

President Says It All

WHAT more can an elected President in a parliamentary democracy say? What more can a patriot say? What more can a man who believes in decency say? In a speech that should put all our political leaders, especially those belonging to the ruling party, to shame President Shahabuddin has pointed his finger at the political patronisation of the big loan defaulters as the root cause of the crisis that our banking system faces today. In saying "political parties take huge funds from loan defaulters and shelter them", the President has articulated what the public and we, the independent media, have been saying for quite a while. He went further saying that, "political parties cannot continue without the support of loan defaulters just as they cannot continue without students, musclemen and terrorists." This clearly shows that the President is convinced, as most of the people are, that political parties have direct links with terrorists and musclemen who are mainly responsible for the rise in crimes and terrorism that is destroying the very fabric of our society.

We are fortunate to have a man like President Shahabuddin who speaks out on issues and has the guts to call a spade a spade. This is not the first time that he has done so — boldly and clearly. All his previous warnings and suggestions have been ignored. We are afraid that those for whom Sunday's speech was meant will ignore as they did before. But we will not, so also our people will not, and all this will get reflected in the various levels of elections as and when they will come.

We strongly urge that the civil society — comprising our writers, artists, professors, teachers, doctors, lawyers, engineers, businessmen, journalists, women activists and all other professionals — should start speaking out in support of what the President is saying. We must create a situation in which it will become impossible for the government, the ruling party and the opposition to ignore our issues and concerns. For far too long we have allowed our politicians to do things as they please. Time has come for us to force them to do things that we want them to. The just-concluded parliament session was the latest example of the failure of our politicians to address our concerns. In fact, it was also an example of their failure even to be decent. They revelled at a level of indecency that we feel ashamed even to think about. But how will all this change if we, the members of the thinking public; do not act? The President's warnings have been continuously ignored by our leaders. Should the civil society make the same mistake?

Peace in Kashmir

THAT the Islamic militants have finally started withdrawing from their hilltop hideaways in the Indian Kashmir certainly puts to rest the hitherto lurking fear of another full-scale Indo-Pak war. This development comes as a welcome relief. Whether the agreement on the "sector-by-sector" cease-fire—worked out "at an unannounced meeting of director generals of military operations on the Indian side of the border"—signifies an outright victory for the Indian armed forces or a last-gasp attempt by Pakistan to avert embarrassment, in our view, is inconsequential at this point of time.

What has emerged from this showdown is definitely the fact that the Line of Control has been restored. And this holds the key to deter recurrence of similar conflicts in future. Also, both India and Pakistan must recognise the fact that since solution to the intractable Kashmir dispute is not readily forthcoming, they must eventually settle for a compromise formula. Although the recent spate of military operations may have suggested otherwise, we believe that both sides can, and hopefully will, build on the spirit of the Lahore Declaration that called for bilateral negotiations on all outstanding issues including Kashmir. Responsible behaviour from the two nuclear powers in South Asia is imperative for maintenance of regional peace and harmony.

While welcoming the cessation of attritional hostilities between India and Pakistan over Kashmir we urge them to apply restraint in the use of words relating to each other. Anything that facilitates a bilateral process on and a negotiated settlement of the Kashmir question must be consciously furthered. The lessons of Kargil should stand in good stead on the road to peace.

A Brutal Murder

IF anything is cheap at all in this country it is human life. There maybe a hundred and one reasons for this, including the natural disasters that take a huge chunk of human lives annually. But the man-made reasons are the ones that we detest and abhor from the core of our hearts. Hundreds of lives — young and old, male and female, even children and infants — are taken by their fellow beings for the most obnoxious of reasons and most of the killers get away with impunity. Political animus and intra-party rivalries resulting in wanton killings have taken enormous proportions in recent times. One such killing has just taken place in the Polytechnic Institute premises of Dhaka on Sunday evening. A former vice-president of the students' union of the Polytechnic Institute was brutally murdered in front of a dormitory. Sohail Alam, a young man of 26, was dragged into a residential hall, mercilessly beaten with hockey sticks, stabbed indiscriminately and finally shot and killed at close range.

The elaborate process of killing an unarmed person, allegedly by a rival group of Chhatra League to which the deceased once belonged, brings out the brutal nature of the executioners, and the grudge and vengeance they were harbouring against the dead. This was not a murder committed for ideology or principles but one that was rooted in a conflict over area of influence. Strangely, there was no case promptly registered with the police and no arrest could be made as eye witnesses claimed that the culprits themselves demanding punishment of the killers joined the protesting procession.

Is Ehud Barak New Hope in the Middle East?

The heart of the Middle East question is a settlement of the Palestinian question. Ehud Barak has shown great statesmanship by declaring that there will be no further Israeli settlements. He is thus starting with a clean slate.

Ehud Barak, the newly-elected Prime Minister of Israel, has totally changed the order of priorities in the Middle East. He has made an auspicious start.

Ehud Barak handily defeated Benjamin Netanyahu of the Likud party. People in Israel voted for the continuation of the peace process and voted against those, who damaged the peace process. Indeed since the signing of the Camp David accord between Egyptian President Anwar Sadat and Israeli Prime Minister Menachem Begin, the peace process started its majestic journey.

The Camp David accord was composed of two parts — withdrawal of Israel from Egyptian Sinai, conquered through the 1967 war, in return for Egyptian recognition of the state of Israel. I as Bangladesh Ambassador witnessed the opening of the first ever Israeli Embassy on Arab soil in Cairo.

There was no euphoria in Egypt. Rather the Israeli Embassy was virtually ostracised by the Egyptian public. A torrent of abuse was heaped on Sadat specially by the Arabs. They broke diplomatic relations with Egypt and threw her out of the Arab League and the Organisation of Islamic Conference (OIC).

The second part of the Camp David accord was to reach an agreement between Israel and the other Arabs whose land she had conquered. The most important question was an accord between Israel and Palestine. For all the Arabs the Palesti-

tinians have suffered most, having been thrown out of their hearths and homes and become refugees for decades. Returning home for the Palestinians and forming their own state remained the most pressing question in the Middle East.

Following the Camp David accord negotiations started between the Palestinians and the Israelis in Alexandria in Egypt but it led to nowhere. After a few fruitless sessions the negotiations were broken off.

The Middle East peace process, which has been masterminded throughout by the sole superpower the USA, was virtually kept on hold throughout the eighties when Republican Ronald Reagan occupied the White House. The peace process got a new lease of life with the arrival of another Democrat to the White House, the youthful Bill Clinton. All the interested parties assembled in Madrid, capital of Spain. Then secret negotiations took place between the Palestinians and the Israelis in Oslo, the capital of Norway and the two parties reached an accord. We must remember that in the Middle East drama, the most important player is Palestine and it is through a solution of the Palestinian problem that the gordian knot can be cut.

The Oslo accord was for-

malised by the most spectacular handshake on the lawns of the White House between Palestinian leader Yasser Arafat and Israeli Prime Minister Yitzhak Rabin, with a beaming Clinton between the two. Peace process now became irreversible. The moot point of the accord is land for recognition. In other words Israel would withdraw from Palestinian territories in the West Bank and Gaza and Palestinian would give recognition and security to Israel.

Netanyahu did not oppose the peace process, but drove enough spoke in the wheel to bring it to a screeching halt. In other words his actions attempted to frustrate the gains achieved after many years of toil and tears. He would not part with land promised to the Palestinians, he brought in the question of Jerusalem, the most contentious issue between the Arabs and Israel, he started building new settlements for Jews on Arab land. The three

years of Netanyahu in power in Israel have been totally barren years in spite of a very accommodating attitude of Yasser Arafat and every kind of arm twisting by the USA.

After forming his cabinet Ehud Barak has put the right foot forward. He is one of the most decorated officers of the Israeli armed forces. He was chief of Staff of Rabin, whom he considers as his mentor. Ehud Barak has not lost a moment to devote all his energies on the peace process. His first business on the agenda is the peace pro-

cess. Rather than taking care of the domestic situation he has started his job as Prime Minister by a visit with Hosni Mubarak, President of Egypt. Egypt is the most important country of the Arab world and has constantly played a positive role in advancing peace in the Middle East. It was with Egypt that Israel signed the Camp David accord and established the first Embassy in the Arab world.

While warmly welcoming Ehud Barak in Cairo, Mubarak asked for patience in solving the problems between the Arabs and Israel. Ehud Barak has quickly followed by visits with Yasser Arafat of Palestine and Hafez al-Assad of Syria.

After the visits with the Arab neighbours Ehud Barak will visit Washington DC. This is novel indeed for the Prime Minister of Israel. For Washington is the first stop for any Israeli leader after his election. Ehud Barak is signalling his acceptance of the reality that you cannot run away from your geography. True the ties between Israel and the USA are so deep and strong that there is not a chance of its slackening in the short or long run.

During his election campaign Ehud Barak had vowed to pull out of South Lebanon. This is an emotional issue for the Is-

raelis. Due to their presence in South Lebanon for nearly two decades they have become targets of murderous attacks and have not achieved any degree of security for the state of Israel. Closely linked with the withdrawal from South Lebanon is tied the question of withdrawal from Golan Heights of Syria. Serious negotiations on these twin questions have not begun.

Therefore Ehud Barak will hopefully follow the calendar carefully crafted in Oslo. Barak will thus resume dialogue with the Palestinians where it had been left at the time of his slain predecessor Yitzhak Rabin. For the heart of the Middle East question is a settlement of the Palestinian question. Ehud Barak has shown great statesmanship by declaring that there will be no further Israeli settlements. He is thus starting with a clean slate.

After half a century of sterile warfare and hanging by the apron string of a faraway power like the USA, Israel has come to realise that she has to live with her Arab neighbours. It is not going to be easy. I recall that the first Egyptian diplomat, who had opened their Embassy in Tel Aviv, talking about his impression of Israel said that it did not look like a Middle Eastern country.

Sooner or later Israel will have to learn to live with this reality. The area, home of three monotheistic faiths — Judaism, Christianity and Islam, must find a way to live together in concord and harmony.

The Horizon This Week

Arshad-uz Zaman



Negotiations between the Palestinians and the Israelis were continuing at a reasonable pace with occasional nudging from the USA until one day the Israeli Prime Minister was gunned down in the streets of Tel Aviv. Elections were held in Israel and Benjamin Netanyahu of the Likud won by a whisker. His victory did not mean the rejection of the peace process. Indeed such is the force of peace process in Israeli politics that politicians can take a stand against it publicly at their own peril.

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No Place For Triumphalism: Don't Demonise Pakistan

Praful Bidwai writes from New Delhi

We must stop blindly glorifying "India" and demonising Pakistan, and admit that like Pakistan, the Indian state too is in crisis, albeit less severe. As much as restoring the LoC, our real priority is to put our house in order. Security demands peace with neighbours, including Pakistan.

GOING by what much of our media says, Mr Nawaz Sharif hoisted the "flag of surrender" in Washington by agreeing to withdraw troops from Kargil. We are told India's battle for Tiger Hill must win since reason: force is the only language he understands.

On this view, the Washington deal is a massive defeat for Pakistan, and a great triumph for India, pulled off without mediation. It vindicates India's official position. The reality is different. The deal was indeed a setback for Pakistan. Mr Sharif had to agree to unconditional withdrawal. He only partially succeeded in highlighting Kashmir. He conceded that "bilateral dialogue" is "the best forum" to resolve disputes.

However, his setback does not translate into an Indian triumph. The absence of a time-frame for withdrawal opens up uncertainties. There is resistance to the deal from the "hardliners" and from parliament. Mr Sharif's visit was not spurred by India's military advances, but by Mr Clinton's call. The truth is India invited *de facto* mediation through a triangular dialogue under U.S. supervision. U.S. officials' early involvement in this cleared the way for close intelligence-sharing, e.g. the famous tapes of the conversation between Gen Musharraf and his deputy.

Mr Clinton called Mr Vaj-

payee on June 14 and Mr Sharif the next day. By this time, journalist-middleman R.K. Mishra and MEA official Vivek Katju had visited Pakistan. Just before the G-8 Cologne summit, Mr Vajpayee requested Mr Clinton to intervene.

Frequent consultations on July 3/5 between U.S. and Indian officials provide clinching evidence of mediation. Mr Clinton would not have shared with Mr Vajpayee "readouts" of his talks with Mr Sharif, had they not already agreed on indirect mediation. India solicited this.

Will the Washington deal end the Kargil conflict quickly? Mr Sharif is under domestic flak, and troop withdrawal could be prolonged and far from smooth. Although Gen Musharraf says there is "complete understanding" between army and civilian leaders, differences between them became obvious a fortnight ago. The army, despite considerable clout, will be extremely reluctant to sabotage the deal because Mr Clinton has put his weight behind it. The militants cannot

survive in Kargil without army support. Yet, they count for a lot.

This makes for a messy withdrawal, denying India a quick victory. So far, Indian forces' successes are confined to two-fifths of occupied posts. Tiger Hill was significant. But it may not be a "decisive turning point", as Mr Fernandes claims. Its recapture does not automatically lead to other openings.

The battle could be long and bloody. For the BJP, Kargil's larger context goes beyond LoC defence. The real agenda is to give Kargil a communal colour, with Pakistan as "Islamic" aggressor.

The Directorate of Audio-Visual Publicity has launched a vicious campaign pouring "shame" on Pakistan. Ministers call it a "rogue state". The Hindutva brigade is shouting "We Want War" and urging the government to "recapture" Pok. Mr Bal Thackeray's foul anti-Pakistan cricket campaign has prevailed — with little resistance.

The sangh parivar wants us to believe Kargil is a conflict between an undifferentiated, homogeneous, India, and an equally undifferentiated Pakistan, both detached from their domestic contexts of misgovernance, veneful nationalisms, and legitimacy crises.

We are asked to demonise Pakistan and manufacture a false image of "India", independent of its rulers, as a "peace-loving" nation: "my country, right or wrong". Such plastic patriotism is the stuff of which Hitler and Ayub, and Gollwalkar and Godse, are made. It is easy — and fashionable — to malign Pakistan as an "irresponsible" "rogue", likely to use nuclear weapons.

This conveniently forgets that it is the BJP which goaded and teased Pakistan into testing. If "rogue state" means one that routinely violates international law, then that description suits the U.S. more than Pakistan. But the BJP won't have the guts to say this about its Cold War friend. Maligning Pakistan also covers up human

rights violations in Kashmir.

Lacking reason, the BJP vents its spleen. An editorial in a pro-BJP paper screams: "There can be no ceasefire agreement till the last intruder has vacated Indian territory, alive or dead, preferably the latter." Before there is a dialogue, intruders "must be taught a lesson so severe that... their succeeding generations [never] contemplate such a misadventure."

"In any case," says the edit, "it is not a dialogue, but a monologue... that India wants..." Pakistan must "solemnly declare in a chastened tone that hereafter, it will never again plot to wrest Kashmir..." This is disgusting jingoism under the guise of "national defence".

Regrettably, the Opposition parties are not criticising the BJP as they should be. It is not enough for them to demand a Rajya Sabha session, although

that is imperative: how else can a "caretaker" government be brought to account?

The Opposition has to go beyond that and make out a strong case about the BJP's communal mishandling of Kargil and its collusion with the U.S.

But it is not enough to condemn the U.S. It is equally vital to recognise the historic folly of South Asia's nuclearisation. Without it, the U.S. could not have tried aggressive mediation, nor obtained some international support for it.

We must stop blindly glorifying "India" and demonising Pakistan, and admit that like Pakistan, the Indian state too is in crisis, albeit less severe. As much as restoring the LoC, our real priority is to put our house in order. Security demands peace with neighbours, including Pakistan.

It won't do to hysterically demand, like some "patriots" do, that India must "destroy the Pakistan army" to achieve peace, or engineer Pakistan's collapse through an arms race.

These are recipes not just for a "nuclear Somalia" on our borders, but for India's own

Somalisation through bigotry, communalism, and uncontrolled conflict — the shortest road to disaster.

OPINION

Nexus of Money Culture in Bangladesh

Dr. A.H. Jaffar Ullah

"Force without justice is tyrannical; justice without force is impotent"

— Blaise Pascal

A news report on July 12 in one of the leading English newspapers of Dhaka caught my undivided attention. I read it not once, but twice to decipher the real message of the news item. My head reeled from the facts and figures the short write up had delineated.

The President of Bangladesh, Justice Shahabuddin Ahmed had lashed out at all politicians and political parties of the nation telling them that there is a close tie between them and the big loan defaulters of Bangladesh. He was addressing the Silver Jubilee of Bangladesh Institute of Bank Management at Mirpur. This was the most appropriate forum the President could find to deliver his message: "Loan defaulters with political indulgence became the most influential elements in the banking and financial sector into a dangerous strait."

Justice Shahabuddin Ahmed, to emphasize the tentacles of influence exerted by the big loan defaulters, had said, "The biggest defaulter is the most influentially affiliated with almost all the political parties." The President also said, "Political parties cannot move without the help of big defaulters as well as students, mastans and terrorists." The president found this occasion to reprimand the political parties for collecting huge funds from the defaulters.

It is an open secret in Bangladesh that politicians are under the payroll of big loan defaulters. This symbiotic relationship had evolved over the years. A case in point is Bangladesh's present Prime Minister, in the beginning of the year we saw a picture in the newspaper where she was standing next to the biggest loan defaulter of the nation. There are pending litigations against this loan defaulter and his brother in the court. Sheikh Hasina is aware of this litigation and she knows very well the charge against the brothers. Recently, she has gone to Great Britain to meet British PM Tony Blair. But who was accompanying her? The same powerful loan defaulter. The British authorities have no clues, whatsoever, who this person standing next to the PM of

Bangladeshis. Another potential embarrassment was thus averted. May I now most humbly ask one question — what kind of signal is she giving to the nation and the world? In other countries of the world the head of the state will stay miles away from crooks, loan defaulters, embezzlers, tricksters, and anything of the sort. But that is not the case in Bangladesh. The question therefore is — why is Bangladesh so different?

I commend the straight forwardness of Justice Shahabuddin Ahmed. He certainly has proven that he has the guts to come forward and publicly reprimand the politicians for hobnobbing with loan defaulters. I hope the Prime Minister has listened to what Justice Shahabuddin Ahmed had to say. The question is, will she retain the message in her mind? Or, will she just think this is not the way to do politics in Bangladesh. This is a sad statement that politicians need access to huge sums of money to run their organization. Unlike in the West most politicians of Bangladesh are not so affluent. So, to run the basic operation of the party they need money but, guess, whom they turn to? The loan defaulters need the politicians too. They think the money they are doling out to politicians are the protection money. In Bangladesh the criminals have to keep the powerful happy, as we know very well. Thus a nexus has developed over the years. The mastans also play their role in this scheme of things. They are the foot soldiers of politicians. In this tripartite relationship the loan defaulters are the "financiers", the politicians are the schemers, and the mastans are the "warriors".

The big question before everyone is — how do you break this nexus? The answer to this is very simple. We have to strengthen and streamline our judiciary system. But before we do that we have to make sure that the judiciary system is not only independent but clean, all at the same time. This is a lethal combination with which the courts can break this evil nexus. On the other hand if you leave this up to the voters of Bangladesh wishing that they would weed out the rouge ele-

ments of our society who are competing in the general election, then the job will not be done. Unfortunately, our voters are not all that sophisticated and it will be too much to ask for from a voting population who are poorly educated.

Justice Shahabuddin Ahmed mentioned that the big loan defaulters have amassed a misbegotten wealth of about Tk 14,000 crore. An astronomical sum. But since we don't say, Remember that this money is not theirs. They literally robbed the banks in broad daylight. And now it is pay up time, but they refuse to pay the money. These big loan defaulters not only have wrecked the financial system of a poor and impoverished nation, they have also ruined the capital market in 1996-97 by being the major players in the share market collapse. Since these people are so powerful and protected by politicians, ruling and the opposition, they think they are untouchable and better yet, they do not have to answer to anyone. In exasperation, Justice Shahabuddin opened his mouth yet one more time to let the intelligentsia know that there is a serious problem in nation's banking system.

And you that one of the prerequisites to having an open and civil society in any country is to have a clean judiciary system. The citizens of the nation should then be encouraged to go to the court to settle contentious issues and go for civil litigation if someone thinks that he or she was wronged by the other party. Similarly, we should encourage people to go for class-action law suits against some one or some organization if they turn out to be the group of people wronged by an individual or an organization. These are very powerful organizations and people should empower them selves with these tools.

The nexus of this tripartite party, i.e., politicians, loan defaulters, and mastans, can be broken asunder with a helping hand from the judiciary system. Let us strengthen the institute and at the same time teach the people how to use them.

The writer is a senior research scientist working in Protein Biochemistry and Molecular Genetics. He writes from New Orleans, USA.

To the Editor...

Contrasts and contradictions

Sir, While the country is experiencing some serious setback in many sectors, the ruling party celebrates their golden jubilee with pomp and flash spending crores of taka in a month-long programme. We cannot but recall the government's failure to observe the National Day for the disabled giving the excuse for the ability to fund shortage.

Air pollution has become a major threat to life, people are falling sick and many are dying with diseases relating to it but the government has no time to redeem the same, as it has other things to be busy with like constructing conference centre, changing names, arranging celebrations and the like.

Everyday lives are being lost

in the hands of miscreants, in accidents and many a time in the hands of the police. Even the animals are not spared from the ill fortune. In the last three years, a great number of animals died at the Dhaka Zoo in want of proper care and adequate good supply.

There is not a single sector to which we could look upon with hope and happiness, even the Parliament where our leaders are supposed to be busy with discussing important issues regarding the welfare of the country has become a place filled with language which will put even the gutter to shame.

Nur Jahan Chittagong

'Don't get confined'

Sir, This is in response to Mr

International human rights norms

Sir, I would like to congratulate Justice Naimuddin Ahmed for his article "Law Reforms in the Light of International Human Rights Norms" published in the Daily Star on Sunday, 4 July 1999. He has very effectively presented a comparative analysis of constitutional and legal positions of various countries in respect of international human rights instruments and what Bangladesh can do for incorporating these instruments in the domestic law.

However, some of the facts presented in the article could be further clarified and updated. Regarding the number of existing human rights instruments, the recent edition of the "Multilateral Treaties Deposited with the Secretary-General: Status as at December 1998" published by the United Nations records only fourteen international human rights instruments. Apart from those, this document also lists five instruments regarding refugees, twelve on traffic in persons and three concerning status of women. Most of these instruments can be considered as international human rights instruments as internationally applicable. Mentioning that there are ninety-five international human rights instruments which are not universal and declarations of which are non-binding is nature.

The article does not mention the following six international human rights instruments to which Bangladesh became a party last October:

- (1) International Covenant on Economic, Social and Cultural Rights
- (2) Convention on the Prevention and Punishment of the Crime of Genocide
- (3) Convention on the Political Rights of Women
- (4) Convention on Consent to Marriage, Minimum Age for Marriage and
- (5) Registration of Marriages
- (6) Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
- (7) Convention on the Rights of Migrant Workers and Members of their Families

Therefore, in total Bangladesh is party to fifteen international human rights instruments out of the twenty-five.

Assistant Ambassador Karim Chowdhury Permanent Representative of Bangladesh to the United Nations New York

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