

For Impetus to Economic Groupings

SOME work has been going on under the D-8 and BIMSTEC umbrellas, the two relatively new economic groupings which seem quietly determined to slough off their neophyte image...

The Developing Eight or D-8 on the other hand, may not be an economic grouping of countries geographically adjacent to each other but its potential to act as a reasonably cohesive economic forum stems from fraternal ties...

The grouping originally mooted by Turkey and launched in Istanbul in mid-1997 has since identified 13 key areas of cooperation with a strong technology and expertise sharing content...

As the current chairman of the Developing Eight Bangladesh hosts the D-8 Commission meeting in Dhaka some time next month by way of preparing the ground for the summit in Cairo early next year...

End the Traveller's Trauma

EACH year, millions of people travel to their ancestral homes to celebrate Eid with their loved ones. Carrying assorted gifts, and even cash on their person, they use their hard-earned income to buy tickets on various modes of transport...

Thousands of people have already started crowding the ticket counters of the BIWTA and private river transport companies, looking for tickets to various destinations. Most of these travellers have to grapple against amazing odds simply to get home...

We have stressed on this issue before, and we do so again, with even more emphasis now, that those responsible must take steps to end this trauma. First and foremost, the underhand practices must be stopped. We are appalled and disturbed by the permeation of extortion to such an extent that it seems to be accepted as the norm...

At the end of the day, the joy of this festival will be seriously marred if the ordinary traveller is not given a minimum level of accessibility to resources, provided with basic levels of security and allowed to make the most of this vacation.

To the Editor ...

Political magic lamp

Sir, As one of the millions of harassed citizens (due to poor governance), the blunt DS editorial of 12 December is to be welcomed, drawing attention of the Prime Minister to the amateurish way in which the country is being governed...

It is one of many reasons why the elected term of office may be reduced from the current five years, so as not to allow fossil to grow, and discourage entrenched administrations, who make heavy while the sun shines for them...

itions are related? Public service does not mean private gain, regardless of the personality imposed upon the jarata. Immature democratic toddling period starts with autocratic and feudal tinges. How far the leaders have carried out the political purging of the soul? Hawking political philosophy by political parties is not what the citizens expect from the government or the opposition...

THE strategic weapons on the scale of nuclear and thermo-nuclear weapons coupled with ballistic missile delivery system have been in existence, for more than half a century. They are still the ultimate weapons which dramatically, and in virtually a single step, eclipsed all other readily deployable weapons of the world...

The premise of the 1972 ABM treaty had been that there was no solution for the threat emanating from the combination of nuclear weapon and ballistic missile but between the reasonable people and a prudent balance of numbers and throw-weight between the nuclear powers nuclear war would be mutually deterred...

IF there is one thing that Indian bureaucrats excel at, it is evading public accountability especially where underprivileged people are involved. They can even negate a good cause by praising it to trivality.

The government is about to undermine universal and free elementary education through the Constitution (83rd Amendment) Bill. This is likely to be placed before the Lok Sabha any day now.

The Bill pays lip service to Article 45 of the Directive Principles of the Constitution which casts a duty upon the state to provide 'within a period of ten years... free and compulsory education for all children until... the age of fourteen'...

It achieves this astounding feat by adding a new Article (21A) to the Constitution's right-to-life provision, which says: (1) The state shall provide 'free and compulsory education' to all children between six and fourteen. (2) The right shall be 'enforced in such manner as the state may... determine.'

THE most popular rap song in America today goes like: 'Who let the dog out? Who? Who? Who? Who? Who?' ('Who?' is sang dog-like, 'Woof! Woof!' by a group called Baha Man. And the most popular topic of conversation at the coffee machines and water coolers (for those not fasting) is: 'Who stole the Presidency? Bush? Gore? Bush? Gore? Based on what transpired last week, the answer must be Bush and the Republicans, courtesy of the Supreme Court of the United States...

Popular vote is the bedrock of democracy. Nationwide Vice President Al Gore received over 337,000 more popular votes than

resembling the virtual reality seen on the computer screen (Heart of the Matter column, DS, 12 December). If the ruling party is serious about regaining the polls, it should gird the public services, contain corruption, punish the offenders including the management of the garment factories, as the majority of those who died during the outbreak of fires was due to stampede, as physical safety measures were not imposed on daily, minute-to-minute basis.

In Quest for Ultimate Weapon

The non-nuclear countries like South Korea, Japan and Taiwan share common concern about North Korean and Chinese ballistic missile threats, and have been working together and with the US in trying to develop individual responses to these threats. China has however been successful in dividing these states and dividing them from the US and vice-versa so that it would be difficult to build a critical mass on a theatre wide ABM system.

Every one does not however, share this belief. Not only that the sceptics saw in it the recreation 'nuclear stone age' where states could with relative impunity threaten each other with ballistic missile and nuclear warhead, the treaty itself was signed in bad faith...

Dr Stefan Possony who had been called the 'greatest strategic philosopher of the 20th century' had from the late 1960s been giving considerable thought to the developments of a space-based energy-derived globally-effective anti-ballistic missile defence system. He correctly perceived that the strategic weapons systems should be destroyed as they came up in the space and before they began their descent...

warheads could separate. In other words the wanted to destroy the missile and warhead at the apogee of the ballistic curve. Possony claimed that the science was demonstrably in place to achieve such a system but cautioned that the programme could 'stretch the budget to a bursting point'.

Initiative (SDI), but Reagan had to wait till was elected President in 1980 and committed the US to SBI. In the meantime, the Soviet began experimenting with earth-based contained nuclear explosions, beaming the energy into space to be directed at satellite, finally lost by the USSR by attempting to compete with SBI and bankrupting itself in the process.

When President Reagan launched this SBI programme, its precise purpose was to defeat the Soviet Union in the Cold War. With the Soviet defeat, the Clinton Administration found less apparent need, in any event, for a system to defeat the Soviet ICBMs and the SBI was quietly transformed more into a technology development agency. The muted ABM programme still in development in the US was built on the strategic foundation of SBI and it is still in place because sufficient momentum was generated for it during the Reagan era itself.

The anti missile shield the Clinton Administration proposed to build up two years before was in fact spurred by rapid proliferation of nuclear and missile technology among the so called 'rogue state'. The proposed seems now to be lying in backburner because the whole concept of a major threat from rouge states defies belief after a careful review of threat perceptions. Even to his fellow democrats Clinton's proposed missile defence was at the best a gift to the arm industry and at the worst a provocation to Russia.

warheads or other targets. Indeed the Soviets became extremely advanced, more so than the west, in the science of plasma weapons. Although Possony's concept of Anti Missile Missile came much earlier it was the Soviets who first committed funds and programme to actually

Creating a strategic ABM umbrella which if successful, would have given them exactly what Reagan's SBI sought to do. There are now ample evidences that in the year before Reagan came to White House Moscow had already begun its own strategic ABM programme. When Reagan announced his SBI programme both the US and USSR were virtually set to throw away the 1972 ABM Treaty. It was he start of the end of Cold War which was

receiving its aid. But private schools are not some isolated islands unconnected to public institutions for registration, curricula and degrees. You can't leave out this substantial, growing, sub-sector if you want to universalise education. Where government schools are non-existent or under pressure, the state should be able to order private schools to take pupils free. The Bill disempowers the government, while privileging private schools. This is obnoxious.

The Bill is silent on quality. It shows no recognition of education as part of an integrated process of development of people. Therefore, under it, education could be reduced to mere literacy. Fundamentally, the Bill is an attempt to wriggle out of a Constitutional obligation cast upon the government, and that too through the dubious route of removing Article 45, rather by amending specific laws. The Rs 8,000 crore budget it mentions

represents just 0.4 per cent of GDP. What is needed is a doubling of the total spending on education (3.2 per cent of GDP). The 83rd Amendment bears comparison with another initiative taken four years ago to make the right to work fundamental as demanded by trade unions for decades. This is a worthy demand.

But unless the state is serious about guaranteeing the right practically, the whole thing can become a joke 'right' cruelly negated in practice. That's worse than not having a right. That move was dropped. So should the 83rd Amendment.

Education is a fundamental entitlement. In this hierarchical, mass deprivation-based society, it is perhaps the sole instrument of mobility. In modern society, the state doesn't come before the people. It exists to sub-serve functions relevant to the people. That alone gives it legitimacy. The Indian state's record in the social sector, especially education, is appalling. It is now replacing trained schoolteachers with ill-trained shiksha karmis. It is dismantling schools. Unni Krishna was to be an antidote to this. The Bill will kill it and cheat India's children.



PERSPECTIVES by Brig (Rtd) M Abdul Hafiz

Eightythird Amendment Bill: Subverting the Right to Education

Praful Bidwai writes from New Delhi

Education is a fundamental entitlement. In this hierarchical, mass deprivation-based society, it is perhaps the sole instrument of mobility. In modern society, the state doesn't come before the people. It exists to sub-serve functions relevant to the people. That alone gives it legitimacy.

Now, the first clause removes at one fell swoop 150 million-plus children in the age group 0 to 6 years from access to free education. Educationists recognise this as a critical period in a child's development as well as intelligence and personality formation. Childhood Care and Education is a fundamental right derived from Articles 21 and 45 of the Constitution. The Supreme Court in the Unni Krishna vs. State of Andhra Pradesh case mandates this. This far-reaching judgement is the fountainhead of the entire Indian debate on the right to education, which made its way into most party manifestos in the mid-1990s. This led to the Committee of Education Ministers, and eventually, to the present Bill now being manipulated by the HRD ministry.

The Unni Krishna judgement notes that among the Directive Principles, only Article 45 stipulates a time-limit, thus underscoring the issue's urgency. It holds that this right cannot remain a 'mere pious wish' for decades. The promise can be redeemed only if a child has 'a fundamental right to free education up to the age of 14 years'. The Bill confines the right to only half the 375 million under-14 children. But in India, most poor families cannot provide Early Childhood Care without state support. The girls who perform sibling care account for the vast majority of those who never enrol at school.

Daycare centres are essential. It is the state's duty to provide these. The Bill frees it of that duty. Only those who can send their children to private pre-schools will enjoy the Bill's benefits. This violates the government's professed commitment to the universalisation of education. The Bill limits the right to education to 'citizens', not 'children'. But a child is not a citizen. Universal rights are available to all, including children. But certain rights are limited to citizens

alone. So tomorrow, if a child demands education, an official can ask her to prove she is Indian and not Bangladeshi or Nepali! The communal implications of this need no comment. Secondly, 'compulsory' can be so interpreted that the compulsion is cast upon the child's parents. After all, the Bill empowers the state to act in 'such manner as the state may... determine'. This can lead to re-victimisation of the original victim of poverty. The Bill makes the enforcement of rights conditional upon the state's whims. The state can plead it lacks resources or administrative capability. The Centre can pass the buck to the states. However, Unni Krishna judgement was explicit that Article 45 mandates free education irrespective of the state's capacity. Equally flawed is the Bill's third clause, which explicitly states that the state should 'not make any law' for free education in respect of private institutions 'not maintained' by it or not

LETTER FROM AMERICA The US Supreme Court Elects Bush the President Dr. Fakhruddin Ahmed writes from Princeton In America everyone is guaranteed the right to vote. There is no guarantee, however, that everyone's vote will be counted. As the Republicans have demonstrated, they can count on the 'Republican' Supreme Court of the United States to prevent the counting of the non-Republican votes.

LETTER FROM AMERICA

The US Supreme Court Elects Bush the President

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Texas Governor George Bush. Yet, the second place finisher, Bush, has been declared the winner. Yes, I know that in America the Electoral College, representing the state's rights, not the popular vote elects the President. That, however, makes the American presidential election less than truly democratic. Even the state's right issue was trumped over by the US Supreme Court. Twice the Florida Supreme Court ordered all the votes rejected by the machines to be hand-recounted. Twice the US Supreme Court overturned the Florida Supreme Court's decision and ordered that the recounting be stopped, and Bush's razor thin margin of victory preserved. If there were a fair recount of all

legally cast votes, Al Gore would have won Florida. Instead, in all probability the second place finisher, George Bush, was declared the winner in Florida and of the Presidency by the US Supreme Court. Exit polling that enabled the networks to call Florida for Gore on election night was correct. What the voters did not know is that their votes for Gore would not be counted, for a variety of excuses. The Republicans tipped their hand from the very beginning. Knowing full well that a fair recount will result in a Gore victory, they began acting like the criminal. An automatic machine recount of votes trimmed Bush's original lead by half from over 1800 to over 900. A Florida

face and repeatedly overturned the Florida Supreme Court's judgements. To these Justices, state's rights are paramount, unless a Republican is being harmed by it. They voted for Bush twice on Election Day, and more decisively on December 12. Justices O'Connor and Kennedy are swing votes, who sometimes switch sides. The other three - Rehnquist, Scalia and Thomas - are right-wing ideologues ready to sacrifice principles for causes dear to their conservative agenda. Let us take a closer look at them. For a long time Rehnquist, whose votes were so far out of line with Chief Justice Warren Burger's court that he was known as the 'lone ranger'. When the Supreme Court overturned Muhammad Ali's conviction for refusing to fight in Vietnam as a conscientious objector, 8-0, Rehnquist abstained. When Earl Warren wanted to resign, Ronald Reagan quickly nominated Rehnquist and had him confirmed before the Democrats regained the Senate majority in 1986. Rehnquist was so controversial that even in a Republican-controlled Senate, a record 33 Senators voted against his confirmation. Associate Justice Antonin Scalia, a native New Jerseyan who was a Judge in the area the writer lives, is well known for his extremist views. Scalia, along with Rehnquist and Thomas form the Court's extreme right. Their attempt to characterize the Florida Supreme Court's decision as unconstitutional was rebuffed by even O'Connor and Kennedy. Rehnquist's back is killing him. He wants to retire. He cannot retire until he is absolutely sure that the next President will replace him with his clone. That's why he installed Bush. Scalia wants to replace Rehnquist as the Chief Justice.

That too can happen only under a Bush Presidency. President George Bush (the President-elect's father) nominated African-American Clarence Thomas in 1991 to replace the first African American nominated to the Supreme Court (by President Lyndon Johnson in 1967). Thurgood Marshall, even though the American Bar Association questioned Thomas's qualifications. While Thurgood Marshall was a legendary African American lawyer, who won the Brown vs. the Board of Education case in 1954 that led to desegregation of American schools, Thomas had no such credentials. As soon as he was nominated, university Professor Anita Hill accused him of sexual harassment that led to a Senate hearing. The Senate confirmed Thomas by a 51-49 margin, the closest in US history. A product of affirmative action which aids blacks, Thomas is virulently anti-affirmative actions. Instead of looking after the interests of blacks, as Marshall did, Thomas's views are closer to that of the Ku Klux Klan. Thomas's white wife, Ginny, works for the Bush campaign. Any self-respecting Justice would have excused himself from such a pivotal case due to conflict of interest. Unfortunately, such decorum and sophistication one has come not to expect from Thomas or from his other four cronies.

In America everyone is guaranteed the right to vote. There is no guarantee, however, that everyone's vote will be counted. As the Republicans have demonstrated, they can count on the 'Republican' Supreme Court of the United States to prevent the counting of the non-Republican votes. The Rehnquist Court had criticized other judges for their judicial activism. Their Republican proxies had accused the Florida Supreme Court of judicial aggression. At the end of the five conservative Justices of the US Supreme Court, sworn to uphold the law impartially, took the law into their own hands, and committed judicial hoax!

What sort of practice is this? What sort of foreign aid is this? Is this not a violation of human rights and misuse of public money of a poor country? Would the authorities concerned kindly clarify the matter? OH Kabir Warl, Dhaka-1203

division city now. There are scores of high profile and high placed ministers and politicians from both the benches. The conscious citizens of Sylhet have many a time staged their activities in support of different issues with strong voices. I wonder, how could Sylhet Railway Station escape their care and attention. Now, I understand why my ageing aunt told me that she often prays to Almighty upon entering this railway station so that she can disembark from the shortest route and escape from this garbage bin! After my recent encounter with this place, I know it is no use asking for a clean up because no one listens or cares! Tanzania Choudhury Chittagong

Foreign aid Sir, Do our political leaders and bureaucrats have the capability, technical know how or efficiency to know the pros and cons, work out the cost benefit or economic

Sylhet Rly Station Sir, Recently I had the misfortune of stepping into Sylhet Railway Station. If one wants to experience hell on earth, he may have a look into the place. It is absolutely in filth, stinking and disorderly. The entire station has been occupied by vagabonds, professional beggars, countless urchins and anti-social elements. It seems the only rule prevailing there is lawlessness. Sylhet on paper is a