

Rational Approach to Child Labour

WHETHER they like it or not, child labour is a phenomenon the developing countries cannot simply shrug off. Until their overall economic situation fantastically improves, which looks highly unlikely in the near future, under-aged boys and girls will continue to undertake taxing and potentially hazardous jobs for sustenance of themselves and their families. Unfortunately it is indeed and thoroughly deplorable, too; but unavoidable it is not, at least not yet.

So far, global response to such a social incongruity, if one may call it so, has oscillated between extreme ends. Developed nations have resorted to product boycott and non-tariff barrier to discourage child labour in the developing and under-developed countries without quite caring to look into latter's socio-economic compulsions. That these kids, once they are put out of work, could end up in the streets taking up more hazardous, and thus undesirable, jobs appears to have evaded the attention of the rich nations. On the other hand, governments in the poor states have resigned into acceptance of child labour as inevitability.

Besides, there appears to have been a rather one-eyed approach to the whole issue in that child labour has been regarded as an industries-specific phenomenon. Under-aged boys and girls have been routinely employed in agriculture sector and informal establishments. On that count, too, riddance of child labour from industries would not serve the primary objective of the whole exercise. Therefore, both the developed and the developing nations should take a holistic approach to the issue and, instead of drastic measures, start looking for alternative means to protect the best interests of the child workers.

That would require a balance between two conflicting ends. In other words, efforts to turn the child workers into skilled workforce for the future must come without cutting off their sources of income. In other words, on-job education and other relevant training should be provided to them so that they can become worthy employees in future. To make that happen, the government, the non-government organisations (NGOs) and the business community must work together. At this point, we propose creation of a joint fund out of one per cent of the profits the industries make each year to be spent on education training and capacity-building of their child workers. The government, on its part, must make sure that there be no tax levied on this money.

Ultimately, the fight is against the worst forms of child labour, be it in the garment, chemical, leather, textile and whatever factories there are in the developing countries. The alternative proposed above could be an ideal start in that direction.

Focus on Vehicular Emissions

IT transpired at a seminar jointly sponsored by the government of Bangladesh and the World Bank on Tuesday that 60 per cent of motor vehicles spew black smoke accounting for 27 per cent of the city's air pollution. Given the tarred fumes belched by four and three wheeler, motor vehicles all over the city creating a near-gas chamber situation of the Mexican City pollution infamy one would have thought that the above statistics had been under-computed. So horrendous seems to be the quality of air we breathe in the city that those figures do sound somewhat charitable.

That said, let's recall our oft-repeated suggestion to the government that the first step in the fight against vehicular emissions ought to be taken on its own turf. So long as the poorly maintained vehicles of the transport pools in the secretariat, other government offices and public sector corporations go on polluting the air, the government is on a very low moral key to be doing anything about the other offending vehicles. So, let the respective ministries, directorates and corporations put a purifier cap on the exhausts of the salvageable transports while the remainder derelict ones are ordered off the street. That will drum the right message into the ears of those who own polluting transports in the private sector to comply with the standards.

The next step should be to make the penal provision deterrent against the offending vehicles. Deputy Commissioner (North) of Dhaka Metropolitan Police says that from July to October, 2000 operators of 7600 vehicles were taken to court for flouting anti-pollution rules. But the DC laments the law is so weak that those vehicles could again come on to the street by paying a fine of Tk 200 only. Update the law and give it teeth. Moreover, the enforcement manpower being one policeman to 570 vehicles we are barely scratching the surface of the problem. Another point at issue is while we have put a curb on leaded petrol, adulteration of fuel has taken on new forms with a reactive flourish, something which must be stymied at any cost.

To the Editor ...

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Changing political modes

Sir, The probable removal of two small-party personalities (Ershad and Golam Azam) from the opposition alliance might make the BNP-led opposition more cohesive and pyramidal, and provide a strategic problem for the Awami League during the coming national elections, now licking the sores from internal factions and carrying unenviable image about the governance.

This inside revolt had to surface sooner or later, due to lack of democratic practices within the legitimate political parties. The development of politics at the early stages makes it necessary for strong personalities to dominate the show and provide the lead for some time; but what causes the time-delayed damage is the long periods of reigns of some despots, after which the political system cannot regroup to start afresh in a healthy atmosphere (Indonesia is a fresh example). This again is the result of lack of continuity in nurturing varieties of political experience according to the accepted rules of the game.

The drowsy and starry-eyed AL is heavily dosed with dull ideologies, but lately had attempted to move nearer towards the centre, but in rather patronising manner. AL has to change the haughtiness factor and do away with the false cosmetic of artificial superiority complex. The two big parties face a crucial litmus-test: how much to depend on charismatic leadership (and that too on borrowed plumes)? The politicians are good at thundering, but poor at PR (public relations). Noise is not the message and this is the state of Dhaka today.

As one political analyst pointed out, the CHT region might see the emergence of a tribal political party to participate in the next general elections, to taste the fruit of the new peace initiative (the termination of the insurgency phase). In that case, the tribal communities in Mymensingh, Sylhet, Rajshahi and the northern districts might also seek the limelight and taste the 'political freedom' available in Bangladesh after three decades of political development. Pro and anti-Indian illusions will continue to dog the election campaign, due to the significant role

HOW hard it is to keep your head when your neck is on the neck line", so said a wise man some time back. It's a picturesque statement, no doubt, but it has a sharp punch-line also. It nicely sums up in a 'capsule' the prevailing situation among the Americans with their confusion and frustration, waiting with their necks on the neck-line because of the blow-up of the US presidential election system. With chaos, confusion and uncertainty all around, it is really too hard for them to keep their head up. It is the people of America who have been held hostage for the last two weeks or so far no fault of their own. Not only that, confusion has been worse confounded due to the over-enthusiasm and a mad rush on the part of the US media, both print and electronic, to outstep one another in breaking the latest news on election results, with last consideration about the negative impact of their wrong information. And that is what happened today. The worst of the worst has come to play havoc, making the Americans hostage of the Florida Round on the count and recount of the balloting in Florida state. This horse-racing by the US media not only made themselves ridiculous at home and abroad but also put the two candidates, Bush and Al-Gore, in a most embarrassing position. Each of the two rivals was put in the White House at least twice, by turn, by these media-men in 24 hours and then had to retract.

Election Results: Comedy of Errors?

On the other hand, the computerised counting system of the ballot papers in Florida betrayed all the way due to some mechanical defects or 'germs' somewhere in the system forcing the manual recounts which was expected to be announced within a week. But it may create further complications, as Bush who had opposed manual counting, preferred by Al-Gore, had already taken the issue to the court for

If Bush wins, it would give the Republicans control of the Congress and the presidency for the first time in 46 years. Hence it would be a test case with the Republicans whether to honour the international commitments made by Democrat President Clinton, or to make a "fresh start". If Al-Gore becomes the next president, he would ensure the continuation of Clinton's policy. Till then, the world will be waiting cross-fingered as to who occupies the US Presidency and which way he moves to meet the urgent needs both at home and abroad.

decision. The whole scenario is getting vitiated with long ominous shadows. It is difficult to foresee where it would end, relieving the American people of the uncertainty to which they have fallen unwilling victims. Doubts are being expressed not only about the election results of the current presidential election, first in the new millennium, but also past elections! But as the past is dead and gone, no one perhaps is going to challenge those almost-forgotten results. It is the present one that is haunting the people. In this comedy of errors, the election officials find themselves in a fix. And to add salt to the injury, has come the big news about recovery of a missing ballot box from, of all places, a hotel in Miami. (It seems that Americans have learnt the 'art' of 'stealing' ballot boxes from some of the developing countries experts!).

World Leaders Confused

Even some of the world leaders who were also eager to reach 'first' to the newly elected President with their congratulatory messages, were so much confused and perplexed because of the contradictory reports on the election results. Assuming that Bush had already won the match, South Korean President Kim Dae-jung was one of the first few to send his greetings and must have repented when he was told that meanwhile the result has changed. British Foreign Secretary Mr Cook was rather cautious when he sent his congratulatory message to Mr Bush, saying: "I congratulate Bush, if it is confirmed that he has won". (But why this hurry? He should have waited till it was confirmed). And the German Foreign Minister, talking to pressmen, left his sentence

incomplete, saying, "Before one of them" concedes... and just shrugged his shoulders.

Bush: "We are in Limbo"

So at the root of this presidential election debacle lies the 'double-decker' or a 'two-tier' election system, known as Electoral College, introduced some 200 years ago, under the US Constitution, adopted in 1788, after five years of USA coming into existence officially. (The Declaration of Independence was issued by the Congress of the insurgent states, against the British rulers in 1776.) The system has become worn-out, archaic and anachronistic in terms of modern democracy. It had now outlived its utility and efficacy. Two hundred years ago, under a volatile situation, the founding fathers of America incorporated the system in the new Constitution to save the newborn country with only 13 states (at present 51) from falling prey to the destabilising forces working around. It was done by granting them equal voices to the small states in the election of the President. But with the increase in the number of the component states from 13 in 1788 to 51 today and integration further being tightened as a dominant world power, the time has now come to give a decent burial to the Electoral College system, and thereby introduce the direct election of the president by people's votes. That would bring the president and the people much closer, removing whatsoever bar is there. And then only the people of America would be saved from the present election hazards and turmoil. Perhaps no future Bush would have to say in utter frustration that "we are in limbo"!

Constitutional Amendment

But to achieve that the US Constitution needs an amendment a constitutional operation to save the patient, however 'complex' the case might be. So the growing popular demand for the necessary 'reform' of the Constitution is very timely. The new Senator from New York and the present First Lady of America, Hillary Clinton, seems to have joined the chorus for scrapping the Electoral College system. Those who argue that it is a very complicated proposal and almost impossible to perform are unnecessarily creating an obnoxious situations. The history of American Constitution lies open there for anybody to read. A Constitution is a man-made document to ensure certain rights, privileges and obligations to its citizens. It can be changed to suit the changing needs of the time. It is neither a gospel truth, nor a book of divine revelations that it is impossible to change it. The US law-makers had already shown the way that it can be done, by amending the constitution in 1913, after about 125 years of its adoption, to elect the Senators by direct popular vote, discarding the centuries-old indirect system of election by the state legislatures.

An author in a recent article in the "Washington Post" (Ref: DS 10 Nov), had rightly said: "We amended the constitutions... because we decided that the people should rule in the Senate. We ought to follow that logic in presidential elections". It is now for the US lawmakers to take the initiative to do away with the unwanted provisions of the Constitution, opening a new vista

for direct elections of the future US president.

Money-Game in US Election

Unfortunately, there is another side of the coin that presents worse things than eyes meet. It is the 'money-game' that plays a vital role in promoting the election campaign, directly or indirectly, through both visible and invisible channels. Of course, it befits the richest nation of the world, but, otherwise, it reveals a sad truth.

The two main political parties the Republicans and the Democrats spend lavishly millions of dollars in their election campaign in favour of their candidates. Fund-raising for such lavish election campaigns is a routine thing a part of the game. Although the presidential election in America is a rich men's game, voices against this 'menace' is gradually gaining ground which got more prominent and vocal when thousands of disoriented activists demonstrated at Philadelphia and Los Angeles where Republicans and Democrats held their party conventions respectively for nominating their candidates. A lot of vital statistics have been provided on the dark side of US presidential election in a recent Gemini News Service feature (Ref: DS9 Oct.).

Being disappointed at what had happened centring the presidential election, a Democrat Senator Russ Feingold from Wisconsin, said that "it is all about money, especially the corporate money", adding, that the party conventions "are corporate trade shows". Mr Feingold, who is also co-author of a legislative proposal to reform

election campaign finance, branding the present US democracy as "corporate democracy", said: "It is no longer one person, one vote. It's one vote for a million dollars", adding, the fund-raising system "is legalised bribery and extortion. These (party) conventions serve as symbols of corruption."

The Senator seems to have boldly exposed the ugly things that were so long hidden under the carpet of 'corporate democracy' of America. This vividly explains why a candidate becomes a winner when elected by popular votes, but loses when the Electoral College members cast their votes against him. Money not only talks, it works well also. The so-called political "horse-trading" in any of our developing countries becomes too insignificant when compared to the US systems!

All said and done the final whistle on the controversial election may be blown by the time this write-up appears in print. If George Bush wins, it would give the Republicans control of the Congress and the presidency for the first time in last 46 years. Hence it would be a test case with the Republicans whether to honour the international commitments made by the Democrat President Clinton, or it would be a "fresh start" with them. One of such commitments is whether US peace-keeping forces should be kept stationed in Bosnia, as committed by Clinton, or, as already heard, that the Republicans are in favour of withdrawing the forces. However, in case Al-Gore becomes the next president, it would then ensure the continuation of Clinton's policy. Till then, the world will be waiting cross-fingered as to who occupies the US Presidency and which way he moves to meet the urgent needs both at home and abroad. Let US democracy show its bright face to the world, free from the so-called 'corporate democracy'.

The writer is a retired UN official.

Laughing at Ourselves

Ardeshir Cowasjee writes from Karachi

I am not willing to lay one rupee against the possibility of either of the two champions of democracy, Benazir and Nawaz, being 'freely and fairly' elected once again to occupy the Islamabad hot seat for the third time... Justice being what justice is, both candidates are now claiming they are all in favour of an independent judiciary, that they worked their fingers to the bone to ensure that the honourable judiciary not only remained independent but was, under their great legislative abilities, assured even more independence. This, of course, is to be expected, now that both are out of power.

paper whose letter was published on Sunday. "Who is this great man?" he asked. From childhood we have been incessantly listening to and reading and watching an old, fragile looking but hoo-kah-bearing mystery man. No matter what is the political situation of the country, which political party is in power, who is heading the government, what is the form of government, he always remains very much on the negative side of affairs. "Who is this great man, what are his qualifications, what are his services to Pakistan and the masses? Can somebody enlighten the new generation about the background of this asset of this unfortunate country." Well said, young Mahmood of Sarghoda!

As my late lamented friend Pandit Abu Kureshi used to say, a politician in this country never dies. Even if you go to his funeral and see the body interred safely six feet under, never be sure that he truly is dead until you have attended the Chehlum. Justice being what justice is, we Pakistanis being what we are, allies and enemies being who they are, I am willing to lay one rupee against the possibility of either of the two champions of democracy, Benazir and Nawaz, being 'freely and fairly' elected once again to occupy the Islamabad hot seat for the third time.

And justice being what justice is, both candidates are now claiming they are all in favour of an independent judiciary, that they worked their fingers to the bone to ensure that the honourable judiciary not only remained

independent but was, under their great legislative abilities, assured even more independence. This, of course, is to be expected, now that both are out of power.

Nawaz Sharif, being an honourable man, has never claimed that it was not he who engineered the November 1997 storming of the Supreme Court. He has never formally denied that in order to save his own skin he did not suggest a handy way out.

In December 1997, the new Chief Justice of Pakistan, Ajmal Mian, in an attempt to redeem the honour of his court, and prodded by protests by the people, ordered an enquiry into the storming. Justice Abdur Rahman Khan of the Supreme Court was appointed to head it. He got nowhere. Then a Bench was formed to further enquire. On the Bench sat Supreme Court Justices Nasir Aslam Zaidi, Munawar Ali Mirza and Abdur Rahman Khan. They enquired, and then initiated contempt proceedings against seven PML minnows. It took them almost a year and a half to conclude that no one had committed contempt as no one was responsible for the storming, that in fact it was doubtful if the storming had even taken place, since no alleged stormer could be identified even on Supreme Court's own CCTV cameras (which cameras were removed during the enquiry proceedings.) There had been no plan, no order ordering disorder, no storming, no contempt.

Earlier this year, with Nawaz deposed and safely incarcerated in an ancient Northern fort, the

present Chief Justice of Pakistan, Irfan Hassan Khan, in the face of much public outrage at the outcome of the initial enquiry, and in another attempt to redeem the honour of his court, formed a Bench to hear an appeal filed praying for initiating de novo proceedings in respect of the 1997 storming of the Court. The Chief Justice headed the Bench, with Justices Muhammad Jehangir Bashiri, Shaikh Riaz Ahmad, Chaudhri Mohammad Arif, and Munir A Shaikh sitting with him. The formerly acquitted minnows were found to actually be guilty of contempt and were sent to jail for a month.

The Bench also ordered that the IGP Islamabad institute a further enquiry to be conducted by an SP to identify the miscreants involved in this incident and thereafter proceed in accordance with the law. The people understand this to mean that not only should additional stormers be brought to book but that the planners of the operation should also be nabbed. A superintendent of police is now expected to do what a Supreme Court judge, with the power he had, failed to do.

In deference to the Supreme Court order, the IGP Islamabad has appointed SP Khalid Mahmud to further enquire into

the storming. And where is Khalid Mahmud now stationed? In the Alwan-i-Sadar, in charge of the security of the President of Pakistan, Rafiq Ahmad Tarar. And what was Rafiq Ahmad Tarar on the day the Supreme Court was stormed in 1997? He was an honourable Senator, installed in the honourable Senate by Nawaz Sharif. And to where did Tarar journey a couple of days before the eventful day the Supreme Court was stormed, the same day on which the Quetta Bench of the Supreme Court headed by Justice Irfan Hassan Khan (the present Chief Justice of Pakistan) and the Peshawar Bench of the Supreme Court (headed by Justice Saeeduzzaman Siddiqui, who succeeded Aftab Malik as Chief Justice of Pakistan) handed down their orders against their then sitting Chief Justice, Sajjad Ali Shah? He went to Quetta, secretly, in the dark.

To quote Benazir Bhutto, from her speech entitled "Guaranteeing the Rule of Law and Independence of the Judiciary in Pakistan", delivered in London to the Commonwealth Ethnic Bar Association, reproduced in the national press on November 1: "A judge [Tarar] who dishonestly legitimized the overthrow of my first government was elected President of Pakistan. This same

man stands accused by a former President [Leghally] of 'taking briefcases of money' to bribe other judges in the famous 1997 case. The Election Commission rejected Justice Tarar's nomination for the presidency. Justice Qayyum, on leave for his mother's funeral, rushed back to grant a stay. And Tarar was elected. As for the bribery charges, Tarar, as a former judge, like former generals, is immune to prosecution in real terms."

We laugh a bit more. Tarar was despatched to Quetta by Nawaz Sharif in a special flight which landed at Quetta at night. Now, the Quetta airport is not normally lit up after nightfall as no flights land. The runway was specially lit up for Tarar and the security man on duty is reported to have noted in his log: "Instructions have been received from Islamabad that the details of the special flight carrying the visiting dignitary, senator Rafiq Ahmad Tarar, must be kept confidential and not reported" (or words to that effect).

Now poor SP Khalid Mahmud will also have to question the present Secretary of the Ministry of Defence, Lieutenant General Rana, who on the day the Supreme Court was raided in 1997, headed the ISI spoils. He reported the then COAS, General Jehangir Karamat, at the dawn of November 27, that Nawaz's cohorts were to raid the Supreme Court in the morning.

All this is written in jest, in an effort to alleviate the pervading atmosphere of gloom and doom.

Good Governance: Poor Examples

by Abul M Ahmad

THE PARC is of the view that corruption is encouraged by the huge unwieldy civil service, and centralisation of power (reported in DS Oct 21). The way the police departments are run is dismal (DS report Oct 21). The former needs BMR, and the latter BMRE, but the political masters have other priorities chasing their sagging PR image about good and transparent governance.

The speed at which the society is changing (or is it developing?) in both planned and unplanned manner (trends) is too fast for the bureaucratic flywheel to compete with and catch up (the players are the new regime and the old hardened bureaucrats protected inside the iron frame).

Also, the rate of change is so rapid that the public sector cannot keep pace with the topical trends; and the private sector is moving at a much faster rate. The PARCs come and go, and the reports are duly shelved, rather ceremoniously, following the precedent, new PARCs cannot discover new areas for reforms, but the bureaucrats have to accept the basic principle of modernising the outdated colonial civil service; then the nuts and bolts (hair-splitting) stages can be solved and re-solved in a spirit of give-and-take.

But there is one grey area: no views are published in the press of what the civil servants think about the PARC recommendations, to provide a clue to the government for further processing in the right direction (unseat the bureaucratic grip on the

nation). The civil service associations may be encouraged to come out with their views, rather than face hostile demonstrations later, when the government tries to impose the new BCS structure.

The Home Ministry does not seem to be interested in the systematic BMRE of the police service in a well-integrated 5-Year Plan. How many stray and ad hoc projects are under implementation now? The VIPs reserve a large percentage of the police teams, causing virtual shortage. The opposition may not be present in the parliament, but debates on the reforms can be initiated in the House, for public reaction.

New projects (not BMREs) are glamorous and have high PR impact from the political point of view. In the process, the backroom boys are forgotten (the backbone of public service), and the monitoring and improvement of routine service get step-motherly treatment. If the systems losses (human and technical) in the public services could be reduced by even as little as 10 to 15 per cent, the healthy change in output would be largely visible to the man in the street.

The administrative focus has to shift from crisis management to routine management, and reduction of system losses. This is the time when new services are being introduced (the government as a facilitator, decentralisation, deregulation, and other). Is any figure available of the change in bureaucratic system losses during the last 20 years? It is not even a topic for discussion at any high level meeting. The

Planning Commission does not talk about it, and the cabinet is not bothered. The civil service has been left to look after itself, and, ironically enough, it is looking after itself very well indeed, as it well entrenched, (and perhaps do not wish for any change!).

Politicians, political leaders, and elected regimes come and go, but the BCS goes on, and will go on, indefinitely! It is a part of the permanent fixture of the *mainbhumti*. It has to be cajoled, tamed and trimmed and slimmed, and made ready for the new fashion shows on modern management styles.

There are some prevailing anti-deterrents which go against efficiency. At present job-security is nearly cent percent. This figure may be reduced. The fear of losing job has to be there, (with EWS early warning signals). Mere monitoring routine is not enough unless the monitoring reports are processed for action; calling for initiating firm disciplinary action on the defaulters.

The reward and punishment system has to be reviewed and made more visible. At present there is hardly any reward for merit (seniority counts, in most cases, with suppression a touchy issue); and the virtual absence of the right level of punishment for those found guilty (in the government offices the show cause notices are too few, and therefore not in public interest). The CBAs have to be reoriented.

With the existing uninspiring administrative setup, incremental improvements cannot be expected. Bangladesh needs a new administrative foundation.