Who Protected the Killers?

by Prof Abu Sayeed

With the holding of trial of the killing of the father of the nation Bangabandhu, it has become "very clear to

the people that there are two courses of politics in the country. On the one side, there is a course of killing, coup,

conspiracy and anti-independence activities while on the other end, the course for establishing the values of

independence and war of liberation, democracy, justice, rule of law and social progress.

HANDAKAR Mustaq Ahmed and his fellow con-▲ Aspirators usurped power illegally on August 15, 1975 by assassinating the father of the nation and elected President of ued with martial law. the country Bangabandhu Sheikh Mujibur Rahman. These conspirators clamped martial

was a fundamental contradic-The Constitution provided for the discharging of the responsibility of the office of the President by the Vice President and then, by the Speaker in absence of the President and the Vice-President. So, Khandakar Mustaq was totally an illegal President in the light of these

law regulations side by side

keeping the Parliament and the

Constitution in force, which

provisions of the Constitution. The constitutional bindings were not unknown to Mustaq either and that was why Mustaq in his unilateral declaration of martial law promulgation on August 20 that year made in the name of Allah and the people said, "I am assuming the post of the President of the People's Republic of Bangladesh and assuming the office of the President from the morning of Au-

gust 15, 1975". Indemnity Ordinance was promulgated on September 26. 1975, almost over a month atter the assassination of the father of the nation Bangabandhu Sheikh Mujibur Rahman and members of his family. This was done for protection of the killers. To this day, this repugnant Ordinance is dubbed by the world conscience as a total violation of the Constitution, and of all norms of humanity and fundamental rights. The Indemnity Ordinance said, "This ordinance is promulgated to prevent the taking of any legal action against anybody for formulating and executing plan and taking any steps for effecting the historic change and declaring martial law in the

morning of August 15, 1975". Indulging in the politics of coup and conspiracy, Ziaur Rahman captured state power on November 7, 1975. The book titled Last Phase in Bangabhaban written by Justice Abu Sadat Mohammed Sayem exposes Zia's politics and shows the true nature of his activities.

Chief Martial Law Administrator from President Justice Sayem on November 29, 1976. The martial law promulgation (third declaration) said, "the affairs to the country will be conducted as per law that he (Ziaur Rahman) will decide or promulgate". That meant the country was being governed under military autocracy and one-man

Ziaur Rahman took over as

Ziaur Rahman then elevated himself to the post of the President through a "yes-no" referendum under the cover of martial law, prohibiting any right to assembly and meeting, curbing fundamental rights. This was done to legalise his illegal activities, to consolidate power and in violation of military rules. Foreign press cast doubt on the referendum and reported that bagging of 99 per cent votes

could be achieved only through unfair means. For many, it was a blatant use of vote rigging. Despite elevating himself to the office of President and the socalled referendum. Zia contin-

After assuming power, Ziaur Rahman held a farcical elections under martial law while the Constitution remained suspended. The elections were not designed to establish democracy in the country as he tried to project, but to set up a rubber stamp parliament to legalise all his illegal activities.

The first sitting of that rubber stamp parliament was held on April 4, 1979. The power that a parliament should have under presidential system was absent in the rubber-stamp parliament created by Zia. Yet it was claimed that the parliament was sovereign. The Deputy Leader of the Opposition of that parliament once questioned the Leader of the House, "where lay the power of the House?" In reply the Leader of the House said, "it has power, but that is in secrecy". That means everything of that parliament was veiled in secrecy and beyond the knowledge of the people.

Next day, on April 5, 1979, on the eve of passing of the infamous Indemnity Ordinance, it was protested by saying: "the law that was being passed in the parliament under gun point and under martial law will remain as the blackest chapter in our history." It was said in the parliament, "if this law (Indemnity Ordinance) is enacted, it will forestall investigation of the killing of the father of the nation Bangabandhu and with the passage of the legislation, the law of the same nature promulgated after August 15 will remain in vogue"

Protesting the enactment of the Indemnity Ordinance it was also stated in the parliament that if this law was passed then the trial for the killing in jail of the four great leaders who led the war of liberation for independence of Bangladesh - Syed Nazrul Islam, Tajuddin Ahmed. M Mansur Ali and Kamruzzaman — could not be held.

The 5th amendment to the Constitution was adopted in the parliament on April 6, 1979 totally ignoring the demand raised within and outside the parliament for holding trial of the killings of the father of the nation and of the four leaders.

In a nutshell, the trial of the killing of Bangabandhu was stopped through the passage of the 5th amendment. This amendment, at the same time legalized coups and killings of many patriotic members of the armed forces, political leaders and workers without trial. It also legalised usurping power illegally, violation of army act and all illegal activities since August 15, 1975.

Mustaq promulgated the Indemnity Ordinance after the assassination of the father of the nation and Ziaur Rahman made a permanent arrangement to exempt the killers by incorporating this notorious ordinance into the Constitu-

tion. In the meantime, on September 18, 1980, a commission was constituted in London under the leadership of Sir Thomas William for investigation into the killing of Bangabandhu and four leaders in the Dhaka Central Jail. The terms of reference of the commission included investigation into the matters that were obstructing

the process of law and trial of

the persons responsible for the

killing of the father of the na-

tion, the members of his family

and the four leaders inside the When the commission wanted to come to Dhaka, the government of Ziaur Rahman on January 13, 1981 refused visa. The commission ultimately came to the conclusion that (a) the process of law and trial of the killers were not allowed to proceed in its own course, (b) it was evident that the government was responsible for obstructing this process and (c) law and justice should be allowed to follow their own

The observation, analysis and review of the internationally constituted investigation commission made it clear that Ziaur Rahman was 'associated' with the killings of August 15 by obstructing the process of justice. The statement of Faruq. one of the principal conspirators in the murder of Bangabandhu, corroborated this. Farug in his statement said. "Ziaur Rahman knew about the plan for killing of Bangabandhu." Faruq even challenged, "If Zia has the guts, let him hold my trial"

course by removing the obsta-

Faruq's admission was justified from the fact that Ziaur Rahman even rewarded the selfconfessed killers by giving them diplomatic assignments in different countries. On June 8, 1976, Ziaur Rahman appointed 12 of the killers in various embassies. They were: (1) Lt Col Sariful Hug Dalim as First Secretary in Bangladesh mission in China, (2) Col Aziz Pasha as First Secretary in Argentina mission, (3) Major Mohiuddin as Second Secretary in Algerian mission, (4) Major Shahriar as Second Secretary in Indonesia. (5) Major Bazlul Huda as Second Secretary in Pakistan, (6) Major Rashid Chowdhury as Second Secretary in Saudi Arabia. (7) Major Noor as Second Secretary in Iran. (8) Major Sariful Hossain as Second Secretary in Kuwait. (9) Capt Kismat Hossain as Third Secretary in Abu Dhabi. (10) Lt Khairuzzaman as Third Secretary in Egypt, (11) Lt Nazmul Hussain as Third Secretary in Canada and (12) Lt Abdul Ma-

jid as Third Secretary in Sene-

The framework of the three alliances worked out in 1990. can be termed as the magna carta of the movement against. the autocratic regime of Hussain Mohammad Ershad. Awami League-led 15 parties, BNP-led 7 parties and Left Front-led parties - the three alliances - singed this framework. The downfall of Ershad came through mass upsurge that united the people under the banner of this framework.

The caretaker government was formed in accordance with this framework of the three alliances. BNP getting more seats, but less popular votes in the election in 1991 under caretaker government, formed the subsequent government. After the election the BNP chairperson tried to form a Zia-Ershadtype presidential system of government deviating from the outline of the framework of the three alliances which called for the formation of parliamentary system of government. BNP, according to its party constitution, did not believe in the parliamentary system of government. Begum Zia was compelled to accept the parliamentary form of government under indirect pressure from the chief of the caretaker government and for the fear of losing power in face of strong public opinion countrywide mobilised by Sheikh Hasina. The parliamentary system was re-established by amending the Constitution on August 6, 1991.

On the eve of reverting to the parliamentary system of government, the former Speaker Shaikh Razzak Ali and others came to Bangabandhu Bhaban and assured Sheikh Hasina on behalf of Begum Khaleda Zia that they would take steps to repeal the notorious Indemnity Ordinance to pave the way for trial of the killing of Banga-

But, ironically, they betraved their commitment. The framework of the three al liances clearly expressed its commitment to put an end to the politics of killings, conspiracy and coup. But BNP betraved its pledges time and again for establishment of rule of law, justice and fundamenta rights by not abolishing the notorious Indemnity Bill and holding the trial of killers of Bangabandhu

In this backdrop, at the instruction of the then Leader of the Opposition, Sheikh Hasina the then Chief Whip of the Opposition Mohammad Nasim introduced the Indemnity Ordinance Repeal Bill-1991 at the Jatiya Sangsad on August 8

After introducing the bill. Mohammad Nasim proposed the formation of a special committee to examine and scrutinise the bill in the light of the Constitution and other laws of the land and submit its report within one month. The then Minister for Law, Justice and Parliamentary Affairs Mirza Golam Hafiz was proposed as the chairman of the committee while Education Minister Dr Badruddoza Chowdhury, Deputy Leader of the Opposition Abdus Samad Azad, Agriculture, Irrigation, Water Resources and Flood Control Minister Major General (retd) Majedul Haque, Deputy Speaker Shaikh Razzaque Ali, Local Government, Rural Development and Cooperatives Minister Abdus Salam Talukdar, Chief Whip Khondkar Delwar Hossain, State Minister for Labour and Manpower Barrister Mohammed Rafigul Islam, State Minister for Food Barrister Nazmul Huda. Syeda Begum Sajeda Chowdhury, Mr Suranjit Sengupta, Mr Sudhangshu Shekhar Haldar, Opposition Chief Whip Mohammad Nasim Advocate Fazle Rabbi and

When the then Deputy Speaker as chairperson of that particular sitting invited the Law Minister to speak on the matter, Mirza Golam Hafiz said, "Mr Mohammad Nasim has proposed for a select committee on the Indemnity Ordinance, 1975. I wholeheartedly support his proposal. Though it's not time to make statement yet I would like to speak a few words in its support. I have said twice before that this law is very complicated and later also said that it has many knots to be unknotted. Previ ously I alone tried to untie the knots. Now we are lifteen. Now believe that we shall be successful by jointly putting in our eflorts in untying the knots."

Mirza Golam Hafiz further

Sheikh Ansar Ali were pro-

posed as members of the com-

said: "All excepting one or two of the honourable members who have been proposed as members in the select committee were in the select committee for the eleventh and twelfth amendments of the Constitution. There they also confronted such problems and came out successful in untying many complicated knots and could pass the two bills unanimously. I think that was a great success. Such a success is rare in the constitutional history. We shall sit together with those honourable members and hope our sincerity and congenial at mosphere will help us to solve the problems easily. We shall try to untie the knots in the select committee through discussion among ourselves and submit the final report as early as possible.

But in reality nothing tangible was done. That is why, the

tenure of the committee was extended further by 60 days on October 11, 1991. But even then no progress could be attained. On June 25, 1992, the tenure of the committee was extended further for another 70 days for the sec-

Even then no progress could be made to repeal the Indemnity Ordinance. After this, on March, 1992, another 70 days were allowed to the committee for the third time. But practically nothing was done. All these extension of time appeared to be tactics to deceive the people and to kill time.

Even after all this, on July 15, 1993, the tenure of the committee was extended by another 80 days for the fourth time. Yet no progress could be achieved in respect of repealing the Indemnity Ordinance. In the meantime, public

opinion demanding the trial of

the killers of Bangabandhu and

members of his family became

stronger and stronger throughout the country. Side by side corruption, nepotism, inefficiency and repression and oppression by the Khaleda Zia government reached to such height that a mass movement demanding elections under a caretaker government brewed up and members of the opposition under the leadership of Sheikh Hasina had to tender resignation from the parliament. Repressions were perpetrated on thousands of leaders and workers just to retain power. Several hundred Awami League leaders and workers were killed.

BNP leader Begum Khaleda Zia held a farcical election on February 15, 1996 in a desperate bid to retain power. The nation rejected that election. The foreign journalists commented that they had not seen such voterless farcical elections anywhere in their lives. The final movement for toppling the government began. Crores of Bangalees at the call of people's leader Sheikh Hasina embarked on a non-cooperation movement.

The government of Begum Khaleda Zia fell on March 30 through a mass-upsurge. The date of elections was fixed on June 12, 1996. The Awami League president Sheikh Hasina in her address to the nation on the eve of elections expressed her firm commit ment to establish rule of law and that if voted to power she will repeal all black laws including the infamous Indemnity Ordinance.

The Awami League won the elections held in a free and fair atmosphere under the caretaker government and formed the government on June 23, 1996. On July 23, 1996, the State Minister for Law, Justice and

Parliamentary Affairs Advocate Abdul Matin Khasru introduced a bill on the floor of the Jatiya Sangsad for repealing the Indemnity Ordinance, 1975 and sent it to the special committee constituted at the proposal of the Leader of the House Prime Minister Sheikh Hasina.

The bill said: any action or any steps, any certificate issued or any order or any instruction or any right achieved under the act or any facilities or privileges or responsibilities or liabilities created for the government or any authority under the ordinance, in all such cases. the provisions under section 6 of the general clauses act 1979* shall not be applicable and such action, steps, certificates or instructions, or achieved right or created liabilities and responsibilities shall be ineffective and cancelled with the repealing of the ordinances through sub-section 1 of the bill.

The statement containing the objects and reasons of the bill said: the 1975 Indemnity Ordinance is contrary to the fundamental human rights and basic rights and rule of law as enshrined and guaranteed by the Constitution. This bill has been brought before the House as it is imperative and necessary to repeal the ordinance to preserve the rights of seeking the shelter of law for ensuring rule of law in the country."

A high powered six-member committee headed by Law Secretary was formed with regard to the bill. The bill was sent to the permanent law commission headed by former Chief Justice Dr F K M A Munim seeking its opinion. Justice Amin-ur Rahman Khan and Justice Naveem Uddin Ahmed were included in the commission.

They, on October 17, 1996 gave the following opinion: "the Law Commission has examined the Indemnity Ordinance, 1975 with reference to paragraph 18 of the fourth schedule to the Constitution inserted by S.2 of the Constitution (Fifth Amendment) Act, 1979 and Article 142 of the Constitution.

The commission was of the opinion that the Indemnity Ordinance, 1975, can be repealed by an act of parliament passed by a simple majority under article 80 of the Constitution or by promulgating an Ordinance under Article 93 of the Constitution, and for repealing the Indemnity Ordinance, 1975, the procedure laid down in Article 142 for amendment of the Constitution need not be followed.

The Indemnity Bill was introduced before the Jaliya Sangsad on November 19, 1996 At the time of its introduction, the members belonging to the BNP and the Jamaat-e-Islami remained absent from the House. The House unanimously sent the bill to the special committee of Jatiya Sangsad. Advocate -Rahmat Ali

(Awami League) was the chairman of the special committee, while its members were Agriculture Minister Begum Matia Chowdhury, State Minister for Law, Advocate Abdul Matin Khasru, Abdul Mannan, Sayeda Sajeda Chowdhury, Col (retd) Shawkat Ali, Dr Mizanul Hug and Sheikh Fazlul Karim Selim from Awami League, Khondkar Delwar Hossain, Barrister Jamiruddin Sircar from BNP. Advocate Fazle Rabbi, Tajul Islam Chowdhury from Jatiya Party and Kazi Shamsur Rahman from Jamaat-e-Islami

Though the members belonging to BNP became members of the special committee, they remained absent from the com-

mittee meetings. After 21 years, one month and 16 days, on November 12, 1996, the Indemnity (Repeal) Bill, 1996 was passed unanimously by the Jatiya Sangsad in an emotion-charged atmosphere. The bill was taken up for consideration by the House at 8.46 pm and after deliberations it was adopted at 10:00

BNP members remained absent from the House on that day too. Their behaviour clearly showed that they did not want to be associated in any way with the process of repealing the Indemnity Ordinance.

Ziaur Rahman rewarded the killers. Ershad too, as a beneficiary, kept the self-confessed killers in their jobs in comfort. In a similar way, Begum Khaleda Zia put a stigma on the Jatiya Sangsad through electing one of the key conspirators in the murder of Bangabandhu, Rashid, as a parliament member in the farcical elections of February 15, 1996. She allowed him to sit in the seat of the Leader of the Opposition in the sacred Jatiya Sangsad.

The conspicuous absence of BNP and Jamaat members from the Sangsad session during the introduction, consideration and passage of Indemnity Repeal Bill proved that they wanted to perpetuate the politics of killings and of conspira-

With the holding of trial of the killing of the father of the nation Bangabandhu, it has become "very clear to the people that there are two courses of politics in the country. On the one side, there is a course of killing, coup, conspiracy and anti-independence activities while on the other end, the course for establishing the values of independence and war of liberation, democracy, justice. rule of law and social progress. The Awami League in order to fulfil the aspiration of the people is firmly committed to steer ahead in the latter course.

People's leader Sheikh Hasina shall continue to remain as the 'Torch Bearer' of the infallible verdict of history through repealing the Indemnity Ordinance, upholding the desire of the Bengali nation

On the other hand, those who imposed, perpetuated and enforced the infamous Indemnity Ordinance for the last 21 'years will suffer the stigma of being a part of the black chapter of the history of our country.

The writer is an Awami League MP and is the State Minister for Information and Broadcasting.

Pakistani Women in Dread of Islamisation Bill

Cassandra Balchin writes from Lahore

It was like Zia's time," commented a woman journalist recalling the early 1980s under Gen. Zia-ul Haq's martial law regime when 'Islamisation' had led to direct attacks on women. Indeed, both Prime Minister Nawaz Sharif and his detractors claim Gen. Ziaul Hag as their mentor.

HANTING "15th Amendment-No! Personal → Dictatorship-No! Democracy-Yes!", some three thousand demonstrators took to the streets here recently to protest against Pakistan's proposed 15th Constitutional Amendment Bill. Along with religious minorities and labour, women made up a large portion of the demonstrators. Organised by the Joint Action Committee for People's Rights. which brought together 35 nongovernmental organisations and human rights organisations, the protest was the largest anti-government demo-

nstration seen in months. Asma Jehangir, Chairperson of the Human Rights Commission of Pakistan, in a typically fiery address, said, "After the passage of the 15th Amendment, the rights of the people will be exploited by the rulers, in the name of their own version of Islam and Sunnah. The people will be fooled in the name of paradise."

The Bill was passed in Pakistan's National Assembly on October 9 by 151:16 votes. Several smaller parties effectively abstained by being absent during voting. Opinion is divided over whether the government will secure the two-thirds majority it now needs in the upper house, the Senate, for the Bill to become law. Given hectic government lobbying designed to bring round individual Senators, women's and human rights groups are trying to buttress opposition. But whether or not the Bill is eventually passed, its impact on Pakistan and specifically the country's

women is already palpable. In the days leading up to the Bill's presentation in the National Assembly, rumours spread in the cities of women wearing short sleeved shirts being slashed with knives in public places and of girls being injected with AIDS-infected needles in cinemas and restaurants. National dailies had to carry major articles clarifying that the likelihood of contracting AIDS in such a manner was

Women were not reassured. "We are really scared," said a group of post-graduate students from Lahore's prestigious Government College. "For the first time in years. I thought about what to wear and whether it was worth the risk to go out to the park last Sunday. It was like

Zia's time," commented a woman journalist recalling the early 1980s under Gen. Zia-ul Haq's martial law regime when 'Islamisation' had led to direct attacks on women. Indeed, both Prime Minister Nawaz Sharif and his detractors claim Gen. Ziaul Haq as their mentor.

The feminist Women's Action Forum (WAF) has condemned the bill as "a recipe for social and political disaster," adding that, "The use of religion as a short cut for legitimising political power has fragmented society and led to intolerance, sectarian divisions, and extreme violence." WAF's statement on the Bill

highlights past experience: "Since 1977 Pakistan has witnessed a series of so-called Islamisation measures that have intrinsically eroded the concepts of democracy and human rights. Such measures specifically undermine the rights of women, minorities and other marginalised sections of society." The crux of the 15th Amendment is clause 2, which after stating that, "The Holy Quran and Sunnah shall be the supreme law of Pakistan," goes on to add that, "The Federal Government shall be under an obligation to take steps to enforce the Shariah ... The provision of this Article shall have effect notwithstanding anything contained in the Constitution, any law or judgement of any Court." Human rights groups are concerned that fundamental rights relating to freedom of speech and association, as well as the rights of the accused will come under attack.

For women, the threat is very real. The Bill, if passed, will open the gates to a direct attack on women's legal rights. At present, the Constitution contains fundamental rights provisions guaranteeing freedom from discrimination on the basis of sex, as well as principles of policy allowing the government to pursue affirmative action. It was on the basis of these articles that, just one day before the Bill was passed in the National Assembly, the Lahore High Court rejected the unconditional privatisation of the First Women's Bank, a special development bank set up under the principle of affirmative action. Women's greatest fears centre on the 1961 Muslim Family Laws Ordinance (MFLO). The MFLO is currently granted constitutional protec-

tion and cannot be amended. While women's groups have pointed out flaws in the MFLO. they have found themselves grateful for this protection. against a background of attacks by religious parties and even the superior judiciary which. on several occasions, has declared its various sections 'un-Islamic'. Provisions targeted for attack have been those regulating polygamy, divorce and registration of marriages. Last

year, the highly publicised Saima Waheed case saw the Lahore High Court uphold a Muslim woman's right to choice in marriage. The court insisted that the law applies equally to all sects and rejected Saima's father's argument that as a member of the Maliki sect his daughter could not marry without the permission of her wali (male guardian). Were the 15th Amendment to be passed, all parents seeking to prevent their daughter's marriage could validly claim the law upholds their right to insist on the wal-

i's permission. Legal experts fear that the loss of legal precedent as a guiding rule and its replacement by multiplicity of interpretations of religious laws will lead to anarchy in the courts. For women, this could mean, at

best, the lengthening of already protracted litigation in the family courts. At worst, it could erode all rights to maintenance. custody and divorce and lead to a reversal of recently favourable trends in case law related to zina (fornication and adultery), a crime carrying the

death penalty. Many have questioned the timing and motive behind the Bill. The Joint Action Committee insists that it "has nothing to do with making Pakistan an Islamic state, since there are already sufficient Islamic provisions in the Constitution.' Constitutional expert S.M. Masud comments, "Perhaps the Prime Minister has done it for elevating his public image." Whatever the motive behind the Bill, it is clear that its impact will be particularly detrimental to women. Aisha Gazdar, a Pakistani feminist, recalls the warning given to her by Sudanese women activists whom she met at a training soon after the Bill was tabled: "Amr bil ma'roof and nahi anil munkar' - that's how it all started in Sudan and now look where we are! Do you realise what's going to happen to you?"

- Women's Feature Service/India Abroad News Service

Whites Dominate Australian Parliament The defeat of the controversial One Nation

party in the recent Australian election drew much attention, but less notice has been paid to another result of the vote: all but two of the country's 223 federal legislators are white. Gemini News Service reports on the lack of colour in Australia's political scene Sanjiva Wijesinha writes from Melbourne

T T was Australia's former prime minister Paul Keating. La master of invective, who once called his parliamentary opponents "a bunch of scumbags"

Another former Australian PM. Bob Hawke, had his name included in the Guinness Book of Records for drinking two and a half pints of beer in 11 seconds while a Rhodes scholar at oxford University in England.

Throughout this nation's hundred years of federation and democratic government, its political institutions have never been short of colourful charac-

Queensland crocodile farmer Warren Entsch. Olympic gold medallist swimmer Dawn Fraser, One Nation party leader Pauline Hanson and present cabinet minister Wilson Tuckey, who earned the nickname "Iron Bar" for the simple reason that 30 years ago he was convicted for assaulting a customer in his bar in Carnarvon, Western Australia with a piece of heavy electrical cable - these are a few of the larger-than-life characters who have focused the attention of the media and added colour to the role of politicians, or "pollies" as they

are known here. But unfortunately, despite the presence of all these interesting people in public life, the latest group of politicians elected to the House of Representatives will, in the strict sense of the word, exhibit a singular lack of colour.

On both sides of the House virtually all the new MPs can be described (to coin a US phrase) as typical WASPs - almost exculsively white, predominantly Anglo-Saxon, and for the most part, Protestant.

The new parliament will have just two non-white members, both in the Senate, where the 76 seats are elected by statewide proportional representa-tion with candidates chosen from a list. All 147 members of the House of Representatives. where each seat is separately elected, are white.

A young Aborigine named Aden Ridgeway, an activist for native land rights who con-



ADEN RIDGEWAY and TSEBIN TCHEN Australia's other 221 federal legislators are white

tested a seat in the state of New South Wales, became only the second indigenous Australian to win a seat in the federal legislature. The first was Neville Bonner, who served in the Senate from 1971 to 1983.

In addition, Taiwan-born town planner Tsebin Tchen. who migrated to Australia in the '50s, earned a place in parliament this year by scraping in as the sixth senator from the state of Victoria.

Queensland senator and National Party whip Bill O'Chee, a man who served as a federal senator for 12 years and for all that time could claim to be the only Asian in parliament. lost his seat. O'Chee's grandfather was a migrant from China and the original family name, Chee, was anglicised over the past two generations.

Why this glaring lack of parliament representation in a nation where 23 per cent of the population was born overseas and one in six citizens is the

offspring of immigrants? Australia's national rugby team, which leaves next month for a tour of Europe, has for many years had as tar scrum half, Zambia-born George Gregan - and now has a prop forward in the shape of Patricio Noriega who played for the Argentine national team a few years ago before migrating to

Australia. At the 16th Commonwealth Games, held in September a week before the federal elections, Australia's gold media winners included an Aborigine sprinter, Nova Peris-Kneebone, and a Sri Lanka-born runner named Tanya Van Heer.

tralian Sam Liu, whose grandparents came over from southern China in the 1850s during the Victorian gold rush days: 'Today's Australia is multicultural and multi-ethnic, but this is nowhere reflected in our political institutions. True, the various state par

Says third-generation Aus-

liaments boast a few legislators from ethnic minorities. Victoria has Hong Lim and Cyprusborn Theo Theophanus, while the Northen Territory can show Dr Richard Lim and John Ah

True, there were candidates at the federal election with names like Chen, Abdel-Fatteh, Abdurahman and Su. But except for Sri Lanka-born engineer Nadesu Kailanathan, who garnered 19 per cent of the vote in the Sydney suburb of Bradfield. and Su who managed 11 per cent in another New South Wales seat, Fowler, none of these atypical candidates made much headway.

It was former immigration minister Arthur Calwell who, in the old days of the White Australia policy, uttered the famous quote: "Two Wongs don't make a

point of view, it will almost certainly be a long time before a Wong — or an Abdul, or a Singh, or an Aborigine — ever makes it through the doors of the House of Representatives as an elected representative of the people.

From the Australian voter's

The writer is based in Melbourne and writes on health, sport and Australian affairs.

Students Push for Sweatshop-free Clothes Labour Committee — including

TUDENTS across the United States are pushing Utheir universities to join and anti-sweatshop crusade to make sure all clothes bearing university logos are made under policies that protect overseas

workers. The movement started months ago but the release recently of a report by eight US students who visited garment factories in El Salvador, Honduras and Nicaragua last August, has heightened the pressure for the top US academies to support good labour practises in their own logo-bearing clothing

lines. "We want all of the clothing that is produced for export to the United States, starting with the clothes bearing our universities' logos, to be produced under fair and humane conditions," the eight co-authors of Behind Closed Doors: The Workers Who Make Our Clothes wrote following their visit.

Farhan Haq writes from New York

"We feel very strongly that any code of conduct governing university procurement must include full public disclosure of factory names and addresses. and implement a serious living wage policy, which is tied to the cost of basic necessities for the average-sized family," the stu-

dents added. The report on the visit which was organised by the National Labour Committee, a New York-based rights group described poor working conditions and low wages among the largely female workforces in all three Central American coun-

At El Salvador's Doall Factory, for example, workers earn only some 294 colones (or about 33 dollars) a week, or about 51 per cent of "the basic basket of essential goods and services that the average family needs to survive in relative poverty", according to delegation member Cori Zagarell of Grinnell University. In the Ecotex factory in

Honduras, by contrast, average pay was only equivalent to 26 dollars a week - or about 44 cents an hour for a standard 59hour workweek.

At the Chelsea Factory in Honduras, the students reported seeing 12-and-13-year-old children stitching clothes in a poorly-ventilated workplace where many workers suffered from headaches, bronchial problems and hand pain. In all the various free-trade zones and factories visited, workers were frequently denied benefits and harassed if they attempted to

form unions. 'That picture of sweatshop labour has become a familiar one in the United States. thanks to publicity campaigns by groups like the National

one which now tries to boost awareness of Central American labour conditions among US college students. In response, several universities have adopted codes of

conduct to respond to the bad publicity on many campuses about sweatshop labour. In March, Duke University in North Carolina agreed to a code which would require all manufacturers providing Duke clothing to disclose factory locations and allow for independent monitoring of factories. Brown University followed suit in

In recent months, the Collegiate Licensing Company (CLC) which mediates between 160 universities and the clothing manufacturers who use the universities' logos on apparel, has tried to write a code of conduct for all factories that will produce the universities-bound - IPS/APB