

The Daily Star

Founder-Editor : Late S.M. Ali
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What a Shame!

While dwelling on the women's situation in Bangladesh we often confine ourselves to the finer aspects of their rights missing out on the gross violations of their human person in work-a-day setting. But here we are now confronted with some statistics contained in the State of the World Population Report, 2000 released by the UNFPA which put Bangladesh in the second position among a dozen states with unenviable notoriety records in terms of incidence of physical assault on women by their male partners. The comparative analysis is based on reported cases so that the extent of physical beating of women could be even larger than has been reflected on the UNFPA report. The percentage of physical assault on women by their male partners in Bangladesh is reported to be 47 in comparison with the top slotter Papua New Guinea's 67. However, India's 45 per cent and Bangladesh's 47 must work out to a bigger incidence in that they have a much larger population than New Guinea's. So, if the variable of the population size and the number of unreported cases are taken into account, as they must be, then for all practical purposes, we are pitted against a phenomenal challenge of women being mistreated and brutalised.

The pervasive beating of women by their male partners is symptomatic of a deeper social ailment. Gender discrimination and inequities are so deeply embedded in our socio-economic structures that these would only change forms when resisted by advances achieved by womenfolk in certain areas of life - especially in terms of employment or economic self-reliance.

Our basic emphasis would be on spread of literacy among poor households, because the incidence of beating is the highest amongst the illiterate people. Among the literate though, it is appropriate counselling that could be of help where the woman-bashing occurs. The micro credit-based self-employment projects for women along Grameen Bank lines need to be replicated on a wider scale to lend a voice to women in the household affairs. The process of women's empowerment has been helped by allowing them to be directly elected as union council chairmen and members. The size of their representation at the UP level vis-a-vis that of men stands at 3:9, which hopefully, will be upped in due course. But, functionally, the male members are giving them a raw deal on two levels: first, they are not being given their due role in the UP's decision-making process by their male counterparts; and secondly, many a newly-elected woman chairman or member is being chaperoned by their male relatives to the meetings thus visibly undermining the elective status of the former.

On the question of physical assault on women we think the traditional rural *salish* method of social pre-emption and counselling could be extremely helpful in mitigating the malady provided its functioning rendered gender-sensitive. The cases of male beating of women are usually taken up at the level rural influential in a way that is unsympathetic to the female victims. This is where *salish* has to differ from what turns out to be the retrograde *Fatwa*.

Of course, we need stronger laws to protect women from male repression; but no matter how many teeth we give to the existing laws these would be of little avail unless we have the right social framework in place for the laws to be respected or enforced.

Friday Mailbox

"Are Biman DC 10s old and vintage?"

Sir, The letter published in your daily on 18 September under the above heading by one Mr. Rashed Ahmed is full of old and vintage ideas and very interesting too.

There are two sectors that have developed so fast that it is very difficult to cope up with the advancement. One is civil aviation and the other telecommunication.

Aircraft of every generation has its day. All the DC series and Boeing's pre- and post-war aeroplanes had their days. But are they flying now as commercial airliners? Even B707 had its days till the first B747 came in the sky. Every airlines of the world, big or small, discarded the old vintage B707 and Douglas series, dumped them in the Nevada Desert and switched over to the new generation B747. In competition DC 10-30 and 10-40 found it hard to sustain. They changed their DC 10-30 & 40 (MD11 and MD90) that too could not sell up to breakeven factors. So Boeing ruled the sky till the European Consortium Airbus came in the scenario.

In 1950, there used to be an aeroplane, a double-decker (not Jet) called Boeing Strata Cruiser, used to fly over Pacific Oceanic areas, with music band on board. With that concept now Airbus and Boeing are in co-operation with each other to produce double-decker (without the music band group) again to fly 600-50 passengers by 2005. Mostly the major airports around the world have geared up to handle the huge influx of passengers. Why? They are not sitting idle and waiting for the old and vintage aeroplane. They are moving forward and moving fast to receive the fuel-efficient, engine efficient, revolutionary and radically changed airliners; above all, economical and profit making machines. To produce high powered and high-speed aeroplanes, which can attain their apogee irrespective of their weight, is no problem any more. So old and vintage has no place.

The management should also realise that two months are better than three months (two engines under the wings and one on the tail) and three months (captain, F/O and F/E) in the cockpit.

The new generation aeroplanes are mostly with two months (two engines) under the wings and two months (captain and F/O) in the cockpit.

All these together it has become absolutely imperative for Biman to change over from old and vintage to modern, powerful and fuel-efficient fleet to make profit. Why Biman switched from old and vintage B707 to DC 10-30? Can Mr Ahmed explain?

We should not be stagnant nor short-sighted airlines. Biman must move and fly with the time. I fully support Mr C. M. Mohsin, Secretary, Ministry of Civil Aviation, who said, "We cannot buy new aircraft but it is also not possible to continue services with vintage (DS, September 13). So ways have to be devised for new generation aircraft."

The new generation aeroplanes are very expensive. It was also heard when three DC 10-30 was being bought. It was even heard louder when one DC 10-30 was bought at the price of three (3). Another few million dollars in compensation were given to the SWAN Int of London to settle the case outside Old Baily in London.

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Views expressed in this column are the writers' own. The Editor may or may not subscribe to those views. The Editor reserves the right to decide which letters should be published

THE war was not over yet but the long awaited victory was almost in sight, looming over the horizon. The victors-to-be sat together in a mood of euphoria relishing its prospect. Chloridiers of the event that took place in Tehran in 1943 recorded that Joseph Stalin proposed for summary execution without trial of about one hundred thousand Germans after the allied victory was accomplished. Churchill and Roosevelt mulled over the thought, demurred and then disagreed. But it was a difference over method and number. On the basic issue of principle involved, the allies saw eye to eye. Those accused of war crimes, it was agreed, should not go unpunished. But even in the midst of a long war the western leaders did not forget that they were representing liberal democracies where due process of law enjoyed a high premium. So they were in favour of a proper trial in a court using laws and evidences in prosecution to establish the culpability of the Nazi German leaders and providing scope of defence to the accused. Though containing a number far fewer than Stalin had proposed to be executed, the list of defendants would include the top Nazis. Thus the discussion that took place in Tehran originating with the idea of rough justice to be meted out to the vanquished eventually led to the arrangement of war crimes trial in Nuremberg. As the first trial of its nature, it was both historic and groundbreaking. It was a momentous decision with far reaching consequences, too. Nuremberg trial of the top Nazis started from a scratch with no experience to go by but managed to establish the tradition for protection of human rights and the overarching principles of international law and justice. This trial was followed by similar trial of the Japanese accused of war crimes after the surrender of Japan in 1945.

It was not easy for the allied powers representing western liberal democracies to come to grips with the idea of a war crimes trial. The main problem was of course lack of precedence and a body of existing international law. But at a deeper level, philosophical and moral, there was a good deal of ambiguity and confusion. According to the doctrine of realism that influenced the teaching and practice of international law in the western democracies at the time, states pursued self-interest and security in a world where no rules of universal morality prevailed. And, even if laws and rules were presumed to

In view of the heightened awareness about human rights in recent years and revulsion against violation of the same, and also on the precedence of the ongoing war crimes' trials in The Hague and Arusha, Bangladesh Government should now formally approach the UN for convening a similar tribunal to try the war criminals of 1971. It is not late, in fact it should never be late, to ask for justice when human rights are concerned.

exist the instruments of their enforcement (e.g. court etc) were absent. In a situation like this a trial on war crimes was not only novel but also almost impractical on legal and institutional grounds. As against this stand of the "realistic school", the proponents of the "legalist" view argued that the liberal states were in thrall to their own rules and moral values which often obliged them to practise the same in their international dealings as well. Thus despite a vacuum in international law in many areas the liberal states applied the highest standard of law and morality in world affairs extending their own tradition and practice. This was the moving spirit behind the Nuremberg trials. Historians have of course noted the one-sidedness, compromises and failures of the war crimes' trial in Nuremberg and concluded that it was victor's justice that was meted out to the Nazis. Even if it was so, it was not by design. Moreover, the so-called "victor's justice" was tempered with properly defined laws and due process that gave the accused chance to defend themselves. The main point is not that the "criminals" among the allied forces were excluded, the important matter to note is that the Nazi defendants were tried openly, informed of the charges against them and given the help of counsel. Justice was not only done; it was shown to have been done to the entire world. It is not the number of the war criminals but the holding of the trial itself where certain activities during war were adjudged to be crimes that is the most important and enduring legacy of the war crimes' trial in Nuremberg and in Japan. It is because of these trials that the world opinion has been so conditioned that the holding of trials for war crimes in Bosnia and Rwanda has raised no eyebrow, rather met with universal approval. The two ad-hoc

Never Too Late

tribunals constituted under UN resolution and now conducting trials in The Hague and Arusha in Tanzania can be said to be the successors to the courts in Nuremberg and in Tokyo. These present and the earlier trials following the Second World War are the riposte to the "realist" interpretation of history which considered application of law on human rights in international affairs as impractical. In a world that was not perfect then (and is not now) the trials might not have been foolproof in every respect but they were far superior to the alternative of quick and rough justice that was proposed by

War very recently. So, it is never too late to set historical records straight and ask the concerned party to own up to wrongs committed in the past. The atrocities committed by the Pakistan Army during 1971 have been so well documented and are still so fresh in memory that the demand for an apology cannot be considered out of date. In fact on the basis of the Hamoodur Rahman Report Pakistan Government should have apologised to the people of Bangladesh of its own accord. The suppression of the Report, which has only recently been leaked out, and absence of any actions over it shows that there

only betrayed the hundreds of thousands of men, women and children who were killed, maimed and raped but also failed to take cognisance of the violation of human rights that took place in 1971 on a massive scale. Again as in the case of the Nuremberg trial it is not the number of accused who are brought to trial but the very act of holding the trial that is important. It is an obligation that we owe to the victims of 1971 as well as to humanity. So, on the ground of principle and in view of the current war crime's trial in The Hague and in Arusha we should present our case for the trial of war crimes committed during 1971. Since the United Nations has taken the initiative and is conducting the two war crimes' trials in The Hague and in Arusha through tribunals constituted by it, Bangladesh should request the Secretary General to start the proceedings for similar trials of the war criminals of 1971. It will be recalled that the UN took steps only recently to bring the villains of the "Killing Fields" in Cambodia in the 1970s to book and therefore it cannot be said that the Bangladesh case has become time-barred. Nor can it be argued that because of some clauses in the Simla Agreement between India and Pakistan there is no scope for such trial of war criminals. The Simla Agreement was a bilateral one and as such Bangladesh not being a signatory to it is not bound by its restrictive provision regarding trials. It was a misjudgement and a wrong decision on our part to succumb to external pressure in 1973 when preliminary steps were taken by Bangladesh government for prosecution of the war criminals under Act 19 of 1973. But we have not formally agreed that the matter will not be resurrected any time in future. Therefore, in view of the heightened awareness about human rights in recent years and revulsion against viola-

tion of the same and also on the precedence of the ongoing war crimes' trials in The Hague and Arusha, Bangladesh Government should now formally approach the UN for convening a similar tribunal to try the war criminals of 1971. It is not late, in fact it should never be late, to ask for justice when human rights are concerned.

The task of the UN in initiating and conducting war crime's trial would have been made easier and simpler if the proposed permanent court for war crime was established. Then it would not have been necessary to set up ad-hoc tribunals for such trials nor would there be need for seeking experts. Moreover, like most courts the permanent court on war crimes would have built up a formidable body of laws and procedure for trials in these areas through judicial decisions. Thus the court itself in the form of judicial laws would in time bridge the lacunae in international law regarding war crimes. The absence of such a court, therefore, can be said to have slowed down the process of protection of human rights in general and trial of war crimes in particular. It is unfortunate that though all the countries are in favour of setting up this permanent court only United States is opposing it. In the event of its being established the USA prefers to be excluded from its jurisdiction. It is a strange and discouraging stand taken up by the only superpower in the unipolar world today which, it would have been thought, should be the greatest champion behind the court. After all, it was the USA which was mainly instrumental in constituting the war crimes' courts in Nuremberg and Tokyo. Needless to say that by taking this negative and contradictory stand the greatest superpower has gone down in the esteem of rest of the world. Let us hope that the USA will rethink and change its decision. It is never too late to be on the right side.

IN MY VIEW

Hasnat Abdul Hye



Stalin. More importantly, such war crimes trial are a declaration on behalf of all humanity that genocide and wanton killing of civilians will not be tolerated and go unpunished in the world today.

Bangladesh Prime Minister has recently demanded that Pakistan should tender apology for atrocities committed during 1971. This should have been done long ago and need not have waited for an act of misdeemeanour by the military ruler of Pakistan nor for the publication of Hamoodur Rahman Report. But it is not too late to demand the apology now. Japan apologised to Korea and China for wartime atrocities after more than fifty years of the commission of the crimes. Similarly, Germany apologised to Israel for wartime holocaust only the other day while the Vatican expressed regrets to Israel for its silence over annihilation of the Jews by the Nazis during the Second World

has not been any change of heart or qualms of conscience on the part of the Pakistani establishment, particularly the army. This has left no other option to Bangladesh than to demand apology in public which the Prime Minister has done now. Having demanded it Bangladesh can only consider the case closed only when a formal apology is tendered by Pakistan.

Obtaining the apology, however, will not settle the scores, legally speaking. Many of the atrocities committed by the Pakistani Army and others during 1971 fall under the category of war crimes. These crimes are so numerous and inhuman in nature that to forgive the perpetrators is tantamount to condoning, even conniving with them. No self-respecting and law abiding nation can afford to do this without being eternally liable to its own conscience and to world opinion. In not bringing the war criminals to court for trial we not

Success of Failure, Failure of Success

Two things are then crucial when it comes to talk about success and failure. How do we distinguish success from failure? And how are they determined? If success is completion of a task or achievement of desired results, then every time a killer kills or a thief steals, they are hoisting the flag of success. In that sense, all those prophets, messiahs, saints and reformers, who have worked for virtues, have failed, because the world they left behind still roils with the rage of vices.

one is working. The expectancy-value model of achievement motivation proposes that the overall tendency to achieve in a particular situation depend upon two stable motives, a motive for success and a motive to avoid failure. American singer Bob Dylan embodies the contradiction between the two motives in one of his lyrics. She knows there's no success like failure/And that failure's no success at all. In the mid-1980s, a successful Wall Street lawyer left his profession to work for the homeless people.

Howard Hughes, US manufacturer, aviator, and motion-picture producer, was much publicised for his aversion to publicity. He spent the last twenty-six years of his life in complete seclusion, refusing to meet even the heads of states who wanted to pay homage to him.

Although success can be feckless at times, failure can be fecund. Sultan Mahmud of Gazana conducted over 20 raids on the sub-continent, but he meant to make plunder rather than conquest. Richard Nixon writes in his memoir that one must experience the lows in order to appreciate the highs. When he lost the presidential race against John Kennedy, he announced his decision to retire from politics.

But then he very much remained in politics to be elected twice to the office of the president of his country. In ancient Greek rhetoric, the apostrophe occasionally takes the form of a pause before a change of subject or a digression. Chinese leader Mao Zedong used to withdraw in the face of political challenge and go for swimming in the rivers before returning to

manoeuvre and succeed. To astute minds, failure can be the harvesting season for success.

As it looks, success is an obsession for us, while failure is obnoxious. We are ready to negotiate to win at any cost, but never ready even to consider failure as an outcome. And the fear of failure can be crippling, because it prevents one from investing in the prospects of success. Mark Twain humoured that all one needs is ignorance and confidence and then success is sure. Two English clergymen named Julius Hare and Augustus Hare concluded in their book *Guesses at Truth* that half the failures in life arise from pulling in one's horse as he is leaping. Thus timing is also an elemental part of success. While

one could argue whether the egg or the chicken comes first, either success comes when a person is ready, or the person is ready when success comes. Lucille Ball had to wait until after she was forty years old before success came in her life. Again, Oscar Wilde had success early in his life, but died in ignominy and neglect in his mid-forties.

Two things are then crucial when it comes to talk about success and failure. How do we distinguish success from failure? And how are they determined? If success is completion of a task or achievement of desired results, then every time a killer kills or a thief steals, they are hoisting the flag of success. In that sense, all those prophets, messiahs, saints and reformers, who have worked for virtues, have failed, because the world they left behind still roils with the rage of vices.

To hit the nail on the head, every achievement is not a success like every shortcoming is not a failure. Instead, failure can be the foundation of success through improvement. The Wright brothers failed in many flights before they invented the first practical airplane. The spirit of liberty and freedom accomplished through the bloodshed of

the French Revolution would be soon lost in the restoration of monarchy in France. But its essence would be vindicated in the creation of the American nation and then replicate itself across the world till today. In the year 1878 Russian terrorism would be born when a very young girl named Vera Zassulich shot down General Trepov, the Governor of St. Petersburg. That terrorism culminated in the creation of the communist state, which would be dedicated to export of revolution to other parts of the globe for next eight decades. Can it be said that the sacrifice of millions of people for so many years has failed just because communism has ceased to exist in the world today? It may be too early to arrive at that conclusion.

Perhaps our minds need to be disabused of our notion of success and failure. We need to understand that it is possible to fail when one succeeds, and succeed when one fails. Antonio Salieri might have had the taste of success when his archenemy Mozart died young in the midst of poverty, and was buried in an unmarked grave. But history gave its verdict in favour of Mozart and despised Salieri as a vainglorious man. The enemies of Jesus Christ hardly thought that his crucifixion was going to immortalise both him and his cause.

Time is a great teacher besides being a healer. In the end what endures is not the result of life but the reason for which it is lived. Albert Einstein, the greatest mind of the twentieth century, expounded that if A was a success in life then A equalled x plus y plus z, where x was work, y was play and z was keeping your mouth shut. We need to throw in a fourth component of success. We must do something not because we want to do it right, but because it is the right thing to do.

We Can't Afford to Lag Behind

by Jahangir Alam

The SSC and HSC results of this year came as a shock to the whole nation. The percentage of failure brought despair to every body concerned the students, the parents, the teachers and the education ministry and everybody started pointing fingers at everybody else.

The results of SSC and HSC have shown that the maximum percentage of failure was in English. Therefore, we must look very carefully into this apparently difficult subject: who teach it, what is their expertise in teaching it, how is it taught, what are the logistics/facilities available for our children to learn a foreign language in our schools/colleges, what kind of textbooks are followed?

Practically all teachers from primary to secondary level teach English. There is no exclusive English teacher who is a language expert in most of the schools. It

has been learnt from an unofficial source that there are nearly 12,000 teachers teaching English at the secondary level. Are all these teachers trained in teaching English, i.e. did they have English in their BEd degree courses? Basically, most of these teachers have very little background to be foreign language experts. Their knowledge of English is what they have learnt at the SSC and HSC levels. They had little or no training in English Language Teaching (ELT) methods. With large classes and no trained teachers it is not surprising that students dread English. The need for adopting unfair means in examinations perhaps began with the desire to pass English by hook or by crook. Then what are we to do with English?

We perhaps need a totally different approach towards education. Till date, the attitude has been negative punishments for failures. And we only looked at the top SSC and the HSC never looked at the bottom. We need to focus on the primary first, then secondary and finally higher secondary. Perhaps the following measures could help.

a. Introduce a Primary School Certificate examination at the end of Class-V. This will bring accountability in the primary section.

b. In secondary school, there are two English classes per day (1st paper and 2nd paper) per class. Because of teacher shortage the teachers of a particular school is required to take English classes. This means all of them must know good English.

c. Introduce a compulsory English in B.Ed courses. All teachers who study B. Ed must also study one paper of English.

d. There could be a B.Ed (Eng-

lish) similar to the Open University BELT programme in the B.Ed syllabus. The syllabus can be a revised version of the BELT syllabus (designed for a 10-month course). Those who want to study additional English can take this.

All teachers who are now teaching English could be brought under a crash English foundation training programme. B.Ed colleges, British Council and education ministry can jointly arrange for an intensive three-week English Foundation Course for all the teachers teaching English at different levels. This can be done under the guidance of the Education Boards and District Education Office, which will take the responsibility to arrange for resource persons, teaching materials and participants. All teachers for Class VI to Class VII must participate in this foundation course.

f. For the HSC course, we have

a two-year programme. Examinations take place at the end of the two-year term. Instead we can introduce a system whereby we can have one final examination at the end of the first year and another at the end of the second year. This system existed once. We can bring this system back. This will decrease the number of failures, make students study the whole year, keep them from adopting unfair means and reduce pressure on the teachers and students alike.

Education is the only means for human resource development, economic development and, above all, advancement in the right direction. We have the maximum budget allocation for this sector. But we lack the proper perspective we need. This perspective should be looking bottom-up, not top-down. We must focus on the beginning, not the end.

Pessimistic Voter
Dhaka

Fish export and high prices

Sir, I refer to the letter published on September 6 in The Daily Star on the above subject. As a housewife I fully agree with the views expressed in the above letter. We go to the market we are surprised to find varieties of fish being sold at very high prices. It is simply out of reach for the majority. Fish like hilsa, ruhi, katta and pangas are not easily available. A small quantity comes in the markets, having been smuggled into the country, and is sold at very high prices. Price of small fish is generally above 100 taka per kilogram.

It is all right to export fish and earn foreign currency but at what cost? Due to non-availability of fish people are not getting the required protein. Hence the health of the majority will be badly affected.

I would therefore request the Ministry of Fisheries, Bangladesh Fisheries Development Corporation and other relevant ministries to immediately take steps for adequate supply of all types of fish at reasonable price to consumers across the country.

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