

## Political Rhetoric at its Worst

WHAT the opposition leader Begum Zia told the British Secretary of State for Home Affairs Jack Straw on gas export to India during the latter's call-on meeting with her last week should go down as the most sensible approach her party could take to that extremely delicate issue. She conveyed it to the British dignitary that BNP would have no objections to any move for gas sale to India provided it was made after due consideration to the present and future domestic requirements of dihydrocarbon and if it should 'prove profitable to the nation'. One would have thought that Khaleda's statement was the nearest thing to what Prime Minister Sheikh Hasina had already enunciated as her government's stance on the question of gas sale to India. The latter's oft-repeated position has been that there could be no export of gas till domestic needs, both present and projected, have been met. But alas, the PM has taken the opposition leader's comments from the wrong end of the stick with customary prejudice and showering invectives in place of what should have been praises on Khaleda. The prime minister's tongue-lashing at her opponent contained such awkward remarks as "Khaleda agrees to sell gas if she gets profit. She will not hesitate to even sell the country if she gets profits." This is political rhetoric at its worst.

The tragedy in our politics has been that on very precious and rarefied moments when it looked as if the two key players could come closer to each other following a certain conciliatory tone from one of them, it is the other's abrasive remarks that would force the former back into the bunker bristling more than before. Sobriety is regarded as a sign of weakness, rather than that of realism and sagacity. The reduced intensity of harlots can be cited as another example of where prudence from the opposition leader has been met with sarcasm and mockery from government circles. It was not attributed to any healthy 'change of heart' nor was the credit given to where it was due but seen wholly as an opposition debacle vis-a-vis the triumph of the ruling party's political strategy.

It is the bits and pieces of mutual appreciation at the right time and in well-deserved cases that can make a whole lot of difference in the embittered political atmospheres rendering these congenial to rapprochement. People feel grossly wronged when precious opportunities for political reconciliation which present themselves but only rarely are lost through thoroughly irresponsible utterances.

## Dubious Police Role

TWO young men in their late teens were brutally murdered on suspicion of their involvement in an alleged hijacking incident. Their decapitated bodies were recovered at Sutrapur on Saturday in twelve pieces from sewer line. Each of them was cut into six pieces in such a cold blooded manner that one shudders to think of the cannibal on the prowl amidst us.

If one goes by the press reports, the pleading and prodding of the parents of these hapless creatures for police help had no effect whatsoever on some of the officers of Sutrapur police stations. The parents of Mohsin and Saem entreated the police to help them as soon as they heard that their sons had been taken to the Gandaria Rifles Club by some known miscreants of the area by the scruff of their neck. At first the police brushed aside their request but as the day progressed they went to the spot, talked to the miscreants, had drinks with them, came back and assured the guardians that the boys would be released the following morning. Instead, the mutilated bodies of the unfortunate youths were recovered by the police. The main culprit, known as Sumon, at one stage asked for a ransom of Taka fifty thousand from Mohsin's mother who obviously could not pay it. Newspaper reports say that Sumon and his mother, who is a local ruling party somebody, are pretty influential in the area and even police are alleged to be on their side because of the influence they have. This is another glaring example of police inaction despite being furnished with timely and proper information.

The manner in which these boys were murdered shows another side of the human psyche that has become so warped these days. This double murder once again tells the horrific story of law and order situation in the country despite government's tall claims to the contrary. We demand that the culprits be brought to book immediately despite their political clout and officers responsible for negligence of duty and indirectly helping in the killings be suspended and proceedings drawn against them.

## Low on Economic Diplomacy

THAT 27 out of 46 Bangladesh missions abroad have failed to meet their respective export targets for the 1999-2000 fiscal actually mirrors the country's weakness in economic diplomacy. The redeeming factor, however, is that the embassies in such business-intensive countries as the United Arab Emirates, Morocco, Oman, South Korea and, crucially, the United States have fared far better than expected. Consequently, the country's overall export earning has exceeded the fixed target by 14 million US dollars and stood at 5,752 million US dollars at the end of the fiscal. That means had all the embassies been able to live up to expectations, our showing on the export front would have been fantastic.

Worrisome, however, is the fact that many in the losing pack - Iran (31.85 per cent), Jordan (28.21), Malaysia (30.91) and Pakistan (22.90) - have missed their targets by miles, so to speak. A wide range of reasons may have been at work; however, we should be on the look out for any inadequacy at our end. Setting targets in the first place does speak for the government's intent on cashing in on the increased significance of the missions abroad in a changed reality, especially in the face of fast-paced globalisation. There is a crucial question we would like to raise - are the missions well equipped to face the intense challenge of a virtually frontierless business world?

Apparently, there is lack of co-ordination between the government and the embassies as well as amongst the missions. In an era of greater inter-connectivity, facilitated by the IT revolution, economic wings of the missions abroad should be ideally networked with the relevant ministries and, more importantly, the leading chambers of commerce and industry. Moreover, we don't think the vast potential of e-Commerce has been even marginally tapped. There is also the need for a change of approach. Shouldn't the missions play a major role in attracting investment?

# Hasina versus the Judiciary: A Political Analysis

by M. Rashiduzzaman

*Considering all the facets of what has been characterized as the contempt of court politics Hasina's exasperated claim that she had only echoed the popular sentiment against the judicial loopholes would not stand the test of time.*

THE legal technicalities of the contempt cases will be more a domain of the community of lawyers, which is already frayed but a growing schism between the executive and the judiciary could have far reaching political consequences further dividing the nation that is already divided even at the civil society level.

One strand of the pro-Hasina thinking is that the Prime Minister was only expressing a public frustration with the judicial penchant for bail to the accused and it is further stated that as the leader of the majority party, she had a right to vent her feelings. On that point, she would possibly have the sympathetic ears of those ordinary men and women who often become victims at the hands of seasoned criminals freed on bail on specific justifications. Legal scholars and politicians in the United States have from time to time raised such questions about the role of the judiciary in public life, and demanded more rights of the victims of crime than the rights of the accused. But in her repeated derision of the judiciary, Hasina was not an intellectual flame-thrower in an academic forum.

Whenever she spoke against the judiciary, she never fleshed out her vision of correcting what were presumably the existing judicial impediments to better governance. Much of her anti-judiciary invectives are either her breezy thoughtlessness or a deep intellectual confusion to put it mildly. Hasina does not seem to appreciate that the judicial institutions, bound by the Constitution, tradition and hierarchy, are accountable in their own way, trusted and held in esteem for centuries in numerous countries. It is difficult to explain to her that the Judiciary cannot be under the sway of the Prime Minister! Worse still, she does not seemingly accept that granting of bail to the accused, subject to legal provisions, is an essential component of the due process allowed by law

in a democracy.

But is it a question of Hasina missing the conceptual logic that separates the judiciary from the executive or her compulsive outbursts against the courts and the lawyers are the contrived face-savers to divert public attention? One may still wonder if it was a pursuit of single party domination? People will keep on asking about the real motive behind her anti-judiciary posture, no matter what is the legal outcome of this dispute. Hasina's dissatisfaction with the judiciary is not her new doctrine of judicial reform; much of her election promises to separate the judiciary from that of the executive remains unfulfilled. So the volley of arguments defending Hasina, both in and outside the court, is little more than a kaleidoscopic array of digression to cover up the real motives of the strident confrontation with the judiciary.

Except those pro-AL lawyers who disputed the Supreme Court Bar Association's right to file a contempt petition, few non-partisan legal stalwarts have come forward to support Hasina in her encounter with the court and the lawyers. So far, the spin-doctors have failed to turn Hasina's anti-judiciary bickering into a populist cry against the legal process and the lawyers. So far the pro-Hasina politicians and her intellectual cohorts have failed to allay the fears of those who considered the court-and-lawyer-bashing as a threat to individual rights which the opposition must challenge for preserving civil liberties. Those who wish well for the AL fear that the fault line, which pits Hasina against the judiciary will loom larger in the future, an unsavory prospect for the AL's credibility with a national election that is not too

far. But the Hasina-loyalists would not agree with this prognosis.

Neither Hasina nor Khaleda is known to be a lethal debater—but Hasina's unrestrained garrulity has put her in confrontational headlines, long before she was on warpath with the lawyers for her attacks on the judiciary. Her repeated ordeal with the court has created ripples of concern among those (AL) leaders and supporters in her party who want to remain viable well beyond Hasina's stewardship. Hasina's trouble with the judicial process has only exacerbated the division among the lawyer politicians both inside and outside her party, which can be traced back to the sudden resignation of her first attorney general.

Even if Hasina gets off the contempt cases only with a slap on the wrist, she would still be a political loser. People might think that Hasina had successfully made the judges pliable enough to let her go unscathed, not a compliment for democratic development in Bangladesh. In the meantime, political extremism may spread out of frustration. When 11 eminent lawyers recently accused Prime Minister Hasina of using derogatory language against the court, it was reported that she would make a conciliatory statement following a meeting with Barrister Moinul Hossain, President of the Supreme Court Bar Association. It was expected that the controversy spurred by her remarks would be amicably settled through some form of compromise, and a charm offensive on her behalf would save her from the embarrassment. Sadly, the Prime Minister did not yield, and the Supreme Court Bar Association filed a contempt of court case against

the Prime Minister. The AL is not a monolithic forum, and a good many of the Awami Leaguers would not totally ignore that Hasina reneged on her hint for reconciliation, which not only undermined the Prime Minister's dignity, but also undercut the credibility of the party leader, and the party-in-power itself. Moreover, she was condemned for her personal attack against Moinul Hossain with unfounded allegations she blamed him to be in collusion with two of the charged killers of her father. She even accused him of trying to kill his own younger brother Anwar Hossain Manju, a minister in her cabinet. Unless she can prove any of those allegations, Hasina's credibility and reputation would tumble in public esteem.

More and more close relatives of the sitting Ministers and MPs are being implicated in serious crimes: murder, rape, extortion, unauthorized occupation of government land and some of them were blamed for forcibly taking over private properties. The ordinary Awami Leaguers are worried that their party is getting a bad rap for the questionable conduct of a few privileged individuals in the party. Non-partisan observers have claimed that law enforcement cannot proceed against the suspected offenders because of political intervention influential business leaders have publicly questioned the sincerity of the government efforts to protect those who are engaged in trade and commerce. Such frustrations are the eloquent testimony to the central weakness in governance, which cannot be totally lost on the Awami League itself. It may turn into an anti-establishment backlash. Since Kader Siddiqui rose against Hasina, more and more

factional and personal rivalries some blatant and violent among the Awami Leaguers are reported in the newspapers.

The on-again off-again blame shifting on the shoulders of the judges and lawyers politicizes the judiciary a nightmare that most Bangladeshis would ordinarily abhor. More importantly, it cannot assuage the pain of a nation battered by the rise of horrendous crimes, abuse of power, escalating violence and a wave of political assassinations. Most extortionists and terrorists are presumed to operate with impunity as long as they have high connections. So the judicial bail for those apprehended by the police—a bone of contention between the Prime Minister and the court couldn't be held responsible for the rampant criminal activities and the governance crisis that the people are raising hell about. Whether it is coming from Hasina or from her validators, it's childish but dangerous to describe the courts as the safe haven for the criminals, killers and terrorists.

Most of her supporters insist that Hasina would finally prevail, and she would be able to withstand the challenge from the lawyers. But is there a Hasina-inflicted fatigue inside the Awami League? Is her leadership tainted not only by the executive-judiciary clamour but also by the flagging affairs of state that eroded her likeability? She cannot win if the anti-judiciary posture puts her more on the defensive against the weaknesses of her administration and the soaring public frustration. Surely, Hasina's clash with the courts and the lawyers has given the opposition a new rallying ground to campaign against the Awami League government, but it can be a winning issue for Khaleda only

if the BNP-led alliance can fully exploit the fresh window of opportunity to its advantage. It is also important to ask if the ordinary people are listening to the media hype on the Hasina versus the judiciary conflict. Is she losing her believability? Political fatigue is not quantifiable, but a negative perception is by itself a driving reality; it has the potential for an open leadership struggle in the AL. Since she became the Prime Minister, Hasina hasn't spent much time to rebuild the party that has been out of power for nearly two decades. Behind the public show of solidarity at the top, the rival factions and personalities in the AL have apparently disregarded Hasina's homily for peace and reconciliation within her party. Embroiled by the infighting in the party, Hasina has started a revamping of the AL that may include cabinet reshuffling she has a tough road ahead.

Considering all the facets of what has been characterized as the contempt of court politics—Hasina's alleged disrespect for the legal process, her apparent arrogance, her evident cover up for the law and order failure and the adverse effect of a dragged executive-judiciary dispute—Hasina's exasperated claim that she had only echoed the popular sentiment against the judicial loopholes would not stand the test of time.

Finally, it will be a great blunder for Hasina to use her office as the bully pulpit for her anti-judiciary drive. It might split the judges by partisan rancour the worst prospect for Bangladesh since the cherished vanity of the non-political bureaucracy has all but perished. Beset with the debilitating troubles around her, Hasina will be fighting from a position of weakness, and any further loss of face on her part will be the catalyst of discontents soaring against her.

The writer teaches Political Science at Rowan University, Glassboro, New Jersey, USA.

## The 'Liberal' Bubble Bursts

Praful Bidwai writes from New Delhi

*Mr Vajpayee is not distancing himself from Hindutva hardliners. He is building his own base in the party. After 7 p.m., it is strictly Party Time in the PMO. Mr Vajpayee's unprecedented interest in organisational matters has little to do with competing with the RSS. Mr Vajpayee needs the RSS. It needs him.*

collected billions for their Indian cousins.

Thus, the Staten Island speech was shocking, not surprising. But it should lay to rest and by all means myth cultivated by BJP sympathisers. The myth is that the BJP has cut its RSS umbilical cord and become a "normal" party not obsessed with Hindutva.

Central here is Mr Vajpayee's fake image not just as "the right man in the wrong party," but as a modern, decent, compassionate leader wedded to humane ideas. Who forced the BJP to abandon the RSS's rusty old trisul: viz. Ram temple, Article 370, and Uniform Civil Code?

However, the BJP never set out to break with the RSS whether in 1998, 1999 or now in Nagpur. It merely sought accommodation under the RSS in keeping with changes in the sangh. After all, the equation between Mr Vajpayee and the sarsang-hachalaks (Deoras or Rajju Bhaiyya) couldn't remain once they gave way to the much less experienced KS Sudarshan.

The BJP's rapid post-1995 growth recently allowed it to somewhat reduce its dependence on RSS pracharaks. However, this didn't alter the RSS's role as the BJP's ideological mentor, organisational gatekeeper and political hegemon.

The BJP remains firm on "Cultural Nationalism". This asserts that India is quintessentially Hindu, and that this identity must underlie any endeavour to build a "great nation". Jana Sangh-BJP leaders have always clung to this doctrine with minor variations. There have been periods of BJP-RSS friction (e.g. the early 1950s or mid-1980s). But no one in the Sangh Brotherhood has questioned Hindutva.

That includes Mr Vajpayee. His visceral prejudice against Christians (whom he regards as 'converts' remember his call for a 'national debate on conversion' after the 1998 anti-Christian attacks in Gujarat?) testifies to this. And his love of the Bomb derives from Hindutva militarism. The RSS was privy to his

decision to test, which was hidden even from the home and defence ministers.

Those who see a "secular liberal" in Mr Vajpayee confuse softness of appearance with hard-nosed commitment to pluralist tolerance. They equate familiarity with Urdu with devotion to secularism, and confuse a somewhat unconventional lifestyle with radical morals.

Mr Vajpayee has never advocated radical pluralism not even in his poetry. He has never accepted the liberal notion of freedom of the individual. His 1995 Sangh is My Soul article talks of the RSS's two tasks. 'One is to organise the Hindus. The other is to assimilate the non-Hindus...in the mainstream...'

However, secularism is not about assimilating 'Them', those 'Others'. It recognises that India has always been a multi-religious, multi-ethnic society, never 'essentially' Hindu. 'Us' and 'Them' can't be defined on the basis of religion. Politics and religion must be separated. The

BJP, like the pre-Partition Muslim League, rejects this.

The BJP is also right-wing and pro-rich. It has mindlessly promoted LPG (liberalisation, privatisation, globalisation), undermined public services, and greatly widened income and regional inequalities. No other party has attempted wholesale transfer of public wealth into private hands, or been so callous towards the poor.

None of this speaks of liberalism. Indeed, these policies politically disenfranchise the vast majority, thus undermining their rights. In all this, Mr Vajpayee is an RSS-style conservative.

Today, there is an even stronger reason why the BJP won't break its RSS bond. The BJP has failed to build a popular base. Its national vote peaked at 26 per cent and is now down to 23. If U.P. is any indication, its OBC support will shrink, and it will fall back upon its traditional 'Brahmin-Bania' base. With floundering political mobilisation, the BJP could move closer to the RSS. Mr

Vajpayee's swamysevak speech, then, had a politico-electoral purpose.

The context of the swamysevak episode is a power struggle inside the sangh parivar. In the BJP, it is hard to speak of factions based on programmatic differences. Rather, there are clientelist relations between leaders and followers. Even so, the Vajpayee-Advani rivalry is clearly discernible. Mr Vajpayee has ruthlessly co-opted or sacked Advani loyalists.

Former pro-Advani heavyweights (Messrs Pramod Mahajan and Yashwant Sinha, Arun Jaitley and Arun Shourie) have gone over to Mr Vajpayee. Those still close to Mr Advani, like Mr Govindacharya, Ms Uma Bharati and Sushma Swaraj, are out in the cold. Mr Vajpayee has used the lure of office and threats to achieve this.

Mr Vajpayee is not distancing himself from Hindutva hardliners. He is building his own base in the party. After 7 p.m., it is strictly Party Time in the PMO. Mr Vajpayee's unprecedented interest in organisational matters has little to do with competing with the RSS. It needs him. The sangh is his soul.

## To the Editor ...

### Are Biman DC 10s 'old' and 'vintage'?

Sir, This has reference to the DS news item of 13 September Biman's pre-bid talks to replace four aircraft which quotes Civil Aviation and Tourism Secretary Choudhury Mohammad Mohsin terming DC 10s as 'old' and 'vintage'. Anybody with a respectable association with the modern world of aviation would corroborate the fact that an aircraft never becomes old, that it need never retire. The vintage DC 3 aircraft of the 1930s are still flying. BBC World has recently telecast a programme on DC 3s being put into regular service in New Zealand. Biman DC 10s have so far flown from 43,600 to 72,200 hours and still have, by one calculation, 11 to 19 years to reach the currently applicable regulatory limit of 120,000 hours. In fact, the City Bank Consortium's Situation Analysis Report confirms that Biman DC 10s still have, based on information provided to the consultants by Biman, an estimated useful life of 9 to 14 years. To blame these DC 10s for the fall of Biman's market share is simply an attempt to shift the burden of management failure on to a scapegoat which is what the DC 10s are being made to be. It would be interesting to note that the Arab News of Saudi Arabia on 30 August quoted US NTSB (National Transportation Safety Board) member John

Goglia as saying, "A properly maintained airplane can last forever." It also reported that TWA alone has 29 DC 9s with an average age of 31 years. In fact, the report continued, "It's not the age of the plane that matters, it's how well it is maintained". Meanwhile, the Flight International in the 5-11 September issue published its annual Top 50 Airlines survey which reveals that 7 of the top 20 airlines of the world are the major DC 10 operators. These airlines are at the top in spite of, or perhaps because of, the DC 10s constituting a major part of their fleet. I believe, there is no reason to give away Biman DC 10s as down payment (which is what Biman has proposed to the prospective bidders) at a conceivably throw-away price for the procurement of Airbus A340 or Boeing 777 because Biman can continue to fly its DC 10s for years together without compromising safety or economy of the national flag carrier, and that it does not need to phase them out in the foreseeable future.

Rashed Ahmed  
House # 5/1, Road # 1  
Shyamoli, Dhaka 1207

### Bureaucrats' age limit of retirement

Sir, The recent government decision of extension of age limit of the civil servants from 57 to 60 is very reasonable as even in our

tropical country a person at that age remain quite energetic to serve the nation. We hope for the sake of justice and equity, this order would be given retrospective effect so that within the purview of the above age limit the persons retired could be recalled to serve the nation for few more years as within this period the new recruits could be adequately trained to fill up the gap and as such it will not effect the new entry into civil service.

Al-Haj S. M. Khalid Choudhury  
Dhaka

### Pakistan must apologise and war criminals punished

Sir, The Daily Star carried out a commendable task by publishing the supplementary report of the Hamoodur Rahman Commission and the readers thus became quite aware of Pakistan's atrocities in 1971. The DS appeal for the trial of the war criminals was indeed most appropriate.

Recently, our prime minister made an eloquent speech at the United Nations Millennium Conference. Her bold and spirited statement regarding the end of dictatorship in the new millennium was the need of the day when underdeveloped countries, marginal and emerging democracies are always

Akku Choudhury  
54 Kemal Ataturk Ave  
Banani, Dhaka

### PM's UN speech

Sir, Kudos to the prime minister for her recent speech at the UN asking the world body to condemn any military take-over anytime and anywhere. It definitely takes a lot of courage for a leader of her stature to suggest like that.

Though not naming directly she meant Pakistan amongst those unconstitutional take-overs. But at the same time, has not she defended one of the most corrupt governments of recent time i.e. Nawaz Sharif, though democratically elected? What is the purpose of the so-called democracy in a country where corruption and terrorism rules all the goods of democracy?

Moreover, her statement and stand regarding the 1971 Genocide, apology by Pakistan, publication of the Hamoodur Rahman Commission Report and the trial of the war criminals reflect her firm belief and commitment to do justice to the 3 million martyrs who sacrificed their lives for the sake of our freedom. The nation should stand firmly behind her to fulfill this commitment and support her on this issue so that we can bring the war criminals of 1971 to trial nationally and internationally.

F. Hussain  
Parana Paltan, Dhaka

### Towards a smooth traffic

Sir, The communication minister said that traffic jams in the city would ease if the road users were more cooperative (BSS report in DS, September 12). He however, avoided several basic points.

Why thousands of unauthorised drivers and vehicles are being allowed on the roads year after year? The traffic congestion would ease visibly within a week of the drive. There should be a ceiling on the maximum number of rickshaws (pedal and motorised) to be allowed to ply in the city, as the road mileage is limited.

Where is the prosecution side of the regulating agencies? How many prosecutions are made each day? These data may be published for public assurance. The politicians in power are very fond of lecturing the public, without delivering as per their duties and responsibilities. The government-controlled news agencies should need balanced, not one-sided news reports. The official mass media lost its credibility long ago due to shameless and

habitual sycophancy; also losing professional pride. Let there be a census of the number of lotus eaters in this rising society.

Why the regime is so weak-kneed when administration and management are concerned? Let us hear of immediate practical steps, not views, opinions, and homilies.

Abul Mahmod  
Dhaka

### Coward mosquitoes!

Sir, A one and a half-year old boy got bitten by the deadly Aedes mosquito and got so sick that he had to be given 17 bags of blood. What the parents went through only the parents know! So many other little children and innocent people are being bitten by Aedes and are suffering immeasurably or dying. What cowards these mosquitoes are that they bite only the helpless ones! Why cannot they bite the real culprits? The mosquitoes should bite those for whom the whole society is suffering day after day. If only the mosquitoes had this much courage our society would have been saved from a lot of menace.

But all these little monsters are doing is attacking the harmless and hapless public, who did no wrong. And our society is now polluted with not only social diseases but also a real deadly disease.

Sarah  
Dhaka