

Dhaka's pilgrim camp is far from Mecca

Inefficiency strands Hajj pilgrims as authorities bungle

THE Hajj of 2002 will be remembered not only for the usual piousness of the pilgrims but the mega mess of the private airlines company which was given a contract to ferry a part of the passengers to Mecca. Given the considerable lack of confidence that people have in the public sector airlines, many had hoped that their performance would be better. But now as evidence suggests, inefficiency and lack of accountability is not a monopoly of the public sector.

The intentions were positive no doubt because the objective was to prevent the rush hour holy traffic but two questions have cropped up. Did the Air Bangla people have the necessary experience in this sector and whether there was a proper scrutiny of the same. Second, was there appropriate transparency in the process of awarding the contract. The matter has already become part of the debate in the public domain but unfortunately the process of accountability is not part of that scene. As a result, we shall see a lot of accusations and defenses but most probably no real answers in the end. Thus it will be a subject of acrimony but not one of change and reform.

What seems to be basically lacking is the idea that making money is fine but it happens by providing services or goods and in return getting paid for the same. Running an administration is also about providing services and being rewarded in manifold ways. What we see is the violation of the cardinal rule of this process. People simply have forgotten the transactional nature of commerce and administration.

The questions that will be asked are, whether the authorities awarded the contract on the basis of connections and track-record or connections alone. A lucrative solo contract is hardly ever handed out to those not on friendly terms with the powerful but the point is, if enough checks were made to ensure they could deliver. The practice of the private sector working with the public is universal but so is compliance with minimum standards. That's where the system seems to have buckled.

Since the affected people are mostly elderly citizens who have little else in their mind except to perform the Hajj, the matter is serious indeed. The authorities and the organizers may, as per standard practice, refuse to explain themselves to mortals but this time with a high religious duty involved, God is looking.

We hope the pilgrims reach out to perform Hajj one way or another.

Autorickshaw owners and employees abandon fury

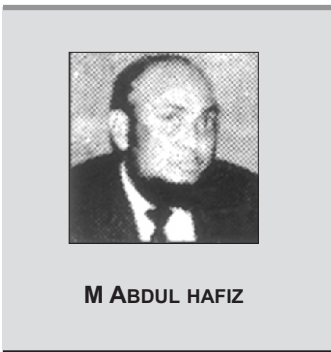
Govt sticks to phase-out programme but would assist rehabilitation

THIS is as it should be. That dialogue helps and confrontation embitters has been proven once again. We have lately seen a mini-triumph of negotiated settlement made possible by prompt talks held between transport owners and employees associations and representatives from the government side. Within three days of the baby taxi and auto-tempo strike originally called for an indefinite period to protest the government's phase-out programme, the agitated owners and operators have withdrawn it. In other words, they have called it off unconditionally. Actually they have not put any deadline to a fulfilment of their demands which has been the customary practice with most professional groups of agitators so far. This means that the autorickshaw operators are showing signs of understanding that: (a) the lead pollution being belched by the contraption is harming them like all other citizens; (b) it's a concern that is close to the heart of the people; and (c) they must, therefore, cooperate with the government rather than confront it on the question of ridding civic life of the lethal hazard. In the first phase, the government seems determined to do away with autorickshaws older than nine years and those that ply must have valid papers to do so.

The CNG-fication of the two-stroke engine must be helped by the government. And, there's much more to the government's obligation. What must not be side-stepped is the need for rehabilitating those who risk being thrown out of jobs. Therefore the talks must go on to ensure that they find some alternative employment. We suggest that they find a place in the new fleet of transports that is being put to the road.

Meanwhile, they should eschew further strike and keep from bashing vehicles.

A civilisational aberration in defending civilization!



M ABDUL HAFIZ

NOW that the hunt for al-Qaeda leaders in Afghanistan is yielding diminishing returns, the hints of frustrations are emerging and the loyal proxy fighters are coming back empty-handed from the pulverised caves, the US and its allies are going to rely heavily on the intelligence they can extract from the handful of prisoners like those taking up residence in chain-link cages of Guantanamo Bay in the Caribbeans. But under what norm, convention or rule -- is the disturbing question the human rights groups are indeed concerned with. Because the American approach to the whole issue of dealing with the alleged al-Qaeda prisoners as expressed by US Defence Secretary Donald Rumsfeld is menacing. He rather unabashedly said that these people (the al-Qaeda prisoners) had no right under Geneva Convention since they were not prisoners of war but 'unlawful combatants'. In his arrogant and imperious way of thinking those captured in Afghani-

stan are already 'guilty' and condemned, that they are lesser than human beings, and as a result not fit to be treated according to the laws, conventions and norms that are applicable in a war.

More menacing were the way 80 of the al-Qaeda captives had been treated when flown recently in a military transport aircraft from Kandahar to a US naval base of Guantanamo Bay in Cuba. Bound with iron chains with their seats,

kept beyond the reach of international law by stating that they are no prisoners but 'unlawful combatants'. They are also without access to consular service, where applicable. The unilateral definition of 'unlawful combatant' and the US' decision to transport the prisoners to an island outside the US territory is clearly a blatant attempt to bypass the Geneva Convention. During the war Washington has been all along stating that it is fight-

some. In fact, the US is bound by law to hold an enquiry to determine the status of each one of these prisoners during which period they must be accorded with all privileges under convention.

Meanwhile, the European press has taken up the cause of the prisoners of Guantanamo and the public opinion there is becoming increasingly hostile. Even the British who loyally defended, don't Washington's treatment of the al-

national. Therefore the human rights activists in those countries, fearful of the fate of 'their' prisoners, have an unusual pitch with which to lobby Western governments.

"The United States is flouting international rules of law," said the international legal right campaigner Stephen Jakobi, director of London-based Fair Trials Abroad. He further said that he would address the European Parliament shortly to

war criminals or villains like Slobodan Milosevic whose trial is currently underway at the Hague before an international civilian court. On the contrary, the al-Qaeda fighters had been ideological warriors even if the ideology they fought for could be debatable. To the western 'liberals' they are neither criminals nor traitors. At the worst they undertook an adventure that went wrong. Even if it is assumed that some of these men had knowledge of September 11 or even played a role in that -- does that mean that their right to be humans should be taken away? In any case, these prisoners are likely to be tried by military tribunal which have the authority to pass a death sentence summarily -- a decision against which no appeal is entertained. One wonders, why then denying them the minimum human dignity in life!

It is the bounden responsibility of the world community to remind the United States of one of the fundamentals of its own legal system: that no one can be presumed guilty without being put through a proper trial. It is such a principle that separates a civilized society from the uncivilized one the US is now pitted against in its war on terrorism.

Encourage European governments to pressure the United States into abiding by international law. In the meantime Amnesty International spokesman Claudio Cordone noted that the Red Cross, the custodian of 1949 Geneva Protocols which govern how combatants are treated, said the men should be considered POWs (Prisoners of War) until proven otherwise. "According to the Geneva Convention, only a competent tribunal can determine whether they are POWs or not. No government has that right," Cordone thus concluded.

In fact, the due process of law was not withheld even from the Nazi

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some were sedated with no one allowed to answer the call of nature during the flight. The bed pans were placed instead. Some were even hooded with burlap cap during their long flight of 27 hours. The heads and beards of the prisoners were also shaved forcibly -- making a mockery of their religious faith. After being flown to a remote Atlantic island under the most appalling circumstances the prisoners were now kept in tiny cages with tin roofs -- exposed to all hazards from all sides. This cruel and dehumanizing treatment has been justified on the ground that the prisoners are all extremely dangerous terrorists.

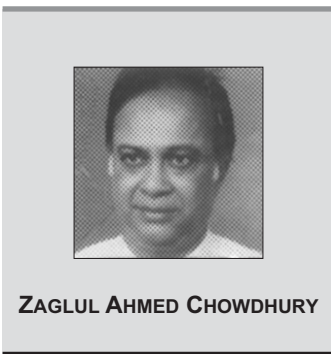
Worse still, the prisoners are using a 'war' against terrorism in Afghanistan. Therefore all prisoners detained as a consequence of its action in that country ought to qualify as prisoners of war and must be accorded the right bestowed on them by the convention.

Even if the war in Afghanistan was fought in any unconventional manner -- and indeed there were departures from the classical way of fighting with over reliance on proxy war on the ground -- suitable rules of game must be scripted to cover many new phenomena of the conflict. After all, the whole game revolves round human beings whose basic right cannot be dispensed with at the convenience of

Qaeda prisoners. The growing concern about the welfare of the prisoners has prompted Britain into dispatching a team of officials to the remote camp to seek details about three prisoners who claim to be British national. It is learnt that along with hundreds of Arabs and Afghans, the United States has rounded up at least three Britons, two Frenchmen, an American and an Australian in its 'war on terror' with most of them are destined for interrogation at Guantanamo base. Even if the Arabs and Afghans have abandoned their fallen heroes who think they fought for the formers' cause, the western countries do have a sense of belonging for their

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Have India and Pakistan rolled back from war situation ?



ZAGLUL AHMED CHOWDHURY

DESPITE the terrorist act in "Kolkata", impression is gaining ground that India and Pakistan are rolling back from the brink of a war. Even during the recent SAARC summit in Kathmandu, many felt that the outbreak of a conflict was only a matter of time. Because, mobilisation of troops along their long border and other forms of war preparedness was so much in full swing that a war seemed almost inevitable.

The SAARC summit definitely cast a sobering effect on the two belligerent nations. True, two nuclear rivals, nearly a month after the SAARC gathering which brought Indian prime minister Atal Behari Vajpayee and Pakistan president General Pervez Musharraf not only on the same dais first time since the explosive condition persists in their ties but also talking to each other, are showing no slackening in their war postures. In fact they are locked in a bitter cycle of artillery exchange along the border in addition to intensifying the war of words to score diplomatic points. But this situation notwithstanding, two neighbours have certainly come back from an alarming state of an "imminent war" although high tensions continue to characterise their often hostile

relationship. Several factors have contributed to this situation, which, however is not to suggest that the looming fears of war have disappeared largely.

The point that one seeks to drive home is that the condition that persisted a few weeks ago suggesting eruption of war a matter of any moment has definitely subsided. One may, however, differ about the extent of this diminution of tension. The visit of several foreign dignitaries to this region at a time of simmer-

between them would certainly disturb the present achievement in Afghanistan and may provide a scope for terrorism since Indo-Pakistan war may encourage the remnants of the "Taliban" or hard-core Islamic militants in the region to be active in the scene. The extreme Islamic forces in Pakistan are lying low in the aftermath of the debacle of the "Taliban" but a war with India may help them gain dominance in the domestic politics. The West is not expected to like such a situation

when Pakistan had agreed for the summit in India at the "surprise" invitation by Vajpayee to Musharraf. It was something to cheer about at that time as the overall political climate had nose-dived in the region. The meeting of the heads of government of seven-nation South Asian Association for Regional Co-operation (SAARC) was then hanging in the balance despite the fact that it was scheduled to take place in November, 1999.

frozen for last two years till the summit. Earlier, they held "composite" talks covering practically everything in a bid to improve the ties.

The "Lahore" summit between the two countries had instilled a new impetus to work for betterment of the often-bitter ties but this evaporated much before many had expected because of the "Kargil" conflict. It took long time for both to reach a level of normality as the wounds inflicted by

rising in the wake of attack in parliament on December 13.

However, the ruling BJP-led NDA government sought to keep the pot boiling although in India itself the belief seems growing stronger that military action against Pakistan was possibly no longer needed as too much of pressure on Musharraf may be counter-productive like New Delhi losing the present International support against terrorism. The war situation subsided markedly although New Delhi said there was no question of slackening the preparedness.

Then came the attack on American Centre in Kolkata. This again helped point the finger of accusation at Pakistan-aided organisations.

But this has not taken the situation back to the situation when two countries were on the verge of a war. Barring unexpected developments, which are not totally unlikely in the present situation, it appears that India and Pakistan have rolled back from the posture of war.

Indian Prime Minister has ruled out withdrawal of troops from the border and Pakistan president has held a meeting of army commanders as late as on January 30. Nevertheless, the situation has calmed down to some extent. Both governments may have some reasons for domestic purposes to keep the situation somewhat volatile. Despite this, war fears have fortunately receded in the region although none can be sure that a conflict of serious proportion is out of question.

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MATTERS AROUND US

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ing tensions urging the two sides to demonstrate restraint and also visits by key figures from these countries, particularly India, which has more accusations against Pakistan than the other has at the moment, to countries which have considerable clout on New Delhi and Islamabad, helped defuse the explosive situation to some extent. Indian defence minister George Fernandes and home minister Lal Krishna Advani were recently in the United States where both met with important figures of Bush administration.

Washington seems to be keen to see a reduction in the current Indo-Pak enmity for a variety of reasons. The foremost of them is that the United States has accomplished its political and military objectives in Afghanistan and as such it may not relish a war between India and Pakistan - both of whom supported the American action. A conflict

and as such its willingness to work for a cessation of hostilities between India and Pakistan.

Other factors as well are playing a role in diffusion of tensions. However, a dialogue between New Delhi and Islamabad seems a remote possibility in the near future although different countries including the United States, UK and China are calling for talks to resolve their differences. Pakistan is ready for a dialogue but India refuses as it set certain conditions for talks which Pakistan feels form no justification for initiating talks. New Delhi is averse to any dialogue unless Islamabad takes some actions and consequently it finds any need for talks at this stage meaningless. But dialogue was in their agenda not too long ago.

It was something like a "great news" in the south Asian scenario

South Asia has several countries but there is no denying that the atmosphere here is bedevilled mainly because of the rivalry and traditional animosity between the two principal actors - India and Pakistan. When these two nations greet each other with a friendlier approach, things move for the good and conditions deteriorate when they go for hostilities and belligerence.

It is in this context that the summit between the leaders of the two countries took place in "Agra" belying earlier skepticism that such an event was difficult. The summit was largely dubbed as a "failure" but it was essentially a leap forward since both sides had agreed to continue talks and a second Vajpayee-Musharraf meeting was decided to be held in Pakistan. Indo-Pak contacts had virtually been

the conflict was quite deep to heal quickly.

Certain harsh remarks by the leaders of both sides over the "failure" of the Agra summit queered the pitch of future talks but not to the extent of abandoning the discussions. But the Afghanistan embroglio in which both countries sought to extract their pound of flesh by supporting the US-led anti-terrorism coalition and in which the two sides saw each other as rivals diplomatically and otherwise came as a setback to the process. Then the attack on Indian parliament delivered a body blow that brought them on the brink of a war.

Pakistan's tough actions against some Islamic organisations, like banning a few, helped Islamabad take the steam to some extent out of Indian sails. This also helped evaporate strong Indian public opinion against Pakistan that was

OPINION

Proposed changes in local governance: Steps in the wrong direction

BADIUL ALAM MAJUMDAR

THE present government is reported to be in the process of examining the system of local governance in order to make it more skilled, effective and viable. A cabinet sub-committee is now working on it. One idea under serious consideration by the sub-committee is to allow the Members of Parliament to formally share powers with elected local government representatives, especially at the upazila level. The intention is to give the MPs a role in the "development work" of their constituents. We consider this an ill-conceived idea with dangerous consequences.

In fact, the proposed idea is not only bad, it may even be self-defeating. It will, on the one hand, make our already weak system of local governance weaker and ineffectual; on the other hand, it will adversely affect our ability as a nation to eradicate hunger and poverty within the shortest possible time. Such changes may also expedite the process of making our existing corrupt political system more corrupt and self-serving. It may even render the parliament ineffective. Thus, the proposed changes are likely to nip in the bud the present government's promises to the people to deliver good governance and economic prosperity.

The functioning of our national parliament is already under pressure. The opposition's boycott virtually handicaps the institution. The absence of MPs during the last two parliaments had reached a crisis proportion. The maiden session of the 8th Parliament suffered from the same malice. Directly involving the legislators in local development work may make the situation even worse by adding more distractions to already busy MPs. This could only further compromise the effective functioning of the parliament.

Most of our parliament members are not professional politicians. They were businessmen to begin with, or became so after being elected. Naturally, most of their time and efforts are spent on running their businesses and adding to their personal wealth. A significant amount of their time is also spent on lobbying government officials at the secretariat, which is considered to be the permanent seat of government. The reality is that they spend little time in making laws or in relevant preparations and more time on unrelated activities. To burden them with the additional responsibilities of participating in local development work will leave them even less time for legislative functions. Furthermore, the opportunity to directly participate in local development work will encourage them to make local politics their primary focus at the expense of their

parliamentary duties, which are less attractive in comparison. Thus, the proposed changes in the role of MPs are bound to draw them further away from their regular functions in the parliament.

There is no denying the fact that we have developed a corrupt political system over the past 30 years. Many factors contributed to this situation. A leading factor is our unitary system of government, with "winner take all" outcome. One important characteristic of this system is the absence of significant "checks and balances." By comparison, a federal system offers more checks and balances by allowing a single party or a coalition of parties to be in power at the centre while opposition parties could form government in provinces. In such a system, no one party can achieve absolute state power. This obviously creates a balance of power and prevents the arbitrary use of it. A federal system thus creates a natural check against political corruption and misuse of power. The inherent absence of such limitations, such as in our unitary form of government, provides potential for abuse of power.

Rivalry and lack of cooperation among our major political parties further weakened our already weak system of checks and balances. The repeated boycott of the parliament by opposition allowed the ruling party to not only exercise absolute state power, but also, in the

absence of challenges in the legislature, to more freely indulge in excesses. Thus, the parliamentary boycotts have succeeded only in further dirtying our politics.

The existing advisory role of MPs on upazila coordination committees frequently becomes a position of final authority, making the abuse of power a fact of life in our political system. Already many MPs exercise this authority over the local officials for undue privileges. The proposed changes in the role of the legislators are likely to accentuate the situation and institutionalise graft and corruption in our politics. Direct participation in local development activities will bring the MPs even closer to government functionaries at the local level, creating opportunities for further influencing the latter.

Our legislators are human beings. Many, if not most, of them are good people. However, like other mortals, they are not angels. If there are opportunities for personal profit by influencing officials, some will do so. This possibility of succumbing to temptation cannot be fully overruled. Such human frailty, of course, will further corrupt our politics, making the process of governance more challenging and difficult in the future. The delay in giving independence to the judiciary is only likely to make the situation worse.

Good governance requires honesty and competence as well as

appropriate systems and procedures. Systems that create opportunities for graft and corruption are only likely to make good people dishonest. Thus, the proposed involvement of MPs in local development work is likely to be counter-productive.

Direct involvement of MPs in local development work is likely to have another serious and dangerous consequence. Elected local representatives are unlikely to easily accept sharing power with MPs. This may create significant animosity and hostility between the two groups, even leading to violence. As a result, the existing inter-party rivalry may degenerate into intra-party hostility. One only needs to talk to a UP chairman or even a member to get a sense of the intensity of their discontent with the role of MPs. In our current violent political environment, such discontent may easily get out of hand. This will certainly adversely affect our social harmony, impeding our economic progress.

Another telling argument against the proposed changes in the role of MPs is that they are elected for legislative work. Theirs are not executive positions. Direct participation in the local development work is not their designated task. Local development work is the preserve of the elected local government representatives and the functionaries of the central government. This is what our Constitution

mandates. Thus, one can plausibly and persuasively argue that, if the legislators are to participate in local government activities, they must run in local elections.

There is another strong argument for limiting the role of MPs to legislative work. With such a limitation, only those people who are interested in parliamentary duties will run in legislative elections. This is likely to bring back professional politicians to the parliament in increasing numbers, which will certainly enhance the quality of our legislature.

The most potent argument in favour of the proposed changes in the role of legislators is to give them the opportunity to participate in local development work. On the surface, this is a solid argument -- no one, least of whom our MPs, should be denied the opportunity to contribute to the development of our country. However, the MPs are interested only in civil construction requiring the allocation of wheat or cash grants. To many of them, development primarily means infrastructure building, which is money-intensive and where political patronage can be indulged. However, infrastructure building in reality is the "illusion" of development -- it is the "means" to development rather than the "end" in itself. Development truly means human development, which brings about sustainable changes in human conditions and in their living standards. Such changes in general

require improvements in health, education, sanitation and security for people; income earning opportunities and sustainable environment for them; and the elimination of deprivations and creation of opportunities for women. If our MPs are interested in launching a campaign in their constituencies, for example, to eradicate illiteracy or eliminate dowry, everyone will welcome such initiatives. On the other hand, legislators' interest only in allocating wheat or money to their local cronies for infrastructure building will only institutionalize undue activities.

It is certain that the proposed changes in the role of MPs will make our existing weak system of local governance weaker. Local bodies already have few resources and limited authorities at their disposal. If these limited resources and authorities are further shared with national legislators, their roles and effectiveness will be significantly reduced. The government's reported recent decision to directly allocate wheat for local infrastructure project to the MPs, rather than through LGED -- as was done in the past -- has already begun to undermine the local bodies. Many MPs have started to bypass the Union Parishads for implementing the infrastructure project. This is an ominous sign for weakening the UPs, which must become the hub of all our poverty reduction and human development activities. Already

parallel groups, comprising of party activists, have begun to emerge in many constituencies with the patronage of the MPs.

Solving the nation's problems, especially that of widespread rural poverty and hunger, will require strong local institutions and visionary local leadership. Having realized this truth, the late Prime Minister of India, Rajiv Gandhi, introduced the 73rd Amendment to the Indian Constitution, making the Panchayat system mandatory in all states. Similarly, the UPs and Upazilas and their elected representatives can provide the necessary institutional base and the leadership for eliminating the prevailing widespread hunger and poverty from our country. We must therefore take steps to strengthen these bodies unlike many institutions we have managed to destroy in our country over the years.

It is thus clear that the proposed changes in the role of legislators allowing them to participate in local development work will be steps in the wrong direction. It is therefore imperative that the government seriously think through the implications of changing the role of the legislators before making the final decision.

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