

BNP Takes Stance

SINCE taking Jatiya Party and Jamaat into the opposition alliance BNP's image has suffered. As if that was not enough of a liability, came as a bombshell the barrage of scandalous remarks from some self-appointed party ideologues apparently wallowing in the muck left by Pak diplomat Irfan Raja's audacious comments on our Liberation War. What the natives chose to say was outrageous beyond measure, because it was the natives who said so.

And if the BNP had been rather slow in decrying Irfan Raja's comments drawing a flak in the process, it has certainly made amends for that by its prompt and categorical denunciation of the comments by persons carrying BNP sympathisers' image in the public perception. To a journalist's reported comment that President Ziaur Rahman established Shishu Park "to erase the sign of Pakistani General's defeat", BNP spokesman Mannan Bhuiyan sounded ruthlessly condemnatory with the words "false, baseless and motivated" predicated by a phrase reading "nothing but utterances by a mental patient." As for Prof Aftab's communal zealotry in seeking a change of the National Anthem based on a song composed by Rabindranath Tagore, Bhuiyan said emphatically those were "his views; people should not be misled by them."

All of those comments being highly repugnant to our sensibilities about the Liberation War, Language Movement and communal harmony, it was only expected that the rank and file in the BNP, a party with a strong Liberation War component to its leadership, would resent them with some vehemence. And it is this part of the party's ethos, which the BNP spokesman echoed through the condemnation of and disassociation with the errant think-tanks' remarks.

BNP has to revive its original reputation of a centrist party to be in the reckoning, something that invariably looks diminished by its alignment with Jamaat. Its befriending the Jatiya Party has done the rest to mock at its 'uncompromising' credentials. Either the BNP, true to its nomenclature of a nationalist party, re-emerge as a force on the side of the Mukti Juddha legacy or choose to lose its way into political wilderness.

Let's Not Go the Dhaka Way

WE are pleased that the new international airport in Chittagong has been completed and we finally have a second international airport in the country. We would like to make two important points in this regard.

Our first point is that we must not allow the new airport to go the way Dhaka has unfortunately gone. Dhaka airport is a failure as an international airport. There is no other way to describe it. There is no semblance of order, or of any kind of operating system in place, nor is there any one single recognisable authority to which the airport ultimately responds, or to whom the aggrieved traveler or the ordinary citizen can appeal for explanation or redress. Zia International Airport is controlled by many agencies and by no single agency. The management is divided among several quasi-government bodies, including security agencies - some with no real justification for being there - and each concerned with protecting its own turf and interest. There is no clear management system or body in place, making it virtually impossible to decide how and where to start in order to tackle the problems of Dhaka.

The second point we would like to make is that the lessons learned in Dhaka must be applied in a positive way in Chittagong. We would like to propose that a completely new management body, the Chittagong Airport Management Authority, or a name to that effect, be constituted and made responsible for management of the new MA Hannan International Airport. This would not be a radical step by international standards. Management of an airport is much more demanding and complex now than it was even 20 years ago, and in order to do the job successfully, it is necessary to have a single authoritative body, with specialised skills, a clear chain of command and the powers to execute policy. Most international airports around the world, and certainly the successful ones, are managed by quasi-government management bodies that function along these lines. We believe that it is about time that we in Bangladesh set ourselves high international standards and took steps to adopt them. Let us be innovative and bold in this matter. Let us make Chittagong international airport a new beginning.

To the Editor ...

Administrative liabilities

Sir, All governments are saddled with various kinds of administrative liabilities over the decades. The national priorities decide on the mode of disposal. These liabilities are acquired from the previous regimes or created during the current tenure. The top priority is usually accorded to the issues with political undercurrents, by the politicians of the ruling regime. The checks and balances are provided by the Parliament and feedback in the mass media. The response to public opinion may be subject to delays, but the will of the people cannot be made to evaporate all.

The problem of the new century is the acceleration in the rate of change of human events, to which the slow-moving bureaucracy finds it extremely difficult to keep pace. The time-lag is more visible in the developing countries as the outdated operating systems and networks lack elasticity for quick expansion and also administrative space for elbow room, manoeuvring, and adjustment. Now the spill over effects of IT are making its presence felt in the LDCs; and the

measures. So ultimately the political decision-makers' leverage factor counts in the long run. This factor also plays a vital role in the voting pattern at the next national polls.

Coming to general examples, without going into detail, the public administration and judicial reforms are pending even after decades of coaxing. The academic culture and the system of education at all the three levels (primary, secondary and tertiary) need urgent BMRE, to enable the new and future generations to keep up with the times. The approach to future governance is an on-going exercise and it must be transparent. But, unfortunately, sometimes the national and party goals diverge; as also the priorities.

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KERALA'S pantomime of Kathakali is suggestive, full of gestures, without words. But the state policies is not. It is sharp, blatant and noisy.

Even a short stay at Thiruvananthapuram tells you that both the ruling and the opposition fronts the first led by the Communists, called the Left Democratic Front, and the other by the Congress, United Democratic Front discuss politics at the top of their voice. They hurl challenges at each other openly and their followers readily take to the streets to demonstrate their strength. Both are presently flexing their muscles for state assembly election early next year.

"Our chances are fifty-fifty," says Congress top leader, A.K. Anthony. He is soft-spoken and hates to put claims. But state Chief Minister E.K. Nayanar makes provocative statements purposely and announces: "We will have 51 per cent votes and form the next government." He cites in his support the outcome of the recent local bodies election in which the LDF registered a slight edge over the Congress. "Had the Congress not joined hands with the BJP, it would have been roundly defeated," says Nayanar. He has no doubt that the Congress and the BJP will have "an understanding" at the next polls. And then he laughingly says: "There is no difference between the two."

The Chief Minister does not hide his bias against the BJP. In his office at the Secretariat, the photo of Mrs Indira Gandhi, and even Rajiv Gandhi's, adorns the walls but not that of Prime Minister Atal Behari Vajpayee. Yet,

Kerala on the Decline

The state's mainstay is agriculture. Now that the price of its products has nose-dived, there is widespread unrest and concern. Palm oil is selling at half the price because of free import from Indonesia and the Philippines. Tea and coffee too have demanded protection, again because of the dumping from abroad. The coconut, Kerala's backbone, is unable to withstand competition from Sri Lanka and Malaysia. Desperate farmers are considering felling the coconut trees and sowing some other crop.

Nayanar claims to be his friend. "I wrote to him when he was confined to his room at the Mumbai hospital after the knee operation that he should utilise the time in writing poetry. (The Chief Minister has never read Vajpayee's works!) Of course, Nayanar darts his criticism against Home Minister L.K. Advani who, he believes, should have resigned after "the CBI found his complicity in the demolition of the Babri Masjid." And then he goes on to question: "How can he continue as Home Minister?" Kerala is split into two opposite camps, the Communist and the Congress. The BJP, which is growing through the efforts of the RSS can make some difference but the real tilt is dependent on the Muslims, who are largely controlled by the Indian Muslim League. "We should get some Muslim votes," says Nayanar, while conceding that most of the community is on the side of the Congress. Christians, forming 24 per cent of the population, will be divided, according to him.

The extremist section among the Muslims is making some headway and its politics is mercurial. This is worrying the Keralites, who are generally secular and do not want the parochial politics of Northern states to visit them. The violence between the Communists and the BJP members is a source of worry. It is not communal in colour but it can

spread to involve the LDF in the state and the BJP-led coalition at the Centre. The Congress is scrupulously standing aside. "There has not been a single communal riot during my tenure," says Nayanar. He will be completing his five-year rule in the next few months. He does not mind coming back, although he is already 83. "If my party wants me to lead the next government, I shall do so," says Nayanar.

"Both the Congress chief min-

isters has practically no industry except what is in the public sector. The once-flourishing rubber industry wears a dismal look. The outside competition is not so much a problem as is the labour trouble. The increase in the wages by workers has been a long-pending demand. Neither the LDF nor the Congress government has done little to solve the issue because of the pull of vested interests. Many plantation owners in the state are

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The Congress government had imposed a ban on arrack. Anthony says that "a few ministers are corrupt." However, none points the finger at Nayanar, nor even his worst critics. He is an open book. It is, however, strange that the CPI(M) has turned out to be the biggest property owner in the state. A survey done by a popular Malayalam daily confirms this. Politics cannot survive without money, says a communist in defence. Since the party is hoping to share power at the centre one day, it wants to collect funds. It was Kerala where the CPI(M) amended its programme to allow the party to give a government at Delhi. In a way, it was the burial of the historic blunder of 1996 when the party's politburo refused to permit Jyoti Basu to become Prime Minister. "A third front will come into being slowly," says Nayanar. But he himself realises that it is a long haul. "We are getting old, all top communist leaders," he says. And he has a dig at the younger Communist leadership when he says, "only a couple of them have any base."

If the Left front returns to power, it would be primarily due to the image of Nayanar. He is not a ideologue, as EMS Namboodiripad was. But his simplicity is endearing. Attired in dhoti-kurta, Nayanar exudes honesty and transparency. He calls you back on the phone if you leave your number. In New Delhi most secretaries to the government of India are always "in a conference." Very few among them return your call. But Kerala's Chief Minister is modest enough to dial your number.

BETWEEN THE LINES

Kuldeep Nayar writes from New Delhi

OPINION

THE freedom of press in Bangladesh seems to be in question these days following publication by the tabloid daily Manab Zamin a story concerning taped conversation between former deposed President Ershad and a Judge of the High Court.

The Attorney General brought the story to the notice of the High Court which issued contempt of court rule on the Manab Zamin. The court also issued similar rule on three other newspapers Ittefaq, Janakantha and Sangbad for publishing comments on the conversation, quoting Justice Naimuddin Ahmed, a member of the law commission.

The Attorney General, by implication State, was the party in the contempt of court case. It is not understood why the Attorney General moved the contempt of court case.

It may be mentioned here that on 24 August 2000 a High Court Division bench upholding the verdict of the trial court reduced the former President's sentence to five years from seven years in a corruption case known as Janata Tower case.

As a matter of fact the press has to play a significant role in building up our society and helping the people achieve their national objectives. It is our firm belief that freedom has to be conceived and expressed in the perspective of greater national interest and the well-being of the people. The freedom of expression is an inalienable right of the human being. The concept of freedom of expression encompasses freedom of speech and freedom of the press. The press and for that matter free press is not conceivable in absolute term. Freedom carries with it duties and responsibilities. Freedom implies obligation of the individual as well as of the class and also of the nation. The role of the news media, therefore, in informing, alerting and alerting public opinion is absolutely critical.

The media actually is the mirror of the society. Say, for example, Jarina Khatun after serving one and a half years in Abu Dhabi on arrival at Dhaka airport on 4 November 2000 found to her utter surprise her suitcase broken and all her earning and other valuables lost, but owing to the media's continuous reporting on the incident Jarina Khatun was compensated by Bangladesh Biman and Oman Airlines.

This is how the print media in particular has been playing the role of a catalyst. A series of show cause notices and contempt of court notices make the print media to submit to the court of law which by implication is tantamount to stifling the voice of the media. What actually 'contempt of court' stands for? According to dictionary contempt of court means showing disrespect to the dignity of a court in full. The British law says any conduct that tends to bring the authority and administration of the law into disrepute or to interfere with litigation is a contempt of court. In the case of the report by Manab Zamin on 16 November on the conversation between the con-

ment to a government without newspaper.

In a democratic society the people should be allowed the freedom to hold opinion without interference and to seek, receive and impart information and ideas to enable them to exercise their rights as citizens and participate intelligently and effectively in the governance of the country. This has been amply reflected in article 19 of the Universal Declaration of Human Rights. The press is by far the best-suited medium for this purpose.

In fact, the freedom of the press could not be conceived in absolute term. Freedom carries with it duties and responsibilities. Freedom implies obligation of the individual as well as of the class and also of the nation. The role of the news media, therefore, in informing, alerting and alerting public opinion is absolutely critical. The media actually is the mirror of the society. Say, for example, Jarina Khatun after serving one and a half years in Abu Dhabi on arrival at Dhaka airport on 4 November 2000 found to her utter surprise her suitcase broken and all her earning and other valuables lost, but owing to the media's continuous reporting on the incident Jarina Khatun was compensated by Bangladesh Biman and Oman Airlines.

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victed deposed President and a Judge of High Court division bench and that too after the pronouncement of the verdict on 24 August could have been ignored or the matter should have been investigated as the sixteen editors of prominent dailies pointed out.

In Bangladesh, Press Council under the chairmanship of a Judge is in operation. It could have been referred to the press council also for investigation.

It is logical that every accused should have a fair trial under democratic norm and practice. Important though freedom of speech and freedom of the press be, a freedom which deprived prisoners of a fair trial could not be countenanced', Professor Harry Street wrote in 1963. He was a professor of law at Manchester University. The press in the United States of America as a matter of fact is free to assist in detection of crime, to interview witnesses and suspects, and report their observations, to comment on trials as they proceed, and to give opinions on the guilt of suspects.

The law of contempt in Britain imposes other restraints on freedom of comment in relation to the administration of justice.

It would be relevant to quote Professor Harry Street, who stated that "in certain circumstances it is contempt to criticize a judge. If a judge's character is blackened he can sue for defamation in the same way as anybody else; there is no need for a special crime of contempt in order to protect his reputation. It is desirable that the performance of judges be subject to examination and comment; even more obviously the accuracy of the law laid down by them in their decisions should be the object of fearless scrutiny. Such freedom to criticize is essential if the high quality of judicial administration is to be maintained."

In this connection, one would like to note the recommendation made by a committee of Justice under the chairmanship of Lord Shawcross in 1959. It recommended that fair criticism

of a judge should not be discouraged: it had in mind commenting on his competence in the light of the law laid down by him. And it is the law that such criticisms may legitimately be made.

Once an editor in Trinidad was convicted on contempt charge by a local court for publishing an article on the human element in fixing the length of sentences. The editor appealed to the judicial committee of the Privy Council and Lord Atkin of the Privy Council observed: "But whether the authority and position of an individual judge, or the due administration of justice, is concerned, no wrong is committed by any member of the public, who exercises the ordinary right of criticizing in good faith, in private or public, the public act done in the seat of justice. The path of criticism is a public way: The wrong-headed are permitted to err therein; provided that members of the public abstain from imputing improper motives to those taking part in the administration of justice, and are genuinely exercising a right of criticism, and not acting in malice or attempting to impair the administration of justice, they are immune. Justice is not a cloistered virtue. She must be allowed to suffer the scrutiny and respectful, even though outspoken, comments of ordinary men."

In spite of difficult situation in the country it is possibly the print media alone which is drawing attention on the national issues of concern to the notice of the readers and the administration to bring about the qualitative change in the society. Many years back American renowned columnist Walter Lippmann said, "If we assume that news and truth are two words for the same thing, we shall, I believe, arrive nowhere. The function of the news is to signalize an event, whereas the function of truth is to bring to light the hidden facts, to set them into relation with each other, and make a picture of reality on which men can act."

Ever since the independence of Bangladesh in 1971 it appears that it has become extremely difficult for the military governments of Pakistan to admit that the people of Bangladesh have totally rejected them because of their shameful and atrocious behaviour prior to and during the war of independence in Bangladesh. Pakistani military junta has failed to realize that the people of Bangladesh are much more politically advanced than Pakistanis in general and they attach more value to independence as compared to the common people of Pakistan because of their more developed political consciousness.

Despite our strong differences it is to be admitted that we have some special relations with Pakistan. Pakistan is a member of OIC, SAARC and D-8. Bangladesh is also a member of these groups. Thus the strenuous relationship caused because of the diabolical diatribe of a senior diplomat like Irfan Raja is extremely embarrassing for both the countries. Simple transfer of the said diplomat is not enough. Pakistan government must apologise. Bangladesh government must show strong attitude. Otherwise it may create misconception about the historic freedom struggle. Pakistan was created as the separate homeland for the Muslims of India. Immediately after the partition of India Mohammad Ali Jinnah fully realised his mistake and announced that Hindus and Muslims would cease to be Hindus and Muslims not in the religious sense but otherwise and otherwise. The independence of Bangladesh proved the hollowness of the two-nation theory of Pakistan Muslim League.

Sophisticated hypocrisy can no doubt rise to unbelievable heights, to meet motivated agendas through dubious offers, including WTO and APEC. The tide is changing, and Asia is going to dominate in the 21st Century. Vendors with declining growth rates are lining up for business and bread and butter. The Asian political leaders should play it right and bargain steeply (as Mahathir is doing).

It is a common knowledge that Z A Bhutto successfully befooled the military regime of Yahya Khan to opt for military action to perform a job which needed careful and cautious political handling. Bhutto's ill-advice to Ayub Khan

resulted in the first Indo-Pakistani war in 1965. Within six years yet another Pakistani army general was misled by the same person. We feel pity for absolute lack of political wisdom of the Pakistani ruling junta. As it appears, another army general of Pakistan is out to deter the slow but steady repair of relationship with Pakistan started by Bangabandhu Sheikh Mujibur Rahman.

It is anybody's guess that without any clear signal from Pakistan's Foreign Ministry a career Pakistani diplomat would not have made such statement. Bangladesh will have to take well-thought-out firm action. She should make it clear to Pakistan that no good relationship with Pakistan is possible without Pakistan's apology for heinous crime committed by the Pakistani army in 1971. Some of our people may have soft corner for Pakistan even now. We are certainly not happy about treating this incident rather lightly by the opposition alliance, particularly by BNP. Is BNP paying the price for accommodating the Jamaat? They may be told that there are many examples which will prove clearly that right from the inception of Pakistan, Pakistani leaders never thought about the welfare of the then East Pakistan. Even the founder of Pakistan thought the then East Pakistan as nothing but an outpost of Pakistan. Existence of pro-Pakistan elements in Bangladesh emboldened some to raise Pakistani flag on their house or to ridicule the national anthem of Bangladesh. In such a situation it would be advisable that Bangladesh Government press for (a) apology of the government of Pakistan and (b) expatriation of Pakistani (Biharis) encamped in Bangladesh from Bangladesh. Otherwise its tireless effort for the last four years to make the people understand clearly the meaning of the struggle for independence of 1971 will be fruitless.

The writer is a retired Joint Secretary.

How Free is Free Press?

Mohammad Amjad Hossain

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