

Terror attacks multiply Need to tackle things calmly

THE series of deadly attacks at the Egyptian Red Sea resort of Sharm el Sheik, killing at least 60 and injuring over 100, has come on the heels of a second round of bombings in London, thankfully causing far less damage. While there is no evidence as yet that the attacks are linked in any way, it seems indisputable that we are now in the middle of a concerted terror offensive.

There are no words to express our anger and disgust at those who kill and maim innocent people indiscriminately and with impunity for the sole reason of spreading terror. Our hearts go out to the victims and their near and dear ones.

Islam, which literally means a religion of peace, does not sanction suicide, far less the killing of innocents by suicide bombers. Those who take the name of Islam to do it are shaming a great religion and putting Muslims throughout the world at some risk.

It seems to us that the bombings were approached by the British authorities in a calm and mature manner, with Muslim MPs and religious and community leaders being consulted and co-opted. That said, the recent shooting to death of a young man at a subway station is potentially troubling. The rules of engagement have been changed in light of the gravity of the current situation. It may well be that the police had their reason to act as they did, but it is important that the public be fully aware of how and why such an action was taken.

It is important at a time like this to approach things in a calm and sagacious manner. This is how the authorities cracked the first London bombing case so swiftly. This is the toughest and most delicate investigation the British authorities have ever been faced with, and the Egyptians are about to experience the same thing. There must be no misuse of the new powers that law enforcement will need to get to the bottom of such atrocities, either in the UK or Egypt or elsewhere.

Which brings us to Bangladesh. Our observations here are two-fold. One, the government must do more to contain any possible spread of terror. CCTV is a good idea, but it is not enough. The government must take the threat seriously. Two, the fact that the threat is real and needs to be addressed cannot be an excuse for government repression and harassment of its opponents. A cool and clear head is the order of the day.

Kid-glove jab won't do

Food adulteration is a serious crime

REPORTS carried by this newspaper over the last few days have made it amply clear that adulteration of foods has assumed menacing proportions, with big brand names and well known restaurants featuring in the list of the guilty. It is no longer an errant milkman's attempt to make some extra profit.

What is of particular worry is that the food sellers are increasingly showing utter disregard for the physical well being of the consumers. They are mixing toxic substances and non-food grade colours and all sorts of standard materials with foods to boost their illegal business. In addition to that, stale and rotten foodstuffs are being sold regularly.

Now, this is a serious threat to public health. People are suffering from various diseases as they ingest adulterated foods on a regular basis. The lure to make huge profits is getting the better of any concern for public health, or any punishment that may be meted out which is very light according to the present provisions of law.

The recent drive against adulteration saw some well-known food caterers or sellers being booked by the mobile vigilance team led by a magistrate. They have been fined up to a maximum of Tk one hundred thousand. We believe the penalty is negligible, especially considering the huge profits they have been making through serving standard or adulterated foodstuffs, let alone the gravity of the crime itself which needs to be suitably recompensed. It is highly unlikely that such punishment will work as any deterrent; on the contrary, it is the simple economics of profitability far outstripping the fines to be paid that will induce them to return to business as usual, perhaps with vengeance.

Keeping in view the serious health hazards being posed by food adulteration, therefore, we suggest that criminal charges be brought against culprits, in whose hands the consumers are slow poisoned to death. Unless such crimes are punishable by jail sentences, the scourge cannot be fully eliminated. Obviously, the existing law needs to be given teeth to treat food adulteration as a criminal offence.

M. ABDUL LATIF MONDAL

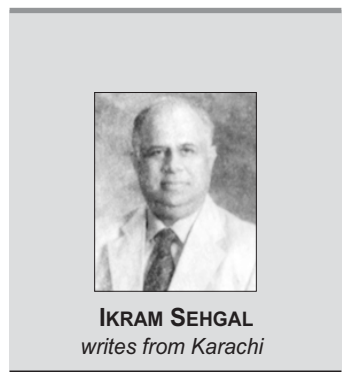
THE Law Minister disclosed to The Daily Star on July 7 that the government was "pondering over introducing a law on the qualifications of judges." During the last three decades or so, there have been continuous allegations of politicisation of appointment in the higher judiciary. Enactment of a law determining the criteria for appointment of judges in the higher judiciary is therefore long overdue.

Bangladesh has adopted a Westminster style of parliamentary democracy. But the important departure is that unlike the British parliament, the parliament of Bangladesh is not sovereign. In Britain, parliament is supreme and it is beyond the competence of the courts to declare a law *ultra vires*. But in Bangladesh, the Supreme Court has been given the power of judicial review to see that parliament does not overstep the limits set by the constitution.

In other words, the constitution has circumscribed the power of parliament in making laws and has reposed on the Supreme Court the constitutional responsibility to adjudicate upon the validity of laws. The invalidation of the Constitution (Eighth Amendment) Act, 1988 so far it related to the creation of permanent benches of the High Court Division by the Appellate Division of the Supreme Court is a case in point.

Although the constitution provides for a Westminster style of parliamentary system of government, yet the Supreme Court of Bangladesh enjoys the power of judicial review like the Supreme Court of the United States, that has a presidential form of government. The Supreme Court of the US upholds or declares null and void, and consequently of no effect the Acts of the Congress or state legislature or executive orders which are in conflict with the constitution. By doing so the Supreme Court becomes the guardian of the constitutional system of the US. The

A despicable act



IKRAM SEHGAL
writes from Karachi

CALLING the recent London blasts "a despicable act" is understating a calumny of the worst kind. On two counts, "suicide bombing" is anti-Islamic, viz (1) Islam shuns suicide for any reason, and (2) the shedding of innocent blood is forbidden, again for any reason.

I may add a third (and even more important) count, "suicide bombing" is destroying the image of Islam in the world. That the perpetrators were Muslims is a slur on the name of Islam, that they had Pakistani connections should make our heads hang in shame.

In a discussion compered by Nasir Beg Chughtai (NBC) with Jamaat-i-Islami's Hafiz Hussain Ahmed on GEO TV's "Foreign Affairs" program on the subject of "suicide bombing," the example of a possible bomb in the London Underground killing innocents of any race or religion was used to illustrate why Islam was vehemently opposed to any such act and that such horrible crimes could not be countenanced by any civilised society. To his credit,

Supreme Court of Bangladesh with its power to invalidate any act of parliament or executive orders that are inconsistent with the constitution is thus the guardian of the constitutional system of the country.

The constitution provides that there shall be a Supreme Court for Bangladesh comprising the Appellate Division and the High Court Division. The Supreme Court shall

qualified for appointment as a judge of a High Court unless he is a citizen of India and (a) has for at least ten years held a judicial office in India; or (b) has for at least ten years been an advocate of one or more High Courts.

The Chief Justice of Pakistan is appointed by the President and other judges are appointed by the President after consultation with the

League (AL) government. During the last thirty years or so, the successive governments have found the deletion of that provision to their advantage and therefore have not taken any initiative to revive the provision. So there is no constitutional requirement to consult at least the Chief Justice for appointing judges in any of the two divisions of the Supreme Court. This has given a walk over to the executive in the appointment of judges.

Appointment as an additional judge is, in fact, the entry level in our higher judiciary. During the last three decades, particularly since the early nineties, appointment of additional judges has been highly politicised. In the absence of constitutional obligation for consulting the leaders of political parties in parliament, or for obtaining recommendation of a judicial council or judicial service commission, or for consulting the Chief Justice in the appointment of judges, the two major political parties, the BNP and the AL, which have held the state power during the last fourteen years, seem to have at times appointed their party followers and sympathisers, without necessarily considering their qualifications, as additional judges. Appointment of a few unfortunate ones was not confirmed due to changes in government.

There cannot be two opinions that appointment of non-partisan, competent, efficient, and honest persons as judges is a sine qua non for enabling the higher judiciary to successfully discharge its constitutional responsibilities. Enacting a law to this end will be a great service to the nation. The alliance government must take up the issue seriously, and the main opposition party and other opposition parties in parliament and outside parliament must cooperate in the enactment of the law.

These include: (i) constitution of an independent Appointment Board to help the Chief Justice to recommend persons to be appointed additional judges; (ii) enlargement of the Supreme Judicial Council with the inclusion of representatives of the Bar to recommend suitable persons for appointment as judges in the High Court Division; (iii) constitution of the Judicial Council with the Chief Justice, as ex-officio Chairman, and Law Minister, two senior-most judges of the Appellate Division as ex-officio members, and one distinguished jurist appointed by the President; (iv) revival of the constitutional provision for consulting the Chief Justice to appoint judges; (v) selection of judges from among the lawyers through a panel of Supreme Court judges; or (vi) 15 to 20 years' practice as an advocate of the Supreme Court to be eligible for appointment as a judge.

To conclude, there cannot be two opinions that appointment of non-partisan, competent, efficient, and honest persons as judges is a *sine qua non* for enabling the higher judiciary to successfully discharge its constitutional responsibilities. Enacting a law to this end will be a great service to the nation. The alliance government must take up the issue seriously, and the main opposition party and other opposition parties in parliament and outside parliament must cooperate in the enactment of the law.

Now let us have a look into the constitutional and other legal provisions regarding appointment of judges in the higher judiciary in some other countries including our neighbouring countries practising presidential, parliamentary, or dual system of government.

In Britain, the Crown, on the recommendation of the Lord Chancellor who is the highest judicial officer, appoints judges of the Supreme Court of Judicature and the Court of Criminal Appeal.

In India, every judge of the Supreme Court is appointed by the President after consultation with such of the judges of the Supreme Court and of the High Courts in the states as the President deems necessary for the purpose. In the appointment of judges other than the Chief Justice, the Chief Justice of India is always consulted. A person is not qualified for appointment as a judge of the Supreme Court unless he is a citizen of India and (a) has been for at least five years a judge of one or more High Courts; or (b) has been for at least ten years an advocate of one or more High Courts; or (c) is, in the opinion of the President, a distinguished jurist. Every judge of a High Court is appointed by the President after consultation with the Chief Justice of India and the State Governor. The Chief Justice of a High Court is also consulted by the President in the case of appointment of a judge in that court. A person is not

converted into cauldrons of hatred. Can this be acceptable to the vast mass of Muslims who have suffered the revulsion and backlash created by wrong interpretations of the basic tenets of Islam? This is in turn is exploited and force-multiplied by those in the west who hate Islam. We need extensive damage control, prioritising the establishment of alternative schools having all subjects, including religious ones, on the curriculum.

Our law enforcement agencies must adopt the sheer professional

wide CCTV's already exist must be studied, focusing on the latest and most recent examples of installation and operation (and effectiveness) thereof. Such cameras have to be backed up by constant and efficient monitoring. It is no use being wise after despicable acts such as 7/7, these must be prevented before they happen.

The president personally read the riot act to the police officers down from the IG level to Town Police Officers (TPOs) of all the provinces, including Islamabad Capital Territory recently. He exhorted them to go not only after those who use loudspeakers to spread hatred, but to target hate literature, forging neither the authors or the publishers, the printers or the distributors. Perviz Musharraf is a man with both his heart and his mind in the right place. The question is, while we will certainly see some media-related action in the big cities as a sequel to the presidential *farman*, how will the police officers in the rural areas, particularly at the thana level behave?

The president must have follow-up meetings in all the provinces to ensure his message is heard down to the thana level, it is really upto the TPOs to ensure that the president's directives are carried out in letter and spirit. We are at the "ground zero" of terrorism, it is time we stop burying our head in the ground like an ostrich and hoping our exposed body is also safe.

Our major cities, starting with Islamabad, Lahore and Karachi, must have these installed immediately, and by professionals, not by contracts given to "Chacha-Mama-Tayas" Unlimited, having no experience or track record. And let's not be penny-wise pound foolish! Models of major foreign cities where city-

ism of the British police, their dedication and commitment. While giving pep-talks to the police is very much in order, the government must study how and why the British police were able to track down the bombers swiftly with the use of nearly of 1,600 CCTV cameras in London coverage alone.

When we are taking a lot of the decisions unilaterally, and most of them controversial enough to raise eyebrows, why not take this also unilaterally, at least this would not be controversial. The general public will not question the motive, the business community will not question the motive and above all, all the parents who are paying thousands of taka for the education of their children will not question it. I really

do not understand why on this issue the government takes the initiative of bringing all the parties to the same table and say that nothing can be done if the political parties are not involved in the discussion. The BNP government or rather any government of Bangladesh thinks twice because of the thought of them becoming the opposition party some day. We should not rely on hartal to have our voices heard. We should promote non-violent demonstrations. That way, throughout the whole world, people would have the sympathy of the unheard. But what we see now is violence in the name of hartal. What does that do? It tarnishes the image of the country and loses sympathy from all over the world. The government should take the initiative to show that they really want hartal to be banned for the sake of the country. The government should start believing in that and translate this into law. Once you start practising what you believe, people one day would

follow you. We as general public always look upon the government and if we see that the government is serious about banning hartal, very soon people would refrain from such activities and that would make all political parties realise that like the general public they also love the country and refrain them from those activities.

Since we are a democratic country, the government should call upon the political parties to get together to have the hartal banned and if these political parties do not answer to the call, take the decision unilaterally and I can bet my life that this would be welcomed by all quarters.

So my request to the all the ministers and MPs of the country, we voted you to power, take the initiative and do something good for us.

Sayed A Khondoke
Worcester, MA

M. Abdul Latif Mondal is a former Secretary to the government.

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do not prescribe any qualifications; hence the President may appoint anyone for whom senatorial confirmation can be obtained.

In Pakistan, the President appoints the Chief Justice and other judges. A person shall not be qualified for appointment as a judge of the Supreme Court unless he is a citizen of Bangladesh, and he (a) has been an advocate of the Supreme Court for at least ten years; or (b) has held judicial office in Bangladesh for at least ten years; or (c) has such other qualifications as may be prescribed by law for as a judge.

The constitution further provides that if the President is satisfied that the number of judges in a division of the Supreme Court should be for the time being increased, he may appoint one or more duly qualified persons to be additional judges of the division for such period not exceeding two years as he may specify. An additional judge may be appointed as a judge, or appointment of an additional judge may be extended. It may be mentioned that excepting the appointment of the Chief Justice, the President shall, in the appointment of other judges including additional judges, act in accordance with the advice of the Prime Minister.

them, they were terrorists plain and simple. How many times have IRA bombers been called "Catholic" terrorists? It was wonderful to see the heads of all major religions come together immediately and issuing a joint statement to ensure that the Muslims in Britain would not suffer a backlash. Revulsion combined with fear is a sure recipe for blind retaliation.

Pakistan's image suffered severe damage with the news that three of the four bombers were British-born of Pakistani-origin. Pakistan-haters

have blended into modern, progressive society. While reforms of the madrasahs was announced some time ago, only lip-service has been given to the directives. Fully 1.75 million to 2.0 million Pakistani (and one dare says Afghani) children are in the madrasahs, but less than 10 per cent are sent for religious education only. A vast majority (nearly 65-70 per cent) populate the madrasahs because their parents cannot afford to pay school fees. Between 20-25 per cent were boarding and lodging

AS I SEE IT

The president must have follow-up meetings in all the provinces to ensure his message is heard down to the thana level, it is really upto the TPOs to ensure that the president's directives are carried out in letter and spirit. We are at the "ground zero" of terrorism, it is time we stop burying our head in the ground like an ostrich and hoping our exposed body is also safe.

decker bus does not fit the profile of a "suicide bomber." Each one of the other three bombs on the tube exploded when the train had left the station. The bombers could simply have been "mules," carriers who had not been told that the bombs would go off once the switch was put on, they were probably told that the "timers" once armed would give sufficient time to leave the carriages at the next tube station.

Suicide bombers do not carry their identification, credit cards, etc. on them! While the bombers were certainly of Muslim origin, they were not "Islamic militants" as western leaders and media keep calling

are having a field day shifting all the blame to Pakistan, and prima-facie who can refute this? All of the bombers visited Pakistan in the recent past, at least one is believed to have visited a madrasah in or near Lahore (possibly Muridke, the HQs of Lashkar-i-Taiba, or whatever name they operate under nowadays).

While nearly all the madrasahs need reform, a handful of them, maybe 80-100 out of the 7,538 known entities (i.e. 1 percent), need to be closed down for teaching blind, illogical hatred, of not only the other major religions of the world, but even against those Muslims who

arrangements because their parents cannot afford to pay for their food.

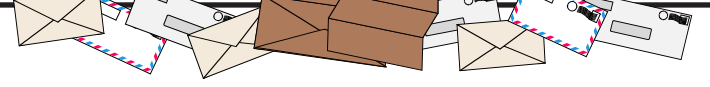
This is perhaps the most dangerous group, captive audiences to the daily litany of hatred focused on them because of the perceived woes of the Muslims at the hands of the west. Both the fear of authority and the sense of victimisation evokes in them bitterness and anger from the time they awake in the morning to the moment of their sleep at night. There can be no more brutal demolition of the basic message of Islam - peace and harmony has been destroyed by fire and brimstone sermons, mosques being

anthropology department
Dialect
As Sylheti people we feel proud. We have lots of natural treasures and heavenly landscape. We have a different dialect. Language is one of the main four elements of culture. But some guys (who've come from other districts) neglect, mock and make fun with us for our style of pronunciation. They have no right to neglect us because every language has lots of dialects. Every dialect is different for some special words.

Some of my friends say to me it is so rough to hear from our mouths. But we cannot do anything about it and others should accept it.
Fatema Sunamganj

My 2 cents on hartal
I read your paper on the web every day. This is a major source for me to know the news of the country. I live in the United States of America and

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



Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

Open manholes

It is interesting that the name of the city is Dhaka, which means "covered" in Bengali, but it is full of open manholes. There is hardly any road without open manholes. These open holes are not only eye itching but also dangerous. Sometimes sticks or something else is placed there to avoid accidents. In the rainy season the situation gets worse.

I urge the city fathers to close the open manholes to make our life secure and the name Dhaka meaningful.
Mithun Dhaka

Baseless news

A couple of days ago a sensational news item was carried by one of the local newspapers. The story was on alleged desecration of the Holy Koran by a virgin in Oman and she was, according to the report, reduced to a beast by virtue of some

divine decree. As far as I know no other paper printed this news. So I can definitely say the story is baseless and false. Our religion does not support this kind of falsification.

Now my question is how can they cover such kind of news that misguide the people? If it happens frequently the media will lose its credibility.
Muhammed Abdullah Dhaka

Objective stories

Recently in a press release, Justice Abu Sayeed Ahmad, chairman of Bangladesh Press Council, called upon newspaper owners, editors and journalists to refrain from running even objective stories that may tarnish the country's image. I am surprised to see such a statement and it seems to me that he is echoing the ruling alliance's views about newspapers.

Recently, the ruling party men and the government are at odds with the newspapers. In some recent

reports, newspapers have exposed corruption of some ministers. I think that newspapers are playing the role that we common people expect of them. We need to know what the ministers are doing with public money. Some recent reports hinted at involvement of one ruling party leader in the widely publicised murder of Sagir Ahmed. Again we common people want to know whether our political leaders are involved in criminal activities or not.

In Bangladesh, we are living in a helpless situation. The ruling alliance is doing whatever it wishes. The alliance's men are found to be involved in the killings of opposition MPs. Our only hope lies in the newspapers. Newspapers can form public opinion against all sorts of misdeeds of the ruling alliance. They are exposing the truth and that makes the government unhappy. That is why the government is trying to take action against newspapers.

Jewel Ahmed Basabo, Dhaka

MBA admission in JU

It has been a very timely decision that the Jahangirnagar University is going to introduce eleven more departments for higher studies from this year. This initiative will make everybody happy, especially when the scope of higher studies is very limited in the country. A new commerce faculty would be the new addition with the existing faculties. But it is very surprising for the non-commerce background students as well as for me that the existing MBA department is not open for all to take part in admission test. My point is, if there is a complete commerce faculty to come, why the MBA department is not taking any step to change its admission criteria? Even the IBA of DU or other universities maintain very flexible criteria for MBA admission seekers from different backgrounds whether it is science, arts or social science.

Why is the JU taking a different stand?
Md. Hafisur Rahman