LATE S. M. ALI
DHAKA THURSDAY JANUARY 16, 2003

# **Govt intervenes in BGMEA** election

Leave professional bodies alone

N episode of pulling an important trade and industry representative body on to the ruling party orbit is being openly enacted. Technically it may not seem so but substantively it does. The commerce ministry reportedly under pressure from the PMO has ordered change of the dates for BGMEA election from January 26 to February 25. What has been predicted for some time has come true. Needless to say, it was avoidable.

In terms of its constitution the Bangladesh Garments Manufacturers and Exporters Association is fully within its rights to set its own election dates. Originally the election was scheduled for January 26 within the overall framework of the compulsion that a new leadership needed to be elected before March 12 when the present council's term will have ended as well as keeping in view the forthcoming Hajj. Many from the business community remain away from the country during the pilgrimage season.

Let alone convenience, it is a matter of principle that cannot be brushed aside. This touches on the fundamental question of whether any authority in the government can change election schedules previously decided upon and announced by the organisation legally authorised to do so. Yes, if the government had any apprehension to be allayed about any allegation of unfairness pertaining to the poll there could be a monitoring arrangement made for the purpose. This is not without precedent. But why take away the right of an organisation to set its own election dates? It is imperative that democratic principles are upheld at any cost for the BGMEA, given the numerical magnitude of the membership to it and its inherent clout as a high profile amalgam of trade and industry bodies in the country.

The tendency towards having fiefdoms in all manner of organisations has been commonplace in ruling party culture. We have seen how the previous AL government was focused on winning leadership panels in different professional bodies like the FBCCI, BMA et al. The desperate bids to gain control of organisations has a way of keeping the professionally excellent people at bay from leadership positions. So, better leave the professional bodies alone and, if your supporters come out in some strength on their own, consider it as a bonus.

By virtue of the BNP-led coalition alliance's convincing victory in the last general election they could easily keep above the control freak. The nation still awaits their putting that electoral triumph to a better use.

### Gas crisis

Another case of being caught unawares

RRATIC and inadequate supply of gas has been a big problem for city dwellers in several areas. Their plight is imaginable as they grapple with severe cold at the moment.

Consumers get much less gas than they need, particularly during daytime. The Titas authorities do not have a satisfactory answer to the thousands of complaints that are being lodged by the sufferers. We are told that the problem has arisen because gas consumption has increased while its supply has remained static. There might be truth in that simple statement, but what is not so clear is why the Titas authorities could not foresee that the situation would reach a critical stage during winter.

It seems the gas company did nothing to augment the supply during winter expecting that the problem would not snowball like it has.

The gas suppliers have also tried to give a picture of their limitations, and have promised that the problem would soon be solved on a permanent basis. While installation of new pipelines connecting the city with additional sources of gas should go a long way to ensuring a steady supply, we believe that the problem will linger if the suppliers continue to follow conventional rules, instead of working out a need-based strategy.

The gas crisis has also hit power generation and industrial production, which show that when a vital sector performs below the expected level, other important sectors are affected badly. Reports also say that pilferage of gas is taking place on a scale that cannot be dismissed lightly. So the gas suppliers have many things to attend to, besides just telling us that the crisis is a temporary one. They have to accelerate the pace of streamlining the supply system, and stop pilferage at any cost.

The sufferings of the people are, in the ultimate analysis, attributable to poor planning, slow implementation of crucially important projects and the failure to put an end to pilferage and other corrupt practices.

## Palestinians to help 'regime change' in Israel



MUSLEHUDDIN AHMAD

F one sets a trap for others, he himself very often falls into that trap. Sharon wanted regime change in Palestinian territories and that induced President Bush to ask for regime change there. Apart from this. President Bush also vowed to topple President Saddam Hussain who allegedly wanted to assassinate senior Bush during latter's visit to Kuwait sometime after the Gulf war. The issue of war against Irag is, of course, linked to making Israel safe for all time to come. Because, it is Saddam who is considered to be a threat to Israel's existence. The allegation of Saddam having weapons of mass destruction is simply a pretext. The way the preparations have been going on clearly indicates the real possibility of a war against Iraq, no matter what UNMOVIC Inspectors do and report. Prime Minister Blair earlier said that war could take place even without UNSC resolution on war But one could notice some change now in his stand due to anti-war reaction among the members of the European Union (EU) and also huge anti-war protests in various parts of the world. Prime Minister Blair is now expected to go to Washington by the end of the month to ask President Bush to give "time and

could be persuaded to back out, then Bush may think twice to attack Iraq unilaterally as there appears to be growing opposition in the USA and also within Bush Administration

Since the second half of November 2002, Israel had faced no suicide bombings but Israeli army continued to kill Palestinians in Gaza and West Bank on the pretext that they are listed "terrorists". Listed by whom? Israel. The total number of Palestinians killed during

concern over Arab reactions while he has been preparing for war against Iraq. Sharon did not bother much. His army continued to kill Palestinians and destroy their houses. Israeli army even dynamited a series of Palestinian houses some days ago apart from bombing by F-16 and Apache helicopter

Till last week, Sharon appeared set to be Israel's Prime Minister for another term as Likud's poll-rating

repay a political contribution made by an American company -- Annex Research. Earlier he reportedly said his political expenses were met by loan taken against the mortgage of land of his ranch in Israel. So this was nothing but a fraud and cheating as interpreted by Israeli media. Thus Sharon's poll rating has now gone down sharply and consequently Labour's position has gone up. Sharon is now seen by a great number of Israelis as a "godfather"

former Justice of Israel's Supreme Court as this was considered as illegal "election propaganda" just days before the General Election of January 28.

This seems to be the best opportunity for the Palestinian radical groups and the Palestinian Authority to take advantage of political reactions in Israel and work towards the change of Likud regime in Israel. The present Labour headed by new leader Amram Mitzna already

upon the Palestinians to stop violence before 28th January General Election in Israel.

What Palestinian radical groups should do now is to make a firm announcement to the Israeli public that they will bring immediate and total halt to all suicide bombings and attacks against Israelis provided Labour Party is voted to power. This should be a genuine declaration to stop all suicide bombings. These groups should declare publicly that all Israelis can freely move in the streets, malls, buses and all other business places without fear and they may continue to enjoy the same if Labour Party is voted to power. This may have some favourable effect on many Israelis as they are now really concerned about their security and safety. Labour Party will also use this as a positive development in their election campaign and assure Israelis of their future security, which is now their prime concern.

Once Labour Party is in power and start implementing these measures promised by its Leader Amram Mitzna. Israel should face no more violence within and outside Israel and Israel and State of Palestine could live side by side in peace and tranquility. This is what the Quartet and the international community want. With peace between Israel and Palestine, the rest of the problems in the Mid East could gradually be solved on the same political strategy and peace formula "land for peace". Such a development may considerably reduce the chances of American war against

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## SPOTLIGHT ON MIDDLE EAST

Once Labour Party is in power and start implementing the measures promised by its Leader Amram Mitzna, Israel should face no more violence within and outside the country and Israel and State of Palestine could live side by side in peace and tranquility. This is what the Quartet and the international community want. With peace between Israel and Palestine, the rest of the problems in the Mid East could gradually be solved on the same political strategy and peace formula ..." Such a development may considerably reduce the chances of American war against Iraq.

the period was around 50. All of them except some so-called listed terrorists were innocent civilians including children. But a few days ago double suicide bombings in Tel Aviv killed 22 Israelis — most of them were civilians. The responsibility was claimed by three radical Palestinian groups though Palestinian Authority denounced the suicide bombings. Anyway, by suicide bombing the Palestinians covered only about half of the total dead they buried because of Israeli army's atrocities during this period.

The U.S. asked Israel to show some restraint while going for revenge attacks against Palestinwas considerably high because of Sharon's repressive policies against Palestinians. Unfortunately, Israelis fail to understand that it is Sharon who has been responsible for ever increasing violence in the area. It was all killing and counter killing and nothing else.

However, in the meantime, the press reports on corruption charges against Prime Minister Sharon during the last election in terms of funds received in an unlawful manner rocked Likud's present election platform and it was suicidal for Sharon himself. It was reported in the newspapers that Sharon took a loan of \$1.5 million from a South

instead of a "grandfather". He has been accused of stealing money and other forms of corruption to support and protect his family members.

It is highly unlikely that he would be able to recover the character injuries he suffered due to the corruption allegations. Israelis seem to be very sensitive on such issues. Even three television networks including the state television and two radio stations suddenly stopped transmitting Prime Minister Sharon's press conference where he tried to explain his position on the alleged corruption. This was ordered by the Chairman of the

the Palestinian Authority. He earlier said, he would dismantle all Israeli settlements in the occupied territories, withdraw Israeli army to 1967 border and accept East Jerusalem to be the capital of the State of Palestine. Palestinians cannot expect a better deal. The borders could be negotiated with such a Labour leader through acceptable adjustments of settlements and other Israeli official buildings along and beyond the Green Line against release of appropriate land elsewhere in favour of Palestinians. President Arafat has already called

pronounced publicly its plan, if

elected, for direct negotiations with

Operation Clean Heart. How can

## The PM should withdraw the ordinance

We took a while in writing this commentary because we decided to discuss with a cross-section of our readers before penning our views. We talked to jurists, human rights activists and several retired senior army personnel, not to mention eminent civil society members. Everybody seems to understand

why the Joint Drive Indemnity

Ordinance 2003 was imposed but

nobody accepted it as the correct

course of action.

The assumed justification was that the armed forces wanted it, the logic being since the army was called to do the 'dirty' work of the civilian force, therefore it must be given special 'protection'. 'We did your bidding, therefore you have to do ours' was the sort of quid pro quo the armed forces were supposed to have asked for.

However, there were others who felt that the 'army-wanted-it' argument was being used as an excuse. i ne real demand is from the government itself which fears future prosecution. Some cabinet members and ruling party high-ups have pointed out that the government itself could be held responsible for the custodial deaths and other violations of the law as it was the prime minister who had ordered the operation in the first place. So, though the deaths may have been caused by the joint forces the onus lies with the government, especially as it was done in the 'aid of civil' authorities.

Who wanted the indemnity ordinance is only relevant up to a point. What is far more important is what the indemnity ordinance does to our democracy, how it impacts on

people's future respect for law, and what will be the image of our country as a result. It is also important to understand what the passing of the ordinance reveals about the mindset of the government as to how seriously it takes the constitution and the concept of the rule of law. Finally, what does the indemnity ordinance do to the image of our armed forces?

In a democracy can an elected

government, oath-bound to uphold the constitution, govern by indemnifying 43 deaths in custody, widespread torture, random physical abuse and jailing of nearly 11,000 people without warrant or specific charges? Let us not have any illusion that if we pass such a law we can still be considered a functional democracy. If some people die and nobody is answerable, if people cannot seek justice for harm caused to them, if each citizen cannot be treated as equal before the law and if deaths, torture and illegal arrests get protection of the law and if the ruling party can use its brute majority in the parliament to pass any law it wants, regardless of the fundamental rights guaranteed in the constitution, then we become nothing more than a mockery of a state under law. Our freedom, rights and our democracy cease to have

Once the indemnity law is passed in the parliament, we cannot expect our own people to have any faith in the "law of the land" anymore. Why? Simply because, people will have seen that our laws can be changed anytime to suit the political exigencies of the day.

There is a 'sacred covenant'

between each citizen and the state. That 'sacred covenant' is the fundamental rights enshrined in our constitution. If those fundamental rights are taken away then the framework of law, which is the bulwark of democracy, within which we live today will have no meaning because it can be taken away tomorrow. If law can be changed to protect murder, illegal deaths and all sorts of crimes then what 'moral value' of law remains? How can one have faith in the future if universally acknowledged "wrongs" are suddenly made "right" by a stroke of a

We are belabouring this point of "law" simply because some of us, especially if we are in power, often tend to underestimate its importance. Yes, we have trivialised our "laws" in the past. That is precisely why there is so much of law breaking in our society today. The constant side-stepping, bending and breaking of established laws for partisan reasons by all our past governments have wrought havoc to every institution. This has led to a collapse of governance in most areas and unbridled corruption in some of the key institutions of our state. Every aspect of criminalisation today, can be traced to wilful trivialisation of laws yester-

This brings us to the question of the mindset of the government regarding the most fundamental aspect of governance - accountability under law. A government does many things - some good and some bad. But it never consciously does "illegal" things. That is a fundamental characteristic of any 'legal' gov-

ernment. (Military dictators obviously do many things illegal, and that is why we have fought so hard to restore democracy.) Because if a government starts doing illegal things then where and how will it end? (That is why "Watergate" was so important and Nixon had to resign.)

The indemnity ordinance is the

biggest proof - if proof is still necessary - that the Operation Clean Heart contained many actions that were violations of our laws. It also proves that whatever was said as explanations of the custodial deaths were deliberate lies. So the government today stands accused, in addition to having violated established laws, of 'consciously and continuously lying to the people' as regards what were said through the principal information officer (PIO) about the custodial deaths. The question therefore arises that if the government can lie once, it can lie again: if it can lie vesterday, it can lie tomorrow. By its very deed the government has brought a climate of suspicion to bear over all its intentions and actions. (Like, why it is refusing to grant the CEC his wish for army deployment for the UP elections.)

From the very outset, several newspapers, including ours, had continuously urged the government to think carefully about the legal aspects of the Operation Clean Heart. We made continuous pleas to make public the PM's executive order that had launched the operation. If it were done, the flaws, if any, in that order would have become public and, through subsequent amendments, the needs for a post-

averted. The callousness of the government is also proven by the fact that nothing was done to stop the custodial deaths as they continued to occur every other day over a period of nearly three months. If 44 people died in a single incident, one could have argued lack of preparedness. But. no. The deaths occurred over several weeks and following numerous warnings in the press. Was anything done as the deaths rose to 5, 10, 15, 20 except telling lies to the public? On the contrary, the unspoken message was that the media was doing "too much" and that they were "against the armed forces" or they were "siding" with the criminals or were part of a "conspiracy" to malign the government. Never was any attention paid to correct the wrongs of the Operation Clean Heart. If the government had listened to the free media and not ignored it like it did, we would have saved ourselves this predicament.

facto indemnity law could have been

Finally, we think the indemnity ordinance is a big insult to our armed forces and will hang over them like a dark cloud, denting their reputation that they have so assiduously gained through their peacekeeping operations in the 'hotspots' of the world. The central question here is of army discipline. Have they carried out their task according to army law or have they violated them? If the former, then why is there a need for indemnity? If NOT. then how can the army high command overlook it without risking similar indiscipline in the future? The army, for its own sake, cannot overlook what happened during the

EDITOR TO THE EDITOR TO THE EDITOR

they ever hold their heads high in front of the public if they need to be indemnified for their behaviour to their own people?

On the contrary, there are also genuine questions about how some of the 43 people really died. Serious questions about the role of the police have arisen since those events have occurred. The possibility that some of these deaths happened in police custody as claimed by the army needs to be investigated. The indemnity ordinance will focus suspicion only on the armed forces, which may not be a proper reflection of truth.

Then again, can such a 'law' really be expected to protect anybody? This 'law' is only as good as the next parliamentary majority. And injustice has a way of surviving for years and finally catching up with those who perpetrate it. In the meantime, the armed forces will suffer a stigma. We, therefore, suggest that the armed forces, for their own sake, should inform the government that they don't want to hide" under the blanket of this ignominious law and that they want to come "clean" in front of the people, whose tax money sustains them, through a process court martial

We urge the prime minister to not to place this ordinance before the parliament and thereby not tarnish Bangladesh's best face - democracy, and save the nation, her own government and the armed forces from living in ignominy.

tural society celebrates it's diversity

and life in Canada is both peaceful

Why can't the world learn from

Canadians have 6 billion neigh-

bours. You are one of them, and we

wish you, and all of the other neigh-

the Canadians? Perhaps we need

### TO THE EDITOR TO THE EDITOR TO THE



Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

### "Free Saleem Samad"

The article by Afsan Chowdhury "Free Saleem Samad" (January 12) triggered my pains once again. It started bleeding from my old sore the long and inhuman internment of Saleem Samad apparently for no specific charge.

Afsan Chowdhury's article has rightly pointed out almost all the inner stories of Saleem Samad's imprisonment and has attempted to unveil the unfriendly and ideological gap with many present-day high-ups, placed in the government, professional trade unions etc.

As a layman, I find it extremely imprudent to keep Saleem detained even after the release of Channel 4 journalists. I do not really get it why and how one can be set free and the others interned for the same offence.

for the same offence.

I also must reiterate that Saleem Samad, in personal and in professional life, is not and was not detrimental to any one, not to speak of the state despite some ideological differences. Even if we keep aside

human and rights issues must be looked into in sorting out Saleem's case of internment by the appropriate authority. It is possibly always better to admit the reality, obey the rule of law and walk along the path of rightfulness even if it is a case with the Government. A long time has elapsed since the game with Saleem had started. But it is never too late to take corrective measures. And I strongly believe that Government will realise this fact truth and set Saleem Samad free unconditionally. **Ataul Ghani Dewan** 

the political and legal jugglery,

Narinda, Dhaka

### ICS and DU

Under ideal circumstances nobody should have any problems regarding the presence of Shibir in DU. It is a free speech issue and we welcome Shibir to provide its input in the student life.

However, current circumstances are anything but ideal. We all know how tolerant Shibir is of other views. It is an organisation armed to the teeth and its targets are left wing student organisations which are progressive and *sans* armed cadres.

One might argue on the freedom of expression. All I can say is that providing Shibir with freedom of expression is equivalent of taking that very freedom away from the rest of the student body. It is one trade off we cannot afford. Shibir tends to regulate the social life of other students (ask any student from Chittagong and Rajshahi). It imposes its version of morality, backed up by armed strength. The very advent of Shibir would mean no more Pohela Boishakh celebrations, no more Pohela Falgun. Most importantly, no more Provat Feri on February 21 because it is "un-Islamic" hence should be

that? **Yahya** USA

Do you want a DU campus like

The letters of Dr Abu Ishmam and Mr Khairul Hasan (January 14) have drawn my attention to an unconstructive and professionally

unethical report printed as a news story in your newspaper regarding a particular student organisation. I don't want to mull over how good or how bad is that particular organisation. I simply want to say that *The Daily Star's* readership deserve a better manifestation of objectivity and do not expect any report that is even close to academic unfairness.

The Daily Star is one unique type

The Daily Star is one unique type of newspaper that claims the readers of different political and ideological denominations. I may personally differ from its Editor and many staff on many issues and there may exist an ideological polarisation between us. But, even then, I respect the intellectual scholarship of its Editor Mr Mahfuz Anam and the good repute of its reporters. But it does not mean that there should be a political convergence between us; rather we can enjoy our unity in diversity. That such a report about ICS was published in The Daily Star indicates that its Editor and staff are yet to

appreciate its valued readership.

My humble request is that let the political differences not find their

expression in your reporting. There are many podiums that can be accurate choices to put forward political hatred.

Mahmud

## "Some suggestions"

I am encouraged to write after reading Mr. Asif Saleh's letter (January 13). It appears that his idea and effort have worked very effectively with the help of The Daily Star. This effort can be stimulated at the same time for some other important humanitarian needs. We know about many foundations or organisations (though not in details) that are involved in supporting the needy. Namely, rehabilitation centres for mentally or physically disabled children, for whom a wheel chair will mean a new birth. A hundred US dollar note can buy two locally

produced wheelchairs.

Many of us do not know where to send money to support the needy. We do not have any centrally orchestrated mechanism to coordinate among different charity organisations already in place. If all

(or chosen ones) these organisations could be interlinked through a broader interface, one can pay for a pair of blankets, a pair of power glasses, an artificial limb or some cash for any purpose, into that particular account. This would attract more resources for those struggling for a meagre survival.

It would be easier for the expatriates to help if the payment mechanism could be electronic for debit and credit cards or direct bank transfer. Finally, it is a tremendous idea and effort. I thank Mr Asif Saleh and *The Daily Star* for this endeavour.

M M Haque Jeddah, K.S.A

# Why can't the world learn from the Canadians?

In Canada we know that tolerance, goodwill, compassion and respect for all people is what peace is all about, but in Canada, even though there is a loud cry for peace the world does not hear it. That may be because although most Canadians have very loud hearts, they also have very soft voices.

The Canadians know that tolerance is a two way street that leads to peace in both directions. they know that there is more than one way to live a life (and in fact there are many) and all people have the right to live it their way. In Canada, all Canadians are happy to give that right to all other Canadians. The Canadians actually enjoy tolerating each other because our differences help to make life more interesting and entertaining.

The Canadians wish all people goodwill. Canadians want all people to have homes, jobs, schools, hospitals and futures.

The Canadians have compassion for all those who have suffered and for all those who are suffering.

The Canadians have respect for all people and for their human

rights.

The Canadians know that tolerance, goodwill, compassion and respect for all people are needed for forgiveness and reconciliation

The Canadians know that tolerance, goodwill, compassion and respect for all people are needed for a true and meaningful peace.

The Canadians learned this long

ago, and as a result our multicul-

This not the first time when Bangladesh experienced such cold wave

and prosperous.

to speak louder.

bours, Peace.

Ontario, Canada

Cold wave

**Bob Hicks** 

desh experienced such cold wave. In the previous years it happened many times and the government hardly took any effort to prevent the casualty.

It's true that the present govern-

ment is busy dealing with other difficult issues but the when hundreds of people die from it, that the government should at least try to do something about it.

A. Imtiaz