

## Another case of questionable arrest and harassment

*Why hasn't any action been taken against law enforcers, despite the CCTV footage?*

It has been four years since Hasan Majumder, manager of Hotel Bandhu, and the then chef Sohel Rana were captured by a CCTV camera being handcuffed and taken away by a group of DB men in civilian clothing. Another camera on the ground floor of the building captured the two being taken away around 12:25 pm. Yet, according to an FIR filled with the Motijheel Police Station, officers had apparently arrested Hasan and Sohel from an alley near Fakirapool Fish Market area around 4:15pm, while the two were "caught" while fleeing the spot with Tk 25 lakh worth of fake notes.

According to Hasan, the FIR and subsequent case had been cooked up by the DB, and the duo have been framed in a false case because they refused to give Tk 3 lakh that the police officers at the DB office on Minto Road had demanded for their release. Hasan already had to spend five months and 17 days in prison because of this. Despite filing 10 complaints—six with the Police Headquarters, two with Dhaka Metropolitan Police (DMP), one with the Prime Minister's Office, and one with the home ministry—it is Hasan who is still being asked to fight to prove his own innocence. Hasan's family has already spent Tk 6 lakh by selling off land to meet his legal expenses. Meanwhile, none of the probes that had begun following his multiple complaints have resulted in any action against the DB members who were seen handcuffing him and Sohel Rana in the CCTV footage—that too, in civilian clothing, which is in violation of a High Court order. Till date, no information has been made available about what these multiple probe committees have found.

Hasan says that he eventually withdrew his complaint under the assurance from the accused DB officials that his name would be excluded from the final report and the charge sheet, which wasn't followed through either. Under the circumstances, where is Hasan supposed to turn to for justice? When there are more than 20 people who have confirmed Hasan's story—they told this newspaper as much—and still nothing has been done, how can Hasan, or anyone for that matter, have faith that our law enforcement agencies or the legal system can deliver justice?

According to one noted rights activist, this is not an isolated incident. Allegations of charge sheet manipulation, arranging fake witnesses, and changing the place of occurrence are quite common in the country. This too has been confirmed by media reports on multiple occasions. In that case, is it not incumbent upon the authorities to look into these allegations even more vigorously and handle them with greater transparency to reinforce people's confidence in them and the system? Unfortunately, however, the probe reports of such incidents are seldom made public, leaving room for further questions and ambiguities.

We call on the authorities to look into this case and address the allegations that have been made by Hasan and Sohel. We also ask the authorities to handle the case with greater transparency and make public all the evidence and information that have been gathered so far.

## Myanmar elections must not exclude minorities

*A transition to democracy must involve free, fair and inclusive elections*

THE UN has expressed serious concerns over human rights violations ahead of the general elections in Myanmar on November 8, including the right to political participation of minority groups such as the Rohingyas and Rakhines. The international body is right to be worried—Myanmar's human rights record has been abysmal of late, with both the UN and the International Court of Justice (ICJ) acknowledging that certain "clearance operations" carried out by the Myanmar military in Rakhine in 2017 could have amounted to genocide.

While Myanmar is being investigated in the ICJ and the International Criminal Court for genocide and/or war crimes, State Counsellor Aung San Suu Kyi has repeatedly assured the international community of the nation's commitment to tolerance and democracy. The upcoming elections were expected to be an opportunity to show the world that this assurance was more than mere words. Instead, the policy has been to continue to push minorities out of public spaces, with Rohingya candidates being barred from contesting in elections and with voting being barred in 56 townships, including in Rakhine, with no public justification from the Election Commission regarding this decision. This disenfranchisement of Myanmar's own citizens in areas largely inhabited by ethnic minorities is especially disturbing when viewed alongside Myanmar's discriminatory citizenship and electoral laws, which have come together to create great inequalities along racial and religious lines, with Muslim minorities being largely excluded from citizenship.

On top of that, civic spaces in Myanmar are still marred by restrictions on freedom of speech and access to information, and a complete intolerance of criticism of the government or the military, as made clear by the recent arrests of at least 34 student activists who were protesting internet shutdowns and demanding an end to the conflict in Rakhine and Chin states. The authorities in Myanmar cannot claim to be transitioning to democracy while conflict continues to escalate, minorities continue to be disenfranchised and dissent continues to be silenced within its borders. We urge the UN and all international and regional stakeholders to hold Myanmar's leaders to account and ensure that free, fair and inclusive elections are held.

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THE world has been hit by a "black swan" event, a term used to describe an unpredictable incident that has large-scale economic and social implications. Time and again, economists have reiterated the suggestion: Don't put all your eggs in one basket. The increasing volatility of markets around the world necessitates diversification strategies that help reduce risks and improve the capacity needed to cope with such black swan events.

One of the key drivers of Bangladesh's economic growth, the RMG industry, suffers from a lack of diversification: 70 percent of RMG exports consist of only five products which are primarily cotton-based, and around 83 percent of these exports are shipped to the European and North American markets. In a recent webinar jointly conducted by Serai and HSBC, the president of BGMEA, Dr Rubana Huq, identified several products including non-cotton knitted t-shirts, MMF woven anoraks and wind-cheaters, MMF woven blouses and shirts for which Bangladesh's export share is a trifling 5.3 percent. She further stressed that Bangladesh has not been able to fully utilise its potential in terms of expanding production to goods such as PPE, plush toys, hair accessories, automotive upholstery, travel and campaign products.

Over the last four years, Bangladeshi apparel has suffered a 1.6 percent drop in prices globally, indicating increasingly intense global competition. In the first five months of the current fiscal year, Bangladesh lost its position as the world's second-largest apparel exporter to Vietnam, a country with an RMG industry five years younger than that of Bangladesh. Experts delineated several possible factors behind Vietnam's success: the country's aggressive response to the pandemic, a better-skilled workforce, diversified and higher value-added products, Foreign Direct Investment, and multiple trade agreements with regional and international markets.

However, the increasing competition from Vietnam was not a direct consequence of the Covid-19 pandemic. In fact, before the pandemic, Vietnam's exports to the US rose by 34.8 percent in the first nine months of 2019. The ongoing US-China trade war and rising wages in China escalated the need for many global businesses to diversify outsourcing outside China, popularly known as the "China Plus One" strategy. The economically and politically stable environment in Vietnam and pro-foreign investment government policies made it a lucrative destination for foreign investors and businesses that were looking to relocate their factories. According to

the World Investment Report, the ratio of inward FDI stock to GDP was 52 percent higher in Vietnam compared to Bangladesh in 2017.

Another major reason behind the success of the Vietnamese garments industry has been its highly educated and skilled workforce which offers excellent workmanship, high-quality and value-added products. This has been made possible by Vietnam's long-term commitment towards investing in human resource development: compared to Bangladesh's mere 2 percent, Vietnam's public expenditure on education is around 5.5 percent of its GDP.

"IntellectCut". Although long-term returns from technological advancement are high, low initial profits and high costs deter companies from investing in research and development. Pioneering firms that invest in new technology generate social benefits such as transmission of knowledge which positively impacts all other firms in the industry. However, most of these pioneering companies are not adequately compensated for the initial costs they incur and their contributions to the entire industry, which ultimately deters such investment.

The fashion industry, in particular, has always been turbulent and rapidly

phenomenon prioritises brands with higher product quality, thoughtful design and positive social and environmental impacts. This has created the need for manufacturers and retailers to use artificial intelligence and data science to serve the dual purposes of predicting future demands and trends as well as developing efficient and environment-friendly production processes. At present, Bangladesh has the highest number of LEED-certified green garment factories in the world, which can be used as an advantage in creating a distinctive brand image globally.

As opposed to Vietnam, Bangladesh



File photo of workers at a garments factory in Bangladesh.

PHOTO: AMRAN HOSSAIN

To retain its dominance in the global market, it is essential for the RMG industry in Bangladesh to look beyond its comparative advantage in providing low-cost labour. Instead, it is time to focus on diversification and the production of higher value-added products that have stronger and more stable demand worldwide. An essential prerequisite for this is the introduction of new technologies that can improve efficiency. Many Bangladeshi factories are starting to adopt high-end technologies; for instance, Dekko Group, Epyllion Group and a few other manufacturers reportedly optimised fabric usage and lowered wastage by implementing ThreadSol's AI-based fabric planning system called

evolving. The nature of the industry demands that its players always remain vigilant and continually embrace shifting business models and innovation. The recent pandemic has amplified the turbulence further by bringing about huge changes in consumer preferences and behaviour, creating new challenges for both retailers and manufacturers. Mass production and mass solutions are now being supplanted by personalised products with greater value and sustainability. There is a need to cater to smaller and highly specialised orders by engaging with smaller buyers. A phenomenon called "slow fashion" is rapidly transforming standards in the world of "fast fashion". This

has not been very fortunate in attracting foreign investors. Instead, the success in the Bangladeshi RMG industry has been historically driven by local entrepreneurs, and the key to achieving greater dominance lies in designing policies that encourage participation and investment by local enterprises. Nonetheless, there is also an urgent need to recognise the importance of regional trade agreements and foreign investment that will not only facilitate knowledge spillovers, but also allow the industry to embrace more advanced technology, product development and diversification.

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## Trump Packs the Court His Way



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are subject to change. Only the House of Representatives appears certain to remain in the same party's hands (the Democrats). The Republican-dominated Senate could be won by the Democrats. The conservative-leaning Supreme Court is now shifting far to the right, given the Senate's confirmation of President Donald Trump's nominee, Amy Coney Barrett, to the seat previously held by the late liberal justice Ruth Bader Ginsburg.

One oddity of the US system is that even if Democratic presidential candidate Joe Biden wins the election, overcoming barriers already thrown in his way by Court decisions and voter suppression, the presidency will remain for over two months in the hands of a man whose physical and mental stability are in doubt. The current constitutional arrangements to deal with presidential mental or physical incapacity are unworkable. Little is said publicly about this precarious situation; timorous newspapers are reluctant to mention the crazy uncle in the White House, even though Trump's behaviour of late has been even more aberrant than usual, possibly an effect of having had Covid-19 and taking powerful medications.

Perhaps confusing the current race with that of 2016, Trump has resumed attacking Hillary Clinton, turning on his most subservient cabinet members for not indicting her, as well as former President Barack Obama, and Biden—for whatever reasons. Trump tosses around nebulous charges of left-wing terrorism and mail-in voting fraud, though *The Washington Post* has found his charges of ballot fraud fraudulent.

If Biden defeats Trump—the polls, currently in his favour, are considered more reliable than in 2016, but polls can't predict voter suppression—his supporters'

celebrations may be short-lived. Controversies about counting votes are already in the courts, which have changed dramatically as a result of Trump and Senate Majority Leader Mitch McConnell appointing an astonishing 220 federal judges. Moreover, Senate Republicans are already plotting how to undermine a Democratic majority.

But the greatest threat to Biden and any progressive government for a long time to come will emanate from the Supreme

It was all charade. Through the early spotting, close vetting, and years of cultivation of possible Supreme Court nominees by the right-wing, corporate-sponsored Federalist Society, which effectively controls who gets named to the highest bench by Republican presidents, Trump and his aides were fully aware of Barrett's positions on key issues. (Liberal Democrats also have groups that back judges, but they are not as organised and effective as the Federalist Society.)



US President Donald Trump and Jesse M. Barrett watch as Supreme Court Associate Justice Clarence Thomas swears in Amy Coney Barrett.

PHOTO: AFP

Court. The approval of Barrett (age 48) has produced, almost certainly, a very conservative 6-3 majority. Chief Justice John Roberts, who has tried to keep the Court from going to extremes, will no longer have the controlling swing vote. The legitimacy of the Court is now in question.

The hearings on Barrett's nomination were a sham. This was not because of her unresponsiveness to questions, but because the fix was in. Trump insisted that he had not questioned Barrett on sensitive issues. Trump, Barrett, didn't ask her about her position on such matters as abortion or the Affordable Care Act. Nor would she have discussed her positions with him. How dare anyone question her integrity?

The purpose of such intensive vetting is to have "no more surprises"—no more Republican appointees who start out as conservative but move left. The example that most annoys conservatives is David Souter, appointed by George H.W. Bush. Souter was advertised as a conservative, but became a reliable liberal.

Behind the rush to get Barrett confirmed was Trump's determination to have her seated by Election Day—so that, the president openly said, she would be in place if issues affecting the election came to the Court. Barrett refused to commit to recusing herself from cases that involved Trump's re-election. The rush to confirm her was also a form of protection for conservatives in case the Republicans lose the Senate.

The claim of right-wing judges that their "originalist" jurisprudence reflects judicial restraint and a reluctance to "legislate from the bench" is also a sham. Originalism is seen by critics as a Trojan horse: it rationalises an activist role of striking down progressive legislation such as environmental, labour, and other regulations, on the grounds that no mention was made of such matters when the Constitution was written.

The Barrett appointment is also another reflection of the religious right's hold on American judicial conservatism. Perpetuation of this arrangement is a major reason Trump has retained evangelical support, albeit with some recent slippage. Barrett's Catholicism, indeed, is of the "radical," "ultramontane" sort that sometimes appears to oppose change itself. She has been involved in a charismatic Christian group, People of Praise, which believes that in households men are superior to women, and its members speak in tongues. Though the group removed all references to Barrett from its public documents, a snippet of one has her once serving as a "handmaid," a leadership position.

As for abortion, one does not win the Federalist Society's support unless one has raised objections to *Roe v. Wade*. With Barrett joining other conservative justices—including Trump's two other appointees, Neil Gorsuch and Brett Kavanaugh—it is now possible that *Roe* may be overturned, or nullified through other decisions.

With an unprecedented 60-plus million Americans having already voted, it may be too late for Trump to turn things around. So, with winter coming on, Covid-19 cases reaching all-time highs, and the White House having given up on controlling the pandemic, anxious Americans are left speculating not only about who will win the election, but, for the first time in history, whether the president will honour the result and if the Supreme Court will abet him in subverting it.

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