

## Laws to conserve forests

*Rights of the locals have to be recognised*

BANGLADESH is not far away from massive ecological and environmental disasters which seem destined to stem from rampant destruction of forests all over the country. A section of unscrupulous staff and officials of the forest department in cahoots with local political goons have been cutting down trees and destroying the pristine topography of the reserve lands for decades for their personal gain. The Forest Act of 1927 is a misnomer having its purpose and objectives long lost in antiquity. It was adopted solely to generate revenue for the colonial power. In the present context, it is not inherently eco-friendly and effective in stopping mass scale pilferage of the forest resources or try the criminals in a court of law. What is required at the moment is drastic amendment of the existing laws and participation of local communities to save our forests.

Against this background, conservationists, legal experts and social activists from Bangladesh, India, Nepal, Sri Lanka and Pakistan deliberated in a two-day workshop on Protecting Forests and Forest Dwellers: Role of Law. We believe the timing of the deliberation was truly spot on with the nation trying to recover from the shock of a cataclysmic environmental disaster resulting from rampant hill cutting in Chittagong. The Bangladeshi experts in the workshop very rightly commented that the existing forest laws and policies were related to policing rather than protecting the habitats. The laws more often than not tend to harass the indigenous people entirely dependent on the forests.

On the basis of the ground reality, experts put forward suggestions that the governments of the region should recognise the rights of the indigenous people who dwell in the forests including their right to participatory management of the resources. The suggestion concerning limiting law enforcing power of the forest department, and the question of hand over of private land ownership to the government for social forestation also need to be reviewed in order to install an effective management mechanism.

What has become clear from the important workshop is that we need to amend the existing laws and have in place a set of environment-friendly and pro-people laws to conserve and develop the forests in the country. We hope the recommendations would reach the relevant office where these would be thoroughly looked into and affirmative decisions taken without losing valuable time. It needs no emphasising that we ought to brace up for a major environmental disaster with all the resources at our command.

## Road-digging, an insufferable problem

*Something must and can be done about it*

CITY thoroughfares which are a public property seem to have been given in perpetual lease to Dhaka City Corporation (DCC) and the variegated utility service providers to do as they please. Otherwise, how are the citizens, supposed to use them for free movement, are being mute sufferers of the hardship caused by the deeply dug in road sections nearly all over the city in the monsoon season? Dhaka has become a city of watery trenches now causing not only obstruction to traffic but also hazards to life and limbs of people. As it is, city life is bedeviled by traffic congestion and water-logging and how much more such problems are worsened by the free-for-all road excavations.

The onset of the rainy season is marked by the road digging hyper activity through a conspiracy of factors which are evidently man-made and therefore eminently avoidable. Funds have got to be utilised by the end of a financial year that these have been allocated for or else they are lapsed. Non-completion of the preparatory work by the agencies and bureaucratic red tape delaying the release of funds, it is usually in the month of June, at the fag-end of a fiscal year, that the project work actually taken up.

For all we know, Dhaka City Corporation (DCC) has to be approached by the utility agencies for permission to dig roads to lay their cables along with expenses paid to DCC for filling up the excavated roads. So, there is a lever in the hands of DCC to ensure compliance with the rule set in 2003 by it whereby road cutting during June-October was forbidden. None of the agencies has since abided by the rule. Why? Somebody must be held to account for this.

Of course, there has been a chronic lack of coordination among DCC, Dhaka Wasa, Rajuk and telecommunications organisations which is why the demand for a unified single authority to streamline the utility services' repair and expansion works was raised by the experts a long time ago. This dispensation must go hand in hand with a scientific projection made of the city's rising demand for utility services -- the expansion of the networks and their repair and maintenance -- so that the perennial road cutting problem can be resolved.

Let's study the other cities' modus operandi and adopt the best practices in the field.

## When will tomorrow come?



KAZI ANWARUL MASUD

### GOING DEEPER

In the eyes of the jihadists their fight is legitimate, as is their leader. What is often forgotten is that legitimacy drawn from charisma is short lived, and needs to be constantly renewed. It would, therefore, be logical to remind ourselves that the execution of some leaders of the JMB may not be the end of Islamic extremism in Bangladesh, because the warped ideology of "jihad" also needs to be renewed periodically.

ment in order to save itself and the people from the tyranny of the majority.

Edmund Burke also spoke about the cruelty that a government supported by the majority can inflict on the minority. But then, both Madison's and Burke's observations were made in the light of their own experiences of their time. It would, however, be difficult to counter the argument that the broadest possible input in deliberative democracy could result in lower level of knowledge-based input.

It is generally agreed that the greater the participation of the people in the process of decision making, by excluding political influence from differential wealth and social rank, the better the result. But if one were to look for political quality in the deliberative process then equal availability of opportunity may not necessarily produce the best judgment for the people because such decisions arrived at may lack epistemic value that democratic decisions are expected to have.

Long ago, Alexis de Tocqueville, writing about his experiences about America, had expressed doubt about the efficacy of the quality of deliberations to attain best results for the nation. Equally, James Madison had warned about the need for control over the govern-

ment by the representatives they had elected?

In this age of globalization no country can remain an island, and aberrant regimes can be punished through hard power (as in the case of Iraq, notwithstanding false claims made against Saddam Hussein's regime about possession of weapons of mass destruction and having links with al-Qaeda) or through sanctions by the UN Security Council; mostly Third World regimes seek both national and international legitimacy. The quest for legitimacy leads the Third World countries to try to create institutions in their own societies.

It has been argued that institutionalization is possible in societies possessing a clear and dominant center of power, capable of facing-off competing disruptive elements. Disruption is all the more possible in the present day chaotic situation, where a charismatic person like Osama bin Laden can convert a reasonable number of people to an ideology which masks terrorism but preaches fighting against injustice, to an extent of unre-

son where the converts are willing to inflict death and destruction on the innocents and, in the process, blowing themselves up.

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The immediate past government did not seek its legitimacy from the people, but through relations between the government and the elite, and on its ability to provide patronage to the politically significant elite.

The absent factor in the equation of governance was the people, in whose name the alliance government had ruled for the last five years. The policies were inevitably exclusionary, and had complete disregard for the welfare of the

general masses.

Since recounting the incomprehensible saga of alleged corruption of the political leaders is unnecessary, because the details are being printed and broadcast every day, one wonders whether insistence on early elections would meet the expectations of the people if it brings in another batch of politicians of the same breed.

The advocacy is not for instituting a bureaucratic authoritarian rule, with exclusionary politics in place of an inclusionary populist regime. The central point is to caution that our race should not be for elections alone but for democracy that would be sustainable, for which establishment of institutions should be given precedence over a time-line for elections.

In many Third World countries democracy has been an intermittent traveler, because the institutions necessary for sustainable democracy are fragile, due to inconsistency of age-old practices with modern institutions, and the failure of the elected governments to deliver socio-political goods to the electorate.

If democracy is to provide maximum possible benefits to the greatest number of people, then it can be argued that countries still lacking Francis Fukuyama's minimum conditions for sustainable democracy, i.e. reasonable living standard enjoyed by the people, culture inherent in the society that would promote democracy, neighbourhood effect, and unquenchable desire for democratic way of life,

may opt for a government truly desired by the people, and that expression of support (could be through an internationally monitored referendum) would give that government legitimacy to rule for a specific period.

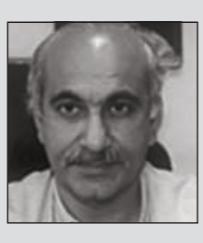
Such referendums should be through political consensus, and should not be like many rigged referendums that Third World countries have experienced in the past. International monitoring should not bring about the argument of abrogation of sovereignty, because many endeavours currently being carried out by the interim government are at the encouragement of the international community.

In any case, as the people and the international community have accepted the concept of the caretaker government, unique in character, the concept of an internationally monitored referendum for instituting a government for a specific period could also be considered.

This should not be seen as an adverse reflection on the level of intelligence of the people of Bangladesh, but it is only to ensure that the country does not slide back to the 2001-2006 period. In the ultimate analysis, any country, which wants to be recognized as a responsible member of the global community has to abide by globally accepted rules of conduct, or face the consequences of becoming an ostracized nation.

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## Watering hole



MJ AKBAR

### BYLINE

When was the last time that the Congress, and the ruling alliance -- to be fair, any alliance, including the preceding NDA -- spent a month, or even a week, discussing how to bring clean water to every Indian, and a clean environment to every river? If all goes well for Dr Manmohan Singh and Mrs Sonia Gandhi, their candidate will become president in July, and the prime minister will make a speech in August and feed the hungry with a reshuffle in September.

GOVERNMENTS do not generally fall; they erode. They dislocate before they disappear, slip by little slip.

A government is the opposite of a jigsaw puzzle: it starts as a jigsaw without the puzzle, and ends as puzzle without any jig. It begins not as a jumble of little pieces in a bag that have to be laboriously put together, tile by tile, but as a fully formed scenic panorama, offering bright weather, fresh flowers, flush fields, and smiling children.

Then, without anyone paying much attention, a nose falls off here, the sky gets punctured there, the balmy weather gets sabotaged by a bad monsoon, inflation twists the smile.

When you take another look at the jigsaw, disarray has replaced array. Ambitious ministers, once so brilliant in their plumes, are plucking one another's feathers with leaked documents. Bureaucrats pick up the tatters and redefine policy to their own ends, certain that distraught ministers will have neither the time for, nor the interest in, governance.

Bottled water is the privilege of less than one Indian in a hundred. At the height of this baking summer we, in this newspaper, published a picture of children in Madhya Pradesh slaking their thirst in punishing heat by drinking from a public hose. That is

how the poor of urban India get their water, and along with it the killer diseases that become little more than a paragraph in the media.

Rural India still, by and large, depends on nature. We have systematically turned some of our greatest rivers into polluted swamps for most of the year, and destroyed the environment that feeds the rain cycle.

On June 21, S.K. Mishra, the eminent former civil servant who now chairs Intach, and Prof. M.G.K. Menon, scientist and ex-Union minister who is the current president of the India International Centre, are conducting a discussion on the tragedy of the historic Yamuna, which is being strangled to death by pollution, encroachment and misrule. Their theme? "All this is happening because of the nexus between various vested interests and those who are directly responsible for protecting the river and its environs..."

Modern India's extraordinary destruction of its water supply, in both quality and quantity, is collective suicide. The water that came from the goatskin of a bhishti of the Gunga Din variety a hundred years ago, or was

offered in cool earthen pitchers fifty years ago, was better than the squalid liquid that emerges from a contemporary municipal tap.

Indians who vote drink this water; Indians who rule drink bottled water, or buy small water-purification devices for their homes. Ten rupees, it is perfectly true, does not matter to the ruling class. But a rupee matters to the poor who eat wheat. The finance minister's statement was not the view of an insensitive mind. It was the remark of a mind that has forgotten the difference.

Fortunately for governments, such erosion-chip-sentences do not add up to news: the television channel did not even challenge the comparison. It was not tantamount to a finance ministry policy statement either. But it does reveal the priorities of a person who plays a crucial role in policy formulation. And, somewhere in that great collective consciousness of public opinion, it registers.

Paradoxically, the big story does not have as much impact on events as the small story. The headlines at the moment belong to the elections for the next President of India. The ruling

coalition's nominee is, in effect, Mrs Sonia Gandhi's candidate. Her victory will be Mrs Sonia Gandhi's victory, but her defeat will be every other partner's defeat as well.

That is the loop which has been effectively used by the Congress leadership to round up the allies behind Mrs Pratibha Patil, a lady who has climbed the charts from obscurity to limelight with a rapidity that rejuvenates Delhi's faith in astrology.

A big story may have a dramatic beginning, but it generally has a pretty tame ending, because every player knows the self-destructive powers of drama. Those who have something to lose take great care to protect what they possess.

Whether their stakes are high or low, they are happy as long as they have a seat at the table. They are still in the game. They have to have a very strong reason to upset the stability of the table.

It is certain that the table will topple eventually. Already, a couple of props have been placed under a leg or two to prevent it from wobbling. But why cut off a leg before the life of the table comes to its natural end in five years?

The big story with its tame ending can preserve a government, but it is the small story with a twist in its tail that determines the fate of an election.

It is curious, therefore, that while all the powerful leaders spend so much time on the management of the big story, no one has any time for the small story. The Congress spent a month tossing at least twenty names into the air, waiting for some to

be shot down by allies, some to sit still on the tarmac, unable to fly, and yet others to float until they could be brought down by lame excuses.

Raisina Hill is still echoing with the yodel of broken hearts. The hearts might have been of variable size, but they belonged to some pretty heavyweight egos. The more adept will swallow their bitterness and soldier on, but it will hurt.

For the senior contenders, this is the last dream. It hurts to walk through the live ashes of your lost ambitions. One Congress leader has publicly said that if Mrs Indira Gandhi were alive she would have made him president. He believes it, so it is true for him.

When was the last time that the Congress, and the ruling alliance -- to be fair, any alliance, including the preceding NDA -- spent a month, or even a week, discussing how to bring clean water to every Indian, and a clean environment to every river?

If all goes well for Dr Manmohan Singh and Mrs Sonia Gandhi, their candidate will become president in July, and the prime minister will make a speech in August and feed the hungry with a reshuffle in September.

Parliament will sit, MPs will stand; a budget will be presented before anyone realises it is the last budget of the government. The politics of elections will then begin. They will fight the elections with a slogan in one hand and a bottle of mineral water in the other.

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## The politics of delusion and denial

### PERSPECTIVES

The plans are afoot, as the leakages in the press suggest, to replace them with the dissidents in their parties, as well as political non-entities from elsewhere, who will be malleable to the establishment's gameplan. If the past, as well as paradigms elsewhere, is any guide, the scheme will work. Because the power-wielders always and everywhere hold the levers to make things work. They can also prove and disprove things.

leaders, most of whom have either been incarcerated, or are on the run, leaving the country's political space to charlatans of all hues.

Those under detention are revealing the sensational corruption of their party supremos, and the public is learning with a measure of trepidation how low our leaders could stoop to

aggrandise themselves. There are ignominious revelations about extortion, money-laundering, and acceptance of commissions on business and purchase deals, that our leaders resorted to during their rules. Obviously, the revelations have jolted the public psyche. The sleazy deals also benefited the minions who formed an invisible

cabal of cronies, and made unbelievable fortunes. This is politics of delusion and shenanigans per se.

Where do we go from here? As expected, the new mantra is that of an anti-corruption drive, which is in full swing, to restore public moral, bring back confidence in the society, and put the

purpose, an interim government is in place, which has set out for reforms -- a new refrain. It is, however, a Byzantine riddle, with few having any clear idea of what these reforms are all about, and who is supposed to initiate them.

Even if there is ambivalence with regard to the much-ballyhooed reforms, the staple of political discourse today is the political future of the chiefs of the two major political parties who are in the dock, and whom the authorities seem to be closing in on. The macabre drama surrounding them seems to confirm the prospect of their being denied participation in the country's politics in the future.

The plans are afoot, as the leakages in the press suggest, to replace them with the dissidents in their parties, as well as political non-entities from elsewhere, who will be malleable to the establishment's gameplan. If the past, as well as paradigms elsewhere, is any guide, the scheme will work. Because the power-wielders always and everywhere hold the levers to make things work. They can also prove and disprove things.

If it happens that way, it will be motorway to nowhere; neither will it follow the roadmap of democracy, nor will ensure good governance and rule of law by honest and competent persons.

There are few reasons for getting excited over such initiative. It will only fuel scepticism about our political future. As in every sphere of life there are rules of

the game in politics, and more so in democracies. It is axiomatic that the failures of both Begum Zia and Sheikh Hasina are enormous, for which they are answerable to the people. People are the ultimate arbiters for deciding the fate of their leadership.

Notwithstanding their limitations and failures, both Sheikh Hasina and Begum Zia represent the country's two great political legacies, which are likely to continue for as long as long as the nation survives. Both have developed a unique chemistry with the masses of the land, who have the final voice in reforming politics. If reforms are faithfully done, and credible elections are held on a level playing ground for three consecutive terms, the politics of delusion will be weeded out and the arrangement for caretaker set up will just be redundant.

But the politics of denial is not only immoral, it also negates the fundamental principle of democracy. A lackadaisical Begum Zia gives the impression of being ready to call it a day, while a combative Sheikh Hasina is still parrying the blows. Yet neither of them has yet met her Waterloo in politics. They are yet to be decisively abandoned by the people they lead. Till then they ought to be provided with the chance for fighting another day. Unless that happens, the people themselves will be denied the right they deserve to exercise.

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