

The Verdict

The court of the District and Sessions Judge brought the nearly two-year long trial of the killers of Bangabandhu Sheikh Mujibur Rahman and his family to an end yesterday, by finding 15 of the 19 accused guilty of murder. The sentence — death by firing squad in an open public place — was no doubt determined by the heinous nature of the crime, in which Bangabandhu's family, including his wife, three sons (the youngest Russel was only 10) and two daughters-in-law, were murdered with the utmost prejudice. This long-overdue trial has set an example of the noblest kind: that the law is supreme and crime does not pay. There has been no element of vendetta or revenge, and all temptations to go for summary trial at a kangaroo court were resisted. The law was allowed to take its natural course, and the accused given all facilities under the law. Few have complained about the fairness of the trial procedures.

The killings of Aug 15, 1975 were not only a heinous crime, but also a shroud of shame cast on the nation's collective conscience. That shame was further deepened through the sheer immorality of the Indemnity Ordinance of Sept 20, 1975 which sought to provide immunity from prosecution to the executors of Aug 15 murders. This immorality was allowed to poison the national political atmosphere for 23 long years, as successive governments failed to bring the culprits to book. The annulment of the Indemnity Ordinance by parliament in 1996 showed that it always was a piece of illegal act imposed on the Constitution. The burden of national shame was even greater when the democratically-elected government in 1991 continued to hide this shameful episode under the immoral shroud of expediency.

All these have now come to pass. The long trial and the yesterday's verdict have exorcised the ghost that has haunted the nation for more than two decades. Rule of law, morality, respect for human lives, common social values — all these elements must now be deemed to have been restored in the political culture of Bangladesh. Through the establishment of guilt of the culprits, under due process of law, the conscience of the nation has been cleansed of the sense of shame that bedeviled it for so long. Bangladesh has finally broken free of an immoral episode in its past and risen far above its previous station, to join the community of civilised nations.

No More of That

Dhaka's commercial zone was on Saturday no better than a battleground. Anarchy and violence prevailed there for hours. And it all started from the BNP public meeting observing the November 7 Sepoy-People Solidarity Day coming to an unscheduled end because of sporadic explosions and tear-gassing.

BNP is one of the biggest political parties of the nation. And the meeting that was aborted through deliberate violence was no stray demonstration. When BNP holds a public meeting, with notice well in advance it is the government's job to see that the meeting is held without any problem. The government has miserably failed to carry out that responsibility and as such would share the guilt of whatever follows from this escalation of the already existing situation of confrontation between the two biggest parties.

The police's reactive measures such as throwing tear gas shells followed a pattern that tended to make their action suspect. They must take care that their actions involving those that can hurt civilians must be seen and appreciated by non-partisan people as justifiable. Police action has been dangerously short of that on Saturday afternoon. Although supposedly acting on instructions from above, the suspect police performance also will have a share in the unhelpful fall-outs of a confrontational politics.

The above two undesirable things did not entitle anyone, far less BNP activists, to have gone on a rampage trampling the law under foot and violating rights of thousands very directly. Why two, let there be twenty or two hundred reasons to irritate party activists, destruction of other's property and arson will ever be crimes of the first order and the perpetrators must be brought to book. BNP will be gravely mistaken to treat those ruffians as their heroes of the day unchecked, they would be the villains of their doom.

The nation must be spared a repetition of it.

Punish Them

Some politically irate truckers in an expedient expectation of getting away with what they were up to, because of its potential to curry favour with the local ruling party MP, thick-headedly placed their vehicles haphazardly at Shanir Akhra on Saturday. Resultantly, Dhaka-Chittagong and Dhaka-Sylhet highways saw a 20 km-long traffic hold-up lasting over seven hours. And that sent thousands of stranded passengers hurtling along bag and baggage on a marathon walk to Dhaka city defying what must have been the most excruciating of hardships imaginable.

Well, as alleged by them, if the BNP workers had pounced on them to commandeer their trucks to attend their 7 November public meeting what stopped them from keeping their trucks off the highway with the same effect of having declined their request? They had no business of holding thousands of commuters hostage to their misplaced fury that was also spurious given its equivocation with the changing times.

To make up for the suffering and losses entailed by so many people the truckers would have been sued for compensation in another clime or country. Why not try it here and generate public interest litigation on the subject of violating the fundamental right of passage through highways and public thoroughfares?

It is incumbent on the government to immediately haul up the recalcitrant truckers and punish them in an exemplary manner. Essentially though we need a deterrent piece of legislation to put an end to the pernicious trend.

Nation States Sharing Power with Non-state Entities

Many think that a world which is more adaptable and in which the power is more diffused could mean more peace, justice and capacity to manage the burgeoning interconnected problems of mankind. There are others who think that continuing globalisation may well spark a vigorous reasserting of economic and cultural nationalism.

An interesting devolution of power is in the offing with the vital parts of the state authority shifting to agencies and organisations having little to do even with the states' concept. The concentration of power in the hands of the states initiated in 1648 with the peace of Westphalia is practically over. The national governments have since begun to share power with business cartels, international organisations (IOs) and myriad of citizen groups, better known as non-government organisations (NGOs). The absolutes of the state system with territorial boundary as its guarantee are withering away. Increasingly the resources like money, information and popular culture as well as threats like pollution, terrorism and drug trafficking circulate and shape lives without regards for political boundaries. An emerging global standard of conduct is beginning to override the claims of national singularity. These facile changes catalyze a relative decline of nationstate and portend the rise of nonstate entities which overpower state machineries with surprising ease.

The phenomenon is not altogether new. Centuries back the British East India Company ran a subcontinent and the activities of some of the influential NGOs date back more than a century. The process of this power shift has however accelerated after the end of cold war. But before that a revolution in technology paved the way for the nonstate actors to make a significant dent in the states' monopoly of governance and gave them their present clout. The computer as well as telecommunications revolutionised by faxmachine, e-mail, satellite hookups and Internet connection break the governments' exclusive hold on the collection and management of information. The deference the governments enjoyed on this count is no more there. Because anyone and not necessarily the government alone having instantaneous access to information and his ability to put it

into use will now matter. Not only it has reduced the importance of proximity it can also connect people across borders without separating them from natural and historical association within the state boundary. The information technologies disrupt hierarchies spreading power among more people and groups. Business, NGOs, ethnic groups and crime cartels have all readily adopted a kind of decentralised communication network where individuals and groups link up for joint action without a formal physical institutional presence. The governments which are, in fact, quintessential hierarchies can hardly compete with them.

A vision of 'one world business' has taken its toll of state power. Earlier the Multinational Corporations (MNC) were essentially anchored to their national identity. Now they are developing international market place doing everything from manufacturing, sales, advertising, business consultancy to financial and other services as locals wherever they operate. Whereas in the 1970s they were thought to be an arm of the government, they now pose grave challenge to the government by disassociating themselves from the national interest of home country as well as by moving jobs, evading tax and eroding the country's economic sovereignty in the process. The globalisation of financial market has left the government all the more despondent. Whereas the government once set the foreign exchange rate, private currency traders now trade \$1.3 bn a day — 1000 times the volume of world trade. Private capital flows have been growing twice as fast as trade for years. By one estimate the global financial market will grow to a staggering \$83 trillion by year 2000. Obviously, the technology has been shifting financial clout from

state to market because the states cannot march the market speed of transaction. While the national governments set the economic rule, the markets are setting the default rules enforced by their own power. The states can flout those rules only at an exorbitant cost — cost of losing vital foreign capital, technology and domestic jobs.

The IOs were once the institutions of the states, by the states and for the states. But the states had always been circumspect to keep them under leash so that they could not become too powerful and start interfering in the states' domestic affair. The states wanted more

the states' autonomy in these fields. In 1992 when a UN intervention took place in Somalia 'on behalf of' civilian population, the unprecedented step began to compete with formerly unquestioned primacy of the states' interest.

Since the end of cold war the national governments have succumbed to the pressure of what has now become a convention of election monitoring. Decades before it was unthinkable. From 1990 the UN however has responded to a large number of requests of election monitoring from the governments that felt compelled to prove their legitimacy. The practice has been increasingly

tries. However the biggest challenge to the state authority comes perhaps from an ever growing number of NGOs. One widely cited estimate claims that there are 35,000 NGOs only in the developing countries. But the challenge that comes is not from their number but from their efficiency and potentials. Their financial resources and expertise sometimes exceed those of smaller governments and IOs. Today the NGOs deliver more official development assistance than the entire UN system. The UN Centre for Human Rights has less money and fewer resources than those of Amnesty International — a London-based NGO. In many countries they deliver services in development, education and health — that even the average governments around the world are found incapable of doing. Not only they provide services, they breed new ideas, mobilize public support and do legal, scientific, technical and policy analyses. Thus also shape, implement, monitor and enforce national and international commitments and, when necessary, change the prevailing norms.

With all the pluses at their disposal the NGOs are now able to push around even the largest governments. On the eve of the signing of the North American Free Trade Agreement (NAFTA) the citizens' groups wanted to see in it, among others, the provisions for health and safety, transboundary pollution, labour inability and so on. In 1991 after months of resistance by NGO groups in Canada, the USA and Mexico the Bush government capitulated and opened the agreement to environmental and labour concerns. Besides, the NGOs are indeed quicker than governments in responding to new demands and opportunities and can, when adequately funded, out

perform governments in the delivery of the services.

Earlier in international organisation as with governments at home the NGOs were relegated to an inferior role. Their options were to work through the governments. All that have changed with the negotiation of global climate treaty culminating in the Earth Summit at Rio in 1992. The NGOs together with environmentalists set the original goal of negotiating an agreement to control green house gases much before the governments were ready to do so. Now more number of NGOs serve on government delegation and they penetrate deeply into official decision-making. They are also allowed to attend the small working group meetings where the most adaptable and in which the power is more diffused could mean more peace, justice and capacity to manage the burgeoning interconnected problems of mankind. There are others who think that continuing globalisation may well spark a vigorous reasserting of economic and cultural nationalism. But in any event the clash between the fixed geography of states and international nature of today's problems and solutions is only likely to escalate. If the current trends continue the international system, say, 50 years hence will be profoundly different. How and where the nation states would settle down in that milieu remain to be seen.

After three and half a centuries of nation state system it is difficult to imagine entities that could compete with the emotional attachment of a shared landscape, national history, language, flag and currency — let alone allowing it to happen. Yet it is happening and the Westphalian arrangements are crumbling down. Many think that a world which is more adaptable and in which the power is more diffused could mean more peace, justice and capacity to manage the burgeoning interconnected problems of mankind. There are others who think that continuing globalisation may well spark a vigorous reasserting of economic and cultural nationalism. But in any event the clash between the fixed geography of states and international nature of today's problems and solutions is only likely to escalate. If the current trends continue the international system, say, 50 years hence will be profoundly different. How and where the nation states would settle down in that milieu remain to be seen.



PERSPECTIVES by Brig (Rtd) M Abdul Hafiz

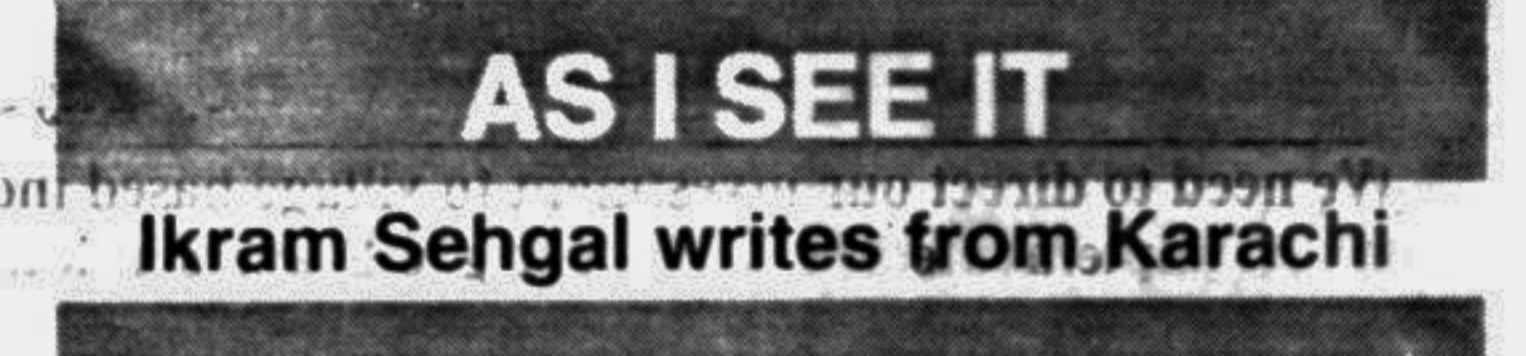
capable IOs to deal with growing number of transnational problems but feared competition from them. The IOs were given more and more responsibility but limited mandate and inadequate funding. That situation has changed. The IOs are now building constituencies of their own and trying to establish direct connection with the people of the world thus undermining the states' hitherto preserved image and credibility. As a result the loss are no more of, and for the nations and moving fast towards a change.

In the meantime the IOs' collaboration with treaties, regimes as well as inter-governmental institutions dealing with human rights, trade, narcotics, corruption, crime, refugee, terrorism, arms control and democracy has multiplied manifold eroding much of

denting the states' authority because the election monitoring is no longer a passive observation. It is now carried out by closely-knit mix of IOs involving large foreign presence and dissemination of expertise for details like voter registration, campaign law and even the training of the clerks and judiciary. The international financial institutions have interfered rather too starkly into states' domestic affairs. They attach stringent conditions to loans concerning recipient governments' policy on poverty, the environment or even military spending — a once sacrosanct domain of nation state. The new policies allow the World Bank, IMF and other financial institutions to forge alliance with business, NGOs and civil society for achieving broad changes in target coun-

Governor's Rule in Sindh Reaping the Whirlwind

There was no choice for the Prime Minister but to act to restore the rule of law in the province of Sindh by invoking Governor's Rule under the powers of emergency. Lt Gen Moinuddin Haider, the Governor of Sindh, is a very competent, sensible person whose governance style is for arranging consensus rather than use authoritarian methods as a means of exercising leadership.



AS I SEE IT Ikram Sehgal writes from Karachi

international companies stayed out of the bidding, one can always stack the deck and easily manipulate projects in favour of one's favourites. As in the case of the Sindh, Lt Gen Moinuddin Haider, the Governor of Sindh, is a very competent, sensible person whose governance style is for arranging consensus rather than use authoritarian methods as a means of exercising leadership. Carrying himself ably the last 18 months he has proven to be an asset in the performance of his job. One has no illusions that he will perform miracles but certainly his performance will be focussed and sincere. He

is perhaps the best possible person in the circumstances to rule the Province. He needs the advice of a known corrupt person like Ghous Ali Shah as much he needs two left feet. In taking strong action and setting a correct course, true to form PML(N) is now trying to put obstacles in its own path.

enforcement agencies must be very careful to adhere to the rule of law in going after both terrorists and criminals. The Governor must keep them on a tight leash. We cannot have a repeat of extra-judicial killings or coercive measures on the hapless population of Karachi. One cannot wage war against one's own people.

Therefore all action has to be taken with measured restraint. The need of the hour is to keep the economic machine of the city of Karachi humming again and that is only possible when an environment is created which is conducive of fair play and justice. Only when merit and merit alone becomes the prime consideration of the decision-making process, will we have peace and tranquillity in Sindh province. We cannot ignore nationalist forces in Sindh and one can only hope that instead of exploiting the situation for narrow parochial interests Ms Benazir Bhutto will look at the national interest and rise above herself and narrow provincial considerations.

This may be too much to hope for. Some miracles may happen. Governor Rule in Sindh was a must. There was no other alternative. Now that eventually has come to pass, we must use the opportunity to take positive measures to better the lives of the people of Sindh in general and Karachi in particular. A lot will depend on how much power is given to the Governor and how much the Centre leaves him alone to use those powers judiciously. The PML(N) sowed the wind by trying to bring MQM(A) into the political mainstream and ignoring their obvious demerits, it is now time to reap the whirlwind!

To the Editor...

Telephone shock

Sir, Help! Help! Help! Ghost of his telephone gone berserk. The subscriber was betrayed more than once incredibly. It is bleeding him systematically for long unprovoked, almost like cold-blooded deliberate murder economically in these hard days of ever increasing financial crisis.

To tame this demon, he appealed to the telephone palace, its doors, windows and even doormats repeatedly but without any result. He has ploughed the sand, it seems.

It is common knowledge of the victims and the subscribers that redress to the various thinkable and unthinkable irregularities is a far cry thus dis-regarding the name of this vital and highly qualified developed department, the pride of the nation and envy of other developing countries. Telephone No 505382 was installed at the residence of the subscriber in the month of February, 1992. The bills that followed displayed creeping inflation shooting up every month despite having disconnected the NWD line. With the feeling of a trapped animal in extreme pain and agony, even distrusting the inmates he locked the telephone set, hid the key in his own purse and waited for what was in store for him the next month. Swear by the Almighty, only 18 local calls were made during the month. But comes the bill of Tk 958 to the baffled subscriber for the month of Aug '98. He is looking forward to God just like the boy,

sold by his poor father to save the life of the king with his fresh liver, as prescribed by the doctor and approved by the king himself. The boy helplessly looked up to the Heavens with a fading smile on his lips. S N Mahmood 257/2, Elephant Road 4th Floor, Dhaka.

Telephone bill hazard

Sir, I usually receive my bills at a time when I have no other option but to rush to the bank, wait in the very long queue for hours to make payment. I requested the Bank Manager if he could depute an additional person in addition to the present one at the counter for receiving the payment, preferably from 27th to 31st of the month when the rush is at its peak. He said that he couldn't do so.

This month I received my bill on the 31st August '98 when there was no time for me to rush to the bank. Moreover, being a senior citizen of more than 75, with no one to run about, it was not possible to deposit the bill in time. Why couldn't the revenue office fix the last date for payment exactly after one month from date of issue of the bill? It is strange logic thatonus lie on the subscriber and both revenue office and postal authorities working under the control of the same Ministry absolve themselves of all responsibilities. Another funny print like "Arrears not included" is found on the body of the bill. Isn't it ambiguous? Does it not mean —

yes, there are arrears but not included in the bill? What prevents the authorities from being specific and stating "There is no arrear/No arrear" instead?

Abu M Faiz Dhaka-1207

Setting an example

Sir, The Honourable President Chief Justice Shahabuddin Ahmed feels very displeased at what the Prime Minister and leader of the ruling party as well as the leader of the Opposition of the House and chairperson of BNP are behaving towards each other.

He has reportedly gone so far as to declare that the two women are creating a muddling issue and other unwarranted issues involving the devastating flood that swept the country.

The President has, of course, rightfully pointed out the right picture which we the common citizens are faced with and for which we feel much ashamed. We would like to request the President to invite both the leaders to sit with him and sort out their differences. If not, we urge the President to take appropriate action as per the Constitution and set an example where rule of law prevails as supreme, and thus the law and order of the country returns to 'normalcy', and 'anarchy' comes to a total stop. Mujibul Haque Mirpur Road Dhaka

OPINION

No More Hartal, Please!

A H Dewan

Few months back I read a write-up in the opinion column of DS captioned "Politics have gone mad." Now what we find in the day-to-day showdown of the political parties in Bangladesh truly bears out that. Otherwise how come that killing of a BNP leader could set its workers and supporters on to go wild and ransacking, damage properties including temples and bring the normal lives to a complete standstill through a full-day hartal. As reported in almost all dailies the death resulted from the intra-party discord or feud. Then why are the general mass of whole Khulna town made to suffer the scourge of terrorism in the name of party politics? Thus has the oft-pro-nounced slogan "People's concern our first and foremost motto" of our party's gone with the wind?

Only the other day an AL leader of Chuadanga had to succumb to bullet injury and Chuadanga AL also forced upon a hartal across the town. A Jubo-Dal leader of Jessore died on 2nd November following armed attack on his person and as a sequel to that mass agitations on a hartal plan was brewing there. It seems that hartal has become the only weapon of political parties to bow the government down and vent their grievances, most of which is, however, more oriented to how to grab power than to seek redress of national problems. As we see, the arrest of party leaders, even on alleged criminal acts induce the party to resort to hartal. In such way

each of the districts of Bangladesh comes under hartal once or twice or more a month, besides the countrywide hartals made to frequent us.

But hartals are now a pet aversion to peace-loving people who just brood over and go to ask, "what tangible good to they deliver to us, and the parties?" Only smug satisfaction for successful observance and "congratulations" in returns. But it matters little to them that the whole country goes devoid of activities incurring colossal economic loss. Whereas after the ravage by flood the country direly needs brisk and booming activities in all sectors. And that is being intervened by hartals.

Almost all hartals result in casualties, from death to maiming of human person apart from damage of properties. That little Runa has been deformed and crippled on the last hartal day to bear the pangs for whole of her life is nobody's concern now. Who cares that hartals lead to starvation of daily earners who are the ones that constitute the magnitude of our population. This magnitude puts in its tolls to keep the economic wheels moving, but hartals put a break to that. As many more hartals (as long as BNP is in opposition, and AL in power) are on the cards, the prospects of foreign investment that would usher in growth of our nascent economy seems a far cry. The onus to make the oppo-

sition stave hartals or agitations off lies squarely on the government. Government therefore must also make amends for its follies and lapses without any further delay and refrain from committing acts that are purported to be inciting the opposition to take recourse to hartals and violent movements. Government must reckon with the fact that there is no smoke without fire. It is the foremost duty of government to take opposition parties into confidence, if to rule the country and lead it to prosperity, otherwise all its rhetoric for being very democratic and welfare-oriented will end in smoke and politics of hartals, agitations will never bid a retreat.

There is no denying the fact that if we cannot put a stop to hartal based politics we shall never be able to achieve our economic emancipation and keep the teeming millions out of poverty and starvation. In fact our politicians have no other alternative but to pay heed to what the business community has already put forth, and accordingly give serious thought about changing their course of action if they really want, as leaders, to do good to and help the country attain peace and prosperity. Those who are in opposition now may come to power in the next election, so they should not pave the way for future opposition parties to play the havoc as is being done now through hartals and other violent means.