

An unwise decision

Cut off for three days!

FINALLY, the government has broken out of the one-day weekly holiday cycle and gone for a two-day weekend which was long overdue. Yet, the days chosen are wrong, misplaced and an outright disconnect with the rest of the world.

The stated purpose sounds international but from the wrong end of the spectrum. It's being adopted as an austerity measure to cushion the effects of increased energy price. The decision would have been positively internationally oriented had the holidays been Saturday and Sunday instead of the Friday-Saturday combine, which, to be honest, is even worse than neither here-nor-there scenario.

Actually, the announcement of the two-day official weekend comes pat on the back of our government's very steep oil price hike. If austerity is what the government is aiming at — through the two-day weekend — then where was the need for domestically raising the fuel price that high? After all the money saved from the intended cost cutting could have minimised Bangladesh Petroleum Corporation's losses. Couldn't the excise and other duties be reduced on the import price of oil to cushion off the effects of higher international fuel prices for the sake of domestic consumers?

The world we deal with has Saturday and Sunday as weekly holidays. Malaysia, Indonesia and, nearer home Pakistan, all of them no less Islamic than Bangladesh, have Saturday-Sunday official weekend. Evidently because of the overriding, shall we say commonsensical, consideration that the world they have transactions with, are closed on Saturday and Sunday. Saudi Arabia is an exception, but then it is a one-item economy which is oil.

Pakistan is particularly relevant. Originally she had Saturday and Sunday as weekly holidays, then she switches to Friday and Saturday, thereafter she reverts to Saturday and Sunday again, all because she was losing out economically. Her return full circle to Saturday and Sunday has not obviously affected her Islamic credentials.

For purely populist reasons, out of imaginary fears for losing out on votes and just to project Islamicity, the government still sticks to Friday as holiday even when the occasion came to change it. But our religion nowhere commands that Friday should be a closed holiday; all it says is, after the Juma prayers *return to your livelihood pursuits*. The business world, the government, the intelligentsia and civil society at large will be losing three straight days with the outside world if we should keep to Friday and Saturday as holidays.

The government must revert to the Saturday-Sunday weekly holidays that had been once in vogue.

Tri-nation gas pipeline

Flexibility in approach would be a clincher

THE conclusion that one can draw from the statements of both sides after the recently concluded Indo-Bangladesh meetings on the tri-nation gas pipeline is that there is a general agreement to disagree on each other's stated positions on the issue. One could not but notice the sliver of optimism from the statements of Indian minister for petroleum to the journalists after his talks with the Bangladeshi political leaders. It needs restating that the project has immense economic prospect for Bangladesh, perhaps more than anybody else.

India is unwilling to consider the linkages, those being extraneous to the matter as far as India is concerned. It is our belief that these matters ought to be emphasised as long outstanding problems, which are of major concern to us, rather than as absolute preconditions to be fulfilled before a prized multilateral project in its own right could be implemented. There is merit in the comments of the Finance Minister of Bangladesh that trade and tri-nation gas pipeline ought not to be linked at all. We consider the Bangladesh proposal to set up two separate bodies for pipeline and trade issues a very pragmatic approach.

Let us consider the positive side. The region is rich in gas; the increasing need for all countries in the region for cheaper sources of energy to keep the economic growth ticking, ought to be our major concern. For Bangladesh to be able to access gas from the grid for our use and also be able to infuse our own gas into the grid, provide us with tremendous strategic advantage.

The matter of trade deficit with India must be addressed in earnest and so must the matter of unfettered access to Nepal through India and the hydro-electric import from Bhutan and Nepal. But these are matters that will take time to be sorted out for some very obvious reasons. Can a project like the tri-nation pipeline wait that long?

We ought not to reduce the project as a take it or leave it matter. In today's world there is need to display flexibility and an attitude of accommodation in negotiations on matters that have great economic potential.

We feel that the project should be put in place sooner rather than later, because of the immense economic benefits that will accrue to Banglaeesh, while retaining its tri-lateral character intact.

Implications of oil price rise



HARUN UR RASHID

THE world consumes energy (electricity), emanating from coal 39 percent, Gas 15 percent, oil 10 per cent, nuclear 16 per cent and hydro (water) 19 per cent, according to the recent energy sources web site. It shows that the world depends overwhelmingly (66%) on fossil fuels (coal, gas and oil).

Reason for the oil price hikes

Energy on oil depends only for 10 per cent of the world's need. However, the oil price, at the time of writing, is over US\$70.00 and many energy experts say that the price is likely to rise to US\$100.00 (although Steve Forbes, the chief executive of Forbes Magazine, thinks that in 2006 the price will drastically fall down because continuing high price is unsustainable).

The continuing surge in oil price is taking us into unfamiliar territory. It is not that we have not experienced soaring oil price before, however, this time, the reason for the price hikes is so different.

When we experienced oil price "crises" in 1980 or 1974, the explanation was straightforward, as were the effects. They were due to supply shortfalls causing prices to soar for relatively brief periods,

feeding into inflation and interest rates and tipping western strong economies into recession.

This time, according to energy experts, the problem is not much one of supply but of demand. The high demands of oil-hungry China and India are ascribed to the rise, coupled with the political instability of the Middle East region. Furthermore the dismantling of eight refineries at the US coastal belt due to the Katrina hurricane has in some places in the US increased led to an all time high price of gasoline (reportedly from

points off global GDP (Gross Domestic Product) and 0.8 off US GDP. On that basis, the present hike would have wiped about 3 per cent off global growth in the past four years and 4 per cent off US GDP.

Yet, until very recently, the US and global economies have been growing quite strongly, and the US emerged from recession. Inflation and interest rates have been at historically low levels in western economies, despite the increases.

goods.

It imports commodities in vast quantities, pushing up the prices of oil, coal, copper, nickel, and just any mineral resource commodity, while exporting cheap textiles, whitegoods, car parts, computer parts, and other manufactured goods. The result is that it has inflationary impact on mineral commodities but a deflationary impact on consumer products.

It has started to bite



BOTTOM LINE

The higher prices are starting to show up, in a damaging and visible way, in core parts of the economy of many countries. The most vulnerable are the oil importing Asian countries including Bangladesh. Economy of these countries is going through a critical phase and the macroeconomic stability is suddenly faced with serious challenges. Their economies would grow much slower than predicted earlier in the budget. Furthermore petrol price rise leaves consumers extremely worried.

US\$3.90 to 8.00 per gallon).

China's energy consumption has rocketed to support the growth in its share of the global economy, which has nearly doubled in the past decade. Its appetite for oil has roughly trebled in that period and it has, in recent years, reportedly accounted for close to 40 per cent of the growth in world demand for oil. India is also following China for its demand for oil. The source for oil in Iran and in Myanmar for India is an instance in point.

Why has it not affected adversely global economy as yet?
The old rule of thumb was that a US\$10-a-barrel increase in oil prices saved 0.6 percentage

Some economists argue that the fact the price started rising when the US was in its post 9/11 recession and that the rise has been steady, rather than instant, explains why the impact on economies has been muted.

Another possible strand of the explanation is that Western consumers have exploited a housing boom to finance massive levels of consumption, and may have felt wealthy enough to be reasonably unconcerned. Another fact is that the energy intensity of most products is lower today than it was in previous oil shocks.

The more interesting is the relationship between the energy China is consuming and the impact of its production on both commodity and manufactured

Economists argue that the US\$20 to US\$30 a week extra that the households were spending on petrol they were not spending on buying consumer goods. They say that oil price has become a danger to national economy.

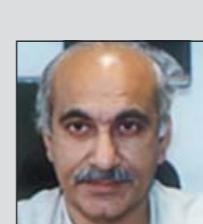
While some parts of the globe have lived more comfortably with high oil prices than others, Europe and parts of Asia are quite vulnerable to sustained higher oil prices. In the US, economic growth has started slowing, perhaps because of high fuel costs have been accompanied by rising interest rates. Consumer confidence and retail sales have shown downturn trend. The effects of Katrina hurricane is likely to affect negatively US economy that in turn

disadvantages, however, are that it produces dangerous waste and its high capital costs. The Vienna-based UN agency, IAEA (International Atomic Energy Agency) supports generation of nuclear energy.

Other sources of energy, such as, wind-power, biogas, exploitation of tidal or sea waves, solar heat, geo-thermal and crop wastes are to be viewed as substitute for oil. Ambitious renewable energy targets and clever research and development strategies can help encourage the swift development and widespread deployment of renewable energy and energy-efficient technologies.

In Germany, wind-power beams have become a common sign (some say ugly sign) in

Blame game



M.J. AKBAR

CONTRARY to anything you may have learnt from sections of the right-wing media, the current price of oil is not a Muslim-Arab conspiracy to destroy civilisation. It is nothing more, and nothing less, than market-economics coming home to roost. If the price of a car can be subject to market forces there is no reason why the price of a national source should be subject to charity. Russia, which is a very Christian country, has not offered to sell its oil at thirty dollars when the market price is a round seventy. It is a well known axiom that the victor lays down the law, or at least defines the meaning of "justice." But such behaviour is not sustainable because it will be challenged effectively. The conversion of the victim into the monster is an old tactic. As the English proverb puts, give a dog a bad name in order to hang it. The problem, of course, is not the fact, but the perception. I am writing this column on Saturday, September 3, and here is a list of facts listed in this morning's Asian Age. It is therefore an arbitrary or accidental list; if I had written this piece yesterday, the list would have been different. The list was distributed not by the Al Islamic Jihad News Agency but by Associated Press, which sends out a package titled Today in History.

According to AP, September 3 was a pretty tough day in world history. On September 3, 1189, Richard I was crowned King of England, a few months before he left for the Anglo-French crusade against Saladin. In 1497, Isabella of Spain married Manuel, King of Portugal; one of the conditions of the marriage was that Manuel would have to expel all Jews from his kingdom. In 1609, Henry Hudson, looking for India, discovered Manhattan. In 1791 the French reversed their revolution a little bit

and created a constitutional monarchy. In 1879 the Afghans massacred a British delegation in Kabul, leading to the second British-Afghan war. In 1904 Japan defeated Russia (the first Asian nation to defeat a European army in modern times). In 1939 Britain, France, Australia and New Zealand declared war on Germany and in 1945 Singapore returned to British possession that day. In 1950, said AP, surely quoting from its archives, "Several Viet Minh terrorists assigned to kill US minister to Indo-China Donald Heath (were) arrested." I hope that the Viet Minh suspects (they had only been arrested, not convicted, were called "terrorists" because they were allegedly on an assassination assignment rather than because they belonged to the Viet Minh, because at least in my book a guerrilla fighting for the liberation of his

clerics spewing nonsense -- whether in India or Britain -- are turned into the evidence required to demonise a whole community, which is a bit like saying that all Hindus share the disturbed thought-process of a fire-breather like Togadia or Singh. In a wise article in the Guardian on July 23, the Reverend Dr Giles Fraser, vicar of Putney, says about Tony Blair's Britain: "Muslims who preach hate are to be deported and subject to new restrictions, Charles Clarke (British home secretary) announced

Check out what happened on September 3, 1497. Five years before, in 1492, Granada had fallen to the Castilians, ending 781 years of Arab rule over various parts of the Iberian peninsula. What was the foremost priority of the new Catholic rulers? The expulsion of Jews, who had lived peacefully under Muslim rulers for nearly eight centuries. But

sins of Muslims. Just as no one in his right mind would blame Christianity for the deeds or misdeeds of Robert Mugabe today or Augusto Pinochet yesterday. Clever politicians like Tony Blair, who will be in India this week, are always correct in their remarks, even while they encourage just that little touch of hysteria in mass media that will deflect attention from the correct diagnosis of their problems. Blair's problem after the suicide bombings in London is to explain how young men, born in liberal, modern, pro-

rules prescribed for a legitimate Jihad). But neither does their crime exonerate Blair from his crime. Blair is not paying for his sins. His country is.

It is no accident that the Conservatives have an old candidate with a new message in their party's leadership contest, Kenneth Clarke. The new message is direct: the war in Iraq is among Britain's costliest mistakes. Clarke is an old-blue Tory, and a businessman (he is vice-chairman of British American Tobacco). The only thing radical about him is the suede he prefers for his shoes. Conservatives are traditionally more pro-American than Labour. Clarke would not have made Iraq an issue if it did not have bounces. There was an inevitable spurt of support for Blair after the bombings. Good politicians always benefit from a crisis, and Blair is among the best at his game. But the fizz can leak as fast as it builds up.

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BYLINE

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OPINION

Inner message of bulldozing the judges

AR SHAMSUL ISLAM

THE judges are supposed to protect the people from the attack of the evils by employing the state machinery. But when the judges themselves are attacked by the state machinery who are there to save them?

The entire nation is horrified to see that the two High Court judges ABM Khairul Haque and ATM Fazle Kabir are confronting dishonour and harassment, in the name of providing unsolicited protection, from the intelligence men at residence as well as the court.

The trouble started following their delivering the historic verdict in the High Court bench on 30 August 2005 declaring the fifth amendment to the constitution illegal terming the rules of Khandaker Mushtaque Ahmed, Abu Sadaat Mohammad Sayem, Maj General Ziaur Rahman from 15 August 1975 to 09 April 1979 as unlawful. The verdict was hailed by almost

all legal experts except those BNP partisans.

In the legal history of Bangladesh it may stand out as a milestone. Containing 22 observations the judgement stated that the constitution is the supreme and inviolable. No institutions — the executive, judiciary, legislature — are above the constitution. They cannot subordinate it. Promulgation of martial law is unlawful. The constitution cannot be brought under the purview of martial law. Those who declared martial law are violators of the constitution.

The verdict observed that the inviolability of the constitution was affected from 20 August 1975 to 09 April 1979.

It may be noticed that this is not the first time that the court delivered verdict against the martial law and its ordinances. Martial law administrator HM Ershad set at least six High Court branches in six divisions violating the unitary character of the state. The lawyers filed writ against it and the High Court set aside the martial law ordinance approving

setting up of those High Courts. During Pakistani regime the upper court of Pakistan declared the act of dissolution of parliament by Ghulam Mohammad as illegal. In a similar verdict in 1975 the chief justice of Pakistan Hamoodur Rahman declared the capture of power by Ayub Khan and Yahya Khan as unlawful.

But nowhere in the above cases the judges concerned were subject to harassment and intimidation of the like as being experienced by our judges Khairul Haque and Fazle Kabir.

The obnoxious game of psychological torture exerted on the two judges went on increasingly. The next day the judges had to get down from the court, then engaged in hearing cases, to attend the call of the SB police due to their repeated aggressive insistence. Requests from the judges either to leave the message of the intelligentsia with the registrar of the High Court or to wait for some time to end the

hearing were not complied with. The government agencies pretended to argue on the priority of the security of the judges who were offered 'gunman protection' but it is alleged to be a ploy to get on the nerve of the judges. The judges rightly refused that offer.

The attending lawyers of the court Barrister Rafiqul Haque and Barrister Rokanuddin Mahmud got agitated at the highhandedness of the DB men and urged the judges not to leave the court on the insistence of the government agencies in the middle of hearing to uphold the dignity of the judiciary. Does it not constitute an indiscreted act of the government to offer a discreet ground to the sensitive community of lawyers to agitate against the government trying to undermine the prestige of the judiciary?

This verdict broke like a storm. The Prime Minister Begum Khaleda Zia learnt about it at 9pm while presiding over a cabinet meeting. The following day the full bench of the appellate division of the

Supreme Court stayed it for two months from operation.

What badly ails our governments is their peculiar and pervert psyche that everyone and everything, no matter who or what it is, even not bothering about the judiciary, should go their own way. That is why the tentacles of politicisation have spread over the institution of judiciary too. Inducting judges in the higher judiciary on party affiliation ignoring candidates' qualifications and efficiency are but natural outcome.

The higher judiciary stands sharply divided between lawyers pro-government and anti-government. It has turned out to be a cockpit for the two conflicting groups despite constraints as ordered by the High Court. The newspapers headline hot preparation of the two for a legal battle over the fifth amendment to the constitution.

The political implications of the verdict are great and far-reaching. It

may pave way for the restoration of four basic principles of the state as envisaged in the constitution of 1972. Some of them were clipped by amendments to the constitution by the martial law administrators. The anti-government lawyers will be all out to uphold the verdict.

On the other hand the pro-government lawyers view that the verdict will break the continuity of the constitution. They argue that decision on the four principles of the state has already been finally made and the people have accepted it. The verdict will destabilise the country. It cannot be accepted. It is obvious that if the verdict prevails the BNP politics will receive a severe jolt. So they are desperate to set aside the verdict.

It is not that the BNP leadership does not understand how indecently and excessively the intelligentsia behaved, under the guise of providing security, with the two judges of the High Court. In fact it is universally condemned falling

within the ambit of contempt of court. Amusingly, the law minister has come forward to regret the incident obviously to give an eye wash. The exercises at bulldozing those judges probably convey an inner message to the judges of the higher judiciary asking them to remain obliging to the ruling party or face dire consequences.

In reference one eminent lawyer of the country pointed out that one chief justice of Uganda awarded a verdict against the dictator President Idi Amin. The hapless chief justice was kidnapped only to offer his dead body a few days later in a park. Of course, we do not believe that such disaster will befall the nation.

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