

# The Daily Star

Founder-Editor: Late S.M. Ali

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## Trade with India

Ice is melting. But just, India has come only part of the way to signal meeting our huge trade deficit with that country. Complete duty-free access of our exportables, meaning zero-tariff entry into the Indian market, remains a far cry. Yet what has been cleared at the just-concluded talks between Indian Commerce Secretary PP Prabhu and his Bangladesh counterpart Alamgir Faruq Chowdhury looks like an ice-breaker. The hitherto rigid and almost wholly barren pattern has been broken. In the first place, a deck-clearing approach is perceptible from the fact that the meeting has been held at all after six years of a time-lag, the last one having taken place in 1992. Furthermore, it has not gone the way of earlier talks producing very little by way of any specific decision to reduce the yawning trade gap. This time the meeting between the commerce secretaries stayed focused on substantive issues of trade deficit and ways to curb it with the result that the agreed minutes speak of concrete steps forward.

The withdrawal of all non-tariff barriers is certainly a breakthrough. This marks a change of attitude, a change of heart, so to speak, in that a major bureaucratic roadblock is being put away. Bangladesh exporters would no longer need to take out licences from the Indian authorities, they can straightaway open LCs from Dhaka and do business with their Indian counterparts.

This, coupled with the withdrawal of all quantitative restrictions from every single Bangladeshi product since August last and further reduction in the duty slab by 15 to 20 per cent on top of the previously reduced level of 35 to 40 per cent should start increasing our flow of goods to the Indian market.

The reason why we have been insisting on a zero-tariff access to India on a non-reciprocal basis is simple: a desperate situation needs a desperate remedy. In this context, the question of Indian investment comes along. In stark contrast to India's massive trade presence in Bangladesh, of which smuggling forms a hugely worrisome part for our small economy, her investment in Bangladesh has been minuscule. But the field is wide open for India in the textiles, pharmaceutical, leather and machinery sectors, to name only the major prospective areas. Joint venture projects are welcome, and with buy-back arrangement they would be an icing on the cake. Indian Commerce Secretary PP Prabhu himself thinks that Bangladesh which has achieved an export growth of 13 per cent this year — way above the neighbouring countries' performance in this area — beckons Indian entrepreneurs to invest in Bangladesh.

When we ask for zero-tariff from India the question that inevitably figures is: how prepared are we to 'flood the Indian market' with our goods, the agenda we vociferously hold so close to our heart? Let's face it, our export base is narrow, 70 per cent of it is made up by the readymade garments sector leaving room for, in fact, an impelling message that we keep our eggs in more baskets than one. India could perhaps grant us zero-tariff rightaway, thereby daring us to flood its markets with our products.

Indian commerce secretary on return to New Delhi said that Indian goods sell heavily in Bangladesh because of their low prices. For us the cue to take is: we should bring down our costs of production by raising the level of efficiency.

The signs shown by India to open up to Bangladesh are welcome, to say the least. Significantly, they did not allow sensitive issues like transit and gas sale to cloud their vision at the talks. Also, they seemed cognizant of an anti-Indian feeling breeding unnecessarily among business circles in Bangladesh from the growing trade imbalance between the two countries. Let's tidy up this mess, and fully.

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# Human Rights: A Searching Reappraisal

by Dr M Rafiqul Islam

*There is a long road to be covered in order to render the contents of the Declaration universally acceptable. There is a deep abyss between the solemn theoretical proclamation of human rights in the Declaration and the reality of gross and persistent deprivation, with impunity, of basic human rights all over the world.*

assumed obligation to enforce human rights in their territories.

The concept of a universal standard of human rights norms, to be applied universally, is a key feature of the Declaration. Realistically, this claim appears to be somewhat pretentious. The Declaration is a product of its time, a 'reactive' document developed as a reaction to the horrors of Nazism of the time. Its language, scope and contents reflect the limit of UN member states at the time of its drafting and adoption. Many UN members were then only newly independent states after a prolonged colonial rule and traditions, whilst many others were yet to attain their independence. The values, traditions and expectations of these states and their peoples were not issues for consideration and as such are not necessarily reflected in the Declaration. It is largely Euro-centric, based on the liberal tradition of western democracies, and natural rights. Its philosophical base accounts for the heavy emphasis and focus on civil and political rights. Although economic, social and cultural rights are included, they are not equally and adequately reflected in the Declaration. The inclusion of economic social and cultural rights was a gloss over the socialist demand, to which the idea of natural rights was foreign.

The excessive focus of the Declaration on individual rights to the total exclusion of group or collective human rights (such as minority rights, self-determination, tribal and indigenous peoples' right) comes into conflict with many historic societies and ethnic/racial groups in many plural states. It presupposes that every individual, as a creature, is gifted with reason and will and a complete human being in himself/herself. Such a non-community-linked human identity is absolutely inconceivable in many parts of the world. To them, human being is not the Lockean 'man', a view underpinning a fundamental difference between the First World and the Third World understanding of human rights. Its many parts of the world, the ownership of private property is not universally appreciated. The 'right' centered approach of the Declaration is not universal, as many religions, ideologies and some civil law systems emphasise 'duties' or 'responsibilities' or 'obligations' of the individual as a 'bearer' of rights.

Their underlying principle is that if duties were performed properly, rights would be fulfilled automatically. Its provision (Art. 16) guaranteeing voluntary choice of marriage partners runs counter to the practice of arranged marriages, which is an integral part of many value systems of the world. The Declaration also seeks to universalise a particular form of government constituted through western style democratic elections notwithstanding the fact that international law favours no particular form of government and that no part of the world is free from monarchies, dictatorships, one-party rules and single-candidate elections.

The effect of indiscriminate transplanting western values and traditions on non-western states has created an extraordinary crisis in the status of the Declaration as a universal document. Since it suffers from cross-cultural legitimacy, it may not be seen as setting of multicultural standards of human rights. Human rights are value laden and culture specific concepts, which vary from society to society, tradition to tradition, and civilisation to civilisation. The influence of values and culture on human behaviours is immense. The observance of human rights may be maximised by setting their cultural legitimacy standards. Individual human beings may be more inclined to observe human rights if sanctioned by their own cultural traditions and perceived values. The meaning of cruel, inhuman or degrading treatment is different in Islamic culture than cultures based on secularism or humanist approach. Saudi Arabia abstained from the final vote on the Declaration and Iran refused to accept it, provisions, which are in their opinions at odds with Quranic prescriptions. Human rights devoid of their cultural legitimacy in a given context are likely to be misunderstood, thereby militating against their effective implementation.

Thus, it may be futile to rank different human rights and the varying cultural approaches to human rights in their order of priority. We must recognise all human rights and their diverse cultural orientations, and that they are interrelated and necessary requirements of dignified human existence. However, this is not to suggest that it is not possible to develop a common core of human rights, or at least, to prevent the grievances of the underdeveloped and deepening cross-cultural consensus. This process may

lead to classify some rights as 'common' to all cultures and as such they are uniformly construed and universally applicable. Others may be interpreted and exercised in a cultural specific manner. Thus, in order for the Declaration to be truly universal, it must embrace the existing diversities and plurality of the world. It must afford a comprehensive umbrella under which diverse values and cultures can co-exist harmoniously.

Many pressing issues have emerged in the wake of the ongoing process of globalisation and informed thinking, which often confront us and pose serious challenges to the wisdom inherent in the Declaration. Let me be selective in highlighting these issues. The Declaration is seen by many as the representative of the masculine perception of the world and insensitive to, if not discriminatory against, women. The problem with the Declaration is that 'rights' and the standard for which it is to be 'human' are set against a male background. This is quite evident in many provisions, notably 'his rights' (Art. 10), 'his family, privacy, name, honour and reputation' (Art. 12), 'his country' (Art. 13) and 'his property' (Art. 17). Whilst it may be possible to argue that these are generic terms for the human race, they do not necessarily reflect the very different experiences that women confront in accumulating and sustaining property, wealth and reputation in real life situations. Hence, the 'human' envisaged in the Declaration is seen to be gender specific rather than universal.

Economic rights embodied in the Declaration are seemingly western capitalist in thought. Despite its operation for 50 years, the Third World is indisputably encountering a crisis in economic development. The wealthiest 20 per cent of the world's population is 150 million people, while the remaining 80 per cent in the 1990s. The world economic growth has not brought about any real benefit to the overwhelming majority of Third World countries. Many of them are sandwiched and suffocated between radical liberalised, deregulated and export-driven industrial economies on the one hand, and the IMF-World Bank structural adjustment programme on the other. This Third World poverty amidst

growing globalisation is a stark reality. The lack of any credible wealth distribution mechanism in the capitalist system. The free market economy and its by-product, the privatisation, have created a risk-free global market for MNCs. In a free market imperative where the dogmatic economic rationalism is the decisive factor and competition is its final arbitrator, the cherished values of the society and the interest of its poor and weak components are bound to be lost at the untrammelled pursuit of self-interest and profit margin, a covert ideology of the survival of the fittest.

Moreover, such a preference legitimises the industrial capitalism as the sole source of economic rights and means of eradicating global poverty irrespective of the fact that the system in its wake produces a stable pattern of widespread malnutrition and starvation in the Third World. Only wages war against poverty but not against lopsided distribution of wealth and undue enrichment. This recognition in the Declaration seeks to universalise the economic values and experience of the industrialised north, which monopolises the right to write the rules and contents of economic rights of the world, with no very little inputs from the non-industrialised south.

Hence, the preference accorded in the Declaration to the principle of free market capitalism as a means of realising economic human rights is grossly oversimplified an unrealistic, a narrow and short-sighted solution to a manifestly complex problem. Indeed, the persistent problem of economic marginalisation of the south and the inability of the north to redress it have led many apologists to argue that the economic human rights contained in the Declaration are meant for the north, which will never allow the south to enjoy those rights. The impact of economic globalisation is enormously cataclysmic for many Third World countries. The proclaimed economic rights must be brought into closer conformity with the economic reality in the Third World. Hollow promises and cosmetic reforms in the status quo is likely to be self-defeating for the Declaration, which may lose its anchor even further in the Third World.

There is a long road to be covered in order to render the contents of the Declaration universally acceptable. There is a deep abyss between the solemn theoretical proclamation of human rights in the Declaration and the reality of gross and persistent deprivation, with impunity, of basic human rights all over the world.

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## LETTER FROM AMERICA

### Deceptive Calm on the Western Front, as the Holiday Season Rolls in

Dr. Fakhruddin Ahmed writes from Princeton

*What Kenneth Starr never understood is that the American people elected a flawed, but brilliant Bill Clinton to the Presidency twice. They never elected Starr to anything.*

America has finally persuaded the Kosovars to accept autonomy for the time being. Not much fighting is expected until the snow starts melting in the spring. Serbs who want to leave Kosovo cannot do so in the supposedly safe nation, the Serbs are forbidden by law from selling properties to the Albanians in Kosovo! According to the New York Times, Milosevic is on his last leg. Last week, he purged his most loyal lieutenants — a sign that the Balkans may finally be rid of its Butcher. See you in The Hague, Slobodan!

Gaza international airport, where Israel has forbidden President Clinton to land next week, opened with much fanfare. Simultaneously, Benjamin Netanyahu ordered construction of more Jewish housing on the West Bank. Every time Netanyahu gives an inch to the Palestinians, he gives a

mile of the West Bank to Jewish zealots, to placate them. Every time a Palestinian so much as gives a Jewish settler a dirty look, Netanyahu stops implementation of the Wye accord, and demands that Arafat meet them before further withdrawal. Having grabbed the world by the scruff of its neck thanks to the USA, Netanyahu can jerk it whichever way he pleases. What else is new?

Republican George W. Bush Jr., the former President's eldest son, reelected Governor of Texas in a landslide last month, visited Israel last week. That makes it certain that he will run for the President in the year 2000. Every candidate seeking US Presidency has to make the pilgrimage, and pay their respects to Israel. They do not have to visit Britain, France, Germany or any other country; it is foolhardy for a

candidate to be seeking the US Presidency without being in the good book of the Israelis. Just ask the Texas Governor's dad, Vice President Al Gore, the Democrat. He must, so pro-Israel that he may as well call Jerusalem his second home! I shall put my money on another declared candidate, former Senator Bill Bradley of New Jersey, a fellow Rhodes Scholar. News only get better for Israel. There are indications that President Clinton is seriously considering pardoning Jonathan Pollard, who spied for Israel against the USA.

Here in America, Henry Hyde's House Judiciary Committee very quickly abandoned its unsuccessful search for Presidential crimes in the 1996 Democratic fund raising. There is a general feeling among the legislators that Clinton's sexapades are not impeachable offences. Articles of impeachment may

or may not pass the house floor; however, according to conventional wisdom, impeachment is dead in water upon arrival at the Senate. Rank and file House Republicans are puny in number, the pressure on their leadership to wrap up the impeachment inquiry before Christmas. More worrisome news for the Republicans: according to Newsweek, their darling, Kenneth Starr, is considering quitting by spring of next year.

Starr has good reasons to want to quit. Although he is allowed to see his investigations through to completion, the Independent Counsel statute itself is set to expire at the end of June next year. There is absolutely no chance that it will be renewed. This well-meaning statute was enacted in the aftermath of the President Nixon-era Watergate scandal to protect the nation from abuses by government officials. Instead, overzealous prosecutors such as Starr, with little oversight, have used the statute as a partisan weapon. This week, former Agricultural Secretary Mike Epton, an African-American, was acquitted of all 30 charges of bribery, misuse of office etc. by a jury. The independent counsel in this investigation had spent 17 million dollars over four years to come up with a dry hole! What Kenneth Starr never understood is that the American people elected a flawed, but brilliant Bill Clinton to the Presidency twice. They never elected Starr to anything. When it came down to taking sides, they chose the sinning President over a self-righteous nobody (Starr!).

The most amusing news to come out of Bangladesh recently was the Prime Minister's proclamation that she would never call hartal again, if and when in opposition. Forgive the analogy, but this is like someone who made a fortune running a house of ill-repute, picketing it for moral reasons! It is contemptuously cynical, and self-serving. The Prime Minister's party introduced to Bangladesh the culture of non-stop hartals, to the tune of close to 200 days. It was the most important vehicle on which the PM rode to power. To pretend to be reformed, now that she is at the receiving end of that strategy, is to inflict insult to the intelligence of Bangladeshis. As the greatest abuser of the people through hartal in the history of Bangladesh, the ruling party has forfeited the moral authority to talk about the end of hartal. Regrettably for the ordinary Bangladeshis, the other shoe has to drop. Once the opposition has utilised hartals to its maximum advantage and gotten even, only then can the people's demand for banning of hartal as a potent political weapon be seriously entertained!

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## Friday Mailbox

### Does honesty pay?

Sir, Now that time is close (probably April 1999) to the Mayoral election, Mohammad Hanif in one of his recent exclusive interviews has been only too discreet, honest and valiant! He has admitted his failure in making the Dhaka city terror-free blaming the present government for not paying any heed to his request in regard to handling over the police force under him. Hanif claims he had no proper knowledge about the mosquito menace prevailing in the city. Therefore, he admits since mosquitoes remained in the past and also exist at present and they would remain in the future too! And no-one would be able to eradicate the mosquitoes — ever.

And he finally says that he has nothing more to make Dhaka city free of stinking garbage and the unwholesome atmosphere which nearly makes us faint!

Mujibul Haque  
Mirpur Road, Dhaka

### Open for all?

Sir, Dhaka, the densely populated capital city of Bangladesh now seems to be open for all. People all over the city are becoming alarmingly savage as they do not hesitate to urinate in an open place. I can hardly imagine how a member of a civilised society can do so giving a shock to others' conscience. If this nonsense can't be punished by law, then the law should take other course of action.

I'd like to ask the mayor of the Dhaka city whether it is his duty to ensure sufficient number of public toilets or not?

Arun Kumar Biswas  
329, Jagannath Hall, DU

### From hartal to nowhere

Sir, What KZ told to diplomats and donors (DS-Nov 18). This is true, if some discipline prevail. But the topic of the week (DS-Nov 27) is what many of us desire.

Prior to 1996, anti-hartal thought and ideas did appear in most of English print media. But then most of the well circulated vernacular dailies and weeklies favoured hartal, publishing write-up of intellectuals and focusing with photographs showing how 'harmless' were overpowering the law enforcers etc. In my opinion, like any other government of any country, our government has to function well to make the country hartal-free. If there is good governance, then why is there a need to protest?

A R Chowdhury  
Uttara, Dhaka

### Gas pipeline

Sir, Our attention has been drawn to a news item 'Villagers abstract okay's gas pipeline installation' in Sylhet published in DS on 29/11/98. It is stated that several thousand people were demanding and demonstrating gas pipeline in the area. Golapganj thana is very reputable in greater Sylhet. People have damaged vehicles of the company and tense situation is prevailing in the area. The demand for gas and LPG is really a necessity due to higher price of fuel.

So, we urge the attention of the concerned minister, secretary and local MP to mitigate the demand early to prevent the grievances of the local people. The firing demand should end with ashes.

M Ali  
Dhaka

### Use of coins

Sir, Of late there is virtually no use of coins in Bangladesh. As denotation of coins have lost its normal value, I am positive that nothing could be bought with 5, 10 or even with 25 paise. I don't see any reason why Bangladesh Bank should spend money and energy in order to circulate coins in the capital market. Most impractical practice can be seen when a person goes to bank in order to pay utility bills. It is usual practice that if bill comes in odd figure inclusive paise, in that case bill payee either should have required change or has to compensate as the banker concerned would say that he does not have change in order to entertain bills.

Then the main problem starts. Bill payee on the one hand wants to pay the bills (could be fast day of payment), on the other hand the banker refuses to receive the bills having no changes with him.

Views expressed in this column are the writers' own. The Editor may or may not subscribe to those views. The Editor reserves the right to decide which letters should be published.

## OPINION

### Palestinian Statehood and Clinton's Visit to Gaza

Dr F H Chowdhury

The only ray of hope is the UN and the Arab League: that they should try their best in twisting these two eternal foes' arms to bring them to their senses. America's influence over Israel has to be brought to bear in full in ensuring that the accord is implemented by Israel, and as for the Palestinians, Arafat should try his best to curb the violence within his jurisdiction; after all, without the guarantee of security, Israel will not hand over the territories in the West Bank of river Jordan, however much the protestations by the Palestinians. The fear is, for the lack of timely action by the leadership in the Middle East, the area may be pushed into the hands of the most radical elements of society and no amount of arm-twisting then will produce peace dividends short of reverting back to permanent clashes between the Jews and the Arabs living in this area.

With Iraq at loggerheads with the UNSCOM and the western allies led by the US, there is no Arab coalition and strategy for a unified stand against an Israeli aggression. Saudi Arabia, Syria and Egypt, though exasperated with the Israeli attitude to the solution of the Palestinian problem and Israel's reluctance to implement Oslo and Wye accords, are busy

President Clinton is due to visit the Gaza city and the West Bank to seal the Wye accord signed by Benjamin Netanyahu and Yasser Arafat after long and hard negotiations brokered by the US. This ceremonial visit by the US President is expected to boost the Palestinian morale and is to lead to eventual establishment and recognition of a Palestinian State in the Middle East. The hunger strike by 2,000 Palestinian prisoners for their release and the Israeli reaction to it has, however, put a question mark on this high-profile visit by the US President.

In the West Bank and the Gaza city, the disturbances by the Palestinian protesters against Israel's prevarication with the return of the territories and its inflexible attitude to it is feared to unravel the whole peace prepared for it. The exchange of territories did not proceed as planned and agreed in the Wye agreement and the staggered release of the prisoners did not take place as per agreement, further violence is feared and the impasse with Israel and the threatened declaration of a Palestinian state by Yasser Arafat may lead to another war with Israel at a time when the Palestinians and its neighbouring Arab countries are least prepared for it. The situation in Middle East in this context, is rather gloomy, to say the least.

In solving their domestic problems. If another war breaks out in the Middle East, it will put the solution of the Palestinian problem back by many decades. With the price of oil at an all time low in the recent decades, the Saudis are not in a strong position economically. The alluring King Fahd of Saudi Arabia and the ageing President Assad of Syria do not inspire strong leadership of the kind they provided in the earlier conflict with Israel. The best one can hope under these circumstances is for the Israeli and the Palestinian leaderships to act in a statesman-like way, rise to the occasion and deliver the peace accord they both are signed up to and their nations deserve it of their leaders. Their peoples have lived for far too long under the shadow of war, harbouring deep hatred against each other now to squander away the real opportunity for peace the international community has now provided them with and the massive economic aid guaranteed to flow in both directions once the peace is restored in the area.

In this sense, President Clinton's visit to the area should be a harbinger of peace and prosperity and therefore must not be delayed and should go ahead as arranged. At this point in history, Clinton's visit should be a milestone in the Middle East's troubled history. Salam, Shalom.

Meanwhile the banker and the payee will have a lot of argument in order to establish each other's points of view. Finding no alternative than payee will degerately propose the banker to take the bills whatever suits him in order to mitigate the payee's sufferings.

It is therefore common feeling is that if banks do not have changes, then where from change will come to general public? I think policy maker should think as to how this kind of problem could be brought under control.

Abul Khair  
Sector-4, Uttara, Dhaka-1230

### Different approach

Sir, Sports and weather news covered by BTV at the tail end of the news have become drab, unattractive and stereotype. These are mostly stated as plain facts devoid of any analysis and are presented by persons who possibly do not have much knowledge on the subject. As such we straight away see the effects. Names, places, or even sports terms are distorted and wronged is restricted to sun rise and sun set only. I am sure the importance of the two items can be judged when we see many viewers turning to foreign channels for sports and weather.

BTV may consider different approaches for telecasting these two important aspects and make them effective as well as attractive.

Tanzia Chowdhury  
Comilla.

### The principle of caretaker government

Sir, Our politicians have invented the neutral non-political caretaker government concept for conducting the general election in the country, exposing their own weaknesses and stand up to the test and public scrutiny. Two such governments had been formed temporarily. Still the political leaders have been complaining about the performance of these experiments. There are charges and counter-charges, mostly indirectly. The caretaker government is being faulted while the politicians are not willing to improve themselves to render transparent public service.

A hypothetical question may be asked: Can any developed country tolerate or propose any caretaker government? It is an insult to political leadership — we want to run the country, but we cannot conduct the elections faithfully and in a transparent manner! The public faith in politics is eroded. Many citizens are fed up with the poor political standard prevailing in the country since the ousting of the autocratic regimes. It is a negative bondage for somebody else's sins.

Then there is the use of the students by the political parties, associated with the campus violence, and believe in violence and *gondalism*. The President has once again come out strongly against using the students as cat's paw. The political leadership is not responding, or opening any dialogue. It is easy to put the ball in the other's court, and then sit pretty, vending attitudes.

Hypocrisy and transparency cannot go together. It is like having the cake and eating it too. The question arises: what are the pre-conditions for the political base and culture to stabilise? Caretaker government is an unwanted and is an unwanted and undesirable practice, however temporary, as during this period the practice of democratic politics is suspended. The message appears to be on this line: politicians, don't practice your profession! Depending on a third party (caretaker government) cannot be supported theoretically and as a principle of politics and governance. It appears to be wrongly emphasised, and most of the troubles and symptoms have been created by the rusty politicians who can neither run themselves nor should.

I believe the concept of caretaker government should be rationally debated by non-political leadership in the society, and the verdict handed to the political leaders for consideration. Play the game or wait till you qualify. This comment is not a tirade against politics, but against BAD Politics.

Can't have it both ways.

Abul M Ahmad  
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