

'Now I place my hand on the shoulder of possibilities'

MAHFUZUR RAHMAN

If you happen to visit the Botanical Gardens at Mirpur on the outskirts of the city, look right as you line up at the single file entrance. You will see a tiny shop, if you can call it that. It is but a lone wood and glass showcase, out in the open under a scorching sun, and stuffed with packets of snacks and topped with bottled water and cold drinks. On the front of the show case you will find these words written in bold caption in Bangla: *Ei rakhlam haat shombhabonar kandhe*, which translates into the title of the present paragraphs. I was at the gardens to photograph flowers. The lotuses were simply beautiful. They thoroughly compensated me for last year's disappointment. To me it took some time for the message of the sentence to sink in. And who wrote it? I asked. Was it a line out of a modern Bengali poem? I quizzed friends with literary bends. No, it was not from any modern poem they knew of. Intrigued, I went back to the gardens. The subterfuge used was that I wanted a second look at the lotuses, this time with sparkling rain drops on their magnificent leaves. It did rain that day. A young boy was in charge at the shop. I asked him who wrote those words. He did not know, he said, but I could ask the owner. I did. The owner turned out to be a young man perhaps in his late twenties. Where did he find those words? I wanted to know. "No where", he said, "These are my

words. I wrote them myself." Then he explained. He has a master's degree in political science. But he could not find a job. For ten long years it had been a struggle to survive. The snack stand at the entrance of the Botanical Gardens was where he finally hoped to find success. He was determined to make it work. This was where he

possibilities? One should hope they were. There must be thousands of individual success stories in the country. We read about them in newspaper reports. Some of them came creeping back into my thoughts. There must be a thousand shoulders of possibilities.

Yet did we not, as a nation too,

The nation was rocked to its foundations as Islamist militants carried out some five hundred bombings across the country. That was days before the first anniversary of the August 21, 2004 grenade attacks that took the lives of twenty two innocent people and wounded hundreds in an act of unprecedented savagery. Can the vendor by the gate of the Botanical Gardens and the thousands like him long keep their grip on the shoulder of possibilities if the nation loses its on its own?

rested his hand on the shoulder of possibilities. I thought the words were brilliant poetry, congratulated him, wished him success, and left. But the words did not leave me. They continued to haunt me. How many thousands of young men and women, like the author of those words, dream new dreams every day for a better life, or at least renew them every day, I wondered. And how many thousands of dreams are dashed every day! As our car raced back to the city, hundreds of tiny roadside shops sped by. How many of them are symbols of hope and not desperation? Were they all shoulders of

start with a hand on a shoulder of huge possibilities? People who fought for independence from foreign rule had a vision of a strong democratic, secular, liberal society that would open up enormous opportunities for individual and collective fulfillment. That goal remains a distant dream. We had gone only a short distance from the gardens when our car was caught in an unexpected traffic jam. As we crawled along, we realised something was wrong. There was large police presence at street intersections. Some streets had been barricaded. We made detours. Our driver craned his neck from

his window. What was up, he asked someone. A prominent businessman had been murdered for refusing to pay extortion money. There had been large scale violence in the streets as a result. I was reminded of countless hundreds of people killed by extortionists over the past few years. Law enforcement agencies, damning law, have themselves killed many hundreds, supposedly to stop such extortions. Back on the main road, we passed large hand painted slogans demanding punishment to killers of Bangabandhu Sheikh Mujibur Rahman. I was reminded that it had been three decades since the murder and yet the nation had not found the collective will to punish the killers.

The trip from the gardens ended. Soon we were back in the safety of home. A few days later the nation was rocked to its foundations as Islamist militants carried out some five hundred bombings across the country. That was days before the first anniversary of the August 21, 2004 grenade attacks that took the lives of twenty two innocent people and wounded hundreds in an act of unprecedented savagery.

Can the vendor by the gate of the Botanical Gardens and the thousands like him long keep their grip on the shoulder of possibilities if the nation loses its on its own?

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The changing law of armed struggle

DR. LIAQUAT ALI KHAN

MAJOR new developments have muddled the right to armed struggle. The global war on terrorism openly denies that any such right exists. The collapse of the Soviet Union has undermined the Marxist-Leninist concept of armed struggle, which overthrew numerous old regimes. Great liberation movements that freed Asian and African lands from colonial empires have dissipated, even though neo-colonialism is retaking many lands and their resources. Great guerilla leaders of the 20<sup>th</sup> century such as Mao Zedong, Che Guvera, and Yasser Arafat have passed away, leaving behind uncertain legacies. New armed revolutionaries are treated worse than criminals as suppressive states make every effort to kill them. Nations, such as Iran and Syria, which allegedly support the right to armed struggle, have been designated as terrorist states. The United States, the sole superpower, is planning to build tactical nuclear weapons to incinerate caves and bunkers that might shelter any infrastructure of resistance and militancy. Despite these developments, international law has not yet repudiated the right to armed struggle. In 1974, the United Nations General Assembly passed historic Resolution 3314, adopting the Definition of Aggression that includes the right to armed struggle. The definition embodies customary international law. Therefore, it cannot be dismissed as mere political opinion. The definition forbids states and coalitions of states from "any military occupation, however temporary." It also prohibits bombardments, blockades, or forced annexations of any lands. The definition warns that no consideration of whatever nature, whether political, economic, military or otherwise, justifies aggression. Even a declaration of war furnishes no legal basis to commit aggression. Furthermore, the definition treats acts of aggression as crimes against peace. In outlawing all forms of aggression, however, the definition provides an exception for the right to armed struggle. It states: "Nothing in this definition of aggression could in any way prejudice the right to self-determination, freedom and independence of peoples forcibly deprived of that right, particularly peoples under colonial and racist regimes or other forms of alien domination: nor the right of these peoples to struggle to that end and to seek and receive support."

The right to armed struggle might have faded away, had international institutions and superpowers played by the rules that mandate peaceful resolution of disputes and prohibit all forms of aggression. Successful resolution of self-determination conflicts in Chechnya, Kashmir, and Palestine might have blunted the need for armed struggle.



Hamas: Palestinian freedom fighters or terrorists?

includes both. Even logic yields such an interpretation. Since the definition lists unlawful uses of force, the exception must refer to the lawful use of force. Accordingly, the people under occupation, apartheid, and alien domination may resort to armed struggle in pursuit of freedom and independence. They may also seek and receive arms and other support from external sources. This is the law of armed struggle. The war on terrorism aims at repudiating this law. The insurgents fighting the US occupation in Iraq are branded as terrorists and criminals. Neighboring states are under intense diplomatic and military pressure to provide no assistance to Iraqi insurgents. Likewise, Israel labels all attacks on its civilians, settlers, and occupying soldiers as terrorism. Dozens of Palestinian groups fighting for self-determination, including Hamas, have been declared terrorist organisations. Even charities

providing funds for armed struggle have been criminalised and closed down. Has terrorism repudiated the right to armed struggle? One could argue that the Definition of Aggression was adopted more than thirty years ago; and therefore, it no longer embodies the current consensus on the right to armed struggle. This argument has no merit since every year various international organisations and institutions reaffirm the right of self-determination against colonial and racist regimes, and other forms of alien domination. In 2005, for example, the UN Commission on Human Rights reaffirmed the Palestinians' right of self-determination, urging "all member states and relevant bodies of the United Nations system to support and assist the Palestinian people in the early realization of their right to self-determination." In another reso-

lution, the Commission condemned "the use of force by the Israeli occupying forces against Palestinian civilians, resulting in extensive loss of life, vast numbers of injuries and massive destruction of homes, properties, agricultural lands and vital infrastructure." These resolutions do not specifically mention the right to armed struggle. But they invoke the language of the Definition of Aggression pertaining to alien domination and racist regimes, a language that embodies the right to armed struggle.

The Organisation of Islamic Conference (OIC), an organisation of 56 Muslim states, is most forthcoming in its recognition of the right to armed struggle. The OIC Convention on Combating International Terrorism (1998) states in unambiguous terms that "Peoples' struggle including armed struggle against foreign occupation, aggression, colonialism, and hegemony, aimed at liberation and self-determination in accordance with the principles of international law shall not be considered a terrorist crime." This allowance for armed struggle, however, is not unbridled. Militants fighting for liberation and self-determination must execute their struggle within the confines of international law.

Law aside, even good morals cannot take away the right to armed struggle. For if there were no right to armed struggle, predatory states would be emboldened to subjugate weak nations. And if a subjugated people have no right to seek and receive support from outside sources, they will be unable to engage in any effective resistance. The occupying states wish to change the law and morality of armed struggle so that they can easily crush the will of the occupied.

The right to armed struggle might have faded away, had international institutions and superpowers played by the rules that mandate peaceful resolution of disputes and prohibit all forms of aggression. Successful resolution of self-determination conflicts in Chechnya, Kashmir, and Palestine might have blunted the need for armed struggle. But the UN Security Council, the watchdog of international peace and security, has worsened these disputes through inaction, deadlock, and vetoes. The United States, the sole superpower, has behaved even more irresponsibly by choosing aggression at will.

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'Fighting poverty together' SAPFOW Islamabad declaration

A two-day meeting of the South Asian Parliamentarians Forum on WTO took place on August 29-30 in Islamabad, Pakistan. The forum was attended by 24 members of parliaments from five South Asian Countries (Pakistan, India, Nepal, Bangladesh and Sri Lanka) including deputy trade minister of Sri Lanka; Chair of parliamentary committee on commerce of Bangladesh; and chair of parliamentary committee on agriculture of Pakistan. The members agreed to form a formal South Asian Parliamentarians Forum on WTO (SAPFOW) in order to work closely on WTO issue. Their declaration follows:

Aware that the sixth ministerial meeting of the WTO, which is scheduled from December 13-18, 2005 in Hong Kong will have massive consequences for the developing countries as well as the LDCs;

Aware that trade liberalisation in the name of 'free trade' during the last decade under the WTO regime has been fundamentally flawed with disastrous results to the poor countries;

Aware that during the last decade, poor nations have been forced to submit to market fundamentalism and have been coerced through various agencies into opening their markets to foreign corporations and foreign produce, privatizing their services and abandoning the measures which helped small domestic companies to compete with overseas competitors;

Aware, that while weaker trading nations have been repeatedly promised that every concession that they make to free trade will be matched by similar concessions by the powerful nations, every time the rich world has responded by breaking almost every promise it has made;

Aware that poverty for many of the world's people, means death by starvation and disease and that the immediate cause of such starvation and disease is the lack of purchasing power;

Aware that the world's purchasing power resides in the hands of the people who need is least, while who need it most, for such necessities as food, clean water, housing, health and education, have almost none;

Aware that a one percent increases in the share of world exports for each developing region would reduce the number of people in extreme poverty by hundreds of millions;

Aware that the working population in farming is barely 3 per cent in the rich countries in contrast to the majority in the poor countries, fair trade in the products of farming would cost the rich world very little in terms of the loss of welfare to its inhabitants, while delivering major potential benefits to poorer nations;

Aware that the rich nations now give their farmers nearly \$ 1 billion a day as subsidy which is six and half times of what they give poor nations in the form of aid;

Aware that the rich nations impose much higher tariffs on goods from poor nations than on goods from other rich nations;

Aware that intellectual property rights granted by the WTO over the years have enabled corporations to assert exclusive control over genetic material and plant and animal varieties forcing the poor people of the developing countries and the LDCs to pay them a license fee which forms a discriminatory commercial practice and a tariff barrier

Aware that foreign direct investment can some times cost a poor nation more money than it makes;

Noting that since the adoption of the Doha work program there is little evidence of progress on the development of the developing countries as well as the LDCs while on the other hand the rich countries still continue to pressurise poor countries for deeper commitment towards further liberalisation in crucial sectors such as agriculture, services and bound tariff rates;

Realising that due to the lack of progress on the special and differential treatment (STD) and implementation issues the economies of the developing countries and the LDCs will face grave consequences;

Recognizing that we need to devise a system governing the flow of goods around the world which offers a perfect equality of opportunity

permitting a significant transfer of wealth from rich to the poor all allowing poorer nations to compete on roughly equal terms, addressing the balance of trade between nations and ensuring that temporary deficits did not turn into permanent debt;

We, the parliamentarians of the South Asian countries, considering the urgency to discuss WTO related issues and to play our vital role as peoples' representatives in the ongoing negotiations of the World Trade Organisation (WTO);

Call upon the developed countries to stop dumping of their agricultural and industrial products and eliminate all subsidies and export credits from agricultural products;

Urge the developed countries to provide wider market access to exports from developing countries as well as the LDCs and supplement more rapid debt relief with an increased level of new unconditional financial support for the heavily indebted countries;

Call upon various groups to build defensive as well as offensive strategies that promote the interests of the peoples of the developing countries and the LDCs and their economies and to further strengthen the unity and solidarity among the poor nations;

We urge the governments of the South Asian countries to make coordinated efforts and remain firm and committed in articulating and sustaining priorities which promote the interests of their people and their economies.

We assert that the WTO and rich countries must end the undemocratic practices such as mini-ministerial meetings, green room processes, Five Interested Parties (FIPs) etc, and the process should be made transparent and inclusive;

We emphasise that the targets of Millennium Development Goals can not be met unless the export distorting subsidies and protection in rich countries are eliminated;

We urge that the rich countries should accept the free flow of semi-skilled and less skilled persons from poor countries;

We urge that rich countries must accept the right of poor countries to protect the food security, livelihood of small farmers, labor rights and local industries;

We also urge that basic needs like education, health and water must not be privatised.

And in order to play an effective role in the WTO negotiations, we hereby, declare the formation of South Asian Parliamentarians Forum on WTO (SAPFOW) with immediate effect. While more parliamentarians from South Asia will be invited to join, the SAPFOW, at this point in time, will be comprised of the following members of the South Asian Parliamentarians:

1. Ambika Dant Chaplain, Nepal Congress, Nepal
2. Bidya Devi Bhandari, CNP (UML) Nepal
3. Pari Thapa, People's Front Nepal
4. Akkal Bahadur Bist, Nepal
5. Debsa Brata Biswas, All India Forward Bloc
6. Ramdas Attawale, India
7. Mr. Redwan Ahmed, Chair, Parliamentary Standing Committee, Ministry of Commerce, Bangladesh
8. Mr. Abu Hena, Member of Parliament, Bangladesh Nationalist Party
9. Prof. Qazi Golam Morshed, Member of Parliament, Bangladesh
10. Mr. Farid Uddin Chowdhury, Member of Parliament, Bangladesh Nationalist Party
11. Golam Habib Dulal, Member of Parliament, Jatiya Party
12. Col Faruk Khan, Member of Parliament, Awami League
13. Professor Sirajul Akbar, Member of Parliament, Awami League
14. Mr Mithrapla, Deputy Minister for Trade, Commerce and Consumer Affairs, Sri Lanka
15. Chama Rajapakse, Deputy Minister of Plantation Industries, Sri Lanka.
16. Chandra Secharen, Member Parliament, Sri Lanka
17. Makhdoom Shah Mahmood Qureshi, Member Parliament, Pakistan
18. Mrs. Mehnaz Rafi, Member of Parliament and Chairperson, Standing Committee on Women Development, Pakistan
19. Dr. Farooq Sattar, Members of Parliament, Pakistan
20. Muhammad Hussain Mehanti, Member of Parliament, Pakistan
21. Ms. Shugafat Juman, Member of Parliament, Pakistan
22. Ch. Manzoor, Member of Parliament, Pakistan
23. Makhdoom Ahmed Alam Anwar, Chairman, Standing Committee on Agriculture, Pakistan
24. Syed Naveed Qamar, Member of Parliament, Pakistan

Next meeting of the SAPFOW would be held this year before the WTO Hong Kong ministerial meeting at Dhaka.

Where Bangladesh stands today?

MOHAMMAD AMJAD HOSSAIN

A series of more than 400 bomb blasts throughout Bangladesh, including the capital Dhaka on August 17 in half an hours has caused serious concern among the people and reflected the callousness of the coalition government. Although low intensity intended for lesser casualty this synchronized bombing within the range of thirty minutes in almost all 64 districts is unprecedented and, of course, alarming. Two persons were killed and 125 others injured. Well, but had the bombs been not the low-intensity ones? You shudder to imagine the range of casualties! And it wasn't difficult for them Jamaatul Mujahedin Bangladesh (JMB) left leaflets at sites of blast.

The call of strike by Awami League along with left-leaning political parties on August 20 in protest blaming the government for its failure to comprehend such attacks and take pre-emptive action did not speak good of the opposition either. In stead of showing unified stand against the perpetrators of bomb blasts, it gave wrong signal to the perpetrators of divided country at this juncture of national crisis. Apart from strike and blame game both the ruling party and the opposition would frustrate such motive and attempt and help law enforcing agencies to find clue of the motive behind such heinous act and apprehend the perpetrators.

It is interesting to note the comments by Motiur Rahman Nizami, Minister for Industries, who represents Jamaat-e-Islami in the coalition government, that Indian intelligence agency Raw and Israeli intelligence agency Mosad had a hand in organising the series of bomb blasts to destroy constitutional and democratic system, topple coalition government and break unity among Muslim groups and present Bangladesh as a terrorist country while investigation is on. Motiur Rahman Nizami is also the chief of Jamaat-e-Islami Party. The Foreign Minister, however, immediately came out with a

In view of growing law and order crisis, there is a need to call round table meeting of all political parties to hold open discussion on the situation, and consensus suggestions emerging from the meeting should be immediately implemented in the interest of the country.



Opposition parties called hartal in protest: Not a wise decision

statement saying that the government did not buy his opinions, although Nizami is a part of the administration. This type of comments by ministers must have caused misgivings in international relations.

The people of Bangladesh have been witnessing deteriorating law and order since the attempt on the life of the British High Commissioner in Sylhet, in May, 2004. It was followed by grisly bomb attack in August, 2004 on the meeting of Awami League, killing 22 including prominent activist Iy Rahman. Then early this year it was the assassination of a brilliant bureaucrat-cum-politician SAMS Kibria, who served as Executive Secretary of Escap in Bangkok with distinction, gave a blow to the fragile law and order situation.

As a Bangladeshi from abroad, I have been watching with concern the series of bomb blasts and killing of political opponents, businessmen and innocent people in the country. Providing security to the people belonging to any and all strata of the society, according to the constitutional

provision, is the responsibility of the government in power. Failure to stop unabated incidents of bomb blasts and killings implies that the government in power has no plan effective enough to seize the challenging task of apprehending culprits. The Prime Minister should order to hunt down the culprits irrespective of party affiliation and bring them to justice which would set a precedent of governing the country under rule of law.

It is not understood how series of bomb blasts that rocked the whole country simultaneously was plotted without being noted by intelligence agencies, both civilian and armed forces! This failure verges on incompetence. In scenario it appears that the country is not in safe hands. Synchronized bomb blasts are indeed unprecedented in the country no doubt, but intelligence agencies are aware of the trend of bomb blasts since 1996.

Northern part of the country still remains under the clutches of militant Jagrata Muslim Janata in spite of banning the organisation.

No leader of this organization or militant Islamic groups like Jumatul Mujahadeen has ever been arrested. It is simply no use to ban an organisation but leave its leaders and activists at large which would allow them to operate from underground. The leaders of these organizations should have been arrested and their network dismantled.

Another organisation left oriented Purbo Banglar Communist Party remains at large in southern part of the country extorting money from rich people, often killing innocent businessmen in the event of non-compliance with their demand.

The recent disclosure of increasing grants for and growth of Madrasas has caused further concern to law-abiding citizen because of reported involvement of some madrasas in training and rearing of extremists. The people at home and abroad are blaming Madrasa education for causing religious extremism in the country. Whether it is true or not that is debatable? A high powered committee should have been set up to investigate the method of madrasa education and the purpose it serves in the society which is poverty ridden. No madrasas should be given grant if it is not following standard of education the country needs.

In view of growing law and order crisis, there is a need to call round table meeting of all political parties to hold open discussion on the situation, and consensus suggestions emerging from the meeting should be immediately implemented in the interest of the country. On the other hand, the government may pay heed to the Indian government's recent proposal of joint operation to apprehend culprits, to stop recurring bomb blasts. Without India's cooperation it might be a difficult task to tackle this growing menace as Bangladesh is surrounded by India on three sides.

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