

Creating a middle income country

Mirza Azizul Islam explores the likelihood

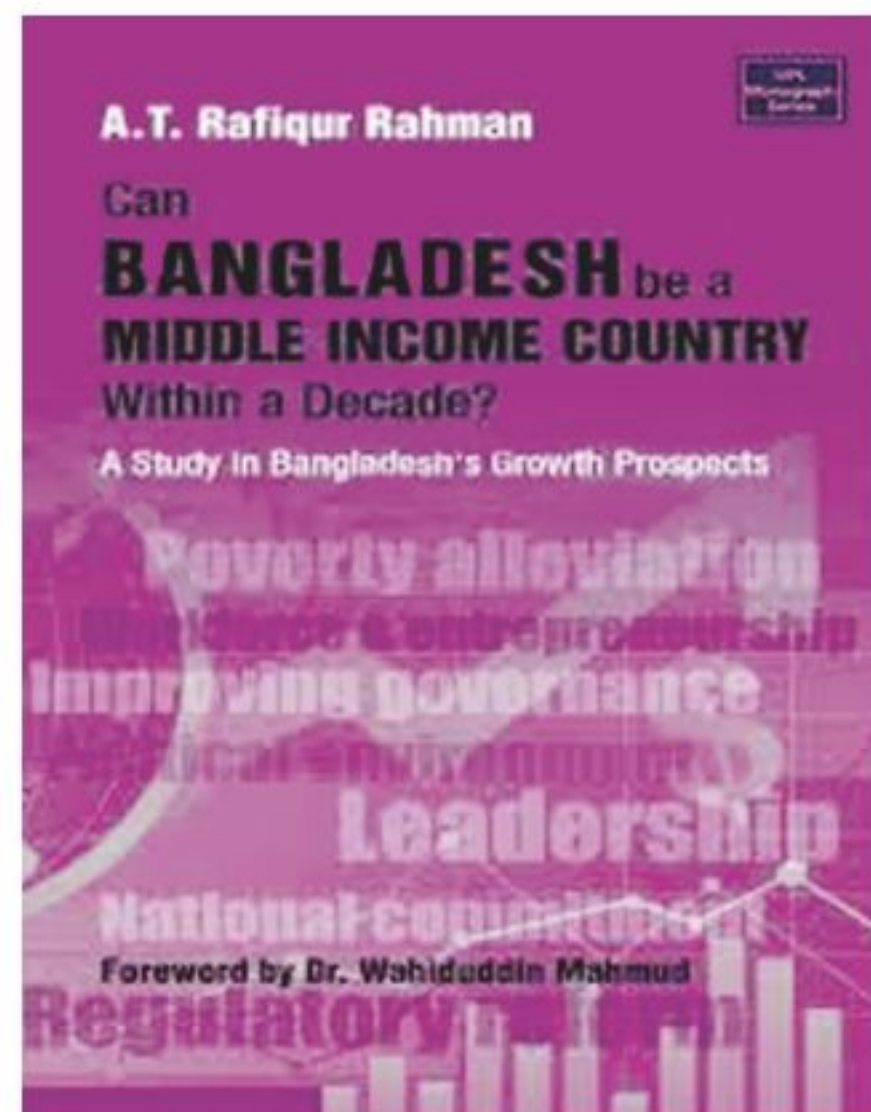
Bangladesh is at presently implementing its Sixth Five-year Plan (FY 2011 FY 2015). It has been prepared in the context of the long-term development vision incorporated in the Perspective Plan (2010-2021) which seeks to transform Bangladesh into a middle income country by 2021.

Perhaps the most widely used method of determining a country's economic status is to follow the classification of the World Bank, which divides countries into four categories: low income, lower middle income, upper middle income and high income countries. Obviously Bangladesh seeks to achieve lower middle income status by 2021 as reaching the upper middle income stage within this time would be beyond the realm of possibility. The determination of the status is based on estimation of per capita gross national income (GNI) by the World Bank following a well-established methodology called the Atlas methodology.

It is well known that per capita income is not a perfect indicator of a country's welfare. There are several considerations that lend support to this statement. Per capita income does not include many welfare enhancing activities which are not transacted through the market mechanism, does not take into account the negative externalities imposed on a society in the pursuit of higher income and, perhaps most importantly, ignores the distribution of income and the state of human development of the population as a whole. Nevertheless, per capita income remains a widely accepted development goal. It is a reasonably good, admittedly imperfect, measure of economic status, provides a quantita-

tively measurable goal, and is usually positively correlated with various other indicators of social and human development.

In light of the above, whether or not Bangladesh can achieve its cher-



Can Bangladesh be a Middle Income Country within a Decade?
A.T. Rafiqur Rahman
The University Press Limited

ished goal of becoming a lower middle income country by 2021 is of immense interest. A.T. Rafiqur Rahman, a retired senior official of the United Nations, investigates this question in his recently published book, Can Bangladesh be a Middle Income Country within a Decade? The author examines the per capita GNI level of ten countries (China, India, Pakistan, Sri Lanka, Vietnam, Ghana, Guyana, Mauritania, Sudan and Zambia) relative to the cut off level about ten years prior to their

attaining lower middle income status and their growth performance over this period and compares the situation of Bangladesh with those countries. Based on this comparison, the author is optimistic about Bangladesh attaining the status by 2021, if not before. The optimism is based on the assumption of sustained high growth (not falling below 6.7 percent achieved in FY 2011), increasingly confident private sector, further diversification of exports, improvements in education and skill, dynamism of the youth and an energetic and enlightened civil society able to overcome political tensions and conflicts and keep the country focused on economic and social growth.

However, the author also notes that Bangladesh advanced only 18 percentage points during the last eleven years (2000 to 2010) from 46% in 2000 to 64% in 2010 of the per capita GNI required for entry into the middle income status. If this result is projected in a linear manner, it would be 2032 when the country can move into the lower middle income group. This finding underscores the need for acceleration of growth and a number of specific recommendations are offered to accomplish this. Those include massive support for human development anchored on broad-based education and training plans geared to realistic employment opportunities at home and abroad and entrepreneurial support; creative use of the Bangladeshi diaspora equipped with considerable financial resources, professional expertise and experience; simplified and shortening regulatory processes and building political consensus on national issues. The author also cautions that

ominous political conflicts generating violence and instability can cause regression of the country's economic growth and may delay achievement of middle-income status by many years.

All analysts may not necessarily agree with the methodological approach of the author, but I am convinced that the conclusions reached and the recommendations offered will receive wide acceptance. The book, written without extensive use of technical jargon, should be immensely useful to development practitioners, researchers, academics and others interested in sustained economic growth of Bangladesh.

It may also be noted in this context that the World Bank has recently undertaken a study which, inter alia, examines the prospect of Bangladesh to achieve lower middle income status by 2021 following a different methodology. According to this study, Bangladesh would have to sustain GDP growth rate of 6.6 percent under the best possible scenario of remittance growth and likely increase of the threshold per capita GNI. We already fell short of this rate in FY 2012 and will also definitely fall short in FY 2013. The required GDP growth rate in the remaining years up to 2021 will thus have to be higher than 6.6 percent. Achieving and maintaining a GDP growth rate of about 7 percent is not impossible, but it is not going to be easy in view of the continuing challenges to investment (See my paper in the Daily Star dated 29 November 2012) aggravated by regular cycles of political discord, general strikes and street violence.

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The case of a Nazi war criminal

Abdullah Al Arif looks up an old trial

The trial of Adolf Eichmann by a court in Israel has given rise to many controversies. And a book which is written on that trial has earned even more controversy. The trial is over but the book is still there with the meticulous and somewhat personal account of that trial which keeps on causing a hullabaloo even today.

Moral or legal, legal or philosophical, psychological or perfunctory, hatred or indifference --- these are some of the major contentions raised by the book. The author, Hannah Arendt, was a journalist cum political theorist and not a lawyer. Although her accounts of the trial were meant to be objective reports prepared for a newspaper, the moment she started thinking outside the court and looked at history, her account became subjective and opinionative. And it was her opinions that gave rise to serious criticisms and controversies.

Hannah Arendt was a journalist for The New Yorker when she observed the Eichmann trial in Israel in 1961. The book is based on a series of articles that she wrote and sent for the newspaper from the 'House of Justice' in Israel where the trial had taken place. Her articles used to be published with the common heading of 'A reporter at large'. Adolf Eichmann, the accused, was born in 1906, and after early failures in school and difficulties in getting a job he joined the NSDAP and the SS out of his ambition to enter a career in 1932. He organized the Jewish emigration from Germany, and after the "Final Solution" was ordered by Hitler, he was an "expert on the Jewish Question" became the chief organizer of the transportation of Jews to the gas chambers. After the war Eichmann disappeared, moving to Argentina, from where he was kidnapped by the Israel secret service and brought to Jerusalem in order to be put on trial in 1960. Modeled after the Nuremberg trials, the tribunal organized in Jerusalem charged Eichmann with "crimes against humanity" for coordinating the logistics that transported millions of Jews to their deaths. The trial began in April 1961 and ended with Eichmann being sentenced to death. And his death sentence was executed in May 1962.

The very first controversy comes with the name of the book. The phrase that the writer uses, 'the banality of evil', has been criticized and challenged by many.

By 'banality of evil', she means that the great evils in history generally, and the Holocaust in particular, were not executed by fanatics or sociopaths, but by ordinary people who accepted the premises of their state and therefore participated with the view that their actions were normal. Explaining this

phenomenon, Edward S. Herman has emphasized the importance of "normalizing the unthinkable."

The book is ordered chronologically. The book generally deals with three broad aspects, the trial itself, Eichmann as a person, and the treatment of Jews. The latter is the biggest section and describes the three "solutions" of expulsion, concentration and killing through German authorities, and the deportations to the killing centers in the east. This part of the book caused a controversy over the compliance of Judenrat officials. Arendt's conclusion is that without this collaboration, many lives could have been saved. So in plain words she not only sees Eichmann as normal as any other common man but also points her finger at the Jewish leadership for the massacre that Jews has suffered. Naturally, many people did not appreciate her argument and questioned her own identity as a Jew.

But the most mind boggling parts of the book are those where she portrays Eichmann as a person. The author did not try to psychologically analyze his personality. She relied on the testimony and evidence produced before the court and investigation done by the court itself. She heavily relied on the statement made by the psychologist who examined Eichmann and declared him 'quite normal' and even normal than the psychologist himself was after examining Eichmann. But she completely forgot that the examination took place some good fifteen years after the gruesome crimes that he had committed. It is understandable that one can get back to normalcy even after a week of committing a heinous crime. But Eichmann did confess that he also experienced sleeplessness and nightmares after having seen those atrocities with his own eyes.

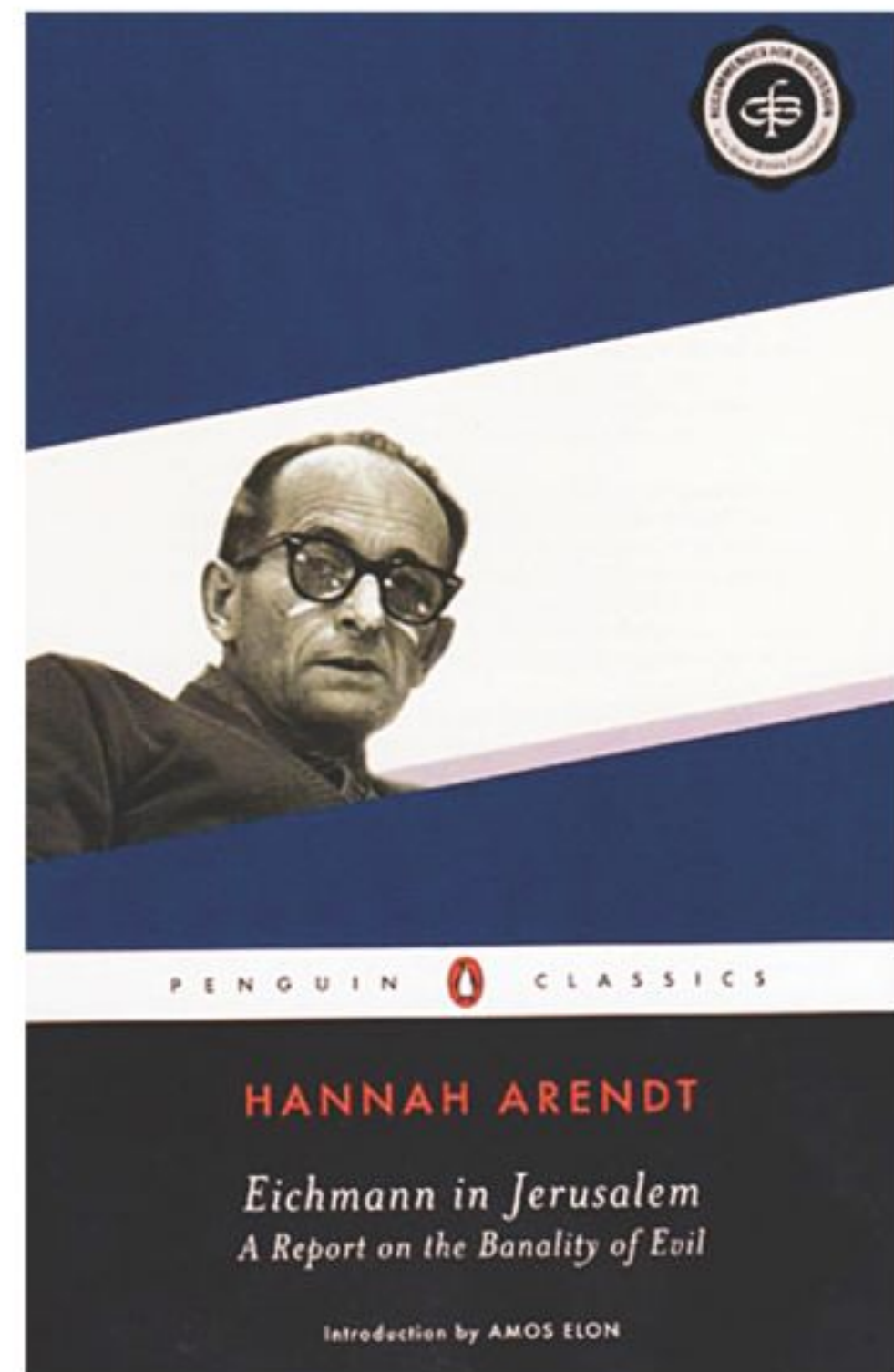
She argues that this point is enough to reveal the image of an unexceptional, simple-minded man. Eichmann willingly participated in the extermination of millions, and even at his trial, Eichmann showed no remorse and his principal regret was that his career had not advanced further within the Third Reich. Adolf Eichmann was no fanatic visionary. He was a small man, following his duties and proud of himself as a law-abiding citizen. These facts convinced Arendt that Eichmann embodied the "banality of evil".

Her book repeatedly argues that Adolf Eichmann was an ordinary man without personal hatred of Jews, and he became one of the chief functionaries in the organization of the Holocaust by dint of his careerist motivation. He was a component in the system, maybe one of the biggest components, but still an example for the bureaucratic nature

of the Holocaust.

Beyond her discussion of Eichmann himself, Arendt discusses several legal aspects of the trial, its context. Although she does not disagree with the court's rulings, she points out that

Eichmann was kidnapped by Israeli agents in Argentina and transported to Israel, an illegal act. Argentina did not have appropriate extradition laws for former Nazi officials to Jerusalem and Germany would not



Eichmann in Jerusalem
A Report on the Banality of Evil

have taken him. Thus, Israeli officials illegally grabbed Adolf Eichmann and forcibly brought him to trial in Jerusalem.

He was tried in Israel even though he was not accused of committing any crimes there.

The prosecution and defense did not have equal access to resources. The prosecution had more lawyers and was able to utilize documents the defense did not always have access to.

Arendt describes his trial as a show trial arranged and managed by Prime Minister Ben-Gurion, and says that Ben-Gurion wanted, for several political reasons, to emphasize not primarily what Eichmann had done, but what the Jews had suffered during the Holocaust.

She points out that the war crimi-

nals tried at Nuremberg were "indicted for crimes against the members of various nations," without special reference to the Nazi genocide against the Jews.

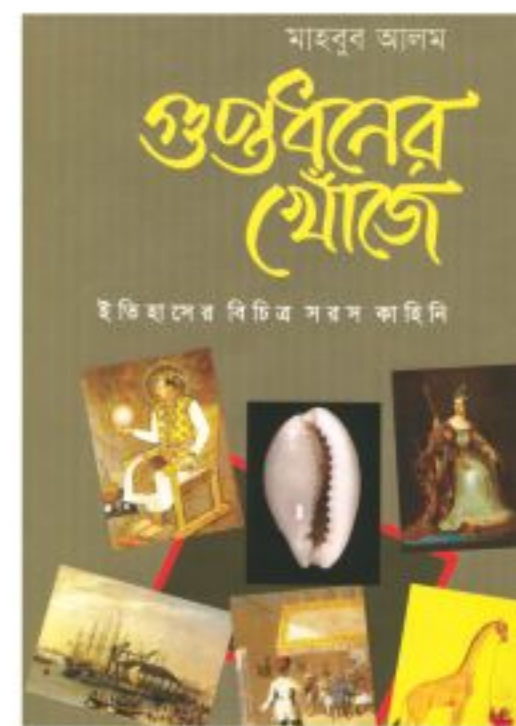
The decision of the court can hardly be impartial where all the judges are Jews and citizens of Israel; a Jewish state is conducting the trial.

The evidence brought forth by the prosecution does not necessarily have relevance to Eichmann's actions. Such evidence was presented most likely in order to provoke emotion than to indicate Eichmann's culpability in the crimes against the Jewish people.

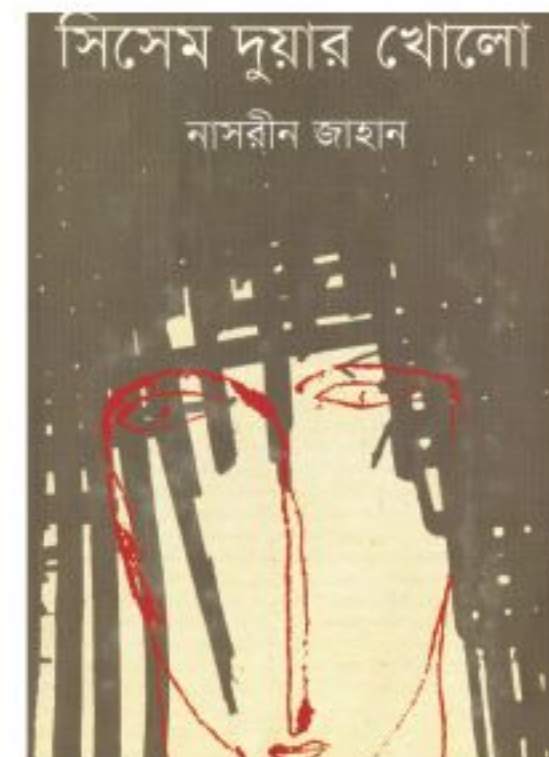
On these legal issues Arendt tends to support defence lawyer Robert Servatius, a prominent lawyer at the time and has gained a reputation by representing the accused at the Nuremberg trials. Though these arguments are successfully rebutted by the prosecution, they can hardly satisfy the author.

The author has some problem with the foundation of modern criminal jurisprudence when she starts to take the actual legal problem of the Eichmann trial seriously. The challenge that the Israeli Court faced was to judge whether Eichmann, who admitted to his role in the administrative massacres of the Holocaust, had violated any laws. Eichmann was charged in Israel on 15 counts, of which 12 concerned his activities. Four of these 12 addressed his crimes against the Jewish people and eight concerned "crimes against humanity." In law, each one of these crimes requires a certain amount of mens rea, a state of guilty mind or intent. In other words, the law required that Eichmann intended to cause the "killing of millions of Jews" (count 1) and non-Jews (count 5); that he intended to place "millions of Jews under conditions which were likely to lead to their physical destruction" (count 2); that he sought to cause them "serious bodily and mental harm" (cause 3); that he directed "that births be banned and pregnancies interrupted among Jewish women" (count 4); that he knowingly or recklessly "persecuted Jews on racial, religious, and political grounds" (count 6) and intentionally engaged in the "plunder of property linked with the murder of these Jews (count 7) and other war crimes (count 8); that he intentionally expelled "hundreds of thousands of Poles from their homes" (count 9), "fourteen thousand Slovenes" from Yugoslavia (count 10); that he was intentionally responsible for the deportation of Gypsies to Auschwitz (count 11), and the deportation of 93 children from Lidice, a Czech village (count 12). Of this last charge he was partially exonerated.

BOOK choice



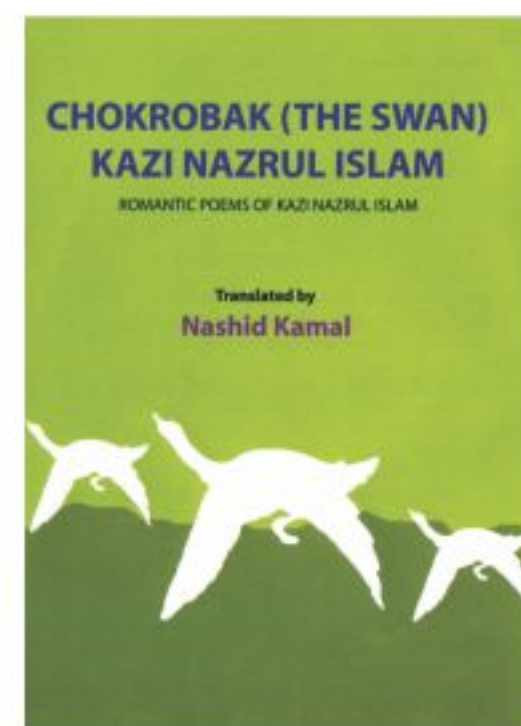
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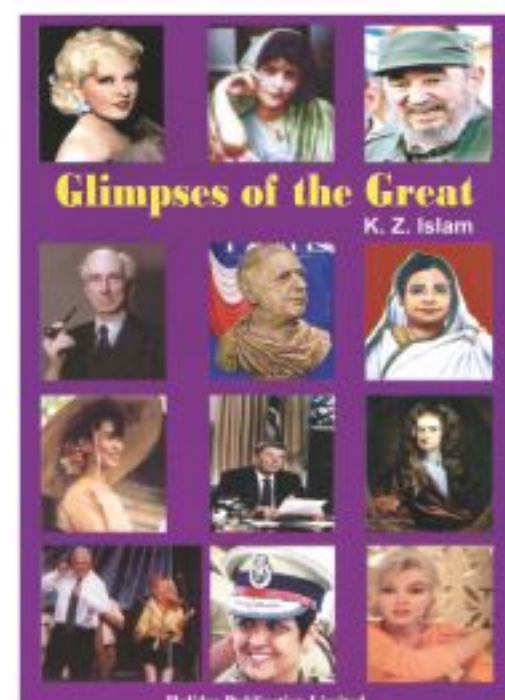
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Arendt argues that the Israeli court rightly judged that Eichmann did not actually possess the requisite mens rea for these crimes to justify a guilty verdict, at least under traditional criminal law concepts. The judgment by the Israeli court accepted Eichmann's own legal analysis, that he was "guilty only of 'aiding and abetting' in the commission of the crimes with which he was charged, that he himself had never committed an overt act." In the court's words, Eichmann was guilty of aiding and abetting genocide.

It is crucial to recognize that both Arendt and the Israeli court concluded that the evidence did not support a finding that Eichmann had the mens rea needed to find him guilty of crimes against the Jewish people or crimes against humanity. And yet both Arendt and the Israeli court knew that Eichmann was guilty and that they needed to figure out a way around the traditional mens rea requirement.

The Israeli court's interpretation of mens rea is simply to say that in cases of bureaucratic crime and administrative massacres, those most guilty are those who are furthest from the doings of the actual deeds. Today we know and talk about command and superior responsibility but at that point of time this concept of command responsibility was not a well recognized concept. "In such an enormous and complicated crime as the one we are now considering," the court writes, wherein many people participated, on various levels and in various modes of activity--the planners, the organizers, and those executing the deeds, according to their various ranks--there is not much point in using ordinary concepts of counseling and soliciting to commit a crime. For these crimes were committed en masse, not only in regard to the number of victims, but also in regard to the numbers of those who perpetrated the crime, and the extent to which any one of the many criminals was close to or remote from the actual killer of the victim means nothing, as far as the measure of his responsibility is concerned. On the contrary, in general, the degree of responsibility increases as we draw further away from the man who uses the fatal instrument with his own hands. Finally, the Israeli court gave an explanation for finding Eichmann guilty in spite of his lack of mens rea. But still, Arendt does not think that the court's reasoning is sufficient.

Till the end of her book, Arendt has her conviction that in Eichmann profound guilt was not of the kind recognized by our "civilized jurisprudence" which maintains that guilt be accompanied by intent to do wrong.

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