal airport to our destination. On the way there was no problem and we witnessed very pleasant sights.

Technically this was described to us as a "multipurpose use of diesel engine". We saw a group of about 16 women who were provided with funds for owning a diesel engine and they were using it at a wayside place for crushing sugarcane. The place was full of activities and

the women were in full control. The fact that sufficient money was earned by another engine was not important to me. I was moved to see rural poor women of my country in control of a fairly complicated commercially operated small enterprise. Later in the day, I saw the engine being used in rice husking. On another visit I saw the engine being used in a boat.

This was surely a diversification. We also visited the bakery to modernise which, we had offered some loan. Production and sales increased, several sales vans were added — all freely asking additional contribution. Same was the case with boutique and block printing. Help from our side led to expansion of business and employment. I however missed something very dear to me. The women workers, unlike the sugarcane group, were not in control.

The link with government extension officials was again impressive. About 40 households headed by women were freely asking questions and the officials were responding with noticeable enthusiasm.

The journey back was however a nightmare. The followers of a local religious leader had hired at least a hundred buses to join a religious ceremony and there was no chance that our vehicles could reach the ferry ghat in time. Appeals in the name of foreigners did not cut any ice. We were kept waiting behind the hundred buses hired by the devotees. It was quite telling that we would miss the return plane due to the congestion at the ghat. One of our drivers then discovered a "mastaan" and paid him some money in return to the promise of taking our vehicles to the ferry. Although, we failed to board the ferry, the vehicles reached within walking distance of the ferry.

We rushed to board the ferry, leaving the cars and the drivers behind. Some succeeded and others had to take a boat. The boats proved faster than the ferry, and those in the boat could board the ferry halfway through. We had another ferry to cross.

We negotiated with the devotees and they kindly allowed us to board two of their buses and to travel up to the airport. They even sacrificed their seats for the foreigners and the elderly

and remained standing till we reached the airport.

These thoughts came to my mind on reading a recent news item in an English daily. The headline was "Private sector airlines fail in mission." The journey I mentioned was undertaken by a private airline. Thanks to the efficient operation of this private airline — I, along with members of my group consisting of various nationalities, could successfully complete our task on the same day, as planned. Both the onward and return journeys were on the dot, the plane flew low enough to get a better view of the countryside more than one can see in a Biman domestic flight, passengers were fewer in number and the landing and the take-off were very smooth. I had another occasion to charter the same private airline with about 17 colleagues and the experience was equally pleasant.

Recently I had several occasions to travel from Dhaka to Chittagong by another relatively bigger private airline and the experience was very pleasant while reporting, boarding and take-off. Most happy situation related to the safety and promptness with which the luggage were delivered. On one occasion, however, a very risky landing was attempted successfully, while we were all praying. However the fare is higher than that of Biman and the difference is justified because it's more efficient than Biman.

What makes me sad is the deterioration that usually sets in, in our private enterprises, soon after an efficient start. If we look at construction companies, printing presses, indenting houses, transport companies, restaurants, repair shops, jute mills, textile mills, banks, insurance companies and others, we see many are stagnating or running at a loss. Very few prosper, as expected. This seems to be a common feature of our private sector. At a time when private sector is considered as engine of growth, this feature is extremely discouraging.

According to the news item, 27 private companies obtained permission to operate airlines but only three have started. This shows another Bangladeshi colour.

AMAH Siddiqui
66, Central Road,
Dhaka-1205