

## Rule of law

Law must guide politics, not vice versa

THE cabinet secretary has said something thought-provoking on law enforcement at a city roundtable drawing upon his experience as home secretary under caretaker and elected governments. Some of the points he made provide insights into intricacies of governance as they relate to establishing the rule of law which is so much cherished in a democratic dispensation.

There is, of course, no doubt that the law cannot be effective unless the process of its enforcement is cleared of political influence-peddling and interferences. Even hardened criminals are often identified in terms of their political connections and the cases against them are weighed carefully on the basis of political implications, supposed or real. Political considerations getting the better of those of administration of justice have been far too much of a reality in our context.

So, the need is to reform the existing politico-administrative attitudes and equations which hinder the law from taking its natural course. Law and order cannot improve as long as administration remains inextricably linked to politics, party politics to be precise.

Indeed, the handling of law and order depends on the political character of the government. But all the political parties have to take a broader view of the matter and accept the truth that without rule of law nobody's interest is truly safe and protected. As long as dispensation of justice is viewed from the narrow angle of politics and allowed to be dominated by petty considerations, law and order will never improve. Above all, in matters of law enforcement, there will have to be an operational distinction between the government and the ruling party.

Enforcement of law cannot be selective; it has to be professional and focused on criminal regardless of their political colour, assumed or otherwise. It would be a great service to the nation if the political parties go by this simple and easily understandable principle. Of course, what we mean is that upholding the principle in theory only, as politicians do, is not enough to bring about the desired change.

Another very relevant point to be taken note of is that lawlessness is a product of confrontational politics. The truth is, by failing to shape politics along constructive lines, in the best interests of people, the political parties have created the ideal conditions for breeding social unrest and chaos, which, in turn, lead to an all-pervasive lawlessness. The biggest casualty is economic investment and, with it, the poverty reduction programme. Our hope is they will apply brake on confrontational politics that exacerbates lawlessness.

## 'Treatment trap'

Such unethical, illegal practices must be stopped

WHEN we put ourselves into the hands of doctors, we do so with all our trust. Our only sincere expectation from them is that their treatment would make us recover from the ailment with which we turned to them for help. But when we find them placing business above the professional motto of service to the afflicted we begin to wonder whether the most important person at a crucial time of everyone's life could ever be trusted again.

The news of a group of physicians being in league with some private clinics and diagnostic centres to lure patients away from public hospitals falls in that category of disappointment.

We have to congratulate the members of a law enforcement agency who have discovered such malpractice in the profession after a thorough investigation. Until recently, there were some speculative stories about such unholy alliances, but now there are serious pointers to them. Those who have been taking us for a ride seem to have been identified as a Daily Star report on the subject suggests. What the expose brings to the fore is a policy inadequacy: the major public sector hospitals and the private clinics and diagnostic centres are in a close proximity of each other; the concentric circles of their location do not speak of any rational distribution of healthcare facilities in the capital city.

The uneven pattern of service distribution, needless to say, can only promote widespread corruption and malpractices. This situation has to be remedied.

Meanwhile we would like the investigations to be taken to their logical conclusion with the rackets broken up and the persons who have scandalised the noble vocation of medical practice brought to justice.

# The Myanmar quagmire

KAZI ANWARUL MASUD

THE world is upset with the Burmese (Myanmar) government's most recent behaviour. And rightly so. The West has been forceful in their condemnation over the fresh detention of Aung San Suu Kyi by the military junta. The East has also condemned the arrest albeit quietly. US State department spokesman on June 19<sup>th</sup> declared the continued detention of Aung San Suu Kyi and members of her political party as being "without cause and unacceptable". The US demanded their immediate release and called on Burma's military rulers to begin work immediately with Aung San Suu Kyi's political party to formulate a concrete plan to restore democracy in Burma. In an op-ed in Wall Street Journal Secretary of State Colin Powell called the military rulers as the "thugs who run the Burmese government". He felt that the time has come to reassess US policy "towards a military dictatorship that has repeatedly attacked democracy and jailed its heroes". He gave the epithet "shameless" to the junta, rather strong words from Colin Powell generally described as a moderate among hawks in the Bush administration. He concluded that the attack of May 30<sup>th</sup> on Aung San Suu Kyi's motorcade was planned and executed by the military junta where the attackers were brutal and organised and the victims were peaceful and defenseless.

Colin Powell extended full support of the Bush administration to Senator Mitch McConnell's introduction in the Senate of Burmese Freedom and Democracy Act and a similar bill introduced in the House of Representatives. He expressed the determination of the Bush administration to deny the actions of the military junta to stand "as the last word on the matter". Detailing the punitive measures taken against the Burmese rulers and their supporters Colin Powell concluded that by attacking Aung San Suu Kyi and her supporters "the Burmese junta has finally and definitively rejected the efforts of the outside world to bring Burma back into the international community". He warned that the US response would be equally clear and "the thugs who now rule Burma" should understand that their failure to restore democracy would only bring more and more pressure on them.

Lorne Cranger US Assistant Secretary of State for Democracy, Human Rights and Labour while testifying to the Senate Foreign Relations Committee expressed his "feeling of outrage and disgust" at the treatment meted out to Aung San Suu Kyi. He commended the Senate for passing the Burmese Freedom and Democracy Act and extended the support of the State Department to the intent and goals of the bill. But to be truly effective he called upon Burma's neighbours to join hands with the US in increasing pressure on the military rulers and on ASEAN countries to take responsibility for the actions by the military junta that could destabilise the

ment passed a resolution condemning the detention of Suu Kyi; reaffirmed its full support for democratic, judicial and political change in Burma; demanded that the military rulers relinquish their grip on power and respect the results of the 1990 elections which were won by a landslide by Aung San Suu Kyi's political party( eighty percent seats and sixty percent of the votes); called upon the ASEAN countries to take urgent actions to bring democracy back to Burma; and called upon the European Council to discuss the situation in the ASEAN Foreign Ministers meeting in Bali in July.

In an unusual departure from ASEAN's usual policy of non-

developing countries' view some of the western values and permissive social practices are corrosive and contributory to moral degradation and hence to be opposed at all cost. Often real cause of resistance by the religious orthodoxy is due to their fear of losing power and influence, essential to live a life of abundance amidst a sea of deprivation and abysmal depth of poverty. Underdeveloped societies quintessentially being feudalistic deprived populace suffer from the dual curse of docility and fatalism i.e. their deprivation having been ordained by divinity cannot be changed, an unwavering conviction embalmed by the assurances by the

May 1990. She was cheated out of her victory as the military refused to relinquish power and it has been refusing to do so till today.

After the tragic events on nine-eleven US administration has come to realise that "democratic exceptions" tolerated in the past on many grounds did not serve the American interest because closed political systems breed resentment which gradually transforms societies into failed or failing states. Population in Burma is composed of sixty percent Burmans and forty percent from other ethnic groups and sub-groups. Many of these ethnic groups have been waging insurgent wars since 1948 against the govern-

resorted to large scale human rights violations in Bosnia, Croatia and then in Kosovo, NATO intervened to deny Milosevic the power to wage war against his own people who wanted to leave the Serb dominated Yugoslav Federation and form independent countries of their own. Hesitation to intervene in Srebrenica and Rwanda which resulted in the deaths of many civilians would haunt the conscience of the US and her European allies for a long time.

There is considerable force in the argument that those who can make a difference should do so to bring relief to a people enslaved by a tyrannical oligarchy albeit of the same origin as the people who are being oppressed. That Suu Kyi should be released immediately is not even debatable. The problem to be resolved is how peaceably power can be transferred to Suu Kyi and her party who were given a splendid mandate by the Burmese people thirteen years ago. Her non-violent movement against the military junta did not produce even a dash of contrition in their mind. Burmese civilians simply cannot be expected to stand up to an army determined to hold on to power. One wonders whether ASEAN should not require its members to sign on to a democracy charter like the African Union and OAS members have done pledging themselves to the uninterrupted practice of democracy. Example can also be taken from Commonwealth which has suspended Nigeria for its military rule till elections took place. Pakistan still remains suspended because of yet unclear picture of her political construct.

Bangladeshis should have natural empathy for Suu Kyi and the plight of the Burmese people because Bangladeshis have a glorious record of fighting military rule both before her independence and thereafter. The people of Burma are waiting for more than forty years to be free. It is the inescapable duty of the international community to help them to quench their thirst for freedom.

Kazi Anwarul Masud is former Secretary and Ambassador.

# The biggest phenomenon in publishing history

SAGAR CHAUDHURY

YES, you have guessed it right -- it's *Harry Potter and the Order of the Phoenix* -- the fifth and the latest in the series penned (or perhaps we should say 'word-processed') by author J. K. Rowling. The artfully stage-managed launching of the Order of the Phoenix took place at midnight on Friday, 20<sup>th</sup> June 2003, in Britain and simultaneously in the USA (about 8.5 million copies of the book have been shipped to the US), Canada, Australia and a number of other countries including India, and by now it is already set to leave the selling records of the preceding four titles far, far behind. This is, of course, the original English version, translated editions in other languages are to follow in the months to come and they are also expected to break all records. The launch date for the French version, for example, has been set on December 3 and at the moment the book is being translated at a rate of about 10 pages a day and will take 90 days before it can be proofread and published. That is pretty fast, as a matter of fact, since the Order of the Phoenix is 768 pages long and contains more than 255,000 words!

The fourth book in the series, the *Goblet of Fire*, which came out in July 2000, became the fastest selling book of all time in its first weekend of publication, with 372,000 copies sold. Compared to that, the advance reservations for the Order of the Phoenix made with only one supplier -- the online bookseller Amazon -- is reportedly 400,000 in the UK alone, six times more than the pre-orders received for the previous book. The total advance orders taken by Amazon since the publishing date was announced on 15<sup>th</sup> January is more than 1.1 million. Britain's largest bookseller, WH Smith, has

announced 280,000 pre-orders which is also a sixfold increase on their advance sale of the fourth volume. Waterstone's of Piccadilly, London, the largest bookstore in Europe (some say the largest in the world) started selling the book

in 1997, she had to scrape by on a meagre £60 a week received from Social Security. Now worth an estimated £280 million she is not only one of the richest authors in the world writing in English, she is richer than the Queen of England. That is

Well, Bangladesh is not alone, citizens of six other countries henceforward are to be denied the right to seek political asylum in Britain. In a recently published White List, the British Home Office has named Bangladesh together

their citizens. Therefore, anyone from any of these countries arriving in Britain and applying for asylum in future, will be remanded in custody at the Immigration Department's Fast Track Reception Centre at Oakington in Cambridgeshire for 10

the names of these seven countries, a Home Office minister said that the object of this measure was to take effective steps against continuous violation of asylum regulations. The Home Office feels that the named countries are now generally considered safe and their citizens are no longer fleeing them in order to save their lives, so Britain no longer considers it necessary to offer them protection against persecution according to the Geneva Convention. On the other hand, a spokesperson of the Joint Council for Welfare of Immigrants (JCWI) feels that Britain is gradually distancing itself from the underlying principles of the Geneva Convention and the latest Home Office White List is a part of the plans to turn the whole of Europe into an unbreachable fortress.

The first White List of "safe" countries, published in October 2002, included the names of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. These ten countries, however, will become components of the European Union from next year. A second "safe" list was published in February this year comprising of seven countries such as Albania, Bulgaria, Jamaica, Macedonia, Moldova, Romania, Serbia of former Yugoslavia and Montenegro. Meanwhile, the inclusion of Bangladesh in the third list of "safe" countries is bound to have a profound impact on Bangladeshi asylum seekers. In the last three years or so, there were more than three thousand applications from people of Bangladeshi origin, out of which only a handful have been granted asylum. Now that Bangladesh has been declared a "safe" country, the fates of not only the new applicants but of those waiting for decision on applications already submitted as well, are likely to become uncertain.

## 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.

### Bangladeshi troops in Iraq!

Seems like we have lost our ability to think straight, or to think at all for that matter. This is a message for all of you, who think we should send our troops to Iraq!

We opposed the war in the first place and hoped for a peaceful solution, and wanted the UN to take the main role. The illegal war took place anyway, defying international laws- where it was not even sanctioned by the world body. Playing alongside the world, trying to end the crisis by peaceful means; what kind of double-standard role are we playing here? There are no international peacekeepers under the UN, the situation is not yet stable- the war is far from over! Everyday there are casualties, at least one soldier per day is going down on average,

not to mention the countless Iraqis. They want to govern themselves and not by outsiders, let them attain their sovereignty, let the UN take the driver's seat and voila- we are ready to send troops! We do hope, we will have that chance soon in rebuilding our once 'well wisher'...least we not forget that Iraq was one of the first nation to recognise us as independent Bangladesh!

On present conditions, NO THANK YOU! Correct me if I'm wrong, I thought it was a 'request', NOT an official one, according to some reports and definitely not an order!

Some of you also mentioned about geopolitics and as I quote 'bygones be bygones'!

Well, if you had lost your dear ones in that war, you certainly would have had a different perspective. And regarding 'geopolitics', Oh

please! We depend on aid just to set our budget and you're talking about taking care of the world? Try to get a nice broom and start cleaning up your own backyard before you think of going for the highway!

Shaker

One e-mail

\*\*\*

Colin Powell, accompanied by high-ranking U.S. army officers, was learnt to have been requested Bangladesh government to send troops in Iraq during his recent Dhaka trip. His request prompts an intense political debate in the country. Failing to bring troops from India and Pakistan, Powell now turn to Bangladesh and has given a very tempting offer to include Dhaka in METIA which awaits senate approval. It can be argued that Bangladesh is neither a Middle Eastern country nor gets any trade

facilities unless it recognise Israel.

It has been reported that opposition parties are keeping an eye on the government and has warned to face a tough consequence if Govt. takes decision in this regard ignoring the parliament. Bangladesh might get some trade facilities but cannot push its people's sentiment aside because the majority of our people were and still are against Iraq attack. The government should take the decision in the light of our foreign policy in spite of having difficulty in trade and commerce.

Many people, however, argued that the war is over and why not we take the advantage of complying with the U.S request provided that they agree to give us facilities like quota free access, easy student visa procedures and excluding Bangladesh from terror risk list

countries. In fact, it will be a very realistic approach in this regard as well.

Naser Ahmed

Sylhet

\*\*\*

Sirajul Islam (June 23) has raised a million-dollar question 'should we send troops to Iraq', just for some political or economical benefits? My answer is 'yes', which seems to be very rude but that is consistent with our level of morality, dignity, social fabric and our outlook towards life. We claim ourselves to be a 'modern democratic Muslim country'. But let us analyse these rhetoric wordings with real implementation in our state and in our governance and we will see that these are nothing but hollow sounds. We have been liberated twice once in 1947 and again in 1971. But what prosperity

have we achieved so far? How is our law and order situation? What is the level of our poverty alleviation? A very grim picture would appear before us.

So today when "body counting is haunting the Bush Administration and they know it well that the Republican candidate cannot carry this burden in to an election campaign" as mentioned by Sirajul Islam-- it's the responsibility of countries like us to save them or face the consequences. Are we ready to hear the music? No, not at all. Are we ready to face the challenge by way of removing corruption from our society, establishing good governance and exploitation free society? Very few are ready. So the best way is to send troops in Iraq to maintain the status quo.

Jkibir

Dhaka

### The Old Man of Sinbad and America

For the last few days the old man of Sinbad has been enveloping my mind. The tale of Arabian Nights tells us that once the young merchant Sinbad came across an old man at a shore during one of his numerous sea expeditions. He felt compassion for the frail man and offered him his service. Pointing towards a landmass further in the middle of the water the old man expressed his intention of going up there riding on Sinbad's shoulder because he is too weak to wade through the shallow water. Unsuspecting Sinbad happily carried the man to the island just to find that he does not want to get off from his shoulder. Sinbad realised that the man is not actually weak, his strong legs are now almost choking him

while demanding to take him back to the shore from where he came. Poor Sinbad had no other choice but to oblige the old man. But as soon as he reaches one shore the old man wants another ride to the other side, and then another, and another... Then Sinbad noticed that there are bones and skeletons strewn along the bank and he figured out that he was under the clutches of a monster that he can not get rid of. And these are the remains of the previous victims of this monster.

Now, I am wondering why every time I see someone from American administration pays a visit to our country (or any other Muslim country for that matter) I can't help but get apprehensive, and the old man of Sinbad comes to haunt me!

Shukla Mirza

Doha, Qatar