

Indo-Pak relations

The ice is not quite thawing

INDIA and Pakistan looked like proceeding towards a peaceful settlement of outstanding disputes, or at least holding talks on them, only a few weeks back, but have apparently failed to keep up the pace. There are signs of the peace move losing steam well before the real breakthrough could be effected.

Both the countries expressed their willingness to make significant concessions for the peace initiative to produce some good results. They also agreed to re-establish diplomatic ties, air and railway links in order to normalise the strained relations. The gesture of goodwill was extended further when India invited a delegation of the members of Pakistan's parliament to visit the country. Suddenly things were going right in many areas.

Furthermore, there were visible manifestations of the two sides softening a bit on sensitive issues. India hinted at climbing a little down from its position that no talks were possible before cross-border terrorism ended. And Pakistan was apparently going for some sterner steps to tame the Islamic fundamentalists.

But it is precisely here that India is not convinced that Pakistan is doing enough to counter the activities of religious extremists. The Indian Deputy Prime Minister, LK Advani, who is now in the United States, has said in very clear terms that 'India believes Pakistan is the 'epicentre of terrorism.' There might be more than one way of interpreting his observation, but one thing is pretty clear: Pakistan and India are still viewing everything in terms of antagonism, not understanding.

The hopes raised by the latest peace overture might be dashed if trading of accusation once more becomes the favourite ploy, or pastime, of the leaders of the two countries. That will also be a setback to Prime Minister Vajpayee who announced, not long ago, that it was his 'last attempt' at making peace with Pakistan.

The international community, which was watching the welcome developments between India and Pakistan, may begin to feel that nothing significant has been achieved. The stakes are much higher as far as the SAARC countries are concerned. So they are hoping for a rapprochement between the two nuclear-capable neighbours at the earliest.

Detaining Suu Kyi

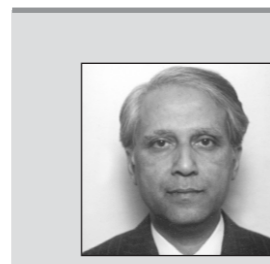
We join voices with others in demanding her release

IT has by now become clear that the military junta of Myanmar panicked at the increasing popularity of Aung San Suu Kyi, the opposition leader. They obviously felt uncomfortable with the growing acceptance of the leader who had been under house arrest for many years. Hence the sudden and unexpected decision to detain her again and keeping her in an undisclosed location; not allowing anyone to meet her or even get any information about her. The junta's thinking was probably that during her earlier detention, much of her appeal and charm had worn off. They must have thought that it was a case of 'out of sight, out of mind'. But how wrong they were!

The junta got visibly scared watching her address huge public rallies around the countryside. They had even formed reactionary forces who began to clash with Suu Kyi's supporters anticipating that it would scare them away. But their calculation went wrong, instability crept into the political scenario. What has been most astonishing is the complete disregard for international outcry to Suu Kyi's detention. Mounting pressure from international arena to release Suu Kyi should not be ignored unless the military junta wants to court isolation. Though the UN envoy Razali Ismail, the only person to have met her since the latest detention, has assured us that she is in good health, we would only believe it when we see her with our own eyes. And that can be possible if the junta keeps up to their pledge of releasing her from custody 'as soon as possible.'

Here Association of South Asian Nations (ASEAN) can take a firm stand, perhaps a united stand. The interpenetration of markets between the ASEAN countries and Myanmar goes on at such high level that they would think twice before contemplating any change in power in the country. To ASEAN, uncertainty in a partner country wouldn't be accepted. They would always look for a stable situation for doing business. Therefore we would urge ASEAN to persuade the Myanmar regime, at next week's meeting of ASEAN member countries, to release Suu Kyi, at least for democracy if nothing else.

National security and law



MUHAMMAD ZAMIR

WHAT is security? In lay man's term, it is a state of being, where we feel secure, protected from potential harm or danger that might affect us individually, or as a family or as a part of a group. This, I presume would be the sociological definition. Oxford Advanced Learner's dictionary gives us a slightly enlarged meaning. It stipulates that security infers the presence of measures taken to guarantee the safety of a country, person and thing of value. This expanded approach leads us to the next step -- national security.

It is at this point that we must pause and ponder. What is of value to us as a nation? We can all agree that the most valuable feature is our freedom to exist as an independent, sovereign country. It is here that national security assumes its importance. The presence of a secure nation is the first step for creating the requisite atmosphere necessary for the well-being of her citizens. There is general consensus that security for the nation at the national level is the *sine qua non* for achieving public good for the citizens. In principle, we may probably differ in terms of priority, but one is more or less sure that most of the items on our list will be similar.

It is in this regard that we need to refer to our constitution and the principles enshrined therein to highlight what is public good. I am doing this to underline that without a secure nation and the presence of national security guaranteed by law, such public good might not be assured.

Our high ideals have been identified in the preamble as nationalism, democracy, economic and social justice. It is also pointed out that these inspired our heroic people to dedicate themselves to, and our brave martyrs to sacrifice their lives in the war for national independence. In addition, the Preamble mentions that the fundamental aims of the state should be to realise through the democratic process a society free from exploitation -- a society in which the rule of law, fundamental human rights and freedom, equality and justice, political, economic and social, will be secured for all citizens. It is then added that it is our sacred duty to

safeguard, protect and defend our constitution, which is the embodiment of the will of our people.

Part II of the constitution enumerates the fundamental principles of state policy which include directions regarding participation of women in national life, the guaranteeing of fundamental rights and freedoms and the state's fundamental responsibility to attain planned economic growth. Article 25 particularly sets forth the elements which will guide the conduct of international relations.

on the state and its agencies, including the law and order forces and the judiciary, to ensure that no act takes place or situation arises which can lead to the violation of our national security. It is their duty to take all practical measures to make available for the citizens the full potential whereby they can gain a better life without unnecessary danger. It is their obligation to arrange the encouragement of trade, investment, commercial and economic activity, a drug-free environment, education opportunities, clean

and more recently in the last decade has affected the security of life of the local Bangladeshi population in the south-east;

there was a breakdown of dialogue between India and Bangladesh, and thousands of Bangla speaking people were pushed into Bangladesh from India on the alleged ground that they were illegal immigrants in India; or, if,

for any reason we lost access to sufficient inflow of water into Bangladesh because of upper riparian changes.

recent past the proliferation of bombings, kidnappings and murder associated with outlawed movements either political or insurgent in nature. Juxtaposed with these elements are the terrorist prone fundamentalist extremist groups who believe in achieving their objectives through terror and civil commotion.

We can agree that such conditions that can lead to collapse of national security have to be tackled firmly. It is important that the aims and objectives of public welfare that

even today, the higher judiciary in this country enjoys a good reputation and our efforts should not do away with this but should instead try to consolidate it.

The principle of maintaining national security, I believe, needs to be tempered with caution and should be consistent with available legal provisions. At times it might be necessary to detain a suspect presumed guilty of harming our national security needs. However, in the best interest of the state and her citizens, efforts should also be made to follow the specific procedural safeguards provided for in Article 33 of the constitution. Considered together with Articles 32 and 35, they make a total code in respect of arrest, detention and trial. This will avoid the possibility of arbitrary detention and willful misuse of political power.

I believe that the following steps need to be taken to bolster supervision of our national security and also the upholding of the legal and constitutional process:

We should tighten border security; we should immediately undertake a review of the resources available within our intelligence agencies and ascertain whether they are functionally in an optimum state; we should reorganise the magistracy to cure inattention of the past; we should arrange the providing of logistics and suitable training to our police force and also equip them with necessary modern firearms that can match those used by the criminals who are a threat to our public and national security and we should provide our law enforcement forces with a proper, real living wage consistent with market conditions. This will then encourage honest people to join as crime investigators and prosecutors.

Last, but not the least, we should take up and foster computer technology as a part of our life-style. Just importing components of a computer and putting them together is not enough. Buying a few planes or a frigate or two will also not solve the problem. We must also remember that national security cannot always be assured through censorship of newspapers. Information technology has its own dynamics. Taking people on remand and setting up judicial enquiries are but one side of the coin. The principal deterrent to compromise of national security should rest on law being the only mechanism of social control. This alone can ensure public security.

Muhammad Zamir is a former Secretary and Ambassador.

POST BREAKFAST

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Part III of our constitution deals principally with our fundamental rights. I believe that these rights are essential components if we are to ensure our commitment towards national security. They are inter-related and have a mutual linkage.

To a great extent, it is this crucial area that determines if national security can be ensured without problems. Repression and absence of fundamental rights coerce various freedoms, lead to extremism and sometimes lead political groups to give up the overt political process and seek clandestine methods in the underground.

Equality before law in terms of protection is a vital element. It is as important as non-discrimination against any citizen on grounds of religion, race, caste, sex or place of birth. It is equally appropriate that I refer to Article 32 which states that no person shall be deprived of life or personal liberty save in accordance with law.

Article 33 refers safeguards as to arrest and detention. Similarly, Article 35 clarifies with regard to protection in respect of trial and punishment.

Fundamental rights is the cornerstone of national security and the interests of the state. It is as such vital that we retain the ability to enforce fundamental rights through access to the High Court.

We can now try to ascertain as to what constitutes national security. As explained earlier, it is related to one's nearest relationships. When we enlarge the concept to cover the entire nation then it becomes national security. Consequently, those elements become important which enable a citizen to fulfil his aspirations as outlined in the constitution. It then becomes incumbent

water, healthcare and access to energy. These are vital interests that coalesce together to constitute the elements of our national security.

However some factors can create serious problems for the national security of Bangladesh. The consequences can be disastrous both in the short term as well as in the long term. Such a situation would arise if

there was a sudden natural catastrophe, for example a cyclone or a flood. In such a situation millions of people would be affected, displaced and local administration completely thrown out of gear. Over stretching of limited resources would mean that the country would remain vulnerable to external threats during this period;

there was a sudden influx of refugees seeking shelter and temporary asylum in Bangladesh. We have already seen how such refugee movement from Myanmar in 1978

In addition to the above, national security can be threatened through the harmful consequences of informal trading, also known as smuggling. This activity is bad because it exists on corruption and flouting of established rules. Similarly, one should take cognisance of the detrimental effects of money laundering and hundi which harms the inflow of foreign exchange through regular channels and consequent economic development. Ineffective control of criminal activity, poor policing, politicisation of the administrative machinery, lack of impartiality in maintenance of law and order, use of mastan culture to strengthen political parties, corruption, lack of accountability and transparency -- all of them, individually and collectively contribute to the creation of a scenario which makes national security that much more vulnerable and exposed.

We have also witnessed in the

have been set out in our constitution should be available for our citizens at all time. One presumes that Article 141A of our constitution under which a state of emergency can be proclaimed is the answer to such critical situations. Article 141 B and 141 C also stipulate the possibility of suspension of provisions of certain articles of the constitution including some fundamental rights.

It is at this point that I need to refer to the recent decision of our administration to seek the assistance of the army in restoring law and order during 87 days (from October 16, 2002 to January 9, 2003). A large number of arrests of alleged criminals and extortionists were made and considerable amounts of illegal firearms and ammunitions recovered. It was an important step. Regrettably however, during this period, there were deaths in custody. A furor arose as to whether human rights had been observed during detention and subsequent interrogation. This led to widespread criticism both in the local as well as the international media. Various human rights organisations also pointed out the need to conform to international standards of behaviour. Subsequently, as we all know, an Indemnity Ordinance was approved in the Bangladesh Jatiyo Sangshad. Controversial in nature, this move has not been accepted by many in spirit and scope.

The question then arises as to how important is security of life and property and whether the judicial process should remain unimpaired. The pertinent point is the potential of legal redress as opposed to the paramount nature of maintaining national security. This is important because if we curb the legal process, there is great possibility of affecting the quality and efficiency of the judiciary. We must not forget that



Franco-American relationship

SYED MAQSUJ JAMIL

THE proceedings leading to Iraq War and the uncertainty of its aftermath embittered Franco-American relationship. France wounded America's pride by depriving the coalition plan for Iraq War of the legitimacy of UN approval. The wound sunk deeper because of the combative nature of France's diplomatic initiative in mustering necessary support against the coalition partners. There were others among the great and the powerful that opposed military strike against Saddam's Iraq. Among them, Russia's opposition did not rattle America, for it is still regarded as an adversary for its Soviet past. Germany was censured for its ingratitude, but it did not see the fury when honour is injured. It was considered as an aberration of someone in the family. For France, it was the defiance of an ambivalent partner. It was a case of friendly fire or injured ego; when friendship sours over fundamental differences. The friendly fire is more intense and sustained in nature than the divergences of the Gaullist period. It is putting Franco-American relationship to a test that will demand great degree of patience and compromise.

France and America are not natural allies. It has all along been an alliance of convenience, an exigency of the realities of the time. They represent two separate courses of western civilization. The courses are marked by clear conception of their identities, the originalities of their roles and the separateness of their historical destiny. Franco-American relationship is going to see a serious engagement in dealing with the post war problems of Iraq.

The foremost task for the coalition forces is the revival of Iraqi economy. It is the lifting or relaxation of the

sanctions that matters most to America. Post war Iraq is going to be a grinding and perilous task. As I understand, Bush administration is aiming at three things, unfettered access to Iraq's resources, to enforce a state of submission throughout the Middle East, and a graceful exit from Iraq. The recent lifting of UN sanctions will open up access to Iraq's resources. With the sanctions gone, the political and economic cost of rebuilding Iraq will no longer be a forbidding task for America.

The turmoil of political vacuum fuelled further by the populist fulmi-

understanding that the western powers will reciprocate by not using the hazard to constrict their commerce and export. Russia desperately wants to contain the Chechen problem and does not want Islamic militants to grow stronger in Central Asia. Besides, they do not want to jeopardize the prospect of their share of benefits from Iraqi contracts.

The considerations are different with France. They have a vision of leadership of Europe and its gradual emergence as an integrated global power. The ultimate goal is Europe. A division on the lifting of the

stand of the western powers is not a product of compliance but of convenience. There is a big difference between cronies and partners. The cronies croon for every song you sing, while the partners may have a different taste. France always avoids the banality of being cast in the role of a second fiddle. It is very watchful about separate equality in its relationship with America. The two has never been the best of allies. Time will judge how effective is the common stand and how long will it last.

Franco-American relationship started from the colonial times, when settlement started in the new world.

It is all about periodic consultation, sounding each other's opinion, and about exchange of courtesies of normal diplomatic relationship. The passage of UN resolution on the lifting of sanctions on Iraq without bitter exchanges shows that the United Nations is a highly useful forum for the two countries.

nations of contending forces would make it extremely difficult for the coalition forces to improve life in Iraq. A revival of the economy with income from oil can attract maverick and self-seeking political forces in patching up a civil administration. Although, nominally representative in nature, it can be a useful starting vehicle for driving on to the goal of graceful exit from Iraq.

France is being engaged tenaciously. It will not be unnatural to think that the entire might of diplomacy, economic bait, feigned camaraderie and eyeballing was at work in obtaining France's support for the passage of the resolution.

The recent sequence of terrorist bombings in Riyadh, Chechnya and Casablanca united the world powers on the perils of relenting on the menace. It led to the passage of the UN resolution on lifting of sanctions on Iraq. China, their hands full with SARS lent their support with the

sanctions is not compatible with France's vision. There was strong possibility of Germany falling for America. It was to be seen from the softening of its stance. France needs Germany in building a united Europe. At the core of France's support for the resolution lies the return of ultimate leadership to the UN. It was well thought out.

The moral consideration aside, France has done what serves France best. There is little the Arab and Muslim world can do by sulking over it. Because at the core of all issues lies the economic interest. And good decisions do well by listening to the realities, although such decisions may be culpable of moral experience. The common

the two had their own ways of dealing with the Indian problem. The French colonials were relatively more constructive in their contact with the Indians. The Anglo-Irish settlers were rather intolerant in their engagements. Tension rose, whenever Indians pressed on by the settlers found tutelage under the French. The tension soured relationship between the two communities. When the seven years war broke out between Britain and France in 1754, it touched the new world as well. The French under the leadership of Samuel de Champlains of Quebec started aiding the war like tribes of Algonquin and Huron against the crown colony. In return, the Anglo-Irish settlers armed the Iroquois. George Washington led the Virginia militia against the French. His campaign however ended in failure.

America's 'New Men' viewed the French as Indian lovers. It was a fundamental difference of national

outlook that exists even today. An outbreak of tension or war in Europe, an attrition of colonial ambition fuelled the Franco-American differences. Franco-American ties rarely rested on shared perceptions and lacked the vigour of common heritage, as it applies to Anglo-American relationship. French revolution as an event crystallized the American nationhood. It is the freedom of men from the constrictions of institutions of governance and control that galvanized the settlers of the new world. With new frontiers to explore in a vast land, freedom inspired profound creativity and prodigious enterprise. J. Hector St. John de

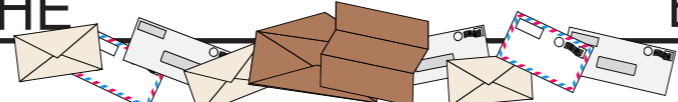
Crevecoeur speaks of this new man in his eighteenth century book 'Letters from an American Farmer'. In his words, 'The American is a new man, who acts upon new principle, he must therefore entertain new ideas, and form new opinion...'. The French however prides on an imperious separateness based on, and drawing sustenance from, the profundity of their own ideas. Paris is the heart of this separateness that also feeds many parts of the world from staleness. American statehood is more pioneering in nature believing in the fecundity and vigour of its vastness and spirit. Naturally, the coming together of France and America has been a history of joining hands to preserve common interest, in meeting a common threat, and in commanding a shared mission. Once it was over, they went on to follow their own course. There has not been a permanence and continuity to mark it as an alliance.

The Normandy invasion was the high mark of Franco-American relationship. With the assumption of De Gaulle it has been a matter of conducting business as usual. It is all about periodic consultation, sounding each other's opinion, and about exchange of courtesies of normal diplomatic relationship. The passage of UN resolution on the lifting of sanctions on Iraq without bitter exchanges shows that the United Nations is a highly useful forum for the two countries. One can even call Franco-American relationship as UNfriendly.

However the exhortation of American Secretary of State Colin Powell on the passage of the resolution can harm France more than America. The American Secretary of State spoke of "the crusade of expanding the realm of liberty...". This sort of rhetoric is not unheard of. President GW Bush also spoke of crusade against terrorism. If this is the rallying cry for the coming together of the western powers, France surely has a lot to loose. The respect it earned in trying to prevent the Iraq War will be treated as the passing ploy of a western power. Unless France disavows such antiquated war cry, she runs the risk of further radicalising its four million Arab expatriate population. The separateness of France can have national ambition and pride beneath it, but it holds out for the world an assurance of a semblance of balance of influence. Without this balance, might will always get the day, and justice will become a rebel. In the battle between the two, the world will have no victory to rejoice. Only peace to mourn.

Syed Maqsoj Jamil is General Manager, Summit Group.

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



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.

Proposed Budget: Costly food, cheaper Vodka!

This is one of the most astonishing budget proposals we have ever seen.

The budget proposes higher duties on fruits but lowers duty on wine, beer etc. My question to the honourable Finance Minister is, "Shall we buy beer, whiskey, rum instead of mangoes for our children?"

I cannot believe that the Finance Minister can be so cruel on children that he imposes higher duties on toys! Come on sir, spare the children at least!

Imposing duties on cell phones and vehicle will dash the hopes of middle-class families who once

dreamt to afford them. Please give some thought on our plight because we, the poor have voted you to power.

Reaz Mohiuddin
Outer Circular Road, Dhaka

Budget: 2003-2004: where could we be heading?

A large number of people - particularly in the professional level - hold a grudging respect for Finance Minister Saifur Rahman, a MP from Mouvibazar of greater Sylhet, for some of his dynamic steps that he took during his stints as Finance Minister during various BNP tenure. However, after all these years as

Finance Minister, if alcoholic drinks and diamonds turn out to be of highest priority to him than salt, spices and fish etc. - to name a few - that are considered as life blood for Bangladeshis particularly of middle-class and below, no amount of respect that once was there for Saifur Rahman can be justified.

Ashaque Chowdhury
Dhaka

Eid-ul-Fitr and HSC exam

I don't know why some of our esteemed readers are trying to defend the fact that, the Educational Authority acted in a very callous way by asking the students to write a compulsory paragraph on Eid-ul-Fitr.

It is not the question whether the students (irrespective of religion or gender) would be able to write on this topic or not, but the main issue is that how could they give such a topic which is part of a particular religion? Obviously they are expressing the bias towards the majority and ignoring the students of other religious faith. I wonder what the same readers would say if they were asked to write on Durga Puja, Christmas or Buddha Purnima in such important exams like S.S.C or H.S.C.

Rifat Mahub
Dhaka University

Letters Page and some contributors

For a while, I have been observing that equipped with little knowledge of

history and lacking a common sense, in the Letters Page, few people have been engaging themselves in displaying to what extent they can spend time on irrelevant issues, as it is the case for Mr. Yahya, who appears to have a restless energy in presenting every complicated political controversies in a most naive and immature form.

After becoming an immigrant, because of leisure that one can afford, people like Mr. Yahya can indulge in such trivial and irrelevant topics with zealotry, but as a reader of *The Daily Star*, I wonder, whether are we short of serious issues relevant to Bangladesh that demand active participation from the readers?

I wonder, why *The Daily Star* allows

its space for such nuisance, where one gets the opportunity to irritate others.

Curzon Chatterjee
Stanford University, USA

Load shedding

I plead to the government to do something about frequent load shedding that has become almost unbearable. During this hot humid summer days, electricity goes off in our area more than a couple of times. Once electricity is gone it doesn't come back at least for an hour. So everyday we are without electricity for at least four or five hours!

Then again whenever a little wind blows let alone a storm or a little shower takes place, electricity goes

off again and it takes hours together, some times the whole night to fix the problem.

Has the authorities concerned gotten used to our complaint regarding load shedding? Because they never seem to pay any heed to our allegation and do something to redress our misery.

Shobhon Selim Khan
Shaymoli, Dhaka

Budget and foreign donors

Every year just before the national budget our Finance Minister gets busy with managing foreign loans.

He rushes to Washington, London, Paris. Boasts about his party's success and achievement and

returns with a briefcase full of granted loans. And whenever he fails to get new loans he is criticised vehemently for his inefficiency and failure.

But we seem to be unnoticed about one thing that we are continuously being burdened with a large amount of foreign loans. We do not know how and when we would be able to repay and in the mean time the interest keeps on increasing.

But isn't it about time we, at least, tried to become self-reliant and prepared a budget based on our own resources?

O H Kabir
Wari, Dhaka