

## A Judge Under Siege!

FINALLY, the rattle snake has entered the precincts of a court, deemed in the civilised societies to be the sacrosanct citadel of justice. That an all time low has been touched by lawlessness was amply demonstrated on Monday in Satkhira. District and Sessions Judge Shahidur Rahman declining the request to grant bail to four persons accused in the 3-year old sensational murder case concerning Editor, 'Daily Patradut' was confined in his office for hours by hundreds of bus and truck workers who wanted the accused released forthwith. Not only did they give slogans against the Judge, they even held out a death threat to him.

The Judge held his ground firmly winning the whole nation's praise in abundant measure but obviously we cannot say the same thing about the local administration. In fact, the latter's conduct draws instant flak for a number of reasons, not the least of which is that they had a long enough notice to act preemptively rather than putting up a last-minute show to rescue the judge from the agitators' clutches. It seems when words got around about the four fugitives from law bracing up to surrender before the judge, their supporters kept a plan handy to react in the event the latter did not grant bail to them. Otherwise how could they appear in such strength, place the buses and trucks haphazardly in front of the court building, and lay a siege to it, — all in a close succession following the circulation of the news about the judge's decision to send them to the jail? Either police intelligence failed or it was deliberately oblivious of what was brewing around. Even as a precaution they were supposed to be on full alert because notorious names associated with the crime world were involved in the case just as the victim was no non-descript, an editor of a local newspaper that he was.

We think the local administration is blameworthy for what appears to us to be a dereliction of duty, plain and simple. From a purely administrative point of view the whole township was held ransom to the tyranny of the lackeys of criminals. Even going beyond that, it was very much an attempt to strike fear in the heart of a judge with the sinister motive to have him act under duress — against his grain and best professional judgment. We condemn the tendentious development and urge the administration to draw the needed lesson from the Satkhira episode to deter its recurrence.

## Repression on Sex Workers

THE government's drive to rehabilitate a 'select' group of sex workers from Nimtali and Tanbazar brothels in Narayanjan has turned into an atrocious act of imposition of a lifestyle on them that amounts to violation of their fundamental human rights. Monday's rumpus at the vagrant centre in Kashimpur—where nearly 250 prostitutes have been taken to with a view to preparing them for a return to the mainstream of the society—cynical it may sound, was rather inevitable, given the way the administration has so far gone about the whole business of 'rehabilitation'. The Department of Social Services have failed to appreciate that rehabilitation ought to be a transitional process in which the sex workers have to be slowly but steadily helped, not forced, into the changed environment. Its approach, naive at best and hypocritical at worst, has borne counter-productive consequences. The clash at the vagrant centre, which left some 50 sex-workers nastily bruised and battered on being roughed up by the officials and employees, sends a wrong signal about the very intention of the whole exercise. Those among the outlawed inmates of the two brothels in question who may have thought of starting their lives afresh would, beyond doubt, give it a second thought. On the whole, the rehabilitation drive looks set to prove a futile exercise in the end with a sum total of few thousands more sex workers floating here and there.

The drive has followed a flawed path right from the start and it is getting more and more complicated with each passing day. Towards rectification of the situation—we hope it's not already too late—the Department of Social Services should immediately own up responsibilities for Monday's flare-up and publicly apologise. Then, investigation should be ordered into reported repression on the sex-workers perpetrated by the centre's officials and employees. Also, the journalists should, by no means, be denied access to the centre as they have reportedly been; for, people have a right to know about the fate of sex workers.

## Unethical

DHAKA University teachers, a section of them at least, have been moon-lighting for quite a number of years now neglecting their normal duties as teachers of this pride seat of learning. This is highly unethical, specially for those who have been doing it without obtaining permission from the University authority. Any intellectual pursuit for a teacher in his own field of study is highly commendable provided he manages his primary responsibility of teaching his students properly. It has to be remembered that a teacher is hired by the university for a job that entails total commitment, honesty and sincerity on his or her part to deliver on it.

Unfortunately various corrective measures and repeated warnings against indiscriminate moon lighting have fallen on deaf ears. There have been a set of recommendations also but these 'could not be implemented as none bothered to follow them', said a Daily Star report on Tuesday. It has been alleged by a section of students that certain teachers even engage them in preparing the groundwork of their study in lieu of fees which are peanuts. In some cases they could be rewarded with better marks at the tests. This, perhaps, would be more unethical than skipping classes for consultancy work.

When the authorities are sympathetic to genuine cases why should there be instances of bad practices behind the back of the administration? We would like to believe the Vice Chancellor when he expresses his hope for a change for the better.

FOR ten years, the United Nations Development Programme (UNDP) has been issuing annual report on human development in its member countries. Like its predecessors, this year's survey also portrays, in elaborate and often fascinating detail, both the extent and the danger of the ever increasing gap between the world's richest and the poorest nations.

The report contends that economic globalisation, fostered by the communications revolution and other developments, is making the world more prosperous.

The Internet, which has become almost as familiar as the telephone, is the fastest growing communication tools ever, according to the survey. More than 140 million people surfed the Net last year, and that number will surpass 700 million by 2001. This will make possible an abundant flow of information to enormous numbers of people who previously lived out their lives in ignorance, with the impotence and misery that ignorance breeds.

The bad news about globalisation, however, is that it has widened the already wide gap between the rich and the poor. Some forty years ago, in 1960, the gap in income between the one-fifth of the human beings who lived in the world's richest

countries and the four-fifths who lived in the world's poorest nations was 30 to 1. In 1990, the gap had grown wider to 60 to 1. By 1997, it had grown to 74 to 1.

Look at it another way. The three richest people in the world have more money than the combined wealth of the poorest nations, where 600 million people live.

There was a time when the poor simply endured — or tried to endure — their misery, when they looked upon their poverty not only as a fact of life, but as something fated and irremediable. Only rarely did they rebel against it. Poverty was the only life they knew, or knew about.

But poverty becomes intolerable when people conceive the possibility of easing it. That enticing possibility is being brought home to millions of people by movies, television, fax machines, cell phones, the Internet and the many other manifestations of the communications revolution.

Of the UNDP report's many findings, one of the most fasci-

# Human Development A World Divided

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nating is that the single largest export industry for the United States is not aircraft or automobiles. It is entertainment. Hollywood films grossed more than \$30 billion worldwide in 1997.

When, thanks to the wondrous technology of communications, people in Asia, Africa and Latin America see vivid images of ordinary human beings like themselves living in

spacious homes, eating lavish meals, enjoying quality medical care, they may no longer tolerate being 74 times as poor. It is no accident that 61 major armed conflicts were fought between 1989 and 1998. Thus far, the developed countries in the West have been able to avoid involvement in most of these

Wars. But, as more of the world's poor find their burdens intolerable, wars may break out in regions that, in the past, the developed countries were able to ignore. If that seems impossible, ask yourself: five years ago, how likely seemed the possibility of NATO involvement in Kosovo?

The report raises at least three concerns. First, a huge number of people are caught up

world between 1989 and 1998, all but three were civil wars. Both misery and instability are posing a serious threat to the global society.

History teaches us that we can reject the complacent view that time would cure all ills. The UNDP report concentrates on finding solutions in improved global governance.

The growth process in the twentieth century has, indeed, opened up staggering gaps between the world's most and least developed countries. These gaps appear to continue to grow in the foreseeable future. So the fundamental challenge of development is to reverse the dire fate of failing states and to put them back onto the first rungs of the ladder of global governance.

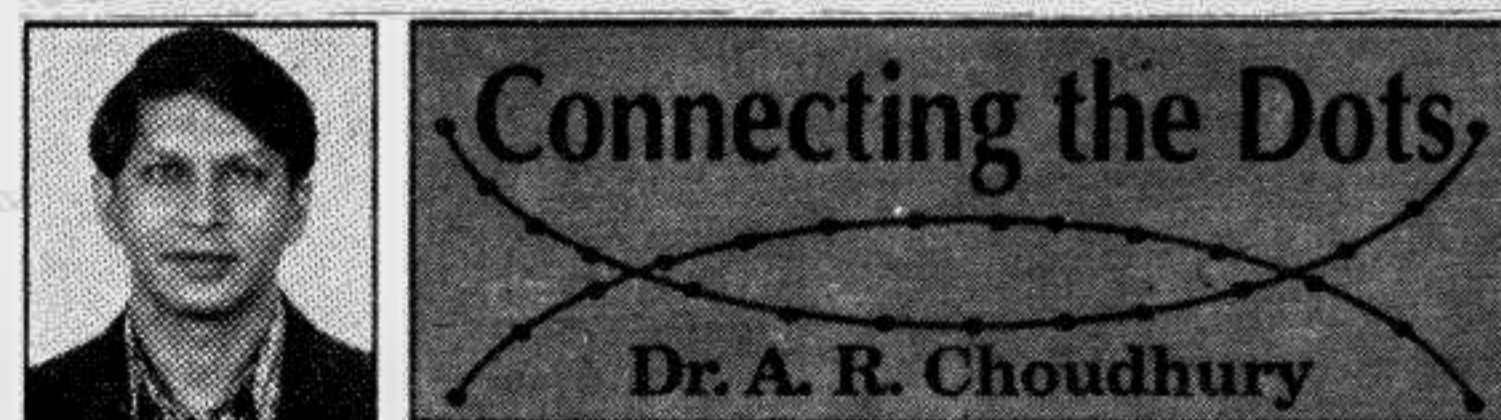
The problem of failing states is not that they are small and weak, but that they are sometimes dysfunctional. They have been unable to provide the basic goods of political and social stability, protection of property, and personal and political freedom. They have also failed

to follow policies that would foster enterprise, trade, savings and investment.

Improved governance in these countries would definitely help in solving some of their immediate problems. Where countries are failing, the international community especially the developed nations should be willing to cover some of the costs of introducing good governance. Such operations could be mounted under UN auspices. Aid should be withdrawn from countries governed by corrupt and incompetent dictators, but should go, generously, to democracies with decent policies.

While the least developed countries are failing in their effort, the developed nations are also far from doing their obligation in advancing some sort of convergence in the world community. With only the most perfunctory debate, the legislatures in the developed countries vote billions of dollars for their armed forces, but they give only a pittance to international organisations like the UN that are engaged in work that can prevent human misery and foster stability.

If the developed countries can't or won't help in the task of human development, the globalisation of the world may be more violent and deadly than it needs to be.



Connecting the Dots

Dr. A. R. Choudhury

in the vicious cycle of poverty. Some 1.3 billion people have incomes of less than a dollar a day. Second, about 100 countries have lower incomes per head than a decade ago. Third, failing societies pose threats not only to the rest of the world but also to themselves. Of the 61 major armed conflicts in the

## KASHMIR COUNT-DOWN

# Pakistan Buckled by US: BJP Exploiting the Outcome

by A M M Shahabuddin

*Indian media commentators and analysts have predicted that BJP will try to keep the current upsurge of nationalism "burning" until the elections are held in September-October next. And there are good indications that BJP will be bounced back to seat of power... But as resentment against Sharif's 'capitulation' before US pressure in Washington and the humiliation that he had brought to his country, rises in tempo, it is difficult to say how long he would be at the 'crease'.*

posted with the progress of the their Washington talks and the ultimate decision agreed upon.

## India's Diplomatic Success

It was a great diplomatic success on part of India. Not only in Washington, India's emissaries sent to different capitals and to Bonn, where the G-8 Group was holding its session then, met with great success in convincing the world leaders about Pakistan's 'intrusion'.

Pakistan miserably failed in its diplomatic trust. Whether it was America, Pakistan's best ally, or the G-8 Group, or the European Union (EU) all urged Pakistan to withdraw from Indian territory and show respect to the LoC. Nawaz Sharif, for that matter Pakistan, was cut to its size. In fact, Pakistan was globally isolated for its own faults. It was, no doubt, 'disastrous and most humiliating' for Pakistan, as if to add insult to injury after its face down humiliation in World Cup '99 cricket!

## Pakistan's 'Inconsistency'

As they say, 'In war and love, everything is fair'. And apart from 'no-love' in Kargil, 'war' is there justifying 'everything fair' to carry on propaganda by parties concerned. But, just as in the case of a liar, a propagandist should also have a 'good memory' to maintain consistency in what he had said yesterday and what he is saying today and what he would say tomorrow. Goebels became successful by consistently repeating falsehood until it appeared as 'truth', though tailor-made, to the people. And Pakistan miserably failed in this 'big art' because of its failure to maintain consistency in what it was preaching about its so-called 'intruders' into Indian territory of Kashmir. Pakistan started 'battling' well, it continued 'battling' well also, but then

came the sudden collapse because of its own 'political folly'. It caved in before 'pressure of 'bouncers' from the other side, led by President Clinton.

## Clinton's Gimmicks

Prime Minister Nawaz Sharif succumbed to the mounting pressure, losing all consistency, ultimately agreeing to withdraw Pak regulars and mujahideens from Indian territory in Kargil and other sectors, where they took their position for 'fiefdom'. So Pakistan ultimately had to swallow its humble pie and pride. Pakistan's repetition of 'falsehood' about its non-involvement in Kargil was further 'torpedoed' by Pakistan's former President Leghari, former Prime Minister Ms. Benazir Bhutto, and former Army Chief Gen. Gul, by this confirming that Pakistan had crossed the LoC and entered the Indian territory. And the last nail was driven by no less a person than the present Army Chief Maj. Gen. Pervez Musharraf who admitted it in clear terms in an interview to BBC. So Sharif had no place to hide. He was literally buckled down by Clinton to get his 'confession' and a solemn agreement to pull out all his forces from across the LoC. And by this 'gimmick', Clinton looked much taller than his size to the Indian leaders, including Vajpayee. He gained a solid 'foot-hold' in the minds of Indians, although like a shrewd diplomat, he had consistently denied his involvement in 'resolution' of Kashmir problem, emphasising the need for early resumption of bilateral talks between India and Pakistan.

## America's Strategy Gains Ground

Clinton's 'skillful' movement, (call it 'manoeuvring'), in this respect might have hurt Pakistan too hard, as it must be thinking that it had been left in the lurch by its most close ally.

But Pakistan should have remembered that international diplomacy is a challenging game and that every action has its reaction and when a superpower like America, takes on action it covers a wide range of reaction. By taking up the 'cudgel' on behalf of India, America has two long range views before it.

India holds a very strategic vantage point in this region, both economically and politically. Economically, because India, with its about one billion people, is to be the largest potential consumer market for the West, particularly for America. Hence America has a keen eye on its potential expansion of trade with India in future. Politically, India is considered as the 'largest democracy in the world', a rare thing in a developing 'Third World' country, where army has never entered politics during last five decades since its independence from UK in 1947. America knows well that India would be a dependable 'bulwark' against rising Communist China in the entire Asia-Pacific region.

In the next millennium, another 'cold-war' might be brewing in this region and the two 'contestants' will be India and China, in spite of their growing diplomatic hand-shakes and increasing economic cooperation. Indian Defence Minister, that fire-brand socialist George Fernandes had said, some time back, in unequivocal terms, that India faces two enemies — Pakistan and China, of which China is a 'number one'. He also boasted that Pakistan was not a big worry as it could be 'tackled easily' (that India had already proved in 1965, 1971 and recently in Kargil).

## Indo-China Show-down in Offing?

America knows well that the two Asian giants are destined to have a big clash of interests in future (leading to a show-

down over recovery of their 'lost territory'). India has already claimed that China illegally holds some 40,000 sq km of Indian territory, which led to the 1962 war between the two powers. On the other hand China claims that the whole of India's Arunachal province belongs to China but occupied by India.

Besides these two 'flash-points', some of the allegations made by the Indian Defence Minister recently are likely to stoke fires. These were: First, China had stockpiled nuclear weapons along India's northern borders; second, it has built airfields there; third, it had trained Myanmar's army and had set up 'a massive electronic surveillance establishment' on the Myanmar's Coco Islands, on the northern part of India's Andaman and Nikobar Islands. Lastly, he openly accused China of assisting Pakistan in its arms race with India, particularly in the nuclear field, and in firing its latest missile 'Ghauri'. Although China has promptly denied all these allegations and Fernandes has later tried to water down his allegations. But the damage has already been done.

## Where there is Milk

As the adage says, 'put your mouth where there is milk'. America knows well, in this 'hot pot of troubled waters', where and when to put its mouth. It will not be out of context here to mention that, during 1962 Indo-China war, it was America, which is always vilified by India as partial to Pakistan, came to the rescue of India with arms, ammunitions and logistic help, necessary particularly for mountain warfare. Perhaps India remembers well where America put its mouth at that critical moment. Hence, it is not at all surprising that America would force Pakistan to admit that its army regulars and Mujahideen had 'crossed the LoC and they

be pulled back all to their home base. Because the whole operation nicely 'fits in' with wider American strategy in this region. Today, Pakistan might have fallen from America's grace. But tomorrow it might be pulled up and 'patted' again, if strategy demands so. It is an open history, how Pakistan was 'used' thoroughly by America when the question of ousting the then Soviet Union's forces from Afghanistan was uppermost in America's strategy. Pakistan was then enjoying the highest privileges, including the unlimited US aid.

## What Next?

So from here to where? Where to start and who is to take initiative? Indian Foreign Minister Jaswant Singh has recently given a clear hint that as Pakistan has 'betrayed' the confidence built up so far, it is for Pakistan to take the initiative, after endorsing the 'inviolability' of the LoC as a precondition to talks to start. So the ball is now in Pakistan's court. And Pakistan must be getting ready to 'serve'.

Meanwhile, Indian media commentators and analysts have predicted that BJP will try to keep the current upsurge of nationalism 'burning' until the elections are held in September-October next. And there are good indications that BJP will be bounced back to seat of power in New Delhi. Till then Nawaz Sharif is free to invite India to the negotiating table, as he had already called it a day in Kargil, as decided in Washington.

But there is a danger signal looming large for Sharif at home. As resentment against Sharif's 'capitulation' before US pressure in Washington and the humiliation that he had brought to his country, rises in tempo, it is difficult to say how long he would be at the 'crease'. If he is 'run out' in the current growing street agitation launched by opposition, although he commands two-third majority in the parliament, who will be the next batsman? How much 'dove' how much 'hawk'? These are points to ponder for further assumption on Kashmir quagmire.

The writer is a retired UN official

# Kashmiris Gain Some Political Mileage out of Kargil Fighting

by Barrister A Hasib

*The Kashmiris have achieved some diplomatic mileage out of the recent Kargil fighting. Kashmir is back on the world agenda as an important issue. But it cannot be settled on the ground.*

THERE have been three parties to the Kargil fighting recently. They are the Kashmiris themselves, the Indians and the Pakistanis. In the two earlier wars, only Pakistan and India were involved. With the passage of time, the Kashmiris formed many armed groups within and outside Kashmir to liberate Kashmir from the occupation of others, especially Indians. The Kashmiris learnt from their own experience as to how human rights were violated in Pakistan, India and particularly in Kashmir. Amnesty International and the US State Department protested human rights violations in Kashmir by the Indian army.

Recently, different human rights groups revealed that when the Indian army started their operation against the Kashmiri youths who had started their hit and run policy as a part of achieving their goal for liberation of Kashmir these armed groups were formed. At present, there are 20 such groups. To some of these groups, the Mujahideen from Afghanistan have joined. It has assumed the character of an international Jihad (holy war).

The US believes that only Pakistan can help in containing the Islamic fundamentalists rising its head in Kashmir, Iran and Afghanistan are already fundamentalist countries in the eye of America. But in Pakistan there are more liberal parties than fundamentalist political parties. The latter have a lot of influence but they have no representation in the Parliament. Muslim League and PPP, the two most popular and liberal political parties can contain this fundamentalism. This has

recently prompted the US to take some interest in Kashmir through various means of its own before the situation goes out of control as in the case of Afghanistan. Most bases of these armed Kashmiris and other mercenaries, who have joined hands, are in Pakistan-controlled Azad Kashmir. The steps taken by the US include an agreement with Nawaz Sharif in Washington, sending of high military mission to diffuse the Kargil fighting, proposed meeting of the foreign ministers of America and India in Singapore at the end of this month.

Initially the Kashmiri armed groups were divided in their ultimate objective. Some of these wanted to join Pakistan due to geographical, religious, cultural and a host of other reasons. Others started thinking of independence for Kashmir. Such thinking has been becoming brighter day by day. This appears to be quite consistent with late Mr Nehru's pledge and the UN resolutions to hold referendum to ascertain the opinion of the Kashmiri people.

Kashmir issue can be seen as a legacy of the British Empire. When the Britishers came and started the East India Company for trade with India, they hit upon a plan — 'divide and rule'. After two centuries when they decided to wind up, it was 'divide and rule'. Their first policy included creating princely states where the ruler was probably a Hindu and his subjects

predominantly Muslim and vice versa. This is because India was a very big country, a sub-continent and the British wanted to exploit India of its resources. The creation of a feudal society was found to be the best way to do so. It was found helpful to create so many small states with a paying ruler and leave them to their way of life. Kashmir was such a state where the Maharaja was a Hindu and the subjects were preponderantly Muslims. This British policy sowed the seed of discord which persisted even after the partition of India in 1947. The Kashmiri community was never integrated with the mainstream of Indian society at any point of time. The British left them without any status and they fell victim to the forceful occupation of both Pakistan and India.

India pursued and held a few elections to integrate the Kashmiris with the mainstream. But it virtually failed, which led to exploitation of resources of states by the federal governments of both Pakistan and India started. This gave rise to dissent and commotion and ultimately separation of East Pakistan from Pakistan, and in India, demand for independence of Punjab, Gorkhaland, Nagaland, Manipur, and Assam emerged. Now many of the liberation forces in these Indian states are also supporting the independence movement of Kashmir. This has been demonstrated during the recent visit of Indian Prime Minister

to Assam who warned the separatist forces that they would face the same fate of the separatist infiltrators in Kargil.

However, the case of Kashmir is a bit different. Pakistani armed irregulars and Indian army regulars occupied Kashmir after partition and later established a Line of Control. Late Prime Minister Nehru took the Kashmir issue (Nehru's forefathers were Kashmiri Brahmins) to the UN and the UN passed resolutions to hold plebiscite. Pending such plebiscite in Kashmir, Pakistan and India are required to maintain the Line of Control. But to the Kashmiris the line of control or the bilateral talks between India and Pakistan are, in effect, meaningless without their participation. That is why they have started fighting. The cause of fighting by India and Pakistan is quite different from their cause.

As it seems, to most Kashmiris, Pakistanis and Indians are occupation forces. To them the UN resolution to hold referendum for self-determination is irrelevant to reflect their aspirations.

Most Pakistanis and Mujahideen regard Prime Minister Sharif's decision to withdraw troops from Kargil as a betrayal to the Kashmiris. The Laskar-e-Taiba and Harkat-ul-Mujahideen and 30 secessionist groups of Hurriyat conference who have been fighting the Indian troops in Kargil and elsewhere in Kashmir, have demonstrated against Nawaz

Sharif. According to them, Sharif is nobody to talk about Kashmir. The UN has taken up the issue and they will decide it. It is now an international issue.

The Indian government too gave Kashmir issue an international colour first in 1948 in the UNO pleading to hold referendum and recently during Kargil conflict when they urged USA, G-7 countries and China to use their influences on Pakistan to withdraw the Mujahideen from Kargil. India went to world capitals like Geneva and Beijing to request to defuse the tension on the Line of Control. Kuldip Nayar rightly said 'For the first time we (Indians) have accepted the position that America is the party we should approach'.

If this does not amount to third party intervention then what is it? America has already become a court of appeal. Tomorrow we have no ground to argue against Washington's inclusion to expand the area of its advice. We cannot say that its intervention on the infiltrators (in Kargil) is acceptable but not on the overall problem on Kashmir.

Similarly, Indian Congress has questioned the so-called victory of BJP in Kargil by claiming the US-Pak joint statement which formed the basis of Pakistan's withdrawal from Kargil as an exercise of third party intervention by President Clinton. The BJP, in turn, asked the Congress: who first internationalised the Kashmir issue by referring it to

the UN? This is an indirect reference to Nehru (then Prime Minister) who took the Kashmir issue to the UN and promised to hold plebiscite to ascertain their opinion in a democratic way.

The Kashmir issue has received some international attention not only due to Kargil conflict but also because both India and Pakistan are nuclear powers now. Given the promised UN plebiscite in Kashmir and the world attention, the Kashmir problem may be solved. But India will never agree to the holding of this plebiscite and stick to the compliance of Simla Agreement. But to the people of Kashmir the plebiscite promised by late lamented Nehru and the UN resolutions to hold it by withdrawing the troops of Pakistan and India appears to be the only solution.

The Kashmiris have achieved some diplomatic mileage out of the recent Kargil fighting. Kashmir is back on the world agenda as an important issue. But it cannot be settled on the ground. Ground reality in Kashmir now is not in favour of India. Pakistan, on the other hand, cannot win a war against India. This is not because Pakistan is militarily relatively weak but because economically it cannot sustain a prolonged war. But Kashmiris can sustain a guerrilla war in mountains for a long time with military help from various sources while people in Kashmir will also favour the Mujahideen. And the political mileage they have gained will add to their advantage. This is the ground reality.

The writer is a retired Justice of Supreme Court.