LATE S. M. ALI

DHAKA FRIDAY SEPTEMBER 27, 2002

Seal all routes to political use of judicial processes

Separation of judiciary from the executive can't wait

E cannot help express a serious concern over the continual, or shall we say alternating interference with or use of judicial processes at a certain level by successive governments. If the judiciary had allowed itself to be exploited across the board it would have been a different matter; but the truth is its lower tier has largely been a victim of the executive's political machinations.

The exponential increase in the tendency of a successor government to be retributive with court cases against members of the predecessor government or its political activists has acquired the proportion of a phenomenon. It has become an unending chain game of political witchhunting, harassment and exaction of vendetta.

This has had multiple adverse effects not only on the course of politics but also on the morale of the police and the efficacy of the executive and the judiciary. The vendetta-centred cases lower the self-esteem of the law enforcement people because they have to change colours to survive. But reeling in a constant fear of what might happen with the changing of the guard they are hardly in a position to serve the end of rule of law. The judiciary is weighed down by engagement in processes that distract them from attending to the whole range of backlog cases which have been the bane of the justice system in the country. This is basically incapacitating an already hugely burdened and an under-staffed and heavily timeconstrained judiciary.

As for the executive mandated by an election to take the country forward, its use of the judicial process as an instrument of harassment of political opponents backfires during its own tenure as it wastes time and energy in a tit-for-tat exercise at the expense of the pressing agenda of the day. With such a warped preoccupation, the ruling party's performance in terms of governance, public service delivery and national development efforts is bound to suffer.

All this unnecessarily creates an impression on the outside world, especially on our development partners that, an incumbent government's principal preoccupation is to be politically oppressive against the opposition. And its employment of judicial process for this purpose reduces the credibility of courts basically for no fault of theirs.

Depressively have we noticed that the use of judicial instrument for political purposes acquired diabolical proportions during the preceding AL rule. It was then that the precedent of processing multiple cases against ministers or leaders of an erstwhile government was set. The first BNP government in the reincarnated democracy following 1991 could not be faulted with the malady that much; but the same thing cannot be said of the second one now. Like the AL in former times, the present BNP government has filed one case too many against some erstwhile AL ministers, state ministers and MPs.

In addition to the above, tit-for-tat cases processed by former AL government against BNP leaders have been ordered discontinued by the present ruling party. Simultaneously, 3,400 AL government-instituted cases against BNP activists have been withdrawn by the incumbent government. As a result, 38,190 persons stand exonerated of charges. The district administration level committees formed to review the cases were reportedly instructed not to recommend shedding of cases involving murder, rape, possession and use of arms and blasting of bombs. But since explosion of bombs was connected to opposition agitational programmes, the cases centring around bomb blasts etc. were treated as political and, therefore, dropped. At any rate, some 640 cases which originally failed to receive any positive consideration of the review committees are said to have been pressed for withdrawal by some interested quarters.

Look at the foot-dragging of the present government on the fundamental question of separating the judiciary from the executive. There is a clear-cut Supreme Court ruling on the subject and vet the time-limit for compliance with it has been extended a few times over.

The dithering on the vital issue of checks and balances in the system is the other side of the coin reading of the desire for political use of courts.

The AL suffered the negative results of the approach and the BNP cannot remain immune to the same. Governance is devoid of substance minus the rule of law based on credibility of the judiciary and public confidence in the system as a whole. The success or failure of an incumbency hinges on the realisation of this truism and acting accordingly.

Reaching the millennium goals



HASNAT ABDUL HYE

was one of those rare occasions when rhetorics take on the shape of things to come, or almost appears to be so. Poverty and its allied social evils have been discussed at regular intervals in forums, ranging from the formidable to the modest. Promises by the rich and powerful to help alleviate it have become routine and even passe. But by all accounts, the Millennium Summit organized by the UN in 2000 was very different from its predecessors. It really meant to go beyond high sounding words and grandstanding. The Summit set tangible goals in several areas and pledged to achieve those within the fixed time frame of 2015. The goals covered a wide spectrum of activities that impinge on the daily life of ordinary people in the developing countries with a view to bringing about improvement in those. Never before had such elaborate and objectively identifiable goals for socioeconomic development been delineated globally with the initiative of the world body and the support from the heads of states and

Further confirmation of the seriousness of the UN initiative and commitment of the rich countries came when the International Conference on Financing the Millennium Development Goals was held in March this year. This, too, was attended by the world leaders from the North and the South. A frank appraisal was made about the size and level of aid and loan given bilaterally and through multilateral institutions. Acknowledging that the volume and rate of financial assistance given to developing countries fell far short of the target of 0.7 per cent of GNP fixed in 1970, the leaders from the rich countries

governments.

promised grater assistance within

specified time-frames. Calculating an overall cost of achieving all the millennium development goals is difficult, but it is important for understanding the size of the contributions to be made by richer countries. A general consensus has been reached, based on rough calculations, which give a total ranging from \$40 to \$60 billion a year in addition to the current \$56 billion. The estimate of enhanced official development assistance

Along with aid, the issue of debt burden and its reduction also received due attention in the conference. There was criticism from Jubilee 2000, a coalition of NGOs. that the debt reduction launched by the World Bank and the IMF under the Heavily Indebted Poor Countries (HIPC) initiative was inadequate and too many countries in need of debt relief were excluded. Recognising that one-way transfer of resources will not be enough to

special effort will be needed in Sub-Saharan Africa, where 23 countries are failing on more than half of the goals. The millennium goal of halving income poverty is difficult to assess but growth in nearly 130 countries, with 40 per cent of world's population, are not growing fast enough. More than 40 countries with 28 per cent of the world's people, are not on track to halve hunger by 2015. Equally disturbing is the widening of income inequality among people within countries

back. The goal of reducing maternal mortality ratios by three quarters has the bleakest prospect in Sub-Saharan Africa. In South Asia only 29 per cent of birth are attended by skilled health personnel. Goal number six has the target of halting and beginning to reverse the spread of HIV/AIDS. There are no comparable trend data for assessing how well countries are fighting the disease. But at a cost of \$300 dollar per year per patient, anti-retroviral drugs, that can prolong like expec-

tries, which is most crucial for attaining the goals, is yet to mark a significant departure from the past. Regular monitoring of progress

by UNDP can help keep up the momentum, even raise it, if it highlights the failures by countries to be on track and thereby emphasize on the need to accelerated international cooperation, through bilateral and multilateral assistance. Monitoring can also put substantial moral pressure on multinationals, particularly drug manufacturers, to change their profit seeking mentality. In this regard, sporadic and spotty information on progress towards the targeted goals is disappointing. The UNDP country offices should make collection of relevant data, collating them and publishing annual report on progress is one of its most important tasks now. It can collaborate with national statistical agencies for this purpose which will economize costs and avoid contradictory estimates. The Human Development Reports upto 2015, the terminal year for attaining the millennium goals, should have a separate chapter to present the findings on progress or lack of progress in each country. This can be an important input to the multilateral agencies and the rich countries for appraisal of their contributions to the attainment of the millennium goals and guide the developing countries in policy changes and taking appropri-

Compared to the routine Human Development Report with uncoordinated chapters and statistics on HDI that appear more to embarrass the lower ranked countries, the report. revised to monitor the progress in achieving the millennium goals, will have greater significance and practical use. The UNDP has taken a commendable initiative in monitoring the millennium goals' progress. More focussed and sustained attention needs to be given to it and with greater urgency.

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amounts to about 0.5 per cent of GNP of the countries on the council of the Organization for Economic Cooperation and Development. The Millennium Declaration set no specific targets for aid for individual countries but the target recommended by the UN in 1970 was clearly the reference point. Reversing the trend in declining aid in recent years, the announcements made by world leaders in the Conference on Financing for Development can become a landmark in international cooperation between North and South. American government, much criticized for its parsimonious attitude in giving official aid, proposed increasing volume of assistance over the next three fiscal years so that from the third year the US would give an additional \$5 billion a year over the current level representing 50 per cent increase. bringing aid to 0.15 per cent of GNP. EU heads of state and governments announced a new target of 0.39 per cent of GNP to be achieved by 2006. representing an additional \$7 billion

Though short of doubling aid and the 0.5 per cent of GNP required on the basis of the rough estimate, the announcements were encouraging and if followed up with actual disbursement can take the developing

meet the need, the conference on Financing reiterated the Millennium Declaration's call for a nondiscriminatory trading system. The WTO was called upon to ensure this through future rounds of discussion.

At the Millennium Summit in 2000, in addition to declaring support for freedom, democracy and human rights, eight goals were set socio-economic development and poverty alleviation. Most of the Millennium Development Goals have quantifiable and monitorable targets to measure progress. The Human Development Report 2002, prepared by the UNDP, gives a comprehensive assessment of achievements made so far and shows how likely are countries to be on track to achieve the goals by 2015. Classifying the trends of progress as achieved, on track, lagging far behind or slipping back. the Report indirectly emphasizes concentrated attention to countries that are lagging or slipping back. This, of course, depends on the comprehensiveness of monitoring.

Although 55 countries, with 23 per cent of the world's population, are on track to achieve at least three-quarters of the goals, 33 countries with 26 per cent of the world's people are failing on more than half. According to the Report,

inequality increase. It can be concluded that given current inequality levels, most countries are not growing fast enough to meet the poverty reduction target. It is, therefore, not enough to chalk up growth, it must focus on the poor. Among the few countries with data on primary school enrolment, a measurement of progress to complete a full course of primary education to children, most are seen to be

Among the 73 countries with avail-

able data representing 80 per cent

of the world's people, 48 have seen

on track. But the news is disappointing for Sub-Saharan Africa where countries are either far behind or slipping back. The Millennium Development goal for gender equality in education does not have good prospect of attainment in many parts of the world, particularly South Asia and West, Central and North Africa. Surprisingly, all but one of the Arab states with data, are on track to meet the target for primary enrolments, particularly gender equality in primary education.

As regards the goal of reducing infant mortality rates by two thirds eight countries in Latin America and three countries in East Asia, including China, are far behind. In Sub-Saharan Africa 34 out of 44 countries are either far behind or slipping generic drugs. In malaria also the goal of halting growing incidence nas similarly been thwarted by high price of drugs. Initiatives taken by WTO and WHO to tackle this probem indicate that the situation may improve in future, albeit slowly. But the millennium goals may not be reached by most countries affected by these killer diseases by 2015. Millennium goal number seven has two targets viz. halving the proportion of people without sustainable safe drinking water and achieving a significant improvement in the lives of at least 100 million slum dwellers by 2015. Most countries with data are on track to meet the first goal. Bangladesh being one of them, and 750 million more people have now access to improved sanitation compared to 1990. Goal number eight envisages developing a global partnership for development. In this respect the Summit itself and the Conference on Financing Development have been important steps. But the partnership is still fledgling

tancy, are out of reach for the aver-

age African patient. The pharma-

ceutical companies, mostly in rich

countries, are resisting moves to

make the drug available at a lower

price or attempt by developing

countries to develop alternative

Hasnat Abdul Hye is a former secretary, novelist

Consideration for others



MOHAMMAD BADRUL AHSAN

■ OME meet Jack Welch, the former chairman of GE, who wrote a book called Straight from the gut. In anecdotal detail and with self-effacing humour, he gives us the people who shaped his life and the big hits and the big misses that characterized his career. Ever since Warner Books published the book in 2001, it has been putting fire in the belly of executives around the Jack Welch is different this world. vear, his sharp and snappy corporate instincts muddled by consideration for others. "The world has changed in the last year", he wrote in a journal, and then announced that he would downsize his retirement package because it felt right in his gut. Let us find out

His initial retirement package included a free apartment in New York, tickets to Knicks games and the U.S. Open, satellite TV at all four of his homes, newspapers in the morning and meals at night, flowers, laundry, toiletries. limo service security and country club memberships. Now he has settled for less, a standard office and staff. GE has announced that Securities and Exchange Commission of the United States is informally looking

into that severance package.

Not to say, Jack Welch has done anything wrong. He increased the market value of his company by \$400 billion over twenty years. Thus he created wealth for others and deserved a comfortable retirement in return. He claims that his estranged wife, who revealed his retirement package, has grossly misrepresented many aspects of his contract. Those who know would sympathize with Jack that such

elk in Global Crossing, Adelphia, Tyco, Xerox and WorldCom bought palaces, cars and vachts with stolen money, while their shareholders and employees lost savings and jobs. Ken Lay, the Enron chief, urged employees to buy doomed shares while he was dumping it himself. John Rigas, founder of Adelphia, helped himself to billions of shareholders' cash to buy goodies for his family. And then Dennis Kozlowski of Tyco used company funds to buy

plenty and others will struggle for barely enough. But the world isn't interesting unless there is a connection between them, unless the haves commiserate with the havenots, the dry spell yearns for the rainfall, the craving for fulfilment resounds in the heart of void.

And remember we are talking about meritocracy reward, not exploitation of poor in the hands of rich or weak in the hands of strong. The CEOs of these companies are humanly possible and what is humanly acceptable, that one ought to be decent, prudent and restrained in a planet one has to share with less fortunate others

and the commitment of rich coun

Indeed, what felt right in Jack's gut is the voice of conscience. He reated fantastic wealth for others. but didn't want to be atrocious in exacting his reward. It is a consideration for which people give to charities, nurse the sick or help the blind cross a street. It is the same considKumudinis wouldn't have given billions to the welfare of others. Even today, in the days of moneybased culture, rich people engage in philanthropic acts to set up schools. colleges, orphanages and mosques

The urge eventually comes from the aspiration of individuals to become dispersed in the multitude, from the desire to distribute what has been gathered, from the compulsion to unburden the stock that seems needless and redundant. It is the nemesis of compulsive acquisitive passion with which men amass wealth, and then feel crestfallen and guilty about what they sense of futility comes through a tragedy like death of spouse or child, when the jolt of grief snaps their spell of greed or obsession for

A gentleman, said a wise man, is someone who has consideration for others. Jack Welch proved it with a gesture that it mattered to him if it nattered to others. Those who acquire and possess wealth often forget that that gesture is important. For all practical purpose, the poor are the constituency of the rich, because in the ignominy of their destitution the poor uphold the glory of affluence, which elevates the rich

Karl Marx believed that wealth was created by the exploitation of the surplus value of labour. That the world, at last, has renounced his philosophy proved that in the end the poor didn't mind if they had to give a little extra. It is only in the interest of this economic order that the rich also gave the same consideration to the poor so that they don't need to feel that they have been betraved.

please incorporate adequate safe-

guards against such probabilities.

CROSS TALK

The urge eventually comes from the aspiration of individuals to become dispersed in the multitude, from the desire to distribute what has been gathered, from the compulsion to unburden the stock that seems needless and redundant. It is the nemesis of compulsive acquisitive passion with which men amass wealth, and then feel crestfallen and guilty about what they have done. To some men that sense of futility comes through a tragedy like death of spouse or child, when the jolt of grief snaps their spell of greed or obsession for wealth.

misrepresentation is the occupational hazard of married life Ahem! But that wasn't the reason why the legendary leader of the business

world changed his mind. He changed his mind because he couldn't help having consideration for others. Somehow he couldn't stomach the excess of the package that seemed unreasonable in the context of a battered world. Once again Jack Welch proved that he was not a successful man for nothing, that he managed to be at the right place at the right time with the right decision and stayed ahead of

And that way Jack Welch differentiated himself from rest of the pack. The Enron thieves and all their

himself a \$18 million apartment and \$13 million worth of paintings. When the board of his company fired him, Kozolowski was to negotiate a severance package of \$135 million.

Then there are others like Bernie Ebbers of WorldCom. The stock of the company plummeted from \$60 to \$2 under him, yet he was going to get paid \$1.5 million for life. The head of another US company got fired and walked out with \$125 million in addition to \$870,000 a year for life. For some people it is difficult to get rich, but for these corporate fat cats it has been difficult to stay poor.

However, this is not to drum up the old issue of rich and poor. It is the design of life that some will have

came from humble backgrounds and rose in life through hard work and talent. Jack Welch started his career in GF in 1960 as an engineer earning \$10.500 a year and went to the top because his leadership created value for the company. He fought many boardroom battles. conquered many realms of ideas and subjugated many enemies who contended for the same position in

educated people, many of whom

Yet he never forgot that he couldn't be excessively fortunate in an unfortunate world, that it could be odd if he wallowed in riches, while others worried in a declining world. He also never forgot that one ought to draw a line between what is from orphans, deprive anyone of the iust price of his labour or snatch away what belongs to others. Of course, there is more to it than the Kantian principle: you must do

eration for which one shouldn't steal

unto others what you want others to do unto you. Fortunate people should do more because they are blessed with the means to do so, because they are blessed with a margin of life above the humdrum of survival and the additional intellectual capacity to comprehend its significance in the totality of life. There must be something very profound and satisfying about it, because in the end it turns into an urge. Otherwise the Rockfellers, the Fords, the Tatas, the Birlas and the

which needed immediate attention:

There was a ferry to cross a tribu-

police station and the UNO head-

Mohammad Badrul Ahsan is a banker

Thoughts on upazila

BRIG. (RETD) A H M ABDUL

PAZILA is talked about a lot in these days and we see a lot on this in the newspapers. I am tempted to say a few words on this. If anything positive can be said about the reign of Gen. Ershad, it is certainly the creation of upazila. Though doubts have also been expressed about the sincerity of its purpose. It is alleged that like the creation of office of Governor by the Awami League regime, upazila was also created to rule the country by installing a henchman in each upazila.

However, my observation on upazila is on the positive side if the purpose of its creation was sincere and honest. With the creation of upazila government officials of the rank of Joint Secretary and above were asked to indicate their choices. of upazila to be incharge of, in respect of its problems, requirements and recommendations to meet these as a coordinator with the relevant ministries/authorities. In fact, some officials were given two upazilas under their responsibilities.

Foreign Affairs and as I am born and brought up in Rajshahi, I indicated Baghmara to be my upazila of responsibility. In the days of school and college, we knew Baghmara to be infamous for dacoits. I have no practical experience of that excepting a very memorable one after my visit of that upazila sometime in 1983/84. What a wonderful place with inherent potentiality but probably the place still remains neglected as usual! After the creation of 'Upazila' lot

of money was spent on the construction of its infrastructures though most of these upazilas were built on Thana Health Complex as its nucleus. It was seen that lot of money was earmarked for the development of these upazilas and it was alleged that because there was interest behind these expenditure and as well to make the person in charge as a vesman of the authority concerned. Whatever may be the case, infrastructures of upazilas were developed guite well. But the problem really started after the departure of Gen. Ershad from

BNP came to power in 1991 after a free and fair election under the first caretaker government. But what we witnessed for the next five years, very little development work due to indecision yet dismantling of all what the erstwhile government had done. Gen. Ershad was chased with case after case but with very little

a hefty amount was allocated and necessary personnel were posted, the process should have continued. if needed, with modifications as may have been observed in the process of its development. If these upazilas were developed as economic centers of the country by relegating appropriate authorities to all its developed properly. Even the most unskilled young folk have moved to pull rickshaws My experience of visit to

Baghmara upazila, of my responsibility, is really very pleasant. Having worked out my visit to programme with both the DC, Rajshahi and the Upazila Nirbahi Officer, I was upazila concept from 1991 onward, all money so far spent on these upazilas was just wasted as many of the works remain incomplete or may now have been destroyed with the passage of time. I found during my interaction with both the officials and the elected representatives an

guarters. On my return, I prepared unfettered enthusiasm to develop appropriate letters and met the authority concerned for appropriate measures. I met the then Naval Now the upazila concept has been revived although with quite a bit of opposition even from within the cabinet Chief late Rear Admiral M A Khan. who was in charge of communicacommittee. However, one fails to understand the good reason for opposing its revival. If there is likely to be a tion for a baily bridge till a proper misunderstanding between the upazila chairman and the MP, please incorporate adequate safeguards bridge is constructed and I was informed that within three months a against such probabilities. But for heaven's sake decentralize power if you really mean business.

> ADP as there was no fund avail-Now the upazila concept has been revived although with quite a bit of opposition even from within the cabinet committee. However one fails to understand the good reason for opposing its revival. Alright, if there is likely to be a

incorporated in the following year's

tary of Atrai river thus one could not But for heaven's sake, loosen your drive down direct from Rajshahi to grip from all powers and decentral-Baghmara headquarters. The ize the authority if you really mean other was the distance between the business though there is no dearth of the same in your verbal demarche. All public speeches are full of promises but people would like to see the implementation to have faith in such savings. If we take into account all of what have been said so far many of our woes would have been solved but unfortunately that is not the case. But still we hope that a day would dawn when we baily bridge was installed thus would see light at the end of the allowing a direct road link with tunnel. district headquarters. About the Now that a decision has been shifting of police station it was to be

taken about the revival of upazila let us give full support to its blossoming. Let the decision be implemented in real earnest with full support as this will remove many of our problems, primarily of Dhaka: Disappearance of bustees, the nodal points of most crimes, easing of unnecessary pressure from the capital's life and this would certainly have an impact on national life. Let us give an honest and sincere try.

result. Probably the idea was to harass him as much as possible but not to retrieve of what all wealth as alleged he had amassed irregularly at the cost of poor tax payers. The only instance of some positive result was the claiming back of Janata Tower by the government.

However, my point is to delve upon the upazila and its implication in the development of all Bangladesh scenario. Once the upazila was created, infrastructures were developed as in each financial year

financial support, today, there would have been different scenario of even Dhaka, a small place housing over one crore people. There would have been less migration of population from rural to urban areas. The migration of population is taking place purely for financial reason, obtaining of educational facilities and scope of employment opportunities as all these are possible only in Dhaka. Even Chittagong being the commercial capital has not been

components with appropriate

received by UNO on my arrival at Rajshahi Airport and driven straight to the upazila. Prior to my arrival I had requested the UNO to collect all elected representatives so that I could hear their tale too. What a place to visit! I wish all the upazilas were developed like this and small industries were set up for employment creation to retain most of the skilled/semi-skilled and unskilled workers to their respective upazilas and not to rush for capital city, Dhaka. But as we saw on shelving of

living for all. There was no pretension either in their thought or spirit of work as they all belonged to this place. I found in the officials and the elected representatives a healthy understanding about the development programme of the upazila. I moved round the place quite extensively during my day's stay and observed in the general in population a hope for a better day

their serene place for comfortable

During the visit, I was informed about two very basic problems

misunderstanding between the upazila chairman and the MP,