

## Acting Against Lead

Public concern over lead pollution in Dhaka city has for long been one of the least addressed of issues in the policy arena. But the expression of public anger appears to be having some effect. At long last, the government has decided to reactivate a project designed to ensure elimination of lead from fuel refined at the Eastern Refinery Ltd. This coincides with approval of a World Bank assisted plan to improve traffic conditions in Dhaka including measures to clean up the air polluted by emission from petrol-powered vehicles. Taken together, it appears that things are certainly moving in the right direction as far as making Dhaka air fit for human consumption goes.

According to World Bank estimates, exposure to polluted air causes 15,000 premature deaths and millions of episodes of sickness in Dhaka every year. This is a fairly horrifying piece of statistics, but this may not even give the whole picture. The effect of lead poisoning on children is a major problem, which such statistics cannot reveal. Effect on children can lead to life-long sickness. Yet, there has been little or no effort to reduce lead content in fuel or smoke pollution in the city. There is never a dearth of excuses for doing nothing, even when this exposes millions of citizens to chronic sickness, reduced productive energy, spiralling medical costs to treat symptoms and even death.

Given the above situation, it can be said that successive governments have been responsible for negligence of the worst kind. It ought to be remembered that ERL has for long had a lead separator unit which has simply been lying idle. Lack of official urgency and plain inertia had combined to make sure that lead remains in the fuel used by vehicles in the country. The question now is, how soon would the new government decision to make locally-refined fuel lead-free be implemented? The answer should be, "immediately". Only speedy implementation of the decision can ensure that bureaucratic inertia and political indifference, which characterise so many aspects of governance in Bangladesh, would not take over once the public outcry dies down. The government ought to be aware that there is no time to lose if the present and future generations are to be protected from this silent killer.

## Crime Curve

Confirming the general impression, the latest figures released by the home ministry for the year 1998 speak of a marked upturn in the incidence of crimes in the country since the year before. Compared with 1,02,161 crimes committed and registered with the police in 1997, the figures for 1998 showed a marked rise by 12,065 to stand at a total of 1,14,226. The number of murders has increased over the year by 455 to reach 3,539 in 1998.

But most dreadful has been the incidence of rape, acid-throwing and dowry-related repression of women. Little wonder, the rape figure has doubled over the year to stand at 2,959. Incidents of abduction, ransom-seeking and trafficking have also marked a slight rise according to statistics appearing in a well-circulated Bangla daily.

The home ministry and the police administration have provided some counter-vailing explanations to the rising trend in various forms of criminality. They have tried to make two points: one, success of drives relating to recovery of illegal arms, explosives, drugs and other contrabands reflected a higher degree of police control and grip over the underworld situation; and secondly, there has not been any marked rise in 'serious crimes' having to do with human lives and loss of physical property. There has not been any fall in those figures either. All forms of extortion have been certainly on the rise.

At any rate, what is of central importance here is the lack of automatic entertainment of cases at the thana level. The degree of diffidence that the public show in turning to a police station for help is perhaps proportional to that shown at the thanas to take up cases on approach. Furthermore, how many of the registered cases are properly investigated, and indeed how many of the 'accused' eventually get convicted?

## A Rare Example

We are pleasantly surprised by a news item published Sunday in an important Bangla daily of Dhaka. It tells a poignant but heartwarming story of a team of doctors at Suhrawardy hospital led by Dr Saeeda Akhtar. They saved the life of a critically ill patient on the night of Eid-ul-Fitr. The patient Suraiya Sultana was under the treatment of Dr Akhtar for about 6 weeks at the hospital with gynaec problems. Her condition started deteriorating on the night of Eid. Her doctor was informed at about midnight. She organised her team, rushed to the hospital and decided to operate upon the critically ill patient defying the odd of staff shortage. The doctors themselves pushed the trolley, arranged for blood transfusion and crossmatching and procured life saving drugs and medicines. By their timely intervention a valuable life was saved.

In any civilised country this act of goodness would be termed as normal or routine duty of doctors. But the scenario in Bangladesh is different. Here, even on normal weekends it is difficult to get doctors to attend to critically ill patients in times of emergency. We have had enough complaints from patients of government hospitals against wrong treatment and apathy of doctors and other hospital staff towards them. Likes of Dr Saeeda Akhtar help restore public confidence in government hospitals. Could we now urge hospital management to make it a point to have special arrangements to treat critically ill patients during holidays?

# The UN Mission of Taming the Talibans

**The UN initiative in holding Six-plus-Two conference followed by Brahimi's mission has so far been the only positive development with regards to civil war in Afghanistan and volatile situation that prevail in the South-West Asian region. It is the bounded responsibility of Afghanistan's neighbours to nourish the process with utmost care and restraint. It is they who will benefit maximum from a peaceful end of the conflict.**

Between the two countries. The trilateral pact concluded late last year between Russia, Uzbekistan and Tajikistan, who all despised religious extremism along their border, was yet another challenge to Talibans' consolidation in Afghanistan.

Internally, an intra-Afghan war escalated with Taliban militia launching an offensive against Ahmad Shah Masood's strongholds in the provinces bordering Tajikistan. In the meantime, intra-Taliban feuds are also on the rise while human right violations are rampant in Taliban occupied areas. The sharia rules imposed by the Talibans are at odds with the rights and freedom of most other non-Pushtun ethnic and religious groups. The Taliban interference with the NGOs, aid personnel and UN mission has bred widespread discontent. In spite of Taliban occupation of the country the civil war is still on and the peace in Afghanistan remains as elusive as ever.

Under the circumstances the good sense seems to have started prevailing on the Talibans as evident from their positive response to the recent visit of UN Secretary General's special envoy Mr Lakhdar Brahimi who undertook the trip to the region essentially to defuse the tensions between Iran and Afghanistan but at the same time held important talks with the parties concerned. Mr Brahimi apparently wanted to carry forward the UN peace initiative mooted in Six-plus-Two

Conference in New York in September 1998. The crisis in South West Asia has substantially eased following Brahimi's visit and shuttle diplomacy taking him to Islamabad, Kan-dahar and Afghanistan. A looming war on Iran-Afghanistan border has been averted. Not only the Talibans agreed to release the Iranian prisoners they were holding, they also expressed willingness to meet the Iranian representatives face to face in Jeddah. Talibans signed a security accord with the acting UN coordinator on humanitarian

diffusing Iran-Afghan tension but to bring back a political accommodation among the rival factions of Afghan political scene. This presupposes also a return of sanity among the present wielders of power in Afghanistan. The task of the UN envoy is indeed complex in the backdrop of closely intertwined internal and external dimensions of Afghan crisis of which only one manifestation was the tension on Iran-Afghan border. True, the role of the neighbouring states has now found recognition in the Six-

Afghanistan itself. Of course, the outside powers with some leverage in that country can exercise a measure of moderating influence on the various warring factions. But it is for Afghans themselves who are locked in a bitter internal conflict to come to terms with the realities of life in their country. The Talibans who have been demanding recognition as lawful authority in Afghanistan have so far failed to appreciate the principle of plurality and the virtue of coexistence in political dealing with different components of a polyglot society such as Afghanistan. This calls for a broad-based power sharing arrangements which would neatly accommodate diverse Afghan ethnic, linguistic and sectarian groups with adequate safeguard for their rights and interests. The two centuries of Durranis rules successfully did it, but both Rabbani government and Talibans miserably failed in it.

For a lasting peace and stability both in Afghanistan and in the region the Talibans will have to reach a political accommodation with their opponents if they want to win recognition as the rightful rulers of the country. But they have persistently refused to compromise and are reluctant with their military victories, to enter into a political dialogue with the Northern Alliance. Mr Brahimi justifiably made it clear to the Talibans that they could be given the Afghan seat in the United Nations only if they associated all the communities in the political system of the country and ensured their representation in the power structure. The Northern Alliance also seems to be on another extreme when it puts up demilitarisation of Kabul as precondition for

The UN initiative in holding Six-plus-Two conference followed by Brahimi's mission has so far been the only positive development with regards to civil war in Afghanistan and volatile situation that prevail in the South-West Asian region.

Afghanistan is too fragmented a country, both ethnically and politically, to easily submit to a monolithic pattern of rule by just one ethnic group — the Pushtoons, even if they are the largest group constituting forty per cent of Afghan population. The other groups — now either subdued or in retreat, are not likely to lick their wounds indefinitely. They are certain to reorganise and regroup to fight the Talibans back and hemorrhage the country in the process. In the absence of an agreement among the different political forces of the country

## PERSPECTIVES

by Brig (Rtd) M Abdul Hafiz

assistance for Afghanistan. The UN mission pulled out of Afghanistan in August last year after one of its officials was killed there. Given the precarious conditions now prevailing in Afghanistan, Mr Brahimi's was no mean achievement.

Mr Brahimi's trouble shooting mission was thrown up as a result of Six-plus-Two Conference which brought six of Afghanistan's neighbours as well as the US and Russia together to promote a peaceful end to the Afghan conflict and its regional ramifications. He is however still on the fringes of the problem and has to go a long way before he can claim unqualified success not only in

plus-Two conference but how Mr Brahimi translates those roles on the ground and relates them to different situation would matter a great deal. The impact of six neighbouring countries on the developments in Afghanistan has been profound and it is patent that without an understanding among them it is difficult to work out a settlement in Afghanistan. It would be interesting to see Mr Brahimi bringing about that understanding among those apparently irreconcilable neighbours.

But of immediate relevance to the course of events in the region are the happenings in

the problem? US Supreme Court Justice Oliver Wendell Holmes is the original author of the concept of a "clear and present danger". If a situation has arisen where the law courts cannot function without being intimidated and that extra-judicial killings is a means of last resort, do not the Military Trial Courts act as an escape clause for bringing back the rule of law in the land?

## Clear and Present Danger

**US Supreme Court Justice Oliver Wendell Holmes is the original author of the concept of a "clear and present danger". If a situation has arisen where the law courts cannot function without being intimidated and that extra-judicial killings is a means of last resort, do not the Military Trial Courts act as an escape clause for bringing back the rule of law in the land?**

To deal with the situation in Karachi, the PML(N) threw out its own Chief Minister to impose Governor's Rule. With disorder rapidly descending into anarchy, the Army was brought in "aid of civil power" under Article 245 of the Constitution. Military Trial Courts (MTCs) were set up to deal with cases that qualified as falling under the head of "terrorism". Military Appellate Courts were set up as a last resort of appeal, two persons whose appeals had been rejected have been hanged.

In the meantime the Supreme Court, having been approached to define the legality of a "parallel" judicial system in the country, has suspended the further carrying out of the extreme punishment of death imposed by the MTCs till the case is pending in court is decided one way or the other. With the MTCs "teeth" clamped for the moment, their deterrent effect has been put in suspended animation.

Man Nawaz Sharif is generally very badly advised as regards the rule of law and how to deal with the superior judiciary. Khalid Anwar may be a brilliant lawyer but is a disaster incarnate as the Law Minister. Everyone and his uncle knew that the setting up of MTCs would be challenged in the superior courts by someone or the other, what stopped the legal eagles of government from launching a pre-emptive strike and going to the Supreme Court first to seek their advice on the matter under the concept of "clear and present danger" to the sovereignty and integrity of the nation? The Justices of the

Supreme Court are citizens of this country and being on a sliding scale probably live much more under the gun than other ordinary beings; are thus more acutely aware of the looming anarchy because of the failure of the lower courts. The Honourable Chief Justice and his colleagues have publicly commented in Court with words to the effect that they are quite concerned about the deterioration of law and order in Sindh, particularly in the vital port city of Karachi.

Without getting into a legal quagmire a via media could have been arrived at that would have maintained the effective deterrence of the MTCs without the question of the "parallel judiciary" in the country becoming a full-time bogey. By failing to anticipate the consequences, the Law Minister has put everything in jeopardy, the Supreme Court will have to be Solomonic to come out of this one without compromising either their integrity or the last bastion of integrity in the country, the Army. The Federal Government is living without much in the form in the credibility.

In the three months plus of Governor's Rule, terrorism has been considerably contained in Karachi. As the "sole representative" of the people of Karachi, it should have been in the MQM's interest to have peace and harmony in the city so that

the economic engine could start humming again, opening employment slots for the vast unemployed in the city in both blue-collar and white collar jobs. By approaching the court to remove the MTC deterrence against the mayhem in Karachi, in fact the MQM "unofficially" acknowledges that its cohorts were behind the sustained urban violence in the city. A point has been proven by the imposition of Governor's Rule and the subsequent improvement of law and order in the city and the Province, that it was more than necessary. Even while allowing the Sindh Provincial Assembly to function to legislate laws, the Supreme Court has earlier upheld the imposition of Governor's Rule as a necessary evil in view of the situation.

Instead of being arrogant about their logic, the PM's legal team could have served the cause of the country far better by taking the route of "doctrine of necessity" in the face of "clear and present danger". There is no more damning proof than the MQM's tacit ac-

ceptance of guilt. If some of their militants were not outright murderers one could sympathise with them for being between a rock and a hard place. If the MQM openly defend the "terrorists" they acknowledge association and thereby international retribution, and if they do not, they alienate their field operatives who have sacrificed everything for the MQM's leadership, if not for the MQM cause.

The Pakistan Army is also in a no-win situation. For the sake of the country it well realises that instead of large-scale physical involvement in the city, its role "judge and jury" was best suited within the parameters of the Constitution. However the government's blundering of its gameplan has put the credibility of the Army on the firing line. The Supreme Court's stay of executions has created a limbo of sorts that is bad for the Army's continued role, now it cannot avoid getting involved in a legal tangle. The Judge Advocate General's (JAG's) Branch is known to be a careful and mature organisa-

tion that has kept the Army, even during Martial Laws, from being put in an untenable situation. Unfortunately what JAG may have wanted to avoid, the likes of Khalid Anwar and the Attorney General Farooq have placed the Army in.

The stakes are high here. If the MTCs do not function, then extra-judicial killings remain the only effective alternative to freeing the city of Karachi from terrorism. While Babar in 1995 was effective, will that be the only alternate? If terrorism manages to again make an appearance this city is doomed and one can have no doubt that would directly threaten Pakistan's existence as a nation.

Would anybody wait for that to happen?

With or without the Supreme Courts backing, the "doctrine of necessity" would be activated in the face of "clear and present danger". At the moment the Army is acting under Constitutional authority, what if it decided that democracy is part of

## AS I SEE IT

**Ikram Sehgal writes from Karachi**

the economic engine could start humming again, opening employment slots for the vast unemployed in the city in both blue-collar and white collar jobs. By approaching the court to remove the MTC deterrence against the mayhem in Karachi, in fact the MQM "unofficially" acknowledges that its cohorts were behind the sustained urban violence in the city. A point has been proven by the imposition of Governor's Rule and the subsequent improvement of law and order in the city and the Province, that it was more than necessary. Even while allowing the Sindh Provincial Assembly to function to legislate laws, the Supreme Court has earlier upheld the imposition of Governor's Rule as a necessary evil in view of the situation.

Instead of being arrogant about their logic, the PM's legal team could have served the cause of the country far better by taking the route of "doctrine of necessity" in the face of "clear and present danger". There is no more damning proof than the MQM's tacit ac-

ceptance of guilt. If some of their militants were not outright murderers one could sympathise with them for being between a rock and a hard place. If the MQM openly defend the "terrorists" they acknowledge association and thereby international retribution, unfortunately not because he happens to be an economist. The economics profession has achieved, to HBF's view, its reputation or lack of it due to the success of the economists in "occupying positions of power".

I am afraid she is wrong on all counts and this has to be sorted out.

Her knowledge of economics stems from introductory textbooks she has allegedly seen while she was in "one of the halls of Dhaka University". She used to laugh at the level of mathematics used by her contemporaneous students who were studying economics. I do not understand why she had to laugh! She could have been reasonably annoyed because her mathematically weak friends were trying to tax her precious time that she could have better spent on learning mathematics. Or she would have been immensely delighted to bail them out of the problem because she termed them as "friends".

This makes me believe that she has a layperson-type hatred towards this discipline without knowing what it is all about. If she were familiar with current textbooks (such as those written by Varian) or with some journals (such as the *Journal of Economic Theory*) or with recent developments in econometrics, she might have possibly refrained from writing such a letter to exhibit her ignorance. But that is not my point.

A discipline is valued by its social role — i.e. how the society benefits from it — not by the level of its mathematical sophistication. Mathematics is one of the tools (amongst others) used by economists and it is used to the extent that helps the discipline to analyse the phenomena under study. In fact, economists have lately been very cautious, if not sceptical, about its over mathematicalisation.

These are socially valuable results with direct policy implications (consider the post-flood strategy of the current government of not only importing food but also issuing VGF cards — an instrument that can make up for entitlement failures). Unless HBF appreciates the importance of this derived result (and the way it was derived) and its policy implications she will not be in a position to understand why the interviewer of Sen made much of the theory.

The question whether there is a justifiable provision for Nobel prize in economics is not that important (it might be more important to know how people with slide rules grab social power though). This discipline will grow with or without this prize as long as there are people to hire economists! Economics as discipline had developed independently of the prize and will continue to do so as long it has a social value.

Did Sen study economics to get a Nobel prize? If that was the case he would have been studying physics or chemistry probably in what HBF termed as premier institutions (who hire, fire and train economists till date) or at its worst in the university where HBF had studied or he would have been found competing with a Mother Teresa or an Anwar Sadat to grab a Nobel prize in peace!

Sen and many others in the profession started studying economics well before there was any Nobel prize in economics.

The writer is a research fellow at the Bangladesh Institute of Development Studies.

## OPINION

### 'Economist's Mill'

**Kazi Ali Toufique**

This relates to the views expressed by Hussain Bin Fatima (hereafter economised to HBF) in her letter published on 6 January, 1999. HBF does not like economics because it does not use mathematics to the extent other hardcore sciences do. HBF does not also like the economists of both indigenous (Debapriya Bhattacharya, who interviewed Sen on TV) and foreign varieties (Sen had three cheers because he is a "gentleman" and a "great philosopher", unfortunately not because he happens to be an economist).

The economics profession has achieved, to HBF's view, its reputation or lack of it due to the success of the economists in "occupying positions of power". I am afraid she is wrong on all counts and this has to be sorted out.

Her knowledge of economics stems from introductory textbooks she has allegedly seen while she was in "one of the halls of Dhaka University". She used to laugh at the level of mathematics used by her contemporaneous students who were studying economics. I do not understand why she had to laugh! She could have been reasonably annoyed because her mathematically weak friends were trying to tax her precious time that she could have better spent on learning mathematics. Or she would have been immensely delighted to bail them out of the problem because she termed them as "friends".

This makes me believe that she has a layperson-type hatred towards this discipline without knowing what it is all about. If she were familiar with current textbooks (such as those written by Varian) or with some journals (such as the *Journal of Economic Theory*) or with recent developments in econometrics, she might have possibly refrained from writing such a letter to exhibit her ignorance. But that is not my point.

A discipline is valued by its social role — i.e. how the society benefits from it — not by the level of its mathematical sophistication. Mathematics is one of the tools (amongst others) used by economists and it is used to the extent that helps the discipline to analyse the phenomena under study. In fact, economists have lately been very cautious, if not sceptical, about its over mathematicalisation.

Sen and many others in the profession started studying economics well before there was any Nobel prize in economics.

The writer is a research fellow at the Bangladesh Institute of Development Studies.

## To the Editor...

### Wrong lane

This refers to the photograph of traffic mess published in the front page of DS on the 11th instant titled "PM takes the wrong lane". Similarly, on the back page, there was another picture which tells the story of traffic management of the VIP Road. The heading was "Over 6 lakh illegal rickshaws plying on city streets".

But who cares? It is alleged that traffic police remains silent due to their weakness to the road side shopkeepers and others for which they cannot use force. It is opined that if our police personnel truly want