

Extortionists jacking up prices

Flush them out of the system

THE food and disaster management minister himself has admitted that extortion is the single most important reason behind the seemingly uncontrollable price hike. The minister's statement has made it clear that extortion has become part of the entire process of transporting goods, and the law enforcers are apparently not capable of doing anything to counter this organised crime.

It certainly amounts to criminalisation of the supply and marketing system, which puts unbearable pressure on the consumers in the form of galloping prices. The minister deserves kudos for his candid admission, though he did not mention who these much-maligned extortionists were and why is it that they could operate with such impunity. But he did come very close to revealing a harsh truth -- obviously, the extortionists could be none other than the people having both social and political clout. And the source of their clout is obvious too.

So, the malady has been diagnosed rightly, and the timing has also been right as people brace for another round of price-hike during the holy month of Ramadan. What is needed now is a strong resolve to blunt the force of extortionism derived from the political culture itself. Here is an opportunity for the ruling party to place our collective interest above that of some professional goons and hoodlums, irrespective of their political identity and party affiliation. The decision makers should be able to work out easily what it means in terms of price increase if a truck owner has to be paid an extra Tk 21,000 for a trip to Mymensingh from Jessore, just to meet the demands of extortionists. They have set up a parallel toll collection system in utter disregard of the law.

Now, if the government really wants to keep the prices down, it has to crack down on the elements whose illegal business costs consumers so dearly. The law enforcers should be able to identify and catch the extortionists back in business after a break of two years.

Extortionists not only upset the normal market practices but also bring into light the fact that they are unabashedly exploiting their political connections. So, it is imperative that the law enforcers are immediately ordered to put an end to the extortion business.

Regrouping of terrorists

Gear up counter-terrorism activity

THE news of religious extremists regrouping themselves has been hogging the media headlines of late. The month of August is a distressing reminder of what the religious extremists are capable of. Both the events of 21 August 2004 and 17 August 2005 testify to their canny operational efficiency as well as their organizational effectiveness.

A worrisome aspect is the fact that very recently several Indians have been arrested in Bangladesh were alleged to have links with some well-known terrorist groups in India and Pakistan. And these people have been living in Bangladesh for decades. It is disconcerting too that recently there have been threats of militant attacks on public places or important establishments.

Although some of the JMB members were apprehended, and subsequently tried and hanged in 2007, it has been our stated position that we can't afford to bask in the glory, given the fact that these elements are very flexible and it was a matter of time before they would be up and about, going about their destructive and harmful ways.

It is to the credit of the law enforcing agencies that over last few years they have been able to preempt the terrorists before they could carry out their destructive acts. Several hundred extremist cadres have been arrested, along with large quantities of raw materials for making bombs since 2007, but that is not quite enough.

For one thing, we have not been able to put our fingers on the sponsors and godfathers. And it is more likely than not that their source of funding have not been identified by the security agencies either. We feel that this is an important aspect that the law enforcing agencies must focus on. We must also find out the organic link between the religious terrorists in Bangladesh and other international terrorist organisations, in the region and beyond.

We cannot but also express our dismay at the torpid state one finds the special committee on counterterrorism in. It was set up under the state minister for home in April this year but has done precious little so far. It had rightly felt the need to involve the people in addressing the matter but not enough have been done in respect of public awareness which is a prerequisite for effective participation of the people.

While there is constant terrorist threat it should not be overplayed since that may unnecessarily cause panic. But it is an issue that one cannot afford to soft-pedal on either. We believe that people in responsible positions of the government should get down to formulating appropriate strategy, if not done already, and implement those to tackle the phenomenon instead of only making public pronouncements regarding the gravity of the threat that we are facing.

Ahoy! The pirates are around

The ship called Bangladesh is on an uncharted course through the choppy waters of international politics. The carpetbaggers, like masked pirates, are watching with greedy eyes the vigilance and efficiency of its crew.

M. ABDUL HAFIZ

FOREIGN policy issues are seldom raised or debated during an election campaign in a country such as Bangladesh, perpetually caught in the poverty trap and chronic underdevelopment. Such debate is irrelevant for a people engaged in making both ends meet. No wonder that the contestants in the election for the ninth parliament also did not indulge in that luxury. The contesting political parties rather vied with one other with their promises to provide food at affordable prices, ensure uninterrupted supply of power and drinking water, and maintain order in the society.

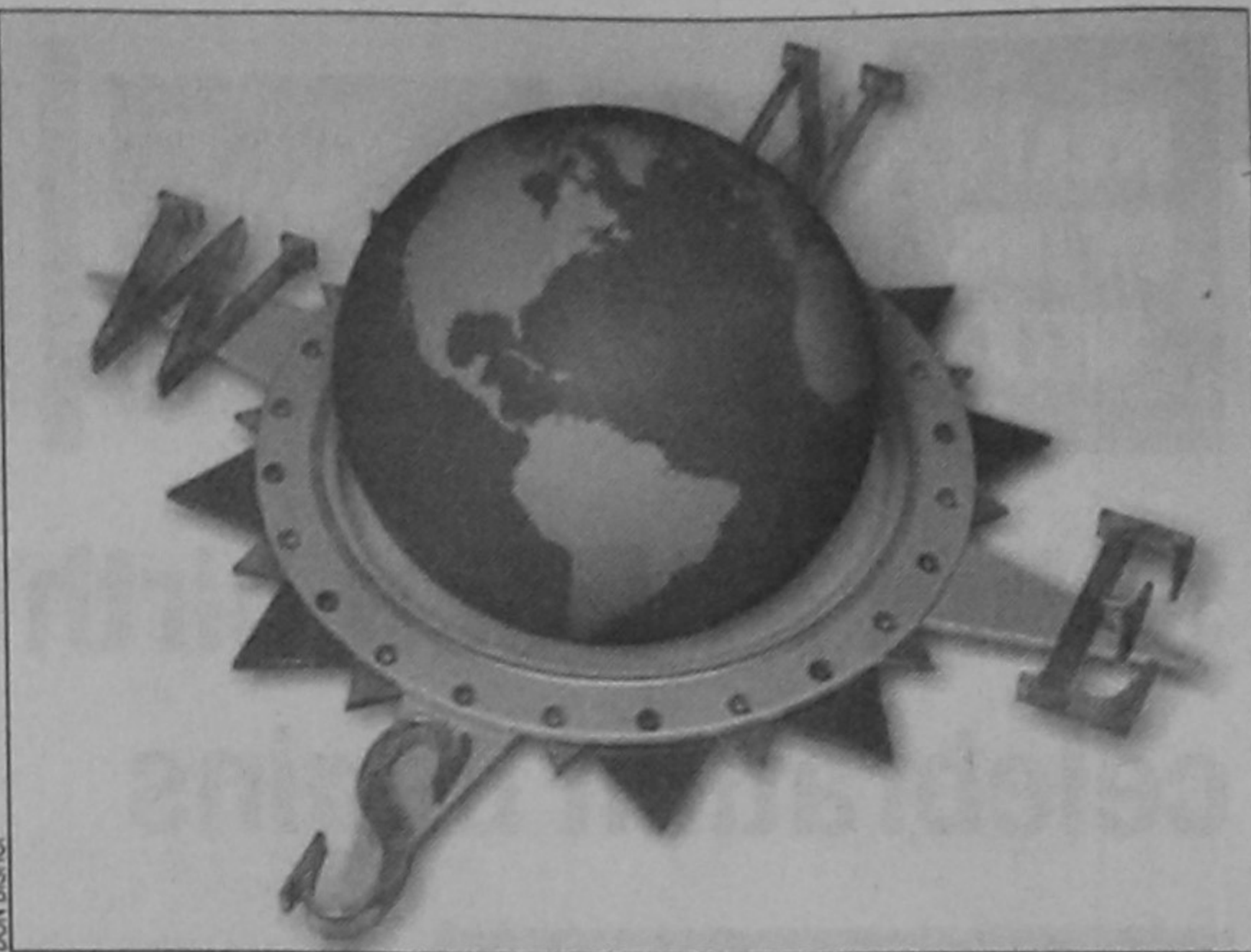
These basics usually constitute the staple of electioneering in a country like ours. Foreign policy is at the best painted, if at all, with a broad brush in the election manifesto with the familiar cliché "friendship for all and malice to none." Yet, for any political outfit, the moment it assumes power, foreign policy becomes the principal tool for defending national interest, whether in parrying the BSF's reported infiltration into our territory in Sylhet or in foiling Myanmar's attempt to carry out surveys in our exclusive economic zone (EEZ).

Indeed, foreign policy has traditionally been the nation's "first line of defence," and it can hardly be foreign to a nation only because of the state of its development. However small it may be, each country has its own clout, which is invariably counted

by all nations, and plays its rightful and responsible role as a constituent of the comity of nations. Look at the way a tiny Bangladesh is courted even by the big and mighty and its elected government is swarmed by carpetbaggers, deal makers and fortune-seekers of bewildering variety, who all want to extract concessions, favours and benefit from this poor country. Some want transit while others are after our Chittagong port!

We consistently refuse to be in the "friendly" embrace of outside power and always favoured maneuverability vis-a-vis our big and small neighbours. Consequently, in the past, we did not fall prey to the carrot of "earning billions of dollars" -- dangled by interested quarters -- just by granting transit or transshipment to India and opening up Chittagong port. Even an India-friendly AL government did not barter national interest for a few lollies. The last regime of Awami League did a great favour to the nation by holding itself back from granting transshipment to India, although tremendous pressure was mounted on it by multiple interest groups both from home and abroad. The same government gave a fitting response to the BSF's border violation at Barubari in Sylhet.

Even as the AL assumed power seven months ago, a number of issues cropped up between Dhaka and Delhi, which are awaiting resolution. They include sensitive issues like the Asian Highway and the South Asian Task Force in addition to transit,



National interest is paramount in dealing with the world.

trade and water. India's diplomatic alacrity and pronouncements emanating from Indian leaders officials as well as media outlets suggest that they all have taken Bangladesh's compliance on most of issues for granted.

While it was expected that the AL government would certainly perform as patriotically as before with regard to the newly cropped-up issues, some of its ministers uttered words that betray those hopes. Clouds are darkening the horizon for a clash may be imminent between the authority and the public, which has not given the mandate to the government to ignore national interest in resolving the issues.

No government is empowered to take unilateral and arbitrary decisions on vital

national issues. Like in any other country, there must be national consensus before taking decision on them. If required, referendum must be held to determine public opinion on those issues. Even though there is a European Union Parliament, member countries gave their consent on any issue in question through referendum.

The ship called Bangladesh is on an uncharted course through the choppy waters of international politics. The carpetbaggers, like masked pirates, are watching with greedy eyes the vigilance and efficiency of its crew. The nation that won freedom through armed struggle cannot afford to be defeated.

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Independence is a must

In most democratic countries, the judiciary is independent of the other organs of the government. This independence protects the impartial judiciary from the interventions of the political government and the influence of individuals.

DHIRAJ KUMAR NATH

THERE is no better test of excellence of a government than the efficiency of the judicial system. In determining a nation's rank in political civilisation, no test is more decisive than the achievements of the judicial administration.

In most democratic countries, the judiciary is independent of the other organs of the government. This independence protects the impartial judiciary from the interventions of the political government and the influence of individuals.

A democratic environment promotes fair play in dispensing justice with strong support of the civil society organisations, human right activists and intellectuals advocating for social capital development, and helps form a rights-based value system so that the judiciary can establish rule of law in the country.

An independent and strong judiciary can ensure rule of law in a society and build a nation where justice prevails. The fact that none is above law can be established if the members of the executive and of the legislative councils respect the judiciary as an important organ of governance. Indira Gandhi appeared before the court as

accused to justify her legal standing in the charges brought against her.

Similarly, Mr. Bill Clinton did not hesitate to appear for testimony in the Monica episode. In both the cases, they returned to power because of their courage and their respect for the judicial system.

Considering these realities, the framers of the Constitution of Bangladesh inserted Article 22, which reads: "The state shall ensure the separation of the judiciary from the executive organs of the state." Thus, the separation of the judiciary from the executive became a reality on November 1, 2007, in compliance with the provision of the Constitution.

It may be recalled that Masder Hossain, along with 441 judicial officers who were judges in different civil courts, filed Writ Petition No 2424 in 1995. The petitioners alleged inter-alia the inclusion of the judicial service in the BCS (Judicial) under the Bangladesh Civil Services (Re-organisation) Order, as being ultra-vires of the Constitution.

The matter came up for hearing on June 13, 1996, but could not be heard before April 1, 1997. After a long hearing, with valuable comments and citations by Dr. Kamal Hussain, Syed Istiaq Ahmed and Mr.

Amir-UI Islam, the court delivered its judgment on May 7, 1997. The government preferred an appeal by leave and the Appellate Division partly reversed the decision of the High Courts judgment delivered on December 2, 1999.

The Appellate Division directed the government to implement its 12 points directives, including the formation of a separate Judicial Service Commission and a Judicial Service Pay Commission to separate the judiciary from the control of the executive. Thus, the provision of separation of judiciary became a reality. Finally, the historic separation of the judiciary from the executive took place on November 1, 2007.

The idea of the independence of judiciary was first developed by Montesquieu, a sixteenth century French philosopher. In his famous articulation, "Theory of Separation of Power," he postulated the division of political power among three organs of the state, i.e. executive, legislature and judiciary.

Despite certain criticisms, Montesquieu's theory of separation of power is taken for granted nowadays, and is implemented in many countries throughout world. It is one of the fundamental principles of the state and also the core of the Constitution of Bangladesh.

The common expectation of a citizen of Bangladesh is to see the rule of law established in the country, and the poor, distressed and deprived getting fair justice from the court and the society. Magistrates hear the accused within 24 hours of police arrest and make a judgment. For building a

nation with a sense of values, and establishing an environment of respect for human rights and dignity of labour, the contributions of magistrates could be significant. In any case, justice should not be delayed or denied.

A strong judiciary is the hope of the hopeless and voice of the voiceless in the society. Thus, an independent judiciary must be secured by appointing judges with impeccable character, high integrity and honesty. An effective judiciary comprised of members with wisdom and noble vision is capable of establishing rule of law and ensuring the rights of the people.

The Bangladesh judiciary has a good reputation because of its commendable people-oriented performance. Justice B.A. Siddiqui refused to administer the oath to a military ruler in 1970, and Justice S.M. Morshed was a legendary example of prudent and courageous judiciary.

Judicial magistrates staged a protest at the Bangladesh Secretariat on July 27, expressing their resentment against the modification of allocation of business by restructuring of the Ministry of Law, Justice and Parliamentary Affairs. The demonstration by the judges had been highlighted in the media because it was a rare phenomenon. The ministry has, however, settled the matter honourably. The expectation of the people is that judges shall uphold the image of the judiciary, as in the past, and nothing will occur to tarnish their image in future.

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Burma should open up

In the end, Burma will probably try to take its cue from other authoritarian states in the region, such as Vietnam and Laos, who have retained their one-party control while normalising relations with the outside world amid undertaking economic reforms.

EDITORIAL DESK: THE CHINA POST

LATELY, the government of US President Barack Obama has come under fire for opening contacts with authoritarian renegade states.

Hardly days after former US President Bill Clinton completed a whirlwind 20-hour trip to North Korea, bringing home two imprisoned American journalists, a prominent American senator has arrived in Burma for high-level talks with officials in the isolated Southeast Asian nation.

The visit by Senator James Webb, elected from the state of Virginia and a prominent member of Obama's ruling Democratic Party, has been criticised for purportedly rewarding Burma's military dictators for their repressive actions.

Senator Webb, known to be a close friend of Obama, arrived in the country, formerly known as Burma, just days after a Burmese court sentenced the country's main opposition leader Aung San Suu Kyi to an additional year and a half of house arrest, effectively barring her from taking part in national elections scheduled to be held next year.

The trial of Suu Kvi was held after US

citizen John Yettaw swam through a lake to reach Suu Kyi's home last May and apparently spent the night in the residence despite the presence of numerous Burmese guards and being told by Suu Kyi herself that he should leave the property.

Yettaw, who appears to suffer from some kind of mental condition, had managed to slip into Suu Kyi's compound for a second time after being apprehended there several months before and expelled from Burma.

Yettaw has since been sentenced to seven years of hard labour in a Burmese prison, causing US Secretary of State Hillary Clinton to demand his release.

While the visit by Senator Webb is surely controversial, Obama's policy of opening back-door channels of communication to rogue states is still a wise move.

By dispatching an elected senator instead of a high-ranking administration official, Obama is avoiding the appearance of rewarding the Burmese regime for its continued unlawful arrest and detention of the country's most prominent leaders seeking democratic reforms.

Since Senator Webb has long been a critic of US-led economic sanctions against Burma, his visit to the country poses little

risk for Obama's administration if it fails to produce any significant results.

But if Webb manages to get the Burmese leaders to engage in substantial dialogue, perhaps by securing a promise to release Aung San, Obama's administration could gradually move toward more high-level talks aimed at normalising relations.

When it comes to dealing with rogue states, some dialogue is always better than no dialogue.

The simple act of talking to a rogue regime still falls short of rewarding it, although such talks should be handled with extreme care.

The easiest thing for Burma to do at this point would be to pardon the deranged American intruder and simply let Senator Webb take the man home with him as a gesture to Washington.

The military regime in Burma, currently led by General Than Shwe, has kept Aung San in prison or house arrest ever since her political party appeared to have won elections in 1988 that were illegally canceled by the ruling military junta.

The constant refusal of Burma's authoritarian leaders to release democratic leaders and consent to genuine elections has led to endless tensions and the regime's continued isolation from the international community.

The Burma situation has long posed one of the most serious challenges for the Association of Southeast Asian Nations (Asean), which urges quiet dialogue rather than confrontational sanctions and anerv

rhetoric.

But amid reports suggesting that Burma may be importing dangerous nuclear technology from other rogue states like North Korea, the patience of the international community has run out, and Burma's leaders need to make a decision.

If they decide to go down the path of seeking gradual normalisation of ties to the outside world, the prospect of heightened confrontation can be avoided.

That would be a welcome development, since there are already far too many sources of tension in the world and everyone would be better off avoiding further confrontations.

But the military regime in Burma may be unable to take this decision because of its inability to come to terms with internal demands for democratic elections and restoration of rule by law.

If the opposition were ever to take power in Burma, the military junta that has ruled with an iron fist for decades could find its leaders behind bars for their role in suppressing democracy and waging brutal wars against the country's ethnic minority regions.

In the end, Burma will probably try to take its cue from other authoritarian states in the region, such as Vietnam and Laos, who have retained their one-party control while normalising relations with the outside world amid undertaking economic reforms.

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