

Chief Justice's timely comments on politics

But, is enough being done for the independence of the judiciary?

THE Chief Justice's (CJ) comment on the state of our politics is very timely. It is very welcome and laudatory too because it not only states the reality, it also truly reflects the sentiment of the masses. We would like to think that both the major parties and indeed all those that make politics their calling, will not only take the CJ's comment in the true spirit but act upon it also.

But, we are tempted to request the CJ to look closer to home, and ask, is enough being done to fulfil another wish of the people, which is, the independence of the judiciary? Nobody would agree with the CJ more when he states the incontestable truth regarding an independent judiciary being an indispensable adjunct of any meaningful democratic system that would guarantee unhindered functioning of all the state institutions while protecting human rights. We are constrained to posit these questions because of the manner in which nineteen judges were appointed last year. We would like to ask, is the CJ fully satisfied with the reputation, professional excellence, qualification, etc of those judges to hold the exalted position to which they have been appointed? Did the CJ really assert himself in protecting and promoting the independence of the judiciary? If the answer is yes, then we have nothing to say.

It is our belief that the role of the judiciary, and more so the higher judiciary which commands the trust, respect and reverence of the people, in not only upholding its independence but also establishing and asserting it, is most vital to our existence as a state.

The role of the higher judiciary is also of immense importance because when the state institutions are weighed down by their highly politicised nature, when people's rights are trampled on the excuse of political and party exigency, and when nothing seems to work, it is the judiciary that is the last resort, and that is where people turn to.

We thus entreat the CJ to spare no effort for the full implementation of the independence of the judiciary.

Bird flu in the neighbourhood

Alarm bells for Bangladesh

FOR quite sometime we have been reading various reports in the media worldwide about the outbreak and spread of the deadly H5N1 virus of the bird flu in Asia. Cases of bird flu have now been detected in India, our closest neighbour. Our poultry industry is an upcoming one and still depends considerably on our neighbour through imports of various inputs and other support. Its vulnerability must be comprehended fully.

Therefore, without sounding alarmist, we would like to suggest that, given the level of threat and the danger that might be posed to the poultry industry as well as to public lives, appropriate measures should be put in place immediately to prevent and combat the situation, to the best extent possible, in the event the virus afflicts us. The government should immediately formulate a comprehensive plan of action. Our health services at ground levels should be geared for monitoring of the poultry firms around the country to identify any possible threat through regular checking of the health of the birds by qualified technicians. Our entire poultry industry is location specific and hence intensive monitoring should not be that complex a task.

Other measures by the administration should also include foolproof preparedness with regard to adequate and prompt availability of the preventive vaccine against possible attacks of the virus against humans. On the other hand, a compensatory financial package should be kept in readiness to compensate farms that may incur losses due to destruction of their stocks. In this effort our administration could also consider seeking support of our development partners. The government must not only immediately launch an awareness campaign, both in the electronic and the print media, against buying and selling of dead and sick birds and its relevance to contacting the deadly virus, it should also introduce a foolproof oversight mechanism to ensure that such practices, if any, be stopped.

Bird flu could take a pandemic form without sufficient warning. We hope that we will be spared the scourge of the deadly virus. But, it is better to be ready to handle an eventuality now than to find ourselves in a state of confusion and unpreparedness, if the deadly virus strikes.

An uneasy alliance now brought to the brink?



M ABDUL HAFIZ

DURING the wee hours of September 13, 2001, only two days after the fateful event of 9/11, the US Secretary of State Colin Powell made a telephone call to Pakistan's General Musharraf demanding to know which side Pakistan was on. An overwhelmed Musharraf, still considered a pariah by the international community, did not have to dither for a moment to decide on which side his country should be, and readily yielded to the courtship extended by the world's sole superpower at that unearthly hour.

Thus began yet another phase of the US alliance, with its "most allied ally" Pakistan becoming a frontline state in the US war on terror. Addicted to the bonanza of an American connection since the 1950s, the bulk of Pakistan's military almost spontaneously supported the government's volte face. With no compunction, Pakistan went ahead to ditch the Taliban that it had once helped create and provided bases for and extended other military facilities

to in pursuance of the US's first war on terror in Afghanistan.

In a quid pro quo, the US lifted the sanctions and other restrictions imposed earlier for Pakistan's nuclear blast and army takeover in 1998 and 1999 respectively. Not only was Pakistan's anti-terror role publicly applauded by none other than President Bush, aid was resumed and military cooperation restarted. Thus an old alliance which had been on the verge of collapse, when at the end of last century all aid was stopped and even delivery of military equipment purchased and paid for was not allowed, could now be rescued and put back on track -- thanks to Pakistan's riding on the anti-terrorist bandwagon.

Ever since, Pakistan has meticulously followed the US's anti-terror script, hunting down fleeing and hiding Taliban and al-Qaeda operatives, handing over even Pakistani terrorist suspects to American authority and allowing US Marines and FBI agents to walk in and out of the country with

PERSPECTIVES

The way the members of the US Congress are justifying such killings whether in Pakistan, Afghanistan, or Iraq is still more chilling. The umpteen number of civilians killed in the worldwide war on terror are arrogantly brushed aside as mere "collateral damage." In unabashed imperial hubris, they actually said that there were no guarantees that this would not occur again, for America was engaged in war on terror. So is Pakistan. But if the Bajaur incidents are repeated would Musharraf, who is also walking a razor's edge, be able to continue being a part of the alliance?

impunity.

None could do the US's bidding in a more perfect way than the Pakistan president, the US's new mascot, who left no stone unturned in complying with the US diktat, presumably also to promote his personal agenda. He took high risk measures to silence the anti-US voice in his country.

The bonhomie generated earlier is however on the wane and has turned sour ever since the Pakistanis started realising the price being exacted by the US from them for the favour it did in cash and kind. Pakistanis are certainly not prepared to compromise on their territorial sovereignty -- alliance or no alliance.

But that is what has happened. The Americans encroached on Pakistan's sovereignty when on January 13 they fired a salvo of laser-guided Hellfire missiles on three houses in Damadola village of Bajaur tribal agency, killing eighteen people, most of whom were civilians. Less than a week ago, a similar aerial strike hit the village of Saidgai in the same

agency.

Understandably it has resulted in serious outrage among the locals and has also provoked the people of Pakistan who resent the military operations in Waziristan, more so when the American forces are involved. The political parties opposed to the government have decided to visit the scene of the attack to express their sympathies with the local population.

The Defence Department in Washington denied that the US forces had conducted any operation in the area. But ABC television almost immediately revealed that Ayman al-Zawahiri, Bin Laden's reported No. 2, was among those who were targeted, but while he escaped the Hellfire, al-Qaeda's explosives expert Abu Khabab al-Misri seemed to have been killed. According to US intelligence, they had gathered in the targeted house for a dinner hosted by a sympathiser.

Yet the Pakistanis are not convinced of the action's justification. Apart from the element of

Pakistan's sovereignty, the country is the US's partner in the war on terror. If the US forces had received information of Zawahiri's presence in one of the targeted houses and passed it on to its ally, Pakistan would perhaps have made an equally good job of it. The baffled Pakistanis are looking askance at this arcane secrecy and the US's ham-handed action.

Not only has the US action been a breach of trust between the allies, it has totally embarrassed Musharraf and his government. Although Pakistan expressed its anger at the incident and Information Minister Sheikh Rashid said the US ambassador would be summoned, no one thinks anything significant can be done with regard to the US, hinged to whose goodwill is Pakistan's well-being.

Musharraf, in the first statement after the Bajaur incident in a speech broadcast over state television said: "If we keep sheltering foreign terrorists here, our future will not be good." Were then the villagers of Damadola right? Could America have slaughtered their civilians without Islamabad's acquiescence if not tacit support? If it is suspected that the villagers harbour terrorists, will Hellfire missiles be rained down again, flattening their homestead to get some more dinner guests? Is the Pakistani president going to blame the villagers again for inviting American ire?

The Hellfire missiles did not just destroy life and property at Bajaur, they also irreparably

denied the alliance that had been painstakingly put together after 9/11. In the absence of any rules, the game seems to be crumbling. Cooperation in fighting terrorism is fine -- but to what extent? The seem to be no guidelines. As a result, many more Bajours can be repeated.

President Bush has yet to comment on the incident and the Pakistan's reaction to it. What, however the White House Press Secretary Scott McClellan commented was indeed terse: "We are engaged in a war on terrorism against a deadly and determined enemy, an enemy that continues to target innocent civilians." He is remorseless about what his country has done to the civilians in Bajaur.

The way the members of the US Congress are justifying such killings whether in Pakistan, Afghanistan, or Iraq is still more chilling. The umpteen number of civilians killed in the worldwide war on terror are arrogantly brushed aside as mere "collateral damage."

In unabashed imperial hubris, they actually said that there were no guarantees that this would not occur again, for America was engaged in war on terror.

So is Pakistan. But if the Bajaur incidents are repeated, would Musharraf, who is also walking a razor's edge, be able to continue being a part of the alliance?

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The missing links of a democracy

There are few nations in the world like us who fought so many fights for a stable democratic system where every citizen can have equal rights. We don't need Rocca or EU delegation to teach us the importance of a fair election. We just need our political leaders to learn how to accept defeat in elections, trust people's mandate, and build an independent judiciary and election commission.

AJM SHAFIUL ALAM BHUIYAN

THE last few weeks were important for both Bangladesh and Canadian politics. The Canadians voted out the Liberal Party that ruled Canada for the last 12 years. On the other hand, we Bangladeshis spent the time worrying about the possibility of having a fair election when the current government finishes its five-year term. The faulty voter lists of our election commission make us tear our hair out. Foreign emissaries like US Assistant Secretary of State for South Asian Affairs Christina Rocca and the European Union delegation visited the country, reminding all of us the importance of a fair election. It is not that we don't know the importance of such an election at a time when religious fanatics sponsored by a section of the government have been trying to derail our secular democracy. Rather it seems that we have something missing in our democratic culture.

The constituents of a democratic system include people's political consciousness and willingness to participate in democratic processes such as elec-

tions, rallies, processions; a stable, dynamic and credible election commission to conduct a free and fair election; the willingness of political leaders to accept the people's verdict and remain faithful to the sovereignty of the people; and a free and vibrant press.

I was rummaging through my memory to review the democratic achievements we have had. My memory stops at the mass movements of the late 1980s and early 1990s when we ousted the military government of Ershad to re-establish democracy. But our collective memory as a nation goes back to the 1960s when we fought against Pakistani rulers for our democratic rights.

We the commoners always provided our hundred percent, participating in elections, protests and rallies for democracy. We celebrate elections as festivals of democracy. We vote en masse. Election days are state holidays in Bangladesh. We created new systems many times and are ready to do whatever we can to strengthen and safeguard our democracy. But our politicians have dropped the ball every now and then without moving forward.

They let us down many times. Why does it happen?

I was thinking and out of curiosity wandering toward polling stations in Vancouver a few days ago when Canada had its 39th general election. The first surprise for me was not to see any members of law enforcement agencies or security guards guarding the polling stations. There were small lines of voters approaching the polling stations. I came to know that in recent years it is unusual to see the police or law enforcement agencies guarding polling stations in Canada because there are no groups, goons or armed cadres to snatch ballot boxes to cook up results in favour of a particular political party.

Before the election day it was clear from opinion polls that the ruling Liberal Party would lose power to the Conservative Party because the Canadians were angry to see the corruption and cronyism of some elements of the Liberal Party. Although most people agree with the progressive values such as universal public healthcare, education, minority rights, and world peace which the liberals hold, people decided to vote them out of power this time to

teach them a lesson.

The opposition parties, mainly the Conservative Party highlighted the issue of corruption through TV, radio, and newspaper ads during election campaigns. Their main goal was to persuade the voters, communicating right messages. On the other hand, the election commission was worried about voter turn-out. In North America mass people are apathetic to politics. The election days here are like any other work-days. Polling stations remain open till evening so that people can vote after returning from work.

This time the voter turn out was about 65 percent. As expected, the Conservative Party won the election with a narrow margin and formed a minority government with the support of another party. What surprised me the most was that by midnight on the election night when it became clear that the Liberal Party would lose majority in the parliament, the incumbent Prime Minister Paul Martin came out to his supporters and declared that his party lost the election.

As part of election rituals in North America, every major political party prepares a podium at a public place or hires an auditorium for the election night. When election results seem decisive, the leaders who led the election of their individual parties as the central figures would come to the podium and address party workers. Each leader keeps both a concession speech and victory

speech ready. The loser gives a concession speech by accepting defeat while the winner gives a victory speech. In their speeches party leaders thank people, party workers, and family members as well as friends for their support during the campaign and outline their future goals. Political parties also congratulate each other.

In his concession speech, Paul Martin said that the Canadians decided to send his party to the parliament as a strong opposition and he accepted people's verdict and was willing to cooperate with the new government on important national issues. He promised that his party would fight for people's rights in the parliament. He also declared that he would step down as the leader of the Liberal Party because he failed to maintain the winning record of the party.

As a Bangladeshi, it was amazing to see how quickly and without hesitation Martin accepted the defeat. There was no allegation raised against the fairness of the electoral process. It may be because Canada's election commission does not allow cooking up voter lists, dropping genuine voters and enlisting phoney names. Canadians don't need a caretaker government to hold a fair and free election. It is given that elections will be fair. However politicians and political parties in Canada try to curry favour, but they are held in check by democratic institutions.

We need a caretaker government to hold fair elections and have established this provision

through popular struggles. But it is at stake now because our political parties want to make sure that the caretaker government works in favour of them.

Our politicians lack mental boldness to accept election defeats. They somehow want to cling to power because political power gives them the opportunity to make their fortunes. They can use state money and power to grab public land, raise businesses, and create employment for their families and friends. They can do literally whatever they want. A ruling party can appoint its flunkies as judges, election commissioners, and anti-corruption commissioners to do things in its favour. The important safeguards such as independent judiciary, anti-corruption bureau, independent election commission, etc are not there to keep them in check.

There are few nations in the world like us who fought so many fights for a stable democratic system where every citizen can have equal rights. We don't need Rocca or EU delegation to teach us the importance of a fair election. We just need our political leaders to learn how to accept defeat in elections, trust people's mandate, and build an independent judiciary and election commission.

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In this beloved land of ours

It is indeed difficult for a self-conscious, self-respecting person, particularly one belonging to the so-called middle class, to continue with his life with any measure of dignity. At the centre of our problems is however the high and mighty: the neo-rich, the political leaders, a section of morally corrupt teachers, a section of corrupt and ruthless traders so on and so forth. To top it all, too many of us happen to be both

SHAMSHER CHOWDHURY

LIVING in Bangladesh, particularly for a middle class citizen, is not easy. Living here for an individual, even for a Bengali whose generations have lived here for decades, is indeed highly stressful. Security of life and property is far from being guaranteed. Freedom is selective and often controlled by extraneous circumstances and in the hands of the mastaans and some kind of extra-judicial forces operating under direct blessing of the administration that make you feel more insecure than secure.

Bangladesh has slowly and surely turned into a country which caters exclusively to the affluent and a special breed of people known as "power brokers." The challenge therefore for people like

me is to find out ways and means to make it as easy as possible.

At long last Biman aircrafts are being put to some good use. At least some people will now have the luxury of having their meals in a "grounded" aircraft having the dual pleasure of eating in some "style" and cherishing the feel of actually sitting in an aircraft hitherto inconceivable for them. Never mind even if the aircraft is not airborne. I find it rather curious. It is reflecting of a mindset of a nation. Surely we do not run a commercial airline to turn its fleets into restaurants on land? It is debilitating to see that an enterprise that has incurred crores in losses year after year still survives.

The other day, one of our venerable ministers made some statements at a meeting as to how

helpless he is in tackling all kinds of methods applied by civil servants in wasting public funds through corrupt practices. The question is, if he finds that people under his management are so corrupt then why does he not leave his office and let someone else deal with the situation? Here in this country ministers do not resign, they are either removed or their seats are vacated on the event of their death. It reminds me of that famous couplet of a poem that reads, "Men may come and men may go but I go on forever."

If you are a compulsive watcher of television like me, not by choice but being confined to a wheelchair due to a debilitating condition of arthritis, you cannot but escape the wrath of advertisements for various consumer products. Remember the advertisement of

some detergent washing powder where a "pretty" looking woman appears on the screen and says "Amar hathe jadu achi" (I have a magic wand in my hand), she is actually talking about the miraculous power of a particular brand of washing powder known as Wheel. Every time I see it, it reminds me of the two most powerful women of our country. The two seem to have some magic wands in their hands too and are "determined" to remove the miseries of the suffering of millions of this country by some masterly strokes of their magic wands. These two ladies have indeed over the years successfully washed us high and dry. The rhetoric and high promises of turning the country into a peaceful, corruption free country by the leaders of the two major political parties are nothing short of indulgence in falsehood aimed at bluffing people.

The other day I came across a news item in one of the well known local dailies about one of our public-representatives (a local union council chairman of sorts) collecting bricks by dismantling the surface of a newly constructed road in some rural area

for use in some personal construction works. At first, I felt deeply agitated and then I told myself that I should take the matter in a stride, after all it is better than digging graves and collecting human bones to meet the current shortfall of fertiliser in the country.

They are felling rain trees in some rural areas in Bangladesh under the directives of some union level administrative authorities on the plea that these are harmful and "quarrelsome" trees. Timber traders in and around the locality, or was it a particular trading company that continued to reap benefits from this senseless act, until some higher authorities of the district intervened and stopped the "disaster"? I lost my sleep over the matter for two full nights. It no longer hurts me since I have found a way to calm my nerves. I told myself: "Look Shamsheer, why worry, just think of the world's most powerful Godfather who is continually contemplating and actually "organising" killing of thousands around the world. Compared to all that, it is simply nothing." Seemed logical.

Long March, picketing, lathi-

charge on the streets, hartals have turned this country into a perennial state of chaos, confusion and total indiscipline, and now added to this is the rise of religious fundamentalists. All this is often causing me frustrations and disappointment.

I told myself, thank God that all this is going on at a time I can no longer go out on the streets being confined to a wheelchair.

I also seek comfort in the fact that things could have been worse.

The other day venerable Dr. Yunus at a gathering of city elites asked the people to stand up, fight, and reject corruption. He believes that the "people" should and can do it. I was wondering as to which people did he mean? I am neither an economist nor a guru of the poverty alleviation "exercises" but I can assure you that the level of corruption in the present day context extends to the lowest rung of the society. Corruption in its present form is not confined only to politicians or the civil bureaucracy but also has spread into various other sections of the population at large. Hospitals and doctors are continually

indulging in corrupt practises, bleeding ordinary people, small and retail traders at the market places are continually cheating innocent and helpless people, you name it, corrupts are all around. Today, I see more corrupt than honest people.

When I was a bachelor and a young man of twenty or so, one of my relations came up with the suggestion that amongst our 14 brothers and sisters at least there should be one lawyer, one doctor and one police officer. None of us became any of those. Trust me, today I find that there was some logic in what he said 45 years ago. After all, if today you happen to be arrested or implicated in a case rightly or wrongly, chances are first you will be humiliated and even beaten up while in police custody for days. Between the court, the police and the continuous harassment at the hands of the lawyers, even if you are found not guilty, by the time you return home more than likely you will have lost your mental equilibrium.

I am sure no one can deny the extreme benefit of having a

police officer and a lawyer handy. God forbid if you fall sick during the holiday seasons, i.e. during the Eid or other festival holidays, more than likely you will die before any medical aid reaches you.

There are simply too many of those that continually haunt you from one day to the other. It is indeed difficult for a self-conscious, self-respecting person, particularly one belonging to the so-called middle class, to continue with his life with any measure of dignity. At the centre of our problems is however the high and mighty: the neo-rich, the political leaders, a section of morally corrupt teachers, a section of corrupt and ruthless traders so on and so forth. To top it all, too many of us happen to be both morally and ethically bankrupt and at the same time unpatriotic. Forgive me if I have offended any one but to me that is "the truth and nothing but the whole truth." May God forgive us and guide us at this critical time of our lives.

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