

CPA meet

It has addressed some core issues

THE Commonwealth Parliamentary Association has adopted a five-year strategic plan at the Dhaka meet with a view to playing an assertive role in some key areas of global and regional concern.

Strengthening democracy in the Commonwealth countries has, for cogent reasons, figured very prominently in the CPA plan. It follows the universally accepted axiom that consolidation of democracy is no less important than its introduction. The CPA delegates have suggested more interaction between parliament and other branches of the state. Obviously, this interaction can help achieve the desired level of coordination in governmental activities. Then emphasis has also been placed on parliamentary scrutiny and oversight so as to ensure transparency and accountability – two of the most important ingredients of good governance.

The Commonwealth has so far not gone beyond an exclusionary approach towards the countries not complying with democratic standards. But the forging of new partnership for strengthening democracy in the member countries is clearly a good augury.

Fighting corruption, gender discrimination, and violation of human rights is also high on the CPA agenda. These are issues plaguing many of the emerging democracies. However, a strong demand for involving more women in lawmaking in particular, and policy and decision making in general, has been voiced at the CPA conference. We believe the demand has a direct bearing on reducing gender discrimination, as women will be better placed to overcome social discrimination if they occupy more and more important positions. The governments should heed the suggestion in right earnest.

Finally, we found it extremely interesting to hear the delegates addressing the question of global peace from the Commonwealth perspective. The delegates have suggested that lawmakers take part in more debates on global and regional issues. This will help mould international opinion on the issues crying for immediate attention and push the world towards a just order. The obsession with national priorities is understandable, but lawmakers can certainly look beyond that.

The Commonwealth countries can also look forward to partnership and institution-building through exchanging notes on common concerns.

Bangladesh has reasons to be proud of having been host to a conference of such magnitude and importance, despite the glitches during the proceedings and the opposition boycott. It has added value to the country's role in the Commonwealth.

Ebadi does us proud

Let her voice for sanity prevail

A world peace gets more elusive by the day, the craving for the missing thing grows stronger, verging on a point of passionate yearning. It is not surprising therefore that 165 candidates figured on the consideration roll for the award of Nobel peace prize this year. The record size of the candidacy has been as much a reflection of how so many have indeed joined hands to bring peace to a divided world as it is testimony to a certain despondency marking the pursuit of stability across the globe. In such a highly competitive and meaningful setting, has Shirin Ebadi won the Nobel Peace Prize. She is the first Muslim woman to be the laureate and that too as the solo winner and the third Muslim to have won it after Palestinian President Yasser Arafat and former Egyptian President Anwar Sadat. She also stands out for not being a political leader or statesman like the other two winners from the Islamic world.

Shirin Ebadi, the Iranian human rights lawyer, judge, writer, teacher and activist eminently deserved the honour. Before and after the Islamic revolution in 1979 she worked relentlessly in defense of democracy and human rights, including the rights of women, children and refugees. A conscientious objector, she had been incarcerated for her beliefs. While all this is true, many would discern political connotation to Ebadi's triumph. Reformist President Mohammad Khatami's government sounded congratulatory and heartened by the fact that her views in defence of human rights, especially women's rights, were noticed by international peace-seeking circles. It is an 'honour for Iranian women' showing how 'positive the atmosphere' has become in Iran for them.

Basically, there has been an expression of solidarity in the west with women's rights activism in Iran for sometime past. Ebadi now emerges as an acknowledged icon of the reform process.

The United States which regarded Iran as part of 'axis of evil' is happy with the award. Washington has congratulated Ebadi but not without restating its opposition to the country's government.

One discerns a certain outlook reflected through the award to promote the cause of moderate Muslims since 9/11 topped off by the sequel to US-led wars in Afghanistan and Iraq. This sends a positive vibe across.

Just as Ebadi's victory helps Tehran hog positive headlines so also it's a pointer to the need for bridging the hiatus between the Christian world and the Islamic one. Let the principles she stands for gain ground across the world.

Israeli adventurism against Syria

KAZI ANWARUL MASUD

ON Sunday morning of 5th October the Israeli air force violated the airspace of Lebanon and Syria and launched missile attacks on a civilian site near Damascus. A day earlier a Palestinian suicide bomber blew herself up along with nineteen other people at a Haifa restaurant. Speaking at the UNSC emergency session following the Israeli attack Israeli ambassador claimed that the air attacks were on a training camp of Islamic Jihad, a terrorist organisation, and not on a civilian site and was in retaliation of the Haifa bombing for which Islamic Jihad claimed responsibility. Israel further claimed that Islamic Jihad operated freely both in the Palestinian territory and in Syria which provided the terrorists with money, training, safe haven, and logistical support. UN Secretary General Kofi Annan strongly deplored the Israeli attacks and warned that it could inflame violence in the troubled region. He called upon all the parties to respect international laws and to exercise restraint. Predictably the Bush administration did not criticise Israel for the attacks. On the other hand the US served notice on Syria for being on the 'wrong side' in the war on terror. Ambassador Negroponte informed the UNSC emergency session of the telephonic conversation between President Bush and Prime Minister Sharon in which President Bush condoned the death of the victims of Haifa bombing and of the two leaders' agreement on the need to continue fighting terrorism but also on the need to avoid heighten tension in the region.

It may be recalled that the US had been for quite some time calling upon Syria not to harbour terrorists. In March when US troops moved towards Baghdad, Defence Secretary Rumsfeld complained that military gears were being smuggled to the Iraqi forces through Syrian border and threatened to hold Syrian government accountable. In mid-September Under-Secretary John Bolton told the Congress that Syria was allowing militants to cross its border into Iraq to fight American soldiers and was seeking aggressively to acquire chemical, biological and nuclear weapons. At the UNSC emergency session China strongly condemned the Haifa bombing, opposed any measure that might threaten the peace process between the Palestinians and the Israelis and strongly urged Syria and Israel to contain themselves.

Britain found Israeli air strikes 'unacceptable' (which) represented

an escalation'. Russia urged upon the warring parties maximum restraint. Among EU members France and Germany expectedly were most critical of the Israeli adventure. Germany found the air strikes as not only unacceptable but representing violation of the sovereignty of a neighbouring state that would further complicate an already existing difficult situation. France branded the Israeli actions as violation of international law. The Arab countries demonstrated total solidarity with Syria and described the latest Israeli aggrandisement as representative of Israel's aggressive nature and her lack of desire for a just and lasting peace in the Middle East.

Israeli attacks on Syria are a proxy demonstration of the Bush doctrine

rules that protect basic humanitarian values and state laws the former should get precedence. While the shock, revulsion, horror, anger and the desire for vengeance towards the perpetrators of nine-eleven terrorism was understandable, David Held argues, any defensible, justifiable and sustainable response must be consistent with the founding principles and aspirations of international society for security, law and impartial administration of justice embedded in regional and global law and institutions of global governance. If the means deployed to fight terrorism contradict these principles then emotion of the moment may be satisfied but the aggressor opens itself to greater vulnerability to retribution.

Westerners, particularly the Americans find it difficult to comprehend the hopelessness felt by an occupied people whose life and limbs are constantly being threatened by the occupation forces. Late Professor Edward Said writing about the crisis of American Jews observed that public American

with the impotence of their rulers to react to Israeli violence committed with impunity. They are convinced that Israel's imitation of the Bush doctrine of preemptive attack would not have been possible without the total backing of the US. This conviction is further strengthened by the certainty of the Congress passing the Syrian Accountability Act next month which would ban a number of exports to Syria, freeze Syrian assets in the US, and reduce diplomatic and business ties. Indeed the labeling of the Congress as 'Our Vichy Congress' by Congressional staff George Sunderland reflecting the Vichy subservience to Nazi regime may not be off the mark. Sunderland quotes EU Commis-

to retain or restore their fundamental ideals.

Israel air strikes are a challenge to international law and the UN Charter. Customary international law generally accept that preemptive use of force is permissible in self-defence under conditions of necessity and proportionality. The state seeking to use preemptive force must demonstrate the principle of necessity on grounds that 'self-defence is instant, overwhelming, and leaving no choice of means and no moment of deliberation'. Secondly, the state using force in self-defence is obliged in a manner proportionate to the threat. Israeli military incursion into Syria respected neither of the two criteria. If the Israeli action was to teach the 'Islamic terrorists' a lesson, then at least the Americans should be reminded of the argument relating to just war made by St. Thomas Aquinas who said 'Among the true worshippers of God those wars are looked on as peace making which are waged neither from aggrandisement nor cruelty but with the object of securing peace, of repressing evil and supporting the good'. But then again Bush

administration which totally disregarded Vatican reservation relating to the Iraq war could hardly have been expected to listen to Thomistic argument before it fully backed Israeli actions against Syria.

As it is, the Quartet produced Road Map has lost credibility to most of the involved parties. Military

adventure such as the one most recently undertaken by Israel in Syria would contribute further to the belief that Israel truly does not seek peace and there is no need to heed Kofi Annan's appeal to respond to the root causes of terrorism which Annan believes cannot be uprooted by military means.

of preemption which has been universally rejected as contrary to international law and UN Charter. Kofi Annan has already described the new interpretation given by Bush administration to article 51 of the Charter relating to the inherent right of self-defence as a 'fundamental challenge to the principles on which, however imperfectly, world peace and stability had rested for the last fifty-eight years'. Professor David Held of the London School of Economics reminded the world of Immanuel Kant's assertion that a violent challenge to law and justice in one place had to have consequences for many other places and could be experienced everywhere.

Violence, Law and Justice in a Global Age—David Held—Social Research Council. He added that people no longer live in a world of discrete national communities but in a world he called 'over lapping communities of fate' where the trajectories of countries were heavily enmeshed with one another. He asserted that any assumption that sovereignty was indivisible, illimitable, exclusive and perpetually entrenched in individual states was now defunct. In other words states, nations and societies can be judged, scrutinised and appraised by general and universally accepted standard.

One of the greatest contributions of the Nuremberg Tribunal was the exposition of the principle that in case of conflict between international

Professor Clark McCauley (of Bryn Mawr College) sees no especial association between religion and terrorism. He cites the examples of radical socialist groups with no religious roots like the Red Brigade of Italy, Baader-Meinhof gang and the Red Army of Germany, and the Shining Path of Peru. He also feels that a violent response to terrorism is a success to the terrorists who hope that a clumsy and over generalised strike against them will hit some who are yet not radicalised and thereby the radical elements would be able to extend their base of support and sympathy for their cause. This is where Israel and the US continue to err by shifting their response to terrorism from criminal justice to waging war. One can discern a growing realisation even among the hawks that military solution to terrorism cannot endure and perpetual threat of death and destruction can only make the aggrieved more resolute to face the impotent and ferocious regnant authority.

David Held suggests an alternative approach to counter the strategy of 'fear and hate' through a movement for global, not American, justice and legitimacy, aimed at establishing the rule of law replacing war and fostering understanding between communities in place of terror. He insists on a commitment to the rule of law and not the prosecution of war; a massive movement to

Jewish support for Israel at present simply did not tolerate any allowance for the existence of an actual Palestinian people, except in the context of terrorism, violence, evil and fanaticism. He found that 'guilt at being well off in America plays a role in this kind of delusional thinking, but mostly it is the result of an extraordinary self-isolation in fantasy and myth that comes from education and unreflective nationalism of a kind unique in the world'. Since the tragic events of nine-eleven the desire to exact vengeance notwithstanding, there are signs of sporadic introspection, albeit rare, among American Jews about the logic of blind support of Israel. One anguished American Jew writing in the Boston Globe posed the question whether the American Jews would have the courage to face the meaning and consequences of occupation and open their heart to narrative and aspirations of the Palestinian people who were also traumatised and weary. Jews, the writer observed, who have a long history of struggling against oppression, of fighting for the displaced and dispossessed, find themselves in the uncomfortable position of supporting policies that many of them disagree with.

Israel's orgastic display of force against Syria has the distinct possibility of encouraging increased recruitment of terrorists from among the Arab youth who are disenchanted

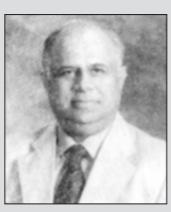
sioner Chris Patten's writing in the Washington Post of being told by a ranking Democratic Senator that 'all of us here are members of Likud now'. Madeline Albright reflecting on the frustration of the Arabs admitted that for years Arab population have received a distorted message from Washington that US stands for democracy, freedom and human rights everywhere except in the Middle East and for every one except for the Arabs (Bridges, Bombs and Bluster—Foreign Affairs-2003).

Israeli preemptive policy would only help convince the Arabs and the Muslims of the futility of expecting an even handed US policy towards the Middle East crisis. Besides not content with the subjugation of the Palestinian people Israeli incursion into Syria could broaden the area of conflict. It may also bring convert to Samuel Huntingdon's hypothesis that 'the great divisions among humankind and the dominating source of conflict will be cultural'. Nation states will remain the most powerful actors in world affairs but the principal conflicts of global politics will occur between nations and groups of different civilisations. The fault lines between the civilisations will be the battle lines of the future'. Israeli adventurism will most certainly deepen the fundamental fissure in the Muslim world between those who want to uphold liberal values of democracy and human rights and those who feel threatened by these values and want

Kazi

Anwarul Masud is a former Secretary and Ambassador.

Give us the tools

IKRAM SEHGAL
writes from Karachi

WHEN the Northern Alliance rolled into Kabul in Oct 2001 on the back of relentless bombing of the Talibaa by the US, they did not have to fight their way in, they were led into the city by the first man to walk in down the main highway, BBC's Simpson. A 'covering force' of a few hundred Pakistanis and a handful of other foreigners roamed around like headless chicken within the city, the balance of the much vaunted fighting force disappeared into the Afghan hinterland. When several thousand Talibaa were trapped in Kunduz, the Afghan element led by Mullah Dadullah negotiated their own freedom in exchange for marching the remaining (mainly Pakistani) Talibaa into Dostum's custody, the tens of thousands of Afghan Talibaa literally took to the hills. He who fights and runs away, lives to fight another day. Most of the Pakistanis ended up buried alive by Dostum in Sheberghan.

Many attempts have been made to change Afghan society into resembling civilization as we know it. The Soviets tried this in a prolonged period starting with the overthrow of King Zahir Shah by his cousin Daud in 1973, and ending with the ouster of Sheberghan.

The natives are getting restless as can be seen by the increasing number of attacks on US, ISAF and Afghan Government forces, particularly in the areas south of

Najibullah by the Mujahideen. Possession of Kabul always being nine-tenths of claiming sovereignty over Afghanistan since time immemorial, the Tajik-dominated government with Ahmed Shah Masaud as Defence Minister made no attempt to exercise control over any other area in Afghanistan except for the city of Kabul. Dostum ruled over Mazar-i-Sharif, Ismail Khan held sway over Herat and various Paktia warlords controlled areas extending from Kandahar in the south, Jalalabad in the north-west and upto the gates of Kabul. A

Kabul extending down to Kandahar. There has been a spate of guerrilla actions west of the Durand Line, leading to Afghan Government accusations that Pakistan deliberately allowed sanctuary to the Talibaa to re-group in the tribal areas that runs along the Durand Line North East to South West. Most guerrilla activity is focused in two widely separated areas, opposite South Waziristan in the south and then about 150 kms north facing Mohmand Agency. Pakistani paramilitary forces and Afghan forces have traded not only small arms fire

not to speak about accompanying bodyguards and necessary medical and other logistics, he would be easily spotted. So either he is deep inside Talibaa-occupied territory within Afghanistan or in Pakistan in a major city like Karachi or Lahore, where his 'entourage' could easily melt into the population background. The Talibaa have risen Phoenix-like from the ashes of their 2001 madness when they tried to fight a modern high-tech superpower in a conventional 19th century manner, two years later they have reverted to classic rural guerrilla hit and run

AS I SEE IT

For a permanent solution to denying secure haven to terrorists, fully air-mobile troops capable of not only responding at short-notice but pre-empting the terrorists hiding in this almost impassable and inaccessible mountainous terrain of our western borders adjacent to Afghanistan is the only answer.

decade or so later, the only difference is that US has now its own physical presence within Afghanistan, its forces are in the countryside hunting down the Talibaa (and Al-Qaeda). Hamid Karzai of Paktia extraction from Kandahar is the figurehead President in a Northern Alliance-dominated government in Kabul. A mainly Tajik 'national' Afghan Army is being trained to take over advanced internal security duties (including counter-guerrilla warfare) from US and International Security Assistance Force (ISAF). It is yet to be seen how they perform when push comes to shove.

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but also field artillery at places. Intelligence reports indicate that personnel of the Indian Consulate Generals at Kandahar and Jalalabad have been active not only in stoking up anti-Pakistan feeling on the Afghan side of the border areas but have supported active operations against our border guards.

Afghanistan is a land-locked country, during the Afghan War in the 80s decade Karachi's port was almost the only conduit for all kinds of supplies for the Afghan Mujahideen. When the US ousted the Talibaa (and Al-Qaeda) after 9/11, Pakistan border areas and cities became far more important to them, particularly as a safe haven. Osama Bin Laden's presence in our side in the immediate vicinity of the border areas is almost impossible. With his height and build, but also field artillery at places. Intelligence reports indicate that personnel of the Indian Consulate Generals at Kandahar and Jalalabad have been active not only in stoking up anti-Pakistan feeling on the Afghan side of the border areas but have supported active operations against our border guards.

Since the Talibaa can come and go easily across the long and porous border at will, it is convenient for Afghanistan (or anyone else) to put the blame on Pakistan in the same manner India does. One may well ask, why are US and Afghan forces not able to stop the infiltration? It could be that Talibaa have sanctuaries within Pakistan but these cannot be obtrusive enough to be used as training camps or they would be easily spotted by ground observers if not US surveillance aircraft and/or satellites. At most individuals and very small groups can use safe locations in the border areas for R&R (Rest and Recreation). There is a vast difference between this and active training/regrouping bases, even that is

breeding ground for a new wave of terrorists. However we have to tread carefully, the loss of their 'virtual independence' is resented by the tribals, sometimes violently as the only rule of law they understand is not the written code but the 'Jirga' system and their tribal customs. Some tribes wanted for criminal activity were not handed over by the Zalikhel-Qarkhel (sub-tribes among the Waziris) to the Federal Authorities who recently launched Operation Al-Mizan, killing eight and capturing 18 Al-Qaeda suspects. In the new circumstances after 9/11 where terrorists have made the world into a global village, Pakistan cannot afford a 'hands off' policy anymore. Imposition of the rule of law in the tribal areas is necessary to remain a responsible member of civilized society.

Given the difficult mountainous terrain and non-existent roads, a permanent heliborne force is the only answer, possibly four to five brigades. Helicopter gunships with adequate airborne firepower. Pakistan already has good experience with Russian-origin M-18 and M-17 (available from many Warsaw Pact countries now members of NATO) troop lifting helicopters, as well as US-made Cobra gunships. The US must make these available for Pakistan to actively pursue 'the war against terrorism'. Terrorist activity may not take place in the tribal areas itself but the area will serve as a sanctuary unless and until the people of the area realise that the bad old days are gone forever, that can only be conveying through an effective ever-present interdicting machine. For a permanent solution to denying secure haven to terrorists, fully air-mobile troops capable of not only responding at short-notice but pre-empting the terrorists hiding in this almost impassable and inaccessible mountainous terrain of our western borders adjacent to Afghanistan is the only answer.

Ikram Sehgal, a former Major of Pakistan Army, is a political analyst and columnist.

Lest we forget

Justice M Ibrahim and his sterling qualities

DR. SHAWKAT HUSSAIN

I first saw Justice Ibrahim in his sprawling two-storeyed house in Purana Paltan reclining in an easy chair in the verandah. This was around 1957 or 1958. I have vague memories of playing with his younger son Kochi (Tariq Ibrahim) in the spacious lawn in front of the house. That is about all I remember. Justice Ibrahim had already retired as a judge of the High Court, and I was hardly 10 years old at the time. They lived at 11 Purana Paltan and we lived in 19 Purana Paltan (now Little Jewels' Kindergarten School). Though only a stone's throw away, their house was the outer limit of my life at the time. In 1958 when we moved from Purana Paltan to Dhammandi, I lost touch with Tariq Ibrahim. Some years later in 1967 we met again as students in Dhaka University, he in the Sociology Department and I in English; we graduated and lost touch again, only to reestablish contact recently. So when Tariq Ibrahim asked me to write about his father I was both flattered and flabbergasted. What could I write about Justice Ibrahim having seen him fleetingly at an age when older men didn't interest us much?

I agreed because I thought that one need not have private memories to write about a man whose accomplishments are public. I agreed because I felt that by writing about a great man who was dead, I could at least try to communicate part of that greatness to lesser men who are alive. I agreed because I could not say no to a friend who wished his father to be remembered; this, I think is the greatest tribute – the living remembering the dead.

Justice Ibrahim was born in 1898 in a respectable Muslim family in Faridpur, his forbears having connections with Nawab Alibardi Khan, the independent king of Bengal, Bihar and Orissa. He was an excellent student, passing his Matriculation examination from Barisal Zilla School with three gold medals in English, History and Mathematics. He studied English Literature, later studied Mathematics briefly before joining the Non-Cooperation and Khilafat Movement. He was later persuaded to study Law by Dr Naren Chandra Sengupta, then Vice Principal of Dhaka College and later a Professor of

Law in the newly-established University of Dhaka. After completing his studies in law, Justice Ibrahim began his illustrious career in the legal profession, practicing first in Faridpur and Dhaka. Later, he