

Ombudsman Ball Game

by Zillur Rahman Siddiqui

One can understand why some people should be nervous at the thought of an Ombudsman appearing on the scene. There are many a skeleton in the cupboard, and it will be a bad day for many when these start to be revealed.

WHETHER wrote that piece apparently thought it wise or safe to write under cover; no name, only a Special Correspondent. He has written in a manner to make a nationally respected figure, Justice M. Habibur Rahman, to take umbrage at this piece, clearly meant to hit him below the belt. He has taken full advantage of his knowledge that Justice Rahman, in his position, could not open his mouth in self-defence, nor could he take any legal measure to counter this cowardly attack on him, amounting to libel.

I would summarise the main points raised by this special correspondent:

1. The recent move by the present government to appoint an Ombudsman, an office stipulated in article 77 of our constitution, is highly suspect. An office that has remained vacant for 26 years, which no government felt it necessary to fill, and which none of our 'gurus' like the World Bank and IMF had, 'pressurized' any of the successive governments, including that of Begum Zia, must be a redundant one.

2. Why now, what is the urgency, in appointing Sheikh Hasina to fill the post? And how come, the initial choice of Justice Kemaluddin Hossain later fell to Justice M. Habibur Rahman? Surely Sheikh Hasina has her good reasons.
3. The special correspondent's piercing intellect discovers the reason in a moment, because, to him, it is so transparent. Justice Rahman, in his role as the Chief Advisor to the Caretaker Government of President A.R. Biswas, saw to it that Awami League came out victorious in the election. The victory was fortuitous. No, worse, it was stage-managed, in support of which claim are approvingly quoted all the wild allegations of BNP leaders and many independent observers

(who are they?). Justice Rahman's failure to discipline the wayward officials who had joined hands with other rebels, and had appeared on the so-called Janat Manch' and the fact these pro-Awami officials were allowed to function in various capacities during the election was crucial in ensuring Awami League's victory in the election.

4. It is thus that Justice Rahman, though a good jurist but having proved both biased in favour of Awami League, and inept as an administrator which he was condemned to be by virtue of his profession, had ingratiated himself with the winning party, and its leader, Sheikh Hasina.
5. Justice Rahman, as a reward for services rendered, is enjoying certain privileges contrary to established rules. For example, he has been allowed indefinite occupancy of his official residence, and he, presumably at his own request, is still being guarded by security. The Special correspondent assumes all this, and prefers not to refer to his source of information.

6. Justice Rahman is pictured as both weak-kneed, and indecisive as an administrator. It is a great good luck of the nation that President A.R. Biswas was there, the king-pin of the administration, to save us from another military coup! Apparently, the Special Correspondent, while making this claim on behalf of the Savior, is posted with knowledge denied to the rest of the world.
7. Justice Rahman's continued occupancy of No. 10 Minto Road House is heavily

underlined and produced as an evidence of some schemes being secretly hatched which will straighten every thing, retrospectively, all the irregularities involved in this. The scheme, however is clear enough,—to install Justice Rahman as Ombudsman.

8. He has proved himself the right man for the office. He has served Awami League well, in his capacity as the Chief Advisor to the care-taker government. And now that presumably the sole purpose of having an Ombudsman is to carry on the political vendetta against BNP, and to ensure the safety of pro-government culprits from the mischief of law, Justice Rahman is being asked to wait in the ante-room, till the moment arrives for him to assume the office of the Ombudsman. Already, he is doing the groundwork for the next stage of his career, the Presidency, in 2001, as and when the present incumbent, Justice Shahabuddin Ahmed retires.

9. The special correspondent feels sad, that by his action and conduct, and also perhaps by allowing himself being used as a pawn in somebody's Ball Game (a slang word, incidentally, in an otherwise well-written piece) Justice Rahman may prove himself to be the victim of his one man demolition squad.

The special correspondent has spared no pains to give himself that role, without waiting for Justice Rahman to be overtaken by his nemesis.

I do not feel encouraged to enter into an argument with him in respect of his political

assumptions,—his interpretation of the election results of June 1996 for example, I can offer no salve to his bleeding heart, and can only advise patience and fortitude till the next election, which will hopefully be overseen by another Chief Advisor to the President, another head of a third care-taker government, more fair minded than the last one, and sharing some of President A.R. Biswas' firmness, and administrative acumen. Many of us, however, have a different image of the poor fellow, and still vividly recall the shaken, pale-faced Biswas in the television screen.

One can understand why some people should be nervous at the thought of an Ombudsman appearing on the scene. There are many a skeleton in the cupboard, and it will be a bad day for many when these start to be revealed.

What is distressing is to see the nervousness and anxiety being articulated in such a vicious manner as one finds in the piece printed in Holiday in its September 25 edition. It is a cowardly attack on a highly respected man, cowardly because anonymous. It is vicious because it takes recourse to character assassination of the worst kind. The writer finds Justice Rahman's occupancy of No. 10 Minto Road objectionable. What will he say about Begum Zia's occupancy of the Cantonment residence, the official residence of her late husband, though she has the gift of a house for her personal use in Gulshan, gifted by a BNP government?

The anonymous writer, changed dramatically during the last 10 years, in every major city, diverse people live harmoniously and culinary delights and cultural functions from Asia and the Middle East are being appreciated by the overwhelming majority of Australians. The younger groups campaigned hard against Pauline Hanson and wherever she went there would be a big group of protesters who would shout her opposing her divided and extremist 'racist' policies. This campaign had an effect on the people below the age of 50. Gradually, the majority of Australians felt that at the beginning of the next millennium, her policies were dead wrong and needed to be buried once for all.

Australians Bury 'Racist' Party at the Polls

by Barrister Harun ur Rashid

The overwhelming majority of the Australian electorate have spoken out clearly and loudly against Pauline Hanson and her party and have affirmed decency, tolerance, equality and human dignity irrespective of race and religion. It is good for Australia and for the world.

THE general election in Australia which took place on October 3 has ended with many surprises. The anti-immigration and 'racist' party of Ms. Pauline Hanson failed to win a seat in the House of Representatives (Lower House), although it won a seat in the Senate (Upper House). Even Ms. Pauline Hanson was not re-elected as an M.P., let alone other nominated candidates of Hanson's One Nation Party. At the time of writing, the present ruling Coalition (Liberal and National Parties) with the conservative Prime Minister John Winston Howard (59) has just scraped through with possible 4 to 6 working majority reducing his earlier 44 seats majority. The opposition Labour Party led by Kim Beazley (51) has bounced back and strengthened its seats from 49 to possible 70 in the Lower House (75 seats give a majority of the total 148 members in the Lower House to form a government). The final result could not be announced because the postal votes within and outside the country need to be counted as 13 seats of the Lower House appear to be on the cliff-hanger. It is important to note that voting is compulsory in Australia and failure to vote has a penalty by fine or imprisonment.

The very fact that Hanson's Party did not win a single seat in the Lower House brought a great relief to an overwhelming majority of Australians as the ideology of Hanson's Party was dividing the nation. The One Nation Party of Pauline Hanson became a Party of 'Divided Nation'.

Pauline Hanson on the day of the national poll on 3 October claimed that her Party would win between 12-15 seats in the Lower House. The elec-

tion result demonstrated that the magic of Pauline has disappeared from the political scene and she was reported to be in tears when she learnt that she did not win her seat from the constituency — Blair in Queensland. The majority of the Australians found out the hollowness of her policies and in particular her tax policy (2 per cent on each transaction, abolishing all other taxes including income tax) became a joke. Her election campaigning was disorganised and frequently she would throw out the media personnel if they would ask searching questions to her or her party stalwarts. Such action badly damaged the image of her party. Furthermore her party's populist and quick-fix policies were not credible to the Australians.

Secondly, the role played by the 11 members from Pauline Hanson's party at the Queensland State legislature has disappointed every one. They could not contribute to the debates in the legislature and were not able to initiate any major policy issue or legislation. Their role is perceived to be a jolt on the dignity and seriousness of the deliberations of the policy-debates in the legislature. Their economic and intellectual comprehension were below the average and the voters in Queensland found that they had elected wrong people at the state legislature. The myth of One Nation Party has finally burst.

Thirdly, the major parties

while making a number of absurd statements regarding Justice Rahman's motives and future intentions has alluded to private opinion of his friends. Who these friends are, one would like to know. Further, do these friends share the opinion of the writer regarding the frailties, lapses, hopes and designs of Justice Rahman?

As far as I know, and I claim to be a know little bit, Justice Rahman is a prisoner of circumstances. He would value his freedom, more than any thing else. He has a most unblemished past, and he has set a rare example of public service, when called upon to do so. Future history will tell us whether it was he, the indecisive head of the caretaker government, or the redoubtable A.R. Biswas, who steered the nation through the rough waters of April-June, 1996. The special correspondent has done a grievous wrong to an honorable man, but I don't expect him to apologise.

Our special correspondent started with the issue of Ombudsman and ended up by virtually decrying one whom he took to be the possible, even probable incumbent of the post, Justice M. Habibur Rahman. This is what can be called a two-pronged attack. Apparently, he dislikes the concept and disbelieves the man. As for the concept, he fears, that since parliament will be the fountain-head of all the activities of an Ombudsman, he will have to depend entirely on the will of the majority party. This is entirely a very personal, a very limited view of the role of the parliament, and the role of an Ombudsman, born of extreme cynicism, and a cynicism that owes its origin to a jaundiced view of the entire Ball Game (his own words) of governance, a jaundiced view that finds a hero in A.R. Biswas, and a villain in Justice M. Habibur Rahman. No wonder, he needed the subterfuge of anonymity.

Floodplain Occupation in Dhaka Natural Hazards Perspectives

by Dr. Md. Rashed Chowdhury

NATURAL hazards research findings explain the reasons of persistent floodplain occupation. So far, natural hazards research have described seven reasons as the answer to 'why do people live in the floodplains'. These reasons are i) they (people) do not know about the hazard and are unduly concerned; ii) they know about the hazard, but do not expect a flood; iii) they expect a flood, but do not expect to suffer a loss; iv) they expect to suffer a loss, but not a serious one; v) they expect to suffer a serious loss and have therefore undertaken, or are planning to undertake, some actions to reduce the loss; vi) they expect to bear a loss but see this outcome as an acceptable cost of enjoying the locational (environmental) benefits; and vii) they had little or no choice in location and/or have little or no choice but to stay.

While individually these reasons may be valid (most researchers have identified one or more of these reasons), not all reasons will be applicable to floodplain occupants at all times. Researches on flood hazards indicates that although many floodplain occupants are willing to be relocated, the lack of opportunities, choice and government incentives has prevented them from moving elsewhere.

A study was conducted by the author in 1977 in the floodplains of the eastern part of Dhaka with an objective to identify the reasons affecting floodplain occupation in that area. Findings of this research are used to substantiate the applicability of each reason for continued floodplain occupation in the context of natural hazards research. Therefore, each reason is examined in turn:

Reason 1: In Dhaka there are probably very few people who do not know about flood hazard. When asked, 63.2 per cent of the study sample voluntarily mentioned flood as the most important disadvantage in their locality. This group of respondents, therefore, have a high awareness of the flood hazard. However, when respondents were asked

whether or not their locality was affected by floods, 83 per cent gave a positive reply. Therefore, reason 1 is unlikely to be a reason of floodplain occupation in the study area.

Reason 2: Survey results indicated that more than 80 per cent of occupants expect flood to occur in the future. Furthermore, 86 per cent of the respondents are pessimistic, i.e. they expect a higher frequency flooding (1: 5) compared to the actual. Reason 2 is also an unlikely explanation for floodplain occupancy in Dhaka.

Reasons 3 and 4: The study sample indicated that about 82 per cent of them have experienced serious flooding in the area and a serious loss. However, at present there is a high expectation of lower frequency (less than 1 in 20) and magnitude (depth of flooding is lower than the plinth height) of future flooding. Respondents are, therefore, do not expecting to bear a loss or expect to bear a minor loss. The household survey indicated that 90 per cent of the respondents believe that future floods will not be serious if the proposed embankment is constructed. Reasons 3 and 4 may, therefore, be likely explanation for future floodplain occupancy in Dhaka.

Reasons 5 and 6: These are two common reasons why people continue to live on the floodplains of Dhaka. At present shallow (depth of water <1 meter) to moderate (1-2 meter) flooding occurs almost annually. People living in such areas expect to bear a serious loss and have taken various direct and indirect actions to reduce it. There is an expectation that after the construction of embankment there will be no flood or nominal shallow floods for agricultural purposes only, so they expect to bear a loss and accept an unavoidable cost of enjoying the locational benefits of cheap land, fertile soil, proximity to work place and other urban and social services.

Thus the many advantages of the local area outweigh the perceived risk of flooding. In the survey, when the respondents were asked about the

important advantage of living in their present area, 70.3 per cent of them indicated various locational benefits as the reasons. These included the owning of land at a cheaper price, proximity to nearby town, proximity to work place, proximity to relatives and public amenities. These two reasons are, therefore, important guidelines and are likely explanation for floodplain occupancy in Dhaka, Bangladesh.

Reason 7: This reason commonly explains the background of persistent rural floodplain occupation in Bangladesh where peasants and land less farmers are mainly the occupants. In the rural floodplains in Bangladesh, high levels of flood hazard awareness exist amongst floodplain inhabitants, yet, the majority continue to live on floodplains because they know how to go. However, the study sample indicated that 75 per cent of the residents are new comers, 70 per cent of which have been resident for less than 10 years, 75 per cent of the respondents bought land from the farmers. Occupation categories indicated that 30 per cent of the respondents are farmer, of which only 20 per cent have a house and a piece of land for cultivation. Others (10%) have a house only with farming on rented land. Reason 7 is an unlikely explanation for floodplain occupancy in Dhaka, Bangladesh.

Amongst the seven reasons of persistent floodplain occupation, reason 5 (they expect to suffer a serious loss and have therefore undertaken, or are planning to undertake, some actions to reduce the loss) and reason 6 (they expect to bear a loss but see this outcome as an acceptable cost of enjoying the locational (environmental) benefits) may be treated as the reasons of persistent floodplain occupation in Dhaka.

The author, a Ph.D in Urban and Regional Planning, is an official of the Flood Forecasting & Warning Centre of the Bangladesh Water Development Board. This article has been extracted from a section of the graduation dissertation.

Rape Survey Aims to Bring Back Respect

Worried by the rising toll of rape, Johannesburg council commissioned a survey to discover the facts. Horrifying stories have been unearthed, reports Gemini News Service, but there is also hope that lessons are being learned that will help curb sexual violence. Alan Martin writes from Johannesburg, South Africa.

"EVERYDAY I fear rape," says Soweto resident Lerato Moloi. "I'm sick and tired of living this way." Last year her teenage sister, Mpho, joined the growing number of South African women who have become victims of sexual violence.

While Mpho's rapist remains at large, she has become a recluse, rarely venturing far from the family's two-bedroom house in the Johannesburg district of Jabulani.

"She is still not right," says Moloi. "She used to be a very outgoing girl."

South Africa's rape statistics are appalling. More than 50,000 cases were reported to the police in 1996. The mention of 'jack-rolling' — also pervasively called 'recreation rape', in which victims are abducted and repeatedly assaulted — strikes terror in the hearts of township women.

With the problem reaching horrifying proportions in some areas, the Johannesburg Southern Metropolitan Local Council commissioned a survey to find the facts behind sexual violence.

Within the survey area lies the central business district, 48 informal settlements, most of the township of Soweto, as well as better-off suburbs. Almost every ethnic and social group is represented.

What's coming out is really scary, hair-raising stuff," says Marina Penderis, CIETAfrica, the organisation conducting the survey. "And this is only the initial stage."

Following months of consultations with community leaders, CIET fieldworkers entered some of the country's most violent areas to seek a better understanding of rape.

The four-months research, funded by the Canadian International Development Research Centre, included interviews with 3,700 women, 2,100 men, 1,200 high-school pupils, 90 members of the police, and 90 others, including social workers, public prosecutors, magistrates and district surgeons.

Every six months the fieldworkers return to monitor the impact of the project, those interviewed are regularly informed of the survey's findings.

The study represents the most detailed body of evidence of sexual violence in the country. Fieldworkers have been told horrific stories: a priest who raped every girl on his street, the 14-year-old who was jackedroll until she lost consciousness; women so used to being violated that they cease to think of themselves as victims.

Firm findings have emerged that could help communities, police and social workers deal with the problem.

"It surprised me how common rape actually is — three out of 10 women reported being victims of sexual violence," says Neil Andersson, executive director of CIETAfrica. "Also, that it doesn't only happen in the poorer suburbs — that two out of three rape victims actually did inform the police."

"Prior to this, the conventional wisdom was that women don't report these events, so little can be done about them," he says. "It seems only a tiny portion of [those reported] actually get turned into cases by police, fewer still are referred to court, and only a tiny fraction get convicted."

Cases get lost, he says, as they are processed, where inefficiency, red tape or corruption can lead to the "disappearance" of a docket.

Despite these shortcomings, the police have "appeared open to taking constructive criticism and to changing," says Mzwakie Mqotsi, a CIET researcher who interviewed the police. "They are looking forward to the result."

The survey is unique in not focussing on just the victim or the villain, says Andersson: "It focuses on a third group who are the non-perpetrators, the men who do not rape."

Poverty and the legacy of apartheid are two key reasons cited by CIET fieldworkers for the pervasiveness of rape.

"miracle cure" to poverty and unemployment didn't arrive. The endemic violence that characterises these areas is now highly sexualised, and turns against women and children with bitter effect.

Men's attitudes, therefore, must change if anything is to be done about undermining the culture of sexual violence, considers Andersson.

For this reason, understanding what makes men not rape is key to being able to change other men's anti-social behaviour, he says.

Stiffer penalties and tightening up on well-recognised corruption could reduce the violence, but locking up men of the positive value of not being abusive is the root to long-term success, he suggests. "It needs to be started at a very young age. We found young boys not yet in their teens thinking rape is a game, declaring themselves openly in favour of sexual violence."

Having local movie stars and sports heroes as role-models, instead of gangsters and criminals, could help change the decisions young people make, suggests Vincent Mashane, a fieldworker and a founder of Vision of Hope, a support group for ex-gang members.

"If the economic reconstruction is to have any meaning for the people living in the area, there is an urgent need for preventive peace-building and psychological reconstruction," says Shan Naidoo, strategic executive for the SMLC's health and social services department.

A change in men's perceptions could also have an impact on economic development.

By acting as a social destabiliser, by locking up men of the positive value of not being abusive is the root to long-term success, he suggests. "It needs to be started at a very young age. We found young boys not yet in their teens thinking rape is a game, declaring themselves openly in favour of sexual violence."

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— Gemini News
The writer is reporting from South Africa on a fellowship funded by Canada's International Development Research Centre.

Terrorism: A Zero-sum Game

by Bimal Bhatia

BETWEEN the spring of 1983 and the autumn of 1984, terrorism gave a blow to the Americans and their policy in Lebanon. Loaded with 150 kg of TNT, a pick-up truck demolished the US embassy in Beirut on April 18, 1983 killing 63 people, 17 of them Americans, of which most were CIA operatives.

On October 23 the same year a truck loaded with 800 kg of TNT blew up the marine headquarters killing 241 people. Bringing the US embassy annex to the ground was a third suicide attack on September 20, 1984 which left 13 dead, two of whom were Americans.

Equally significant in the expansion of international terrorism is the impact of modern communication systems. Television is credited with being one of the main reasons for the shift from rural guerrilla to urban terrorism in the late 1960s. The presence of media persons and TV cameras in cities guaranteed to the terrorists a large audience without which the desired impact would remain unachieved.

The Boeing was steered to Beirut where one of the passengers, a US Navy diver, was shot through the head and flung on the tarmac in full view of the world media.

The body of the naval diver oozing blood on the hard tarmac signified the triumph of terrorism and the virtual impotence of mighty America.

Shaken by the events, the then US President Ronald Reagan authorised the CIA to train some selected Lebanese security forces to counter terrorism. In March 1985, one year after the last marine was evacuated from Lebanon, a car bomb was planted at Bir al-Abed intending to wipe out Hizbollah spiritual leader Sheikh Fadlallah, a prime suspect. Fadlallah escaped but 81 civilians returning from their prayers met a gory end.

General Aharon Yaiv, who became Prime Minister Golda Meir's special adviser on terrorism, admitted that not all the 10 covert killings, meticulously planned by Mossad to avenge Munich, were necessarily linked to the Olympic massacre.

Emerging as the visage and symbol of international terrorism was the photograph of a hooded Palestinian on the balcony of the Olympic village.

The humiliation and outrage resulted in a meticulously conceived policy by Israel to identify and eliminate those it perceived to be heading the terrorist outfits under the tutelage of the PLO.

Exhibiting its long arm

Confessed General Yaviv in an attempt to explain the morality of carrying out such operations: "The morality lies in the situation of there being no alternative. That is to say, you have no better way, moral or physical, in which to handle the problem. That's what we did. We went back to the old biblical rule of an eye for an

eye." Yaviv elaborated that he approached these problems not from a moral point of view, but from a cost-benefit angle. In the case of Black September, they had no other choice and it would be a waste of time to debate whether it was morally acceptable. But it was "politically vital."

Subsequently there was a melting down on both sides — Israel deeply embarrassed by the blunder in gunning down the wrong man in place of Abu Hassan temporarily suspended the "hit-team" activists, and PLO and its factions understood that terrorism ought to be replaced by politics.

When a senior CIA officer was asked about America dealing with a 'terrorist', the al-

leged "mastermind of Munich," he replied saying they had to deal with "all sorts of people."

America, with a short-sighted and convoluted policy that seeks to fuel and subdue terrorism at the same time, will continue to be at the receiving end. It is doing just that in the Indo-Pak context while itself being vulnerable to Islamic fundamentalism, and its nemesis is beginning to catch up.

Terrorism has seen no winners, only losers.

— PTI/APB Feature

The writer was on the faculty of the College of Combat, Mhow.

Too Busy to Make Babies

JAPAN'S Health Ministry has issued a White Paper on the country's low birthrate. It indicates that the massive recession in procreation among the Japanese could have profound effects on the country's future — or the lack of it. The paper traces the problem to Japan's male-dominated corporate culture. Yes, that same legendary work ethic which has made it perform miracle after economic miracle.

With the news that Japan has a total fertility rate (TFR) of 1.39 as compared to 3.59 in the '50s, and more over-65s than under-15s due to the increase in life expectancy, policymakers are awakening to the sobering, and — dare one say — 'unconventional' after-effects of half a century of testosterone diversion. The government is having a tough time convincing couples to have more babies. The plunge in the TFR has tremendous implications for economic growth. Indeed, Japan is trying

to gear itself for a declining tax base in the future. Last year it introduced new taxes to pay for the social security of a greying society.

At this rate Japan's population might halve to 67 million, by 2100. Men have preferred to put the pleasures of family, Young women reared in affluence have little incentive for the ensuing boredom of marriage, according to the paper. Or for bringing up children single-handed. The average age of marriage for women is 26 and goes up every year. The divorce rate goes up too. There were 222,650 divorces in Japan last year.

The government has set up a panel to discuss ways to halt the sliding birth rate. Its desperation can be gauged by the fact that in 1990, finance minister Ryutaro Hashimoto, had suggested abandoning policies favouring higher education for women.

— WFS/News Network