

## JCD tender outrage

*Needs to be reined in, now*

WE are not the least bit surprised but greatly shell-shocked at the outrageous and scandalous act that some members of the student wing of the ruling BNP played out at the highest seat of the administration, the Secretariat, by forcibly preventing others from taking part in a tender bid, with the law enforcing agency as mute onlookers.

This brazen faced and shameless intervention of the JCD in the process of tendering, that one sees all over the country, has been a long ongoing phenomenon. At least that has been so, for as long as the ruling coalition has been in power, with the JCD allowed to carry on with impunity. They hog the tender bids in the most blatantly audacious manner, as was demonstrated at the secretariat the other day, as if it is their right to expropriate the tenders.

Such acts have come under the spotlight many times but no action on the part of the BNP, to rein in the JCD cadres, is apparent. How can the government contradict those who may say that BNP's failure to control its cadres is an indication of its acquiescence in the acts? Where is the government's willingness to fight corruption? Let us be clear, this is a type of corruption that stems from within the system and need more than mere expression of intent; it requires honest commitment to be addressed impartially. Regrettably, the BNP has demonstrated both its unwillingness as well as its inability to do so.

Here we have the RAB, set up to exterminate the criminals and terrorist, to rid the country of their nefarious activities. But what one witnessed the other day is no less a criminal act carried under the very nose of the administration, virtually abetted by the police and perpetrated by those very close to the ruling party. Nothing demonstrates the government levity in fighting crime in the society than this, and their articulated intent of restoring law and order rings hollow when such wanton acts are allowed to continue with impunity.

Its never too late to act, but act before the student activists of the party become a Frankenstein.

## RAB draft rules

*Right to appeal should be included*

TYPICALLY, if an offence has been committed by any member of the Rapid Action Battalion (RAB) he would be sent back to his parent organisation. RAB itself has not had any authority to deal with him. To overcome this disability, some new rules have been drafted by RAB itself seeking consideration and approval of the same by the government. Once they take effect, the 'elite' force will have two special courts to try any unruly member of the force -- summarily in the manner of court martial.

All these point to creation of an internal deterrence mechanism against any crime-prone RAB members. Such a built-in apparatus in the shape of two special courts -- one dealing with some specified 'major offences' and the other with 'minor offences' -- is likely to bring discipline in the RAB operations. We are not too sure if all manner of excesses will be covered under the new rules.

The fact that RAB has been given enormous power to deal with crimes, makes it imperative that there are checks and balances in the exercise of its authority. The move to introduce new rules shows that RAB has become cognizant of a certain waywardness on the part of some of its members and is proving responsive to media criticism on that account. This is good sign, we would say.

But we note that those found guilty will not have any recourse to judicial remedy. For the sake of fairness and justice, however, we hope that the authorities will have second thoughts on this and incorporate a provision whereby the convicted will be able to appeal before the judiciary.

One more point: the focus now seems to be on RAB only, away from the police force. We urge the government to take steps to transform the police into a modern and effective force through appropriate reform and re-equipment.

# The rise of China: Relations with the US



M. ABDUL HAFIZ

THE ambivalence is what shrouds the US' relationship with China. They eye each other with suspicion but have so far been able to rub along nicely without causing friction. The US needed China's support in the war against terror. And China, it may be recalled, supported the US' attack on Afghanistan but couldn't go along her hegemonic policy of pre-emptive aggression. She however avoided any clash with world's sole superpower lest she loses the momentum of her economic growth hinged to which are her wider political and military ambitions.

The US has, nevertheless, a great deal of reservation about China and her conduct on a number of issues as manifested from time to time. A string of recent pronouncements coming out of Washington indicate that Bush administration may be adopting a rather abrasive position with regard to China. The US unceremoniously attacked

China for the huge wave of textile import that followed the lifting of global quota agreement at the beginning of the year. In retaliation the US has also imposed quotas on Chinese textiles, as has the EU.

The US treasury has demanded that China revalue the yuan within next six months and described her currency policy as 'highly distortionary'. Even if China revalues the yuan it will make precious little difference to the US' huge

Prior to 9/11 the incoming Bush administration had already adopted an aggressive stance towards China calling it a strategic competitor rather than 'strategic partner' -- a term preferred by Bill Clinton, his predecessor. But 9/11 seemed to have brought that to an abrupt end. Even then for a period the relationship remained mellow. The period has also come to an end. In retrospect, it would appear that the importance and urgency of anti-

politically and militarily assert her role. Since 9/11 apart from being circumspect and mostly cooperative with the west China has been extremely pro-active and sophisticated in the way it has gone about seeking to enhance her position in East Asia and South Asia and concluding a series of agreement notably with India, Indonesia and ASEAN -- all aimed at better ties. Its wider significance cannot be lost sight of.

defend itself with ruthless determination. So, the looming conflict between an extant America and rising China will become a dominant faultline of global politics.

Yet on the one hand the relationship between the US and China represents perhaps the consistent expression of a bipartisan long-range American foreign policy. Starting with Richard Nixon seven US presidents have affirmed the cooperative relations with China

depend on how expeditiously the extant powers can adjust to those changes. China's emerging role is often compared to that of imperial Germany at the beginning of the last century -- the implication being that a strategic confrontation is inevitable and US had better prepare for it. That assumption is both wrong and dangerous. Only the reckless could make such calculation in a globalised world of nuclear weapons.

In the words of Henry Kissinger: the military imperialism is not the Chinese style. Clausewitz, the leading western strategic theoretician, addresses the preparation and conduct of a central battle. Sun Tzu, his Chinese counterpart, focuses on psychological weakening of the adversary. The second world war initiated by a rising Germany is irrelevant.

But a cold war between the US and China seems very much in the offing. China will be demonised for its political system and its profound cultural differences as, for the first time in modern history, a non-white, non-European based society will be a global superpower. The West will need to learn to live with difference rather than seeking to denounce and subjugate it. The US will need to contain its primordial desire to have an enemy, be it native Americans, the Soviet Union, Bin Laden or China. Only then the political tension that lies ahead can be tamed.

## PERSPECTIVES

**A cold war between the US and China seems very much in the offing. China will be demonised for its political system and its profound cultural differences as, for the first time in modern history, a non-white, non-European based society will be a global superpower. The West will need to learn to live with difference rather than seeking to denounce and subjugate it. The US will need to contain its primordial desire to have an enemy, be it native Americans, the Soviet Union, Bin Laden or China. Only then the political tension that lies ahead can be tamed.**

current account deficit. Earlier the US' Defence Secretary Donald Ramsfeld claimed, in a bullying mood, the Chinese military was much higher than officially admitted, questioned the motive behind the increased defence expenditure and called on Beijing to embrace 'a more representative government.' Sometimes back it had been reported that Pentagon was preparing to release a report that would warn the administration to take more seriously China's emergence as a strategic rival to the US.

terror crusade was fake. They were never as stated, but only to use them as lever to begin the transformation of US' foreign policy -- one that we are witnessing now in a wave of neo-imperialism and colonialism. Bin Laden and al-Qaeda had never been serious threat to the US. Al-Qaeda could never pose a minuscule threat to the world's sole superpower. But China can and certainly will. That's where is the US' strategic stake.

China is a different matter altogether. Its growing economic power will, in course of time, fuel desire to

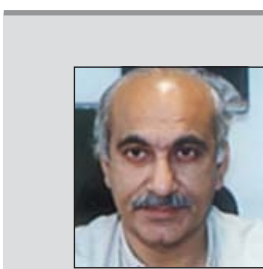
Firstly, because this is China's backyard and her ability to establish its pivotal position there will be a crucial determinant of its capacity to become a global power. Secondly, East Asia, China's likely playground is destined to be the epicentre of global politics. Thirdly, the US also remains the dominant player in the region while China's influence grows -- that of the US diminishes. Howsoever no global power ever gives up power voluntarily. Having defeated the USSR in the cold war and now glorying in its status and power as sole superpower it will

and American commitment to a one China policy. Nevertheless the ambiguity in the US-China relationship has suddenly reemerged. Various officials and media are attacking China's policy from exchange rate to military build-up. The relationship is becoming hostage to reciprocal pinpricks -- the sign of impending cold war, if any.

The rise of China will, over the next few decades, bring about a substantial re-ordering of the international system. The international peace and security will substantially

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# Revolt of the 19th century



M. J. AKBAR

EVERYTHING has been happening when nothing happens. Good management is not about solving problems; it is about preventing problems. And so when a part of India does not jump at us from the front pages, it is a safe guess that the chief minister has his eye on trouble spots and someone is doing something to lance the boil before the simmering and potentially septic puss erupts.

Haryana's chief minister, Bhupinder Singh Hooda, is still an infant in office, which is when most mistakes of omission are made. He made every mistake possible in the confrontation between the workers of a Japanese multinational, Honda, and its management at Gurgaon. He ignored the slow burning anger of the workers for weeks. His first response to the crisis in which policemen were first beaten up, and then took barbaric revenge, was uncertain and irritable. When the fire, fuelled by stark television images, began to singe him and his leaders in Delhi joined the roast, he went into vocal appeasement mode and forgot the practical, as for instance the need for extra, emergency medical facilities, thereby feeding media with another day's story. Finally, while he had to hold police officers accountable, since they were obviously and visibly guilty, he forgot to add that the workers were guilty as well, for they began the violence. The Haryana

police, which is going to be around when all the workers have gone back to work, will remember this lapse of memory. A chief minister with an indifferent police force is only a minister, not a chief.

Here is a suggestion for all executives in public life. If you want to manage the troubles of our nation, create a war room. Place a huge map on one of the walls, with lots of lights around it so that you don't miss anything. Get the chief secretary and the police chief to flag all

responded with harsh measures to break it. That is 31 years, or a generation-and-a-half, ago. (I am ignoring Datta Samant's irresponsible and self-indulgent misuse of textile workers in Mumbai, because that was egotism, not trade unionism, and therefore turned sour and counterproductive. The millowners used the foolishness of Samant to close a meagre-benefit industry and became doubly rich as masters of vacant property in the heart of Mumbai.)

may not be even, nor the resentment uniform, but resentment exists.

Moreover, in 1975 television was not around, except as a droning black and white propaganda box that dished out half an hour of utterly boring news that viewers watched only to look at glamorous news readers. No one actually heard anything on television. Today, independent channels bring you news. But they are not half as potent as the entertainment channels that

Indians cocooned in the 21st century have no idea what to do about the spreading people's armies. The plural is accurate, for there is more than one army. But they have a single motivation: to create a parallel state until they can destroy the state that has left them behind. We use a loose term for them. We call them Naxalites.

The Naxalites do not sit outside the gates of multinational factories for a month waiting to be heard. They collect taxes, they have funds,

suffered the worst humiliation, through centuries, are the Dalits (formerly the Untouchables) and the tribals. The process of the politicisation of Dalits started with the venerable Dr B.R. Ambedkar and is in the aggressive hands of Ms Mayawati at the moment. They are beginning to find their niche in our democracy, even though their impoverishment has not ended.

The human and economic exploitation of tribals has been a shocking story, and one that is not told very often because the tribals do not have a voice. Their women suffer rape in silence; the men have no answer to sophisticated and crude economic exploitation. (The Church, incidentally, is one of the few groups doing exemplary work in tribal areas of Jharkhand, and is therefore targeted by the establishment.) At long last the tribals are mobilising politically and doing so under the banner of the Naxalites. Tribals are brought out by Delhi to dance at the Republic Day festival. They are now getting ready to make Delhi dance to their tune. It will be a dance macabre.

I did not use the image of a war room lightly. There is a social war going on, but since government survives behind the screen surrounding Delhi, or any capital city, it is blind to that war. Sometimes defeated candidates in a Parliament election return shell-shocked at the power of Naxalites; but winners of course never see anything, for they live under the illusion that their party or their charisma has got them victory.

The masses of the 19th century are at war with the elitists of the 21st in India. The latter are armed. The former are angry. Don't take the outcome for granted.

MJ Akbar is Chief Editor of the Asian Age.

## BYLINE

**I did not use the image of a war room lightly. There is a social war going on, but since government survives behind the screen surrounding Delhi, or any capital city, it is blind to that war. The masses of the 19th century are at war with the elitists of the 21st in India. The latter are armed. The former are angry. Don't take the outcome for granted.**

the places where social tension is likely, has spurted out but been controlled, or where it is growing and could go out of control. Get a status report every morning, and ensure that the officials briefing you are not telling lies, or covering their backs with evasion. Eruptions will still take place, for India is exploding with anger just below surface level. But at least chief ministers -- or indeed Prime Ministers -- will not be surprised when the splinters hit them in the face.

The story of the police onslaught on workers at Gurgaon in Haryana is a little deeper than swinging lathis, however dramatic that might have been, or the failure of the Japanese management system, whose paternalism rarely has the breadth to reach industrial colonies in foreign lands.

We are in the summer of 2005. The last time Indian working class anger dominated the news was in the summer of 1974, when George Fernandes led a national railway strike and Mrs Indira Gandhi

In a developed country three decades of peace would be good news. It is bad news in a country that lives across centuries: those below the poverty line are in the worst phase of the 19th century; the urban poor live in the early part of the 20th century; the middle class live in the middle of the 20th century; a minuscule few have entered the 21st century. There is too much anger at base volcanic level, waiting for a chance to turn into lava. One reason is that the dialectic of India's democratic politics shifted, in the 1980s, from economics to communalism. Then, in the 1990s, both organised labour and the middle class were pacified with sops -- aspirations, consumerism and rising incomes thanks to fresh foreign capital, innovation and competition. Aspirations are a problem in an uneven economy, for while they comfort 20 per cent at the top (the creamy layer, to use a quaintly Indian economic formulation), they create great resentments in the thick slabs below. The slabs

take the world of the rich and the beautiful into the homes of the impoverished and the plain. The poor now know what they are being denied. Television also promotes a greater sense of reality than cinema, which is always closer to fantasy. At one level this angst creates a market for products that promise to make young, or even old women look beautiful within 28 days. (Since in our unhappy self-image, beautiful is synonymous with fair, these globs of acid sold as cream have to make you fair as well. It would be interesting to find out how much of television ad revenue comes out of false promises.) At another level, this creates a sense of injustice that the political or the economic system has long stopped trying to assuage.

If this was all the news, it might still leave some room for comfort. The worry is, or should be, not the violence that we have seen but the violence that we could see. Those Indians left behind in the 19th century are beginning to mobilise, and

they buy sophisticated weapons, and they shoot. When the Naxalites feel threatened by the state machinery, or when they want to take revenge, they do not use the lathis that the workers at Gurgaon wielded. They plant powerful bombs in the way of a Chandrababu Naidu's convoy in Andhra Pradesh; or they attack banks and police stations at Madhubani in Bihar. The Naxalites do not depend on Leftist Members of Parliament for publicity or a trade union movement for solidarity. They keep their wounds hidden, their secrets to themselves, and work through a network that crawls through village and jungle between Andhra Pradesh and Bihar, extending to Orissa and Bihar in the east and Maharashtra in the west. According to one report, more than 7,000 villages are already under their control, and two villages at the very least are joining this parallel state every week.

Undemureth a thin sheen, we Indians remain casteist and sectarian. The two groups that have

# CEC has said it all

MOZAMMEL H. KHAN writes from Toronto

THE newly appointed Chief Election Commissioner (CEC) in a recent move has invited "all" the political parties to sit for dialogues with the Election Commission (EC) to get their views on the voter list. As a former justice and interpreter of the constitution, the CEC probably has been guided by the principal maxim of the constitution that gives equal weight to each individual citizen, though not each political party, of the republic.

The EC's list included more than a hundred political parties, most of whose names were not known to the people. The 14 party alliance, including the AL, which happens to be the largest single political party according to the vote statistics of the last three general elections, did not respond positively to the EC's invitation. They have rejected the unilateral appointment of the CEC by the government in the first place.

The opposition AL expected that the alliance government would at least reciprocate the endeavour initiated by the AL government by issuing not one, but two letters in as many days, inviting the then leader of the opposition to sit for a dia-

logue with the PM to appoint a CEC acceptable to both the opposing political groups. The then leader of the opposition categorically refused to sit with the then PM and asked her, instead, to resign and hand the power over to the caretaker government (CTG) who would, according to her suggestion, appoint the CEC.

The PM of the day had no option but to unilaterally appoint a CEC, who according to some accounts was in fact a candidate recommended by the President. The BNP responded to the appointment by calling a country-wide hartal and creating a commotion at the oath taking ceremony at the Supreme Court premises under the leadership of Mousad Ahmed, the current law minister.

Justice M A Aziz, a judge of the Appellate Division, hastily accepted the offer of government as CEC, without thinking of the long-range implication of his unilateral appointment.

In his first test of capability and intention to hold any free and fair election in the Narsingdi by-election, he failed miserably. The hooliganism exhibited by the thugs of the ruling alliance were visible in the pages of the news media all over, which however, failed to perturb the CEC. In response to the

complaints made personally by the apparently defeated candidate the CEC's comments that "I do not have miracle power to redress the situation" only reflects that it is not the CEC but somebody else who holds the "miracle power" to redress any visible wrongdoing in the election process.

In the meantime, the 14 party alliance has put forward a long list

reach a consensus with the leaders of 117 political parties.

In fact, the CEC has even gone further, in reference to AL's rejection of the EC invitation, by uttering words such as "I have nothing to do if any party decides not to join." In an argument with the leader of a party who met with him, he further went on to substantiate his remarks when he weighed AL in terms of its

constititional provision which was incorporated by BNP itself had taken into consideration the "major political parties" that surely did not envision the 117 or so political parties that the EC has lately discovered.

In one of my earlier pieces on CTG, I implored the option of Justice K M Hasan voluntarily withdrawing from the future responsibility as the CA, exactly the way he withdrew himself from the trial of Bangabandhu murder case. If that happens, albeit no indication of it in the horizon, the provision 58(C) 5 would trigger itself. However, that would be a temporary solution. The extent the highest judiciary has been politicised by the current government, it would be almost impossible to find any future chief justice who, one time or the others, was not connected to BNP politics. This very reality demands a serious consideration of the opposition's demand of this particular aspect of the reform formula.

People who are indoctrinated by BNP politics have the inclination of perceiving their detractors as devoid of any memories. One such indoctrinated writer has criticised the opposition for demanding an amendment to the constitution as, in his words, "too many amendments do not help healthy practice of democracy," altogether side-tracking the natural query as to whose interest was served by the 14th Amendment that increased the retirement age of the judges.

**Over the last 35 years, there were only two elections that were held without the participation of AL. Incidentally, the governments under which those elections were held met exactly the same fate. The later of the two happened on February 15, 1996 and the resulting parliament lasted for only 26 days.**

In defence of Justice Hasan, the said writer queried why no one protested when he was appointed judge (AL government did not elevate him to the appellate division; is it not a protest?), turning a blind eye to the, so-far futile, on-going protest of the Supreme Court Bar Association and the Bar Council against the appointment of 19 judges by the present government solely on political considerations. In fact, Justice Hasan rescued himself from his responsibility, an opportunity to prove his neutrality,

est was served by the 14th Amendment that increased the retirement age of the judges.

In the case of the former, the more palatable of the two, he would be well-advised to take some lessons from two of his well-respected predecessors, namely, Justice Abdur Rouf and Mr. Abu Hena, on how to conduct oneself in this pivotal position. It would be for his own interest to remind himself that he is no longer a sitting judge of the highest court. Moreover, one holding this extremely vital constitutional position should go back a little to

the pages of history.

Over the last 35 years, there were only two elections that were held without the participation of AL. Incidentally, the governments under which those elections were held met exactly the same fate. The laws to curtail the freedom of press, the chairman of the press council, a former justice, echoing the relentless tirade of the ministers, admonishes the media not to publish news that undermine the image of the country, while its MPs and envoys speak loudly in favour of extrajudicial killing. Its latest victim is the EC. The way Justice Aziz has so far conducted himself as the chief executive of the Election Commission, proved one of two things: either he is naive or he is playing some one else's card.

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If the second apprehension is true, with a partisan President at the helm of the state and a likely Chief Advisor who failed to rise above a matrimonial relationship to try even the self-confessed killers, it seems that the die has been cast regarding the future of the nation.

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