

A challenge before RMG export

Improved negotiating capacity called for
EVEN though the volume of our readymade garments export is on the rise, with any possible knock-on effect of the global economic downturn on the demand side yet to be visible, the international garment buyers appear to be pressing newer levers on the bargaining counter. For instance, they are asking for rebates and discounts on shipped products, more intensely than before, following the onset of the financial meltdown. As it is, fierce competition in the global apparel market has already had the selling prices plummet, and now comes the scraping for discounts and rebates raising the prospect of denuding profit margins of the manufacturers and exporters.

There is clearly a double standard here, bordering on the unethical; for, when it comes to importing raw materials for garments manufacture, let alone capital machinery, the overseas business houses wouldn't simply allow any price rebate, even though their purchase price had registered a fall like in the case of cotton.

At the same time, the international buyers never cease to emphasise how important the compliance issue is. Of course, we see the merit in demanding compliance with global standards pertaining to remunerative wage, better working conditions and prohibition of child labour. But should we underestimate the cost factor involved in meeting those standards? There is a growing sense that continuing downward pressures on prices being exerted by international buyers are not merely stripping away profitability of the sector but also inhibiting efforts to improve working conditions in the sector.

There is evidently a case for a continuing dialogue with the major international buyers to convince them about the need for a business-friendly ethical approach to the concerns of our garment manufacturers and exporters. At the same time, with limited local value addition to garment manufacturing, erratic supply of gas and power, higher freight charges and the overall cost of business going high, the government has to see what fiscal incentives can be given to buoy up the garments sector, aside from overcoming the problems related to backward linkages and utility services.

Given our competitiveness limitations, we stand in dire need for capacity building in terms of diversifying markets, developing new techniques of negotiation and acquiring skills in product development with new designs and a modern outlook as suggested by a discerning manufacturer. The BGMEA and the government should work in close collaboration to bring all sorts of international and local inputs to bear on such a modernisation process.

Rehabilitating Sidr victims

Accelerate pace, contain corruption

PEOPLE in the coastal districts, battered by Cyclone Sidr in November 2007, are still having to grapple with miseries as the rehabilitation programmes undertaken by different agencies are yet to be fully implemented.

The projects financed by overseas donors, with assurance of technical assistance, under which cyclone homes for the people in the most vulnerable areas were to be built have not made the desirable degree of progress. It seems the projects are either stuck at the planning and sanctioning stages or have hit implementation related snags.

It is perhaps the magnitude of the disaster, and the human sufferings caused by it, that prompted the people concerned to commemorate the day through organising a discussion meeting. Obviously, the memories of the terrible cyclone were revived and many loopholes in our cyclone preparedness and rehabilitation approaches were identified. It won't be any exaggeration to say that people in the coastal areas might find themselves in the same difficult situation, should another cyclone strike. This may sound overly pessimistic, but we cannot be oblivious of the fact that global climate change is making us more and more vulnerable to frequent natural disasters. We must brace for even worse calamities in the days ahead.

No less disturbing is the report from a Sidr affected area that the victims had to bribe UP members to get their share of construction materials. Nothing can better exemplify thriving on human miseries than such exploitation of the poor cyclone victims. It is really unfortunate that the men in charge of helping the victims have actually found an opportunity to make money out of the rehabilitation programmes. Even government officials have been accused of supporting the corrupt elements -- an allegation that should be gone into.

Post-cyclone rehabilitation programmes, however, cannot be viewed in isolation from overall disaster preparedness. Sidr casualties could have been reduced or even avoided, had people responded in time to the call for moving to the nearest cyclone shelters. The reluctance to take such matters seriously enough proved to be suicidal. Creating due awareness about the dangers associated with a cyclone is still a goal unaccomplished. The disaster managers have to perform better in this particular area.

Finally, it is time to evaluate how much of the commitment to rehabilitating the victims has been fulfilled and where things have gone wrong. Nothing will be more unfortunate than the poor people remaining as exposed to cyclones as in the past, despite availability of funds and technical assistance. And how far have the government and the NGOs gone in extending help to the people in distress?

Has TAC lost its tack?

SHAHEDUL ANAM KHAN

IT'S all but certain the direction the Truth and Accountability Commission (TAC) is heading towards. It very nearly suffered a premature end when the High Court division declared its formation illegal and unconstitutional. It has been given a month's lease of life by the apex court of the land.

All good laws must originate from moral scruples, but that is hardly the case, if one were to believe those who seem to think that even good laws have their origins in bad moral, not to speak of the bad laws. Therefore, one is at a loss to characterise the Voluntary Disclosure Ordinance based on which the TAC was set up. Very few will contest the fact that it deserves the verdict that it got from the High Court division.

What makes the Ordinance a bad regulation is not that it was patently unconstitutional, for it was every bit so, but that it went against the very principle of natural justice. And when one gets to hear eminent lawyers (thankfully they are far and few between), particularly those that were involved in its formulation if not its conceptualisation, supporting its case, who find no fundamental flaw in it, one cannot help but wonder whether the very concepts of justice and law have undergone a change.

While one had been led to believe initially that perhaps the motivation behind the idea was pious, the provisions of the Ordinance suggest that the mechanism employed was grossly flawed. However, some have even gone so far as to question the very intention behind the scheme; apart from the fact that it was blatantly discriminatory in nature, it smacked of ulterior motives, they think.

While one would not wish to question the motive, as an ordinary citizen with very little knowledge of law and its intricacies, one cannot but question the judgment of those that saw it fit to superimpose on the judiciary a quasi-judicial arrangement, to which it was hoped the guilty of all shades, deportment, colour and calling, would supplicate, and make a clean breast of their guilt, and having paid for their "misdemeanor" by putting back into the public coffers what they had gotten illegally, go scot-free, perhaps back to what they had been doing and what they are adept in doing, amassing illegal wealth, once again.

While the jurists and legal experts have cited the relevant provisions of the Constitution whose violation has rendered the ordinance ultra vires of the law, to ordinary citizens the contradictions seem

STRATEGICALLY SPEAKING

In a society where honesty is not always the best policy, there can be little rationale for establishing committees that are generally seen as "letting off" rather than holding the corrupt to account. Setting up commissions to reduce the incidence of corruption, and whose provisions are discriminatory, runs the risk of being misconstrued as a measure to dispense law in a selective manner.



Save the deprived?

so glaring that one doesn't have to be a Justinian or a Wendell Holmes to see the limitations of TAC.

How is it possible to have different dispensations, in the same system, for the same crime? How interesting it is to read the statement of persons holding high office, given to the media just before the promulgation of the ordinance, that the commission would consider the cases of businessmen with leniency considering their contribution to the national economy. So, if you contribute to the economy you can get away with your illegal acts by owning up to it and reimbursing the ill-gotten wealth to the government treasury? And all this would be done in camera, and the public would not know the identity of these criminals. And since the ordinance had no retrospective effect, those already tried and convicted for similar crimes cannot make use of the new provisions.

Does it not make the Ordinance a "bad law"?

As far as its usefulness is concerned, if one were to read between the lines of the TAC chairman's statement, the response has been less than what had been expected -- more so from politicians. We were given to understand that the commission was to bring under its ambit those among the more than 200 alleged corrupt on the list that had not been charge-sheeted till the setting up of TAC. We are not aware if that has been done, and what has been the result.

However, to have expected that businessmen and politicians would come forward on their own volition and acknowledge their guilt, when many of those already indicted on charges of corruption have had their charges dropped for lack of evidence, was hoping for the impossible. The major disincentive is that, in spite of

being spared other punishments as applicable in the case of a culpable offense, a person choosing the option of voluntary disclosure renders himself ineligible from taking part in the forthcoming election. The fact that many ex-parliamentarians are businessmen (for many in Bangladesh, politics has become a lucrative business) no wonder that there were no takers.

Of those that have chosen to seek recourse to TAC most are public servants, and those implicated in the statements of these self-confessed corrupt. And the money that has been paid to the state exchequer is peanuts compared to the millions that have been actually made through illegal means. How, for example, can the TAC be sure that the amount of illegal money, as confessed by an "accused," is correct? How is it sure that it is not actually thirty crores -- not three crores (as confessed) -- that he has amassed illegally?

While the expectations of the chairman of TAC have not been met, neither has the arrangement made any impact on the prices of essential commodities, which the government had hoped it would if businessmen were given special dispensation. We know of no businessman facing charges of corruption choosing the TAC road to absolution and freedom.

The purpose of such commissions in other countries is quite different than that which our CTG has been motivated by. As we had stated in these columns before, truth commissions are generally, "bodies set up to investigate a past history of violations of human rights in a particular country," some of their main characteristics being, "they focus on the past and investigate a pattern of abuse over a set period of time rather than a specific event."

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One would hope that the government would see the fallacy of the idea and dissolve the commission before its term of six months is over in order not to set a bad precedent. And Providence knows how good we are in replicating bad examples -- and that too with great deal of pride.

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Obama is still news

M.B. NAQVI

THE world continues to expect a great deal from Barack Hussein Obama, the president-elect of America. His popularity abroad translates into unreasonably high hopes of Obama setting the world right. Others want various things and think he would be more reasonable.

A fact to note is: Americans have elected him as their president, and his first task is to satisfy his voters. True, a statesman will do as his voters want him to, without hurting others. Whether Obama will have the wisdom of a statesman remains to be seen. The test will be how he defines America's interests. Bush thought he was acting in America's best interests.

Obama's back room boys have already given some jolts to unthinking Obama admirers. He has also to satisfy relentless lobbies in America. In which condition Obama inherits America should be considered before asking him to do this or that. America is in an economic and financial crisis.

The current recession threatens to grow into depression. Unemployment level is uncomfortably high. This means smaller profits for corporate America. No American president can be unmindful of these profits.

Americans lack many social services that West Europeans enjoy in their welfare states. America veered away from the Europeans when they started building their welfare states after 1945, when America had emerged as a superpower.

The opportunities of being a superpower had much to do with the American decision to remain a laissez faire economy rather than become a welfare state.

As it happens, one-third of Americans have no health cover. Quality of education for poorer sections is unsatisfactory. A lot more money is required to improve only these two services, which successive American governments could not spare while corporations became mega rich. Obama promises to begin a march on the expensive road to providing quality healthcare and better education for all; more jobs and more profits for Corporate America too will cost a fortune, to be funded from taxes on the rich.

His first priority is sure to be this heavy domestic agenda. Never forget, America will always remain one of bigger powers even if it does not remain the only hyper power. Inevitably it will have large interests abroad. Obama will be asked to preserve them. These include the wars in Iraq and Afghanistan, while the Afghan war has spilled into Pakistan. While he cleans up the mess George W. Bush will leave behind, various lobbies will distract him no end. He will be pressurised to intone "conti-

PLAIN WORDS

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Can he fulfill the great expectations?

nuity and safety." But these wars are unwinnable. The over 60 years-old problem of Arab-Israeli dispute is still festering. How will he tackle it? Various administrations have faced a persistent dilemma: So long as America, for civilisational and historical reasons, goes on identifying itself with Israel and its security interests, there will be no solution.

Given this, the Arab masses cannot but be alienated from America, which has a lot of economic, particularly oil, interests all over the Arabian Peninsula.

Alienating the Arabs means an intermittent quasi-war between Israel and Arabs in which Iran has come to occupy a place. America has to woo Iran for help in pacifying and stabilising Iraq, and keeping away from a fight with Israel. Will the US change its objectives and methods?

Iran has been trying to win over the friendship, and indeed the leadership, of Arab masses. American interests would thus seem to be gravely endangered while current US exigencies require Iranian cooperation. How will Obama resolve the dilemma over the Arab-Israeli relations and how will he tackle Iran?

An unspoken fear grips American and pro-American governments in the Arabian Peninsula because the Arab masses are

alienated from their rulers who survive because of US protection. They have plundered their states and kept their wealth in America. Common Arabs benefit little from their own oil.

Since Iran has overthrown American hegemony and is actively opposing American power, it is no longer a negligible factor. It is the second biggest exporter of Gulf oil. It is now rich.

Domestic criticisms of Iranian governments notwithstanding, outsiders have to note that the Iranian military is being constantly modernised and is no longer a pushover. True, Israel is more powerful than Iran, and more so for possessing the only nuclear arsenal in the region. But Iran has missiles and is making some progress in acquiring other war technologies.

A war against Iran, whether by America or Israel, would cause unacceptable losses to the entire West. Even so, Israel enriches on an aerial strike on its nuclear enrichment program. Why? Because the West fears Iran will ultimately fabricate nuclear weapons. Hence, a preemptive war.

But aerial bombardment of its nuclear sites, a la Osirak strike in early 1980s, may be difficult or ineffective. In the 1980s the Israelis had studied the geography, topography and geology of the area and the

required military tactics with the Pentagon for six long months. That is not repeatable.

The Iranians are reasonably more efficient than the Iraqis were in 1980 in preventing Israeli or western spooks from doing such mischief. How will Obama assess the losses and gains from the war? It looks hard to compute. One way or another, that war will have to be fought on the ground; the effects of an aerial attack, no matter how meticulously planned, are likely to be slight or transitory.

The Afghanistan-Pakistan theater of war against Islamic extremists is growing, not contracting. Iraq-like surges are not likely to succeed in stamping out Taliban and other Islamic extremists. It is becoming a clash of religions because, whether or not the Americans are motivated by religious motives -- perhaps not -- the Taliban, their supporters and the region firmly believe that this is a war against Islamic fundamentalists and, as such, a war against Islam because, without this fundamentalism, Islam is not a cognisable factor.

Pakistan is a highly explosive material. Its army has already been, more or less, defeated by the local Taliban. And local Taliban are now calling their Afghan namesakes for help against new offensives by the Pakistan army, and the war is escalating.

Doubtless, Pakistan is the epicentre of Islamic extremism. A lot of theoretical work has gone on here in radicalising Islam by promoting fundamentalism and extremism (including by the state itself).

Talibanisation of Pakistan is not a fantasy, though there are regions such as Balochistan and Sindh that might not become Talibanised, Punjab and NWFP can. Talibanisation involves a massacre of minorities, oppression of women, and taking society backward by centuries. What might happen is mind-boggling. Whatever happens to Pakistan will have far reaching consequences for India and Bangladesh, and perhaps beyond. Islamic fundamentalism would get promoted no end.

South Asia is not the only worry of Americans. America and Russia, for most practical purposes, have already squared off into a cold war rivalry. America received a setback in August when Russia invaded Georgia and the EU and America looked on helplessly.

The EU is now divided on the question of dealing with Russia. Americans want the Europeans to reduce their dependence on Russian energy supplies. But that is easier said than done. No European is convinced that Russia poses any real or lasting threat to the security of western Europe. How much time and what wisdom Obama can spare for external matters is not certain.

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