

Reappointment of judges

A more proactive role of the Chief Justice is called for

THE order of the high court to reappoint those judges, whose appointments were not confirmed by the erstwhile 4-party alliance government despite the recommendation of the Chief Justice, goes to reestablish the supremacy of the rule of law. It would in no small measure help enhance public confidence in the highest court of the country. The government must implement the order as soon as possible.

It is a matter of regret, and one that we cannot restate too strongly, that the judiciary, like all other branches of the state organs, could not escape the evil spectre of politicisation during the tenure of the BNP-alliance government. No sooner did it come to power than it reversed the appointment of some of judges made by the previous government, by withholding confirmation of 10 of them. That it was violation of the Constitution has been amply proved by the High Court directive.

That the erstwhile alliance government wanted to exercise political control over the judiciary was brazenly displayed in the appointment of large number of judges to the apex court of the country, some of whose credentials were questionable.

If the action of the past government has come to be deemed as unconstitutional now, was it not unconstitutional then? Thus we ask again, as we had done before, could not the Chief Justice have done anything to bring to bear the weight of his office to address the issue? Could not he have done anything to prevent the brazenly partisan appointment of judges to the higher courts by the alliance government, and whether a more proactive role on his part would not have served the highest judiciary better?

The Apex Court is not only the court of last resort for the aggrieved, it is also the interpreter and the preserver of the Constitution -- of its letter and spirit -- by keeping it safe from those that try to defile it for political gains. To uphold the image of the judiciary nothing but the reputed, honest, competent and efficient persons should hold the appointment of judges.

We also feel that the chief justice will have not only to resist outside interference, he has also to ensure that the judiciary does not decay from within. And that involves maintaining a very high standard of the judicial officers, from the lowest rung of the judiciary to the highest. Now that the separation of the judiciary has been effected, he ought to focus on the lower courts as well, whose efficiency and honesty have not been above board. He must do all that is necessary to make sure that people's confidence in the judiciary is fully restored.

Correction in rice market behaviour

Government's proactive role imperative

CONTRARY to expectations that a bumper boro harvest will bring down cereal prices, these have only increased over the last several weeks. Concurrently, the world prices of rice and wheat have declined but these have not had a commensurate impact in lowering prices at our end. People's purchasing power constantly eroding, the ruling food price is eating up most of the household income.

The hungry and undernourished are an overwhelming number: Those who earn less than a dollar, equivalent of Taka 69, per day, are 40 percent of the population i.e. six crore, according to World Bank estimate. The minimum price of coarse rice in Dhaka is Taka 34 per kilogram while that outside Dhaka is Taka 32. This is enough of a statistic to illustrate abysmally low food or calorie intake. Even the middle class families are being affected.

Two top economists of the country -- Dr Wahiduddin Mahmud and Dr Mahub Hossain -- have given a recipe for market correction. They have urged the government for speedy procurement of rice from internal sources and release it with subsidy to the local markets and consumers in the end. In other words, emphasis has been laid on effective management of locally produced rice together with vigorous distribution in the open market. But government procurement of rice has been less than expected and there has been considerable hoarding among the rice traders and millers. The manipulative among the traders will be forced to release their stocks once the government's open market releases swamp them, as it were.

There have been two developments we can take advantage of in our efforts to bring down prices. Importantly, a momentum for higher agriculture productivity has been triggered by the boro success. If the government provides agricultural inputs adequately and timely to the farmers they can reach new heights in food production -- of course, with the elements of nature behaving.

The downward trend in international prices has thrown up an opportunity to import rice in adequate quantities. The government may watch the lowering of cereal prices internationally and buy up food at the right time to beef up stocks together with local purchases by way of building a food security structure for the lean season. But timely off-takes and distribution to the open market ought to be the key elements of the overall strategy.

PROF. QUAZI FARUQUE AHMED

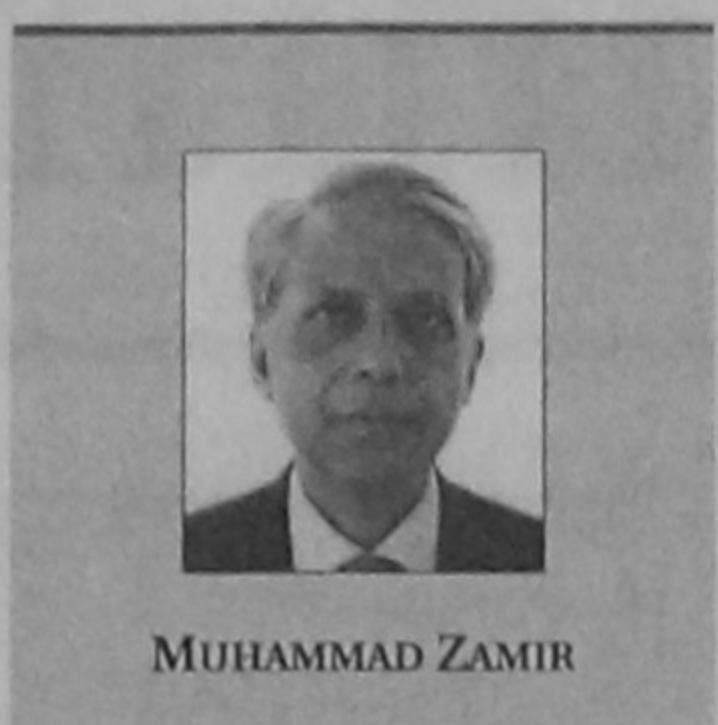
BANGLADESH seems to be still at the beginning of its struggle for liberation of mind and socio-economic emancipation. It will be relevant to study the viewpoints of some eminent educationists and social scientists to formulate the subject-matter in its proper perspective.

Harold J. Laski in his celebrated book 'A Grammar of Politics' maintained: 'By liberty I mean the eager maintenance of that atmosphere in which men (and women alike) have the opportunity to be their best selves. Liberty, therefore, is a product of rights. Without rights there cannot be liberty, because, without rights, men (and also

women) are the subjects of law unrelated to the needs of personality... Liberty, therefore, is a positive thing. It does not merely mean absence of restraint.'

Thomas Hill Green (T.H. Green), the renowned British jurist, dwelt on liberty as both positive and negative. A negative freedom is one where a person is not deprived of his rights or freedom at one's mercy or pity. It means that the person is not under chains because of the magnanimity of those who could chain him or her, but have not done that. A positive freedom is that the very right is achieved on the basis of strength and not snatchable by any one. It reflects the indomitable physical, moral and intellectual strength and capa-

Meeting the sensitive challenges in Afghanistan



MUHAMMAD ZAMIR

MORE than six years on, the demanding marathon in Afghanistan appears to be testing the resources, and the will of the runners. Recent incidents have made it quite clear that Afghanistan's fate is on the edge and that the international community needs to engage itself more politically, rather than just militarily. At the same time they should ensure that Afghans themselves are in the driving seat. It is also becoming apparent to the NATO policy planners that they should, if possible, work jointly with the United Nations and the US so that the international community speaks to the Afghan government with one voice.

The recently convened NATO Bucharest Summit, after intensive discussion, concluded that over the last six years, the international community and the Afghan people had accomplished many democratic milestones. They referred in this context to the setting up of the Loya Jirga, drawing up of the Constitution and the holding of the presidential and parliamentary elections. It was also generally agreed that women and children now live a better life.

The meeting, in general terms, also pointed out, that in most other ways, the situation had deteriorated and that there was a raging insurgency in the south and the east. It was also felt that the Taliban had re-emerged, threatening NATO and the security forces and cutting off swathes of people from

the rest of the country. Views were also expressed that institution building had stalled and that corruption was eating its way into the fabric of the state. Some analysts also commented that a criminalised economy like the one presently in place has made economic development impossible, and any progress made has been very unevenly distributed.

Given this depressing picture, one would tend to think that with-

process. This could be timed to coincide with the efforts that might be initiated when the new US administration takes office.

There is also particular need to coordinate the work of the EU, United Nations, World Bank and NATO in Afghanistan. It is rumoured that President Karzai currently receives so many messages from different organisations that he ignores most of them. One hopes that the new UN Envoy to

agenda for the next five years. They have to be there for the long haul.

At present, Afghanistan remains one of the most highly centralised states, lacking any decentralized government structures, with a weak legislature and no real political parties. This is a seriously flawed arrangement. The international community must hold the Afghan government to its promise of creating effective democratic institutions, introducing proper

several attacks in different provinces in Afghanistan. This has included the targeting of NATO patrols and suicide bombings (140 suicide-bomb attacks in 2007) and increased use of improvised explosive devices. It has led to fatalities in the south of Kabul, in southern Kandahar province (killing eight civilians and wounding six others) and in Nangarhar province in eastern Afghanistan.

The number of terror attacks has

centres.

The international community has to clearly understand that Afghanistan will not be won by military means alone. In this context there have been some very critical observations by the Agency Coordinating Body for Afghan Relief (ACBAR). They have pointed out that some \$10 billion in aid promised to Afghanistan since the fall of the Taliban has still to be delivered. It has also been noted that two-thirds of the aid received bypasses the Afghan government. Forty percent of the aid allegedly also goes back to donor countries in consultant fees and expatriate pay. As a result, ACBAR warns that the prospects for peace in Afghanistan are being undermined. It may be mentioned here that Oxfam is one of the important partners in ACBAR.

Research has revealed that more is being spent on short-term projects as a lever to win people over as part of military counter-insurgency strategy. This is being done at the expense of longer-term development.

These ACBAR findings echo the feelings of Afghan people who feel disappointed by a lack of tangible progress despite the billions of dollars they are told have been heading into the country. That, I feel, is not an ideal situation. There will now be some encouragement after the latest Paris aid meeting. However the proof of the pudding will be in eating.

We in Bangladesh are committed to the emergence of a stable and democratic Afghanistan. It is now a member state of SAARC. In that context, SAARC should take more interest and meaningful initiatives towards constructive engagement with the Afghan authorities, particularly, in the sectors of education, healthcare and microcredit.

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POST BREAKFAST

This gradual rise in militancy in Afghanistan is also because of the government not being able to carry forward visible economic development, reconstruction and rehabilitation in the war-torn, poverty stricken hinterland outside Kabul. Too much emphasis is being given only to Kabul and a few other urban centres. In this context there have been some very critical observations by the Agency Coordinating Body for Afghan Relief (ACBAR). They have pointed out that some \$10 billion in aid promised to Afghanistan since the fall of the Taliban has still to be delivered.

out NATO and EU action, Afghanistan could revert to being the failed state that it was before 2001.

I believe that this prevailing delicate situation in Afghanistan needs a more political approach. There could be a joint partnership between NATO and the EU and more coordinated action on the ground. The Afghan government also has to reach out to the more pragmatic members of the Taliban. It is crucial that the international community changes its approach to counter-narcotics, as well as to aerial spraying of the poppy fields. This course of action seems to have alienated the population. A more effective strategy might be to target the mere 40 to 60 people who are behind the entire country's drugs trade.

It might also be a good idea to seek a more regional solution. If required, Pakistan (as a high percentage of attacks in Afghanistan originate from there) and India should both be brought within the

Afghanistan, Norwegian Kai Eide, will be able to coordinate all these activities more effectively and give the United Nations Assistance Mission in Afghanistan (UNAMA) a higher profile. This is vital. In this context, Eide should also assist President Karzai in taking more responsibility in fighting corruption, ending the culture of impunity, working more cooperatively with the Parliament and concentrating on building up the government's institutions.

Similarly, the international community must also follow through on its commitment to the support of political institutions and in the implementation of the rule of law. This is required to combat that abusive power holders who prey on the local population because of ethnic or sectarian grounds. One knows that some among the international community had hoped for a quick cheap war and a quick cheap peace but that has not been the case. So now, the time has come to prepare their

accountability and integrating service delivery at the local level. Unless this is done, good governance cannot return.

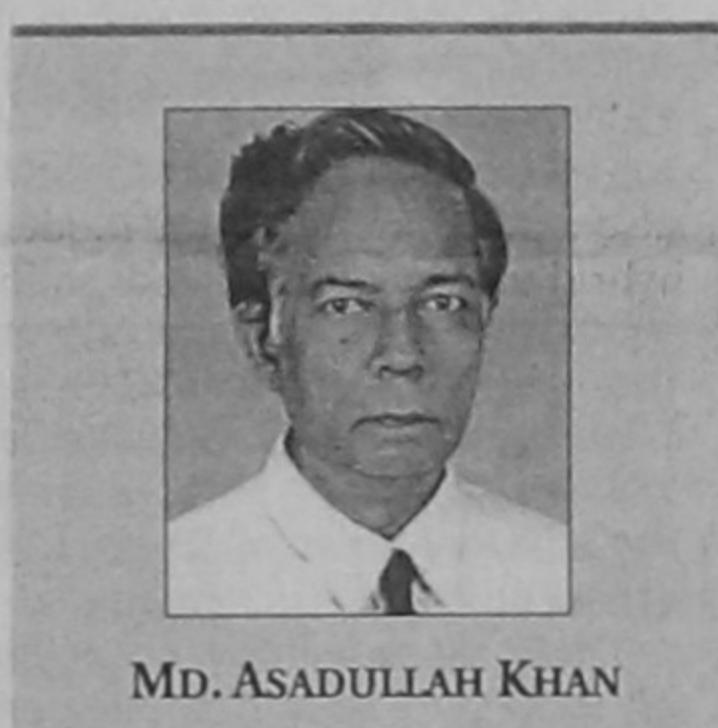
The world cannot forget that Afghanistan is the fourth poorest country in the world. Failure in Afghanistan would threaten global security, increase the drugs problem and destabilise the region. That is the last thing that one would want.

The sensitivity in the current situation in Afghanistan has been underlined very well in a recent report issued by the US State Department. It appears that the Taliban has strengthened its military and technical capabilities even while suffering heavy combat losses. According to the 'Country Reports on Terrorism 2007', the Taliban-led insurgency remains a capable, determined, and resilient threat to stability and to the expansion of government authority, particularly in the Pashtun south and east. The report's findings have since been reaffirmed through

increased from 969 in 2006 to 1,127 last year, and the number of people killed, injured or kidnapped as the result of terrorism rose from 3,557 in 2006 to 4,673 in 2007. These are grim statistics. The Taliban operations have become increasingly aggressive and sophisticated, and their ability to obtain al Qaeda support and recruit soldiers from the Taliban base of rural Pashtuns appear to be undiminished. It is also being alleged that the Taliban are funding their terror activities with money from supporters in neighbouring Pakistan, from narcotics trafficking and kidnappings (which has increased in recent weeks).

I agree with other analysts that this gradual rise in militancy in Afghanistan is also because of the government not being able to carry forward visible economic development, reconstruction and rehabilitation in the war-torn, poverty stricken hinterland outside Kabul. Too much emphasis is being given only to Kabul and a few other urban

Fuel price hike appreciates cost of food



MD. ASADULLAH KHAN

WITH prices rising almost every day and incomes remaining the same not only the poorest class but also the lower middle and middle class people are in dire straits. Compounding the problem already affecting every aspect of life, the sudden big rise in the price of petroleum products, linked with the livelihood and living of all classes of people has pushed them on the brink. The government handout explaining the rationale of hike in a bid to save the exchequer of the subsidy burden although appears somewhat logical but transferring the burden in a quick jump on the people already living on the margin seems to be a very unkind gesture to salvage a sinking economy.

Attributing the price hike of petroleum products in the country to the unusual rise in the price of these products in the international market (the price per barrel of crude oil was \$60 last year and now stands at \$143), the finance adviser as well as special assistant to the chief adviser for energy affairs, however, sounded an optimistic note assuring people that transport owners would not increase the fare disproportionately.

According to one government

handout released in the newspaper in the recent past, 35.7 lakh metric tons of petroleum products were imported in the country in FY 2006-07 out of which 22 lakh metric tons or 65 per cent was diesel. Out of these total imports sixty per cent was used for transports, 32 per cent for agriculture and the rest for other purposes. So the transport sector will bear the brunt of the price hike of fuel most. The special assistant's estimate based on government statistics that a 12.5 to

Policy Dialogue has revealed in a seminar in the recent past that the number of people living below the poverty line has now reached 47 per cent mark from 40 per cent just a year ago because of the inflationary trend. And according to Unnayon Samonnoy because of the increase in the price of fuel of all varieties by about 40 per cent inflationary trend will increase by 1.8 per cent more bringing more people below the poverty line. And consequent upon the increase in

6000.00. After paying the house rent of Tk. 2,000.00 for a ramshackle house at Madartek, he is left with just Tk. 4000.00 to fend for the whole family. Harun narrates his predicament, 'I have withdrawn my daughter now studying in class eight from school as there was no way I could afford the cost of her schooling, especially the conveyance to and from school.'

To cut the long story of the ordeal of hundreds of thousands of people in the country short, every

comfortable living but now these people with funds more than that collected through borrowing or disposing of the savings live just on the margin of the poverty line or below it.

Farmers or the producers of agricultural products in the country who do not have any stable income are now hard pressed and most often they get cheated by the middlemen who buy their produce at a throw away price and hike up the prices of these produce on

goods. Unhappily, the rise in prices of food items and vegetables that are carried by trucks from the remotest places in the country has not been consistent and proportionate with the fuel price hike. Rather it's the truck owners syndicates' arbitrary decision that rules the day.

Inflation has become the major concern for the struggling economy. One might accept inflationary trend in a growing industrial economy but this is not so with Bangladesh. The most important factor causing a 40 to 45 per cent increase in the prices of primary goods may be attributed to market manipulation by interested groups and coteries. The government, despite achieving some spectacular successes in some other areas, seems to have failed to initiate steps to crack down on hoarders, market manipulators and ban forward trading in primary goods.

Unquestionably, part of the price hike of commodities has resulted from high import bill on diesel now being used in the transport sector. As a measure to reduce diesel cost, government must introduce mass transit, ban import of cars, small vehicles and three wheelers and facilitate goods carriage by railways and river routes, especially during rainy season. Finally, self-sufficiency in agricultural commodities is the last resort to combat price hike of foodstuff and other farm products. And in order to achieve that at least for one or two years irrigation should be made free for all farmers instead of providing diesel subsidy in cash and it has to be ensured that supply of fertilizer along with diesel goes to the actual farmers in time.

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BITTER TRUTH

As per estimate given by CAB (Consumers Association of Bangladesh) commodity prices in general have increased by about 15.38 per cent but the price of rice, wheat, pulses, flour, edible oil and milk food items has increased by about 45 per cent just within the last six months. The real story is that a combination of supply side bottleneck and arbitrary increase in transport fares due to oil price hike has fuelled a sustained rise in prices of primary goods.

13 per cent increase in the transport fare of all categories of transport will have a negligible impact on the cost of living appears to be only a wishful thinking. Defying all such estimates a truck carrying either rice or other commodities from Dinajpur or Khatunganj to Dhaka is now charging 14,000.00 taka instead of its previous rate of 10,000 taka. Also the price of rice at the production centres either at Naogaon, or Dinajpur has registered a rise of Tk100 to Tk. 150 per maund (40 kg) immediately after the announcement of the price hike of petroleum products in the country.

At a time when the price hike of food items and essential commodities has hit the poor people hard, the fixed income group including those not on any job, retired employees of either government or private organizations find themselves in a bind. The Centre for

oil price, expenditure on house rent, education, medical treatment and conveyance has further shot up.

Altaf Hossain, a retired government employee having still four members in the family dependent on him faces a grueling battle with his savings like a small monthly pension and a pension benefit that he has put in a bank. The returns from these benefits do not increase but his family expenditure is shooting up every day. These days he does not include pulses and milk in his monthly grocery purchase list. For the last six months he could not buy even a kilo of meat or chicken.

Harun, a 30 year old car driver with two children, wife and old mother working in a construction firm at Banani finds it almost impossible to make both ends meet with a monthly salary of Tk

income group is cutting down the expenses on meat, pulses, chicken, fish and edible oil. And milk, considered an essential item for children, has now become a luxury not only for lower income households but for all sections of the populace. Nutritional experts are worried if this trend continues there could be a whole generation of calcium deficient children in the country.

As per estimate given by CAB (Consumers Association of Bangladesh) commodity prices in general have increased by about 15.38 per cent but the price of rice, wheat, pulses, flour, edible oil and milk food items has increased by about 45 per cent just within the last six months. People fondly recall that there was a time when a salary or income of 10,000 taka a month for a family comprising five members would have given a

different pretexes and enjoy the gains themselves. Pathetically true, most of these farmers having no land of their own but still vitally linked to farm practices in the rural Bangladesh remain perpetually starved and mired in grinding poverty all through the year. They provide us with the food we eat, but they can not afford square meals a day. Agreeing with the government views that GDP (Gross Domestic Product) has risen, the question remains for whom it has risen? For almost 90 percent of the population real income has been decreasing and they don't have any financial security or support to protect them against any calamity in the coming days.

The real story is that a combination of supply side bottleneck and arbitrary increase in transport fares due to oil price hike has fuelled a sustained rise in prices of primary

OPINION

Gender equality yet to be achieved

A free society does not come overnight. For that, free thinking and equal opportunities for both men and women in every sphere of life is an imperative. A cultural revolution coupled with the liberation of the mind of the men folk from all the prejudices including gender discrimination is essential.

bility of the man or woman who knows how to remain free, and the inability of the authority and forces of repression to chain or subjugate him or her.

Bertrand Russell, the famous philosopher, was of the opinion that one's existing right may be replaced by a better right. For example he referred to the system of 'Suttee' in India during the British period. He approved of curtailment of the so called religious right of Hindu women to die alive along with the deceased

husband. Russell was of the opinion that the right to life was much more precious than the right to death.

In the backdrop of the discussion above, the emancipation of half of our population i.e. the woman folk is a must, which however is yet to be considered truly positively by our policy makers. Flowery words of lavish praises without little concrete action programmes for their empowerment and engagement in national streams of progress, portrays a

very common hypocrisy. The following are some of the points of subjugation of the women in our society:

- Discrimination of the female child in family.
- Disparity in allocation of national resources, thus indulging in gender inequality.
- Repression in the name of religion and social taboo, both at home and in the society.
- Deprivation in regard to property inheritance.
- Often inhuman attitude in

regard to marriage and virtual denial of their right to divorce.

- The dowry system, forcing the bride for unlawful collection from her parents, and often even to death.
- Disparity in employment opportunities.
- Discriminatory wages at workplace.
- Often subjugation and virtual slavery in conjugal life.
- Forced early marriage.
- "Hilla" or a type of marriage forced

on woman to marry another man for a temporary or interim period before remarrying her former husband, after unilateral divorce by him (former husband).

In most cases discontinuation of education after marriage in the face of opposition from the members of husband's family, and even from the husband.

A free society does not come overnight. For that, free thinking and equal opportunities for both men and women in every sphere of life is an imperative. A cultural revolution coupled with the liberation of the mind of the men folk from all the prejudices including gender discrimination is essential. It is said that the state originates from the family. So the practice of

liberation of the mind of the male and the empowerment of the female must start from the family. The early it is done, the speedier will be the pace of our social and national progress. A jointly orchestrated male-female chorus can take our society to actual modernity and desired emancipation. For that a vigorous cultural movement and resistance programmes to obscurantist ideas is a must. The women in our country must not be deprived of their due share of everything in the family, the society and the state.

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