

The Daily Star

Founder-Editor: Late S. M. Ali
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Good News for the Buriganga at Last

THE High Court's directive to the government and its relevant agencies to submit a time-bound action plan for evicting encroachers from the Buriganga comes as another forward-looking act of judicial intervention. For a newspaper which is in the thick of a relentless campaign to 'Save the Buriganga' from an ensnaring encroachment and the appalling degradation of the environment it has brought about, nothing could be more elating than the HC's emphatic ruling on the writ in this behalf.

The media coverage on the subject in general has had an effect in raising the level of civic consciousness about the dangers severely spelt by the dual problem of illegal occupation of public property like a river and the attendant environmental pollution. As a manifestation of this we saw the writ petition made by the Bangladesh Environmental Lawyers' Association (BELA) seeking a judicial remedy from the high seat of the country's judiciary which they seem set to get now. We have had the knowledge of some people living beside the Buriganga who successfully resisted the illegal extension of a salt factory into the river by attempting to wall up the jutting part. We would like to see the multiplication of not merely such public reactions within the limits of law but also a spate in the environmental and legal activist groups' initiatives to assist the ordinary citizens to seek appropriate judicial and administrative remedies from relevant quarters.

In some neighbouring countries, especially India, we have seen how court injunctions were sought and obtained to pre-empt construction of a certain ecologically hazardous dam which presaged deforestation and alteration of a river's course, etc. In the case of Taj Mahal a clearly existent problem of an environmental staining of the architectural marvel was addressed by the court by ordering the factories nearby to close down.

This is the sophisticated level of environmental concern that we shall hopefully reflect one day, given the trend of protestations and resistance by the citizens' groups against tree-felling in Osmany Uddyan — since discontinued — followed by the latest HC ruling on the subject of Buriganga.

These are big gains for the public, the media, environmental groups and, to be farsighted, the people who are in charge of ensuring the rule of law to stem the tide of expropriation of state or private property.

The High Court order for action relates to the encroachers identified in a report submitted by the DC Dhaka on February 5, 1998 following a Prime Ministerial directive. The DC reportedly mentioned 260 cases of encroachment, which we believe was an under-estimation of the actual extent of illegal occupation taking place well into the river, let alone nearly two years' time that has elapsed since the preparation of that report.

But yes, if the recorded number of encroachers are evicted it would pave the way for others of their ilk to make the exit as well. In any case, let's not see the foot-dragging on the corrective work any more than we have seen about the slum-dwellers.

THE advent of the New Millennium has meant precious little for the South Asian Association for Regional Cooperation (SAARC). It has remained in the same moribund state in which it began in the eighties. In fact, it would be no exaggeration to say that SAARC is literally gasping for breath.

It is true that SAARC began its journey gingerly, with almost frightened steps. The only element that unites this region is geography. Everything else appears to divide the region. It would appear that the organization continues to exist because of absence of any other formula.

The SAARC had an inauspicious start. The two most important members of SAARC did not appear to have their hearts in the organization. Thus both India, by far the most important member of SAARC, with border with all the six other members, and Pakistan, another very important member, did not appear to commit themselves to the spirit of SAARC. Right at the star it was decided that politics must be kept out.

This was, no doubt, the desire of the two important members of SAARC. In order to keep SAARC as a viable proposition it was decided in the model of the meeting of the Commonwealth Heads of Governments, that the Heads of Governments meetings of SAARC, should have the provision of informal get-together of the Heads of Governments, away from the glare of the media. Yet unlike almost any other similar organisation there was a provision of veto by any member of the SAARC. Thus unanimity became the rule for any issue concerning SAARC. Thus whereas in the recent Commonwealth Heads of Governments meeting in South Africa, Pakistan was suspended, because of military rule, there is no such provision in SAARC. In fact Nigeria was left out of the Commonwealth for years during her military rule.

SAARC, this seven-nation organisation, has a lopsided situation because of the weight of India and Pakistan. The third most important country, Bangladesh, has been valiantly trying to bring some semblance of rationality in the situation, but without much success. Indo-Pakistan relations have been going downhill since the middle of last year. Yet there was a hopeful beginning in the early part of the year with the famous bus diplomacy.

Indian Prime Minister Atal Bihari Vajpayee travelled by bus from Delhi to Lahore and brought back Pakistan Premier Nawaz Sharif to Delhi. A state of euphoria appeared to seize the population of these perennially hostile countries. As the people basked in the sunshine of new found friendliness, Pakistani forces penetrated into Kargil, in the high Himalayas on the Indian side of the Line of

Control (LOC). An undeclared war erupted between the two sides and Indian strikes along with international pressure forced Pakistan to withdraw from Kargil. This left a bad taste in the mouth.

The lesson to be drawn from Kargil is that ever since the Simla accord of 1972, when Pakistan virtually agreed to withdraw the Kashmir dispute from international agenda, she has been attempting by all possible means to keep the Kashmir dispute alive. The fight in Kargil and earlier attempt to



The Horizon This Week

Arshad-uz Zaman

dislodge India from the Siachen glacier, are manifestation of the same desire.

Prime Minister Nawaz Sharif's agreement to withdraw from Kargil, was followed by insidi-

ous campaign of maligning him within Pakistan and ultimately the military coup last October which toppled him. Nawaz Sharif had a two thirds majority within the Parliament and

therefore, there was no other means to oust him from office.

To add salt to the wound of relations between India and Pakistan, an Indian airline plane was hijacked recently and after a week of agony in the inhospitable terrain of Kandahar in Afghanistan, the victims of the hijacked plane were released following Indian Government's agreement to release Pakistani prisoners from Indian jail. It is evident that Pakistan had a hand in this high jacking drama.

These events have sent the

Indo-Pakistan relations spiraling downward. A war of words between the two adversaries is the order of the day. The Pakistani military boss Gen. Pervez Musharraf has rightly stated that Indo-Pakistan relations have hit rock bottom. When the relations of the two major players of SAARC have soured to the present extent it is difficult to visualise to bring them on this platform.

Situation within Sri Lanka, another important member of SAARC, continues to be volatile to say the least. A suicide bomber of the Tamil Tigers made an attempt on the life of the President of the country, Chandrika Kumaratunga. In fact, she lost an eye, while scores of people lay dead. There has been a fresh attempt on her through a letter bomb. It would appear that the Tigers are hell bent to get this President elected by the people. Kumaratunga is bravely facing her adversaries while attempting to bring peace to her war torn country. Nepal has some internal problems although they don't appear to be serious enough. Bhutan and Maldives are relatively quiet and very rightly they are devoting their energies in nation building and paying a lot of attention to attract tourists.

Bangladesh, in spite of the tug of war between the Government and the Opposition, appears like a calm sea compared to all her neighbours. It is the failure of SAARC that the idea of sub-regional cooperation appears to make headway. The great tragedy of SAARC is that this organisation of more than a billion people, with great human potential and natural resources remains as the most backward single region on earth.

The question that stares in the face of SAARC is who will bell the cat, who will pull it out of the doldrums?



Bajpayee's bus diplomacy didn't pay off: Can there be another process started?

All-powerful to be Impotent

by Mohammad Badrul Ahsan

The mankind has come a long way ever since the apes and hominids split from their common origin more than 4 million years ago. But crime is dysgenic, because it tends to put the ape back inside men. Sir Winston Churchill, former British Conservative politician and Prime Minister, attacked his opponents in the government in a scathing speech: "So they go on in strange paradox, decided only to be undecided, resolved to be irresolute, adamant for drift solid for fluidity, all-powerful to be impotent."

In turn indulged in corruption, which against indulged in compromise. Crime is only the natural culmination of that chain reaction when reckless inclinations coalesced into a philosophy of life and justified ends with means.

Alfred North Whitehead argued that morality was what the majority happened to like, and immorality was what they disliked. Between our liking for convenience and disliking for confrontation, our resilience for opportunism and revulsion for opprobrium and our remission of eclectic righteousness and remonstrance against impudent rancor, morality is lost in the wilderness of conflicting impulses. As regimes changed, cabinets expanded and shrank, autocrats fell and demagogues rose, paramounts ceded place to populists, crime relentlessly thrived in the festering wounds of our social ligaments.

It is interesting to ask what we mean by morality today in a society where there are more big names in crimes than in anything else. If Ershad Shikdar, Siraj, Laily, and many other dons and dragons of the underworld configure the moral shorelines of our time, then it is littered with horrendous stories of how ruthlessly one could kill one's opponents and consort with women other than their wives. Perhaps perversion and promiscuity are the paragons of

propensities, which embellish power and prestige in a society that has lost its anchor.

Even worse these propensities patronize prejudices which preponderate privilege in the political circuitry. All of the top terrors have friends in high places to protect them in exchange of money and muscles. Samuel Johnson bewailed that politics are now nothing more than means of rising in the world. The biggest communalities between crime and politics is that everything is acceptable in both so long as one rises in the world. And that rising has become an obsession, which has trickled down to ordinary levels making opportunism the driving force of a mugger who lurks in the street for innocent victims.

If morality is conformity to the rules of the right conduct, the murder of Nikunja Bihari Devnath or stripping of Badhan conforms to what rules of what conduct? In both instances one can sense a desperate bid on the part of the wrongdoers to get what they wanted. In 1989, a 28-year-old jogger was hunted down, beaten, and raped in New York's Central Park by a gang of teenagers. When arrested, the teenagers joked, rapped and sang. One of them even told the investigators that what he had done with his friends was "fun". In fact, the young men who kill, rape and show violent tenden-

cies in our society are miniature forms of the big names in crime who killed in any way they wanted and grabbed women like objects of the shelves of a supermarket. What could be more "fun" to get what one wants with the confidence that one can get away with what one does?

Once again, that shows what a dangerous concoction it can be when crime and politics mix together. If the left hand of the law shakes hands with the right, criminals become political and politicians become criminal. What transpires in that uneasy transaction is loss of character when moral turpitude is confused with moral rectitude and values are immersed in the chaotic swamps of their own contradictions. Frankly speaking, the practice of stripping, if we may recall, started with the police when they had denuded a woman named Moni Begum during a BNP-led demonstration. Only were the perpetrators of the "inappropriate" act punished for their offense it could have warned, not encouraged, the subsequent repetitions.

For God's sake, it is not my intention to take a dig at any particular government. The growth of crime is the outcome of a sclerosis, which developed gradually under every government. But one thing is resented is how the politicians have played

dice with the fate of this nation, and scoffed the sublime goal of democracy with the ridiculous zeal for power and private gains. Instead of giving us a government of the people, by the people and for the people, they have tumbled their noses at us with what Arthur Seldon called, "Government of the busy but the bossy for the bully. They have pushed democracy to its edge and turned the demos crazy."

The advent of the new millennium brings us many promises. We look forward to economic progress, technological advancement and political maturity. We look forward to cultural rebirth, religious harmony and human dignity. Scientists have determined that between 6 million and 4 million years ago man learned to walk. The next significant development was invention of tools 2.5 million years ago, and the amazing growth of the brain would come after another 1 million years. But it was not until a few tens of thousands of years ago that the brain would show its capacity for abstract thought.

The mankind has come a long way ever since the apes and hominids split from their common origin more than 4 million years ago. But crime is dysgenic, because it tends to put the ape back inside men. Sir Winston Churchill, former British Conservative politician and Prime Minister, attacked his opponents in the government in a scathing speech: "So they go on in strange paradox, decided only to be undecided, resolved to be irresolute, adamant for drift solid for fluidity, all powerful to be impotent." As we go on living in many paradoxes, crime and civilization are the biggest paradox of all. Because, civilization makes us all-powerful to reach the moon but crime makes us impotent when it comes to rescuing our loved ones from predatory men.

Friday Mailbox

Smashing of rickshaws

Sir, I read a news item, in one of the dailies (of January 18, 2000), in which it was reported that the Dhaka City Corporation (DCC) seized 300 rickshaws which were "unlicensed". The report further stated that the DCC later on smashed those rickshaws in front of the onlookers, leaving unsaid that a just and fair punishment was thus meted out to those who dared to ply rickshaws without a license.

I am a remote person, sitting in Karachi, and therefore may be justified in my ignorance about what the big deal a license would make in the case of a cycle rickshaw. Are there stringent training codes for a rickshaw-puller to become eligible for performing what might be termed as a pedaling feat? Or are there severe environmental hazards that issue forth from an unlicensed rickshaw frame? I really could not understand the air of severity around this concept of having laws that require a cycle rickshaw to have a license. Fine, a registration should be in order so that a statistical count is available. If I understand that unlicensed rickshaws are also those without number plates, I still would say to see in the annals of crime: how many rickshaw-pullers were ever implicated in crimes and were apprehended only because their number plates were on them? Rickshaws, on the other hand, are the sitting ducks when it comes to arson and rioting, which is not less often and enough rickshaws do keep burning in that way.

I may have missed out completely on some points the authority may have and which makes it share the idea of what the DCC did. If that is so, I seek apologies. But to me these kind of legal requirements are nothing but a perpetuation of the colonial days. There is already enough poverty. It does not behove a nation to punish its poor people, which the rickshaw-pullers inevitably are, in such manners.

But if one takes into account the underworld that controls the ownership of the rickshaws and the poor slave who toils on its pedals to earn a few taka without ever dreaming to become an owner of one, then the picture of smashing the "unlicensed" rickshaws takes on an altogether different meaning.

I wish your readers comment on my letter!

M. Anis Motiwal
Karachi, Pakistan

Responsible journalism

Sir, Much has been said of the brutal assault, of the young woman, that took place on the Dhaka University campus on 31st December, 1999. We would like to note briefly that some newspapers decided to publish pictures of the woman during the act of the assault, exposing her nakedness for the whole nation and further violating her dignity, only for the sake of increasing their sales.

The Daily Star, on the other hand, chose only to publish the face of the attackers. Our already strong respect for this newspaper has grown even stronger after it has demonstrated such remarkably responsible journalism. It is indeed noticeable what a section of our print media did in this particular case. Can't we term such practices as yellow journalism, nay, criminality in the

name of journalism? As readers we want to question the role of the Press Council in this regard as well. When a police sexually harasses a girl, he is brought under trial. Same happens to any other person. Then why not bring those concerned under trial for again assaulting a young girl only because they possess the ability to print her photograph and publish her name? The conscientious journalists of our country should seriously ponder over the issue.

Thanks to the DS once again for withholding her name with a view to saving her from being socially stigmatized.

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Faculty of Law
University of Dhaka

Luke Meisner
School of Law
University of North Carolina.

When'd we get justice?

Sir, Aren't we, the women, citizen of this country? Then why do we have to be assaulted even at the highest seats of education — on the DU campus? Why do we have to listen that it's our fault for offering us as prey at midnight? Why do we have the brutal, inhuman photographs of the assault be published in the newspapers and thus making the already miserable life of the victim worse?

We want to know whether we would ever get justice or we would remain like this, the prey and the secondary citizen of Bangladesh!

Anilla Hossain
Road-2, House-11
Dhanmondi, Dhaka

Shoot at sight!!

Sir, The new DMP Commissioner in an order asked police to "shoot at sight" muggers and robbers to arrest the capital's "deteriorating" crime situation (DS, January 19, 2000).

I'm sure, people from all walks of life would welcome this decision of the government for taking the country's declining law and order situation seriously. But could the authority be able to give assurance that the new power would not be abused?

In a country where the law breakers and law protectors are feared equally — maybe the latter one more — can a law like this protect the people? Only time will tell.

R Rahman
Dhanmondi, Dhaka

Please explain

Sir, A New Year and a new century has started from 1st January 2000 A.D., but what about the new millennium?

Three sixty-five days make a year. The period of 1999 A.D. from 1st January expires on 31st December 1999 A.D.

One thousand years make a millennium. Would someone kindly elaborate why and why not the period of present millennium from 1st January 1001 A.D. expires on 31st December 1999 or 31st December 2000 A.D.?

O.H. Kabir
Wari, Dhaka-1203

OPINION

There has been a lot of bluster around the topic of terrorism of late on every front — at the Jatiya Sangsad, mass rallies, mass media and where not.

For every conscientious people of our society it is a matter of grave concern. Everyday, we find in the newspapers how the terrorists, mastaans extortionist, and other anti-social elements have made the lives of innocent people absolutely miserable. The extent of their atrocities has surpassed all previous records. Businessmen, contractors, builders, small shopkeepers, professionals and even somebody intending to make constructions on his own plots are subjected to extortion.

These people continuously pester their victims through intimidation, threats over telephone threatening to hijack their wards or kill them in case of failure to fulfill their demands. Out of fear of retaliation by the miscreants and anticipating no remedial measures from the police, very few approach the police stations and file GD. As a result, the evildoers are getting away merrily unpunished. In this way, the city-dwellers are passing their days as virtual hostages in the hands of these antisocial elements. Though our home ministry is highly determined to punish the entire lot, there is no sign of recession to these sort of crimes. Rather it is the other way around. Except largescale operations in the North Bengal and putting a good number behind the bar, there has not been any significant drives in other parts of the country, particularly Dhaka and Chittagong Metropolitan areas. Even if few

The Scourge of Terrorism

Md Eradatullah

arrests are made, they are coming out scot free on bail given by the courts as there have not been adequate evidence to the alleged offence. And once they come out, they start their activities with renewed frenzy.

Have we to conclude therefore that the criminals will get the upperhand in our society and the vast majority will tolerate the inhuman, barbaric oppressions of these people? Is there no effective machinery to prevent and curb these misdeeds and punish the culprits? Certainly, we have. The only reason why the law and order enforcing authorities cannot rise to the occasion is that either they themselves are beneficiaries or they are unable to discharge their duties on account of undue interference from political fronts. If we want to establish a crime-free society by restoring confidence among members of the public as regards sincerity of police force, the above two causes have to be eliminated. In this direction following measures can be fruitful:

First, the government must ensure the safety and protect the lives and properties of the complainants and their families. At present nobody dares to report to the police and testify against the terrorists, murderers as they are and threatened by them of dire consequence in case they (victims) do. And in-

stances of gruesome retaliation in such cases are not rare. As a result of which the criminals cannot be brought to book. This is a great handicap toward punishing the culprits and dispensation of justice. How to overcome the situation then or ensure legal protection to the aggrieved? It is known to everybody that the police stations concerned are fully aware of the terrorists in their respective areas. So if any case is recorded against any individual offenders, he or she should be arrested at once and should be kept in custody for longer period. Any delinquency should be dealt with severely. In this regard, the prevailing law of granting bails may be amended if necessary for the safety and security of the complainant(s). The anti-terrorist law should be tougher otherwise the very purpose behind the law cannot be served and the criminals will freely carry on their operations.

Secondly, in my view, the present police force is not adequate to combat the largescale terrorism going on at every nook and corner of the country. Moreover they are not equipped with sophisticated arms and ammunition to stand a chance against their adversaries. As a result, prompt operations are not possible and often the perpetrators escape by overpowering the police. Therefore, an effective expansion of police force with sophisticated

arms is essential. Side by side, the local government representatives, such as union council members, ward commissioners can play a vital role in collaboration with the police. Anti-terrorist committees can be formed in every locality which should be a representative body of people from all walks of life in addition to the officer-in-charge of the police station concerned acting as the coordinator. Members of the committee can be assigned with the task of identifying local terrorists, extortionists, mastaans etc. They will also help the police arrest them from their hideouts. Effective telecommunication equipment should be provided to the committee for quicker action. Any case of threat, intimidation, coercion or other anti-social activities may be reported to these committees for instant remedial measures. If possible in course of time, the committee may be given some judicial power to try and punish the culprits. The extent of punishment, depending on the nature of offence, may be determined by the government. This will ease the load of cases pending with the courts. Moreover local people can, to a certain extent, feel relieved.

Thirdly, in my opinion, the most potent way of arresting the culprits is by making combing operations without notice. If possible, the whole of Dhaka city may be brought under such operations by giving curfew

from dusk to dawn. The operations may be carried on jointly by members of the police, BDR and Army. Nobody will be allowed to leave the city during the period. People intending to travel by air may be allowed. Other passengers travelling by train or bus may be allowed after being thoroughly searched by law enforcing agencies. Expectations may be made in case of emergency services, serious patients and journalists. This sudden swoop will definitely enable the government to bring to book a good number of the identified terrorists who are now running an underground parallel administration flouting the law of the land.

Last but not the least, until and unless the political influence is resisted, no amount of deterrent measures will work. If somebody commits an offence keeping in mind that his godfather will come to his rescue every time, and it actually so happens, then goods cannot be delivered. If people at the helm of affairs exercise undue influence in favour of the criminals instead of nabbing them, the misdeeds will go on unabated. This is not only harmful for the society but also causes immense damage to the image of the party the person making 'tadbir' belongs to, whether ruling or opposition. Our people in general are above such politics and extremely critical of politicians doing everything in the name of politics for their own selfish gains rather than improving the lot of commonman to which they are supposedly committed. If political interests prevail over justice, social maladies will always remain there