

## Return to parliament

now

*Avoid unparliamentary language and denigrating remarks*

FOR sometime past, opposition BNP has made its intent public to end its boycott of parliament without specifying a date but making it sound as if it could be any day, just to perhaps lend a dramatic aura around an otherwise long-defaulted return to parliament. When the first affirmative intent was indicated by the party we greeted it wholeheartedly but with a caveat that it should not end up being an effort to circumvent the 90-day absence clause designed entirely to avert loss of membership in parliament. But the fact is not lost on anybody that by keeping out of parliament so long the BNP has landed itself in a loser's position when it had to make up its mind to join parliament or be further overtaken by the speed of events.

In her welcome interactive meeting with editors and senior journalists of electronic and print media on Monday opposition leader Begum Khaleda Zia indicated that she would go back to parliament to stay in and not go on a boycott mode. One discerns a certain realisation on her part that the party's standing with the people might suffer further if she keeps missing out on fast developing issues that she must attend to as legitimate concerns of a national leader. As usual though, she says she keeps both options open to stay in parliament and hit the street as well.

There is a certain thing, however, that we cannot help point out: in the question-answer session she tried to explain away her allegation of the government 'signing a secret deal' with India based on a newspaper story of unnamed source. As two-time prime minister and leader of the opposition how could she make such an unsubstantiated and improper remark given the importance of Bangladesh's relationship with India. Such a statement sounded mischievous and irresponsible hardly befitting her stature.

We would like to tell her, come what may, please don't quit the parliament, even in the form of walkouts for the nation long denied of your legitimate role in parliament wants you to participate wholeheartedly in the parliamentary proceedings. Make your presence felt beyond your numerical strength through the sheer force of your argument, debating skill and quality of your inputs. Parliament must be a vibrant national forum for deliberation on national issues and setting directions instead of being a forum for exchange of abusive language, indulgence in blame game and recapitulation of past misdeeds that have no relevance to the contemporary political and economic landscapes. Of course, we would urge the ruling party to err on the side of caution insofar as making remarks on opposition leaders goes. These have unfortunately been unparliamentary and abusive on occasions to which Begum Zia alluded on Monday in her meeting with the editors.

The ruling party with its electoral mandate should be only generously setting an example of parliamentary etiquette and with the opposition reciprocating take the parliamentary debates to a certain constructive level.

## Booters do us proud

*So do all the other medallists*

FOOTBALL has always been a sport that has been close to the heart of Bangladeshis, and thus the gold medal won by the men's team on Monday was perhaps the sweetest of the 18 gold medals that the Bangladeshi teams have tallied in this year's South Asian games.

Making it even more of an achievement was the superb performance of the Bangladesh team, which swept a spirited Afghanistan eleven off the park with a resounding 4-0 victory. This is Bangladesh's first football gold in the South Asian games for over 20 years.

The entire games has been a roaring success, both in terms of organisation and entertainment, but also in terms of the performance of the Bangladeshi teams, which has been our best ever in the SAF arena. We should use the success of these games as a sound basis for moving athletic achievement to the next level in this country.

Specifically, we need to use the football gold as a springboard to greater things for the sport in Bangladesh. Football is still the most widely participated sport in the country, and enjoys the affection of millions of players and watchers alike.

Not only would the gold medals tally create good cheer and do a world of good for the national morale, as the attainments have already demonstrated, but a robust structure for development of sports should emerge in the country sooner rather than later leading to scaling of new heights in various competitive events.

Heartiest congratulations to winners of gold, silver and bronze medals that have led Bangladesh to the upper end of the regional performers. As the SAF games closed, a more confident sport loving Bangladesh should take a vow to further raise the bars of achievement across Asia and beyond.

## A belated but good decision

The rising prices of food, particularly of rice, have made the lives of the low and middle-income groups miserable. The government blames the rice traders and hoarders for the steep rise in the price of rice. Whose responsibility is it to control them? The opposition has rightly decided to raise the issue in the parliament for discussion.

M. ABDUL LATIF MONDAL

THE BNP-led main opposition has decided to return to parliament this week, or early next week, after skipping the house for sixty-plus consecutive sitting days since the second session of the ninth parliament started on June 4. The decision to participate in the parliamentary sessions was taken on February 4 at a meeting of the opposition lawmakers, chaired by BNP Chairperson and Opposition Leader Khaleda Zia, at her conference room in the parliament building.

There were mixed reactions to BNP's absence from the parliament sessions. Many people opined that BNP, which started boycotting parliament sessions from the second session on, over a row on seating arrangement, later made several more demands, including scrapping the decision to cancel the lease of Khaleda Zia's cantonment residence, strengthening her security, withdrawing "politically motivated cases" against her, Tarique Rahman and others, and giving BNP lawmakers chairmanship of two more standing committees. So, with every passing day, BNP's preconditions for returning to the house accreted.

Others saw a "go it alone" attitude in the ruling AL for running the parliament. The ruling AL didn't initiate any serious initiative to bring back BNP to the house by removing some of its genuine grievances.

Although there was a lack of serious initiative on the part of the ruling AL to bring BNP back, democracy-loving people, in particular, civil society members and the media, repeatedly urged the BNP leadership to return and play a constructive role in strengthening democracy, which is yet to take root. The people have, therefore, welcomed the BNP's decision.

While exchanging views with the editors of different national dailies, news agencies and TV channels at a city hotel on February 8, Khaleda Zia disclosed that her party will raise its voice simultaneously inside parliament and outside on the streets to protest 'oppression' on journalists, price hike of

essential commodities, pacts signed 'against the country's interest' and some other issues of importance.

The AL's 2008 election manifesto pledged to take measures "to reduce the unbearable burden of price hike and keep it in tune with the purchasing power of the people." Has the AL-led government been able to control prices of essential commodities? The rising prices of food, particularly of rice, have made the lives of the low and middle-income groups miserable. The government blames the rice traders and hoarders for the steep rise in the price of rice. Whose responsibility is it to control them? The opposition has rightly decided to raise the issue in the parliament for discussion.

Khaleda Zia has termed the PM's recent India visit and the talks she had with the Indian leadership as "not only a failure, but a harmful event for the country." She has also termed the agreements signed with India during the visit "as a total sell-out." It would be the opposition's responsibility to prove in the house how those agreements were against the country's interest. The government's responsibility is to bring these relevant agreements to parliament.

The BNP leadership has brought an allegation that the government signed a 'secret deal with India.' While speaking in parliament on February 3, the PM not only refuted the allegation of signing such a deal, but also said that if the opposition knew about 'any secret deal' they should disclose it before the people. So, the onus is now on the opposition to disclose in the house the proof of signing it.

The opposition will also demand parliament discussion on the business-centered admission to educational institutions by Bangladesh Chhatra League (BCL). The Daily Star ran a front-page report on February 7, saying that the BCL leaders grabbed over Tk. 1 crore through the illegal admission trade at just three colleges in the capital -- Dhaka College, Eden Women's University College and Kabi Nazrul College -- promising students, seeking admission to first-year honours courses, ensuring



The opposition is ready to play its role.

their desired subjects. Such reports are pouring in from many other places in the country. This is a serious threat to quality education at higher levels.

Many people have expressed concern at Khaleda Zia's disclosure on February 8 that her party will raise its voice, simultaneously inside parliament and outside on the street, to protest the aforesaid issues. Our experience of the past twenty years shows that street agitation and violence by the opposition ultimately resulted in an ineffective parliament, and even threatened the country's democratic process. Khaleda Zia, who was prime minister more than once, should know better. The parliament should be the place to discuss and settle all political, national and other important issues. The 2008 election manifestos of

both the AL and BNP give credence to this.

The success of parliamentary democracy depends upon the democratic spirit of tolerance, a devoted sense of respect and relentless response towards institutionalism of democracy. Both the ruling party and its opposition must be respectful to each other. In Bangladesh, we have not yet developed such a political culture. The people expect that both the ruling AL and the main opposition BNP will do everything possible to develop a political culture that contributes to the successful functioning of democracy. It is also true that, here, the main initiative will have to come from the ruling AL.

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## No regrets on mass destruction

From his testimony to the Chilcot Inquiry, it was evident that the terrorist attacks of 9/11 totally changed his "mindset." In Blair's words: "I never regarded the September 11 as an attack on America, I regarded it as an attack on us."

KAZI ANWARUL MASUD

TONY Blair continued to be unrepentant for the illegal invasion in Iraq. The six hours deposition to the Chilcot Inquiry Commission, described by some as an appeasement response to public demands where the Blair government reveals the process which led Britain to war, saw Tony Blair quite unruffled and unrepentant.

He dismissed the distinction between regime changes and disarming Saddam Hussein in the face of the then Attorney General Lord Goldsmith's written advice to Blair of deposing Saddam Hussein being a breach of international law.

Lord Goldsmith pointed out that:

- War could not be justified purely on grounds of regime change,
- Though the UN permitted military intervention in self-defence, it was not applicable in this case because Britain was not under threat from Saddam's regime,
- Humanitarian intervention was also not applicable in the case of Iraq,
- Use of earlier UN resolutions of the nineties approving the use of force against Saddam Hussein would be difficult to justify Iraq invasion.

Later, three days before the invasion, Lord Goldsmith revised his earlier opinion by declaring that the war was legal, allegedly after being bullied to back the war by Blair's cronies.

Additionally, Sir Michael Wood, the then senior most legal advisor in FCO, and his deputy Elizabeth Wilmhurst insisted that another UN resolution would be needed before an invasion could be considered. But to no avail.

From his testimony to the Chilcot Inquiry, it was evident that the terrorist attacks of 9/11 totally changed his "mindset." In Blair's words: "I never regarded the September 11 as an attack on America, I regarded it as an attack on us." He added that despite the disagreement with Robin Cook on the Iraq issue, the British cabinet was kept fully

informed having discussed about Iraq 25 times before the invasion.

What was striking was Tony Blair's total disregard of international law and that his decision to join Bush's invasion of Iraq was taken on Saddam Hussein's history of brutality, his use of chemical weapons, 10 years of breaking UN resolutions etc.

The Bush-Blair misadventure is all the more stunning in the backdrop of an advice given by the International Commission of International Law Jurists, prior to the invasion, that it would be blatantly illegal under international law for Anglo-American belligerents to invade Iraq; and that their joint decision as commander-in-chief to commence hostilities would constitute prosecutable war crimes.

Compounding to US exceptionalism, the other worrying aspect of the Bush NSS document was the "doctrine of pre-emption." Bush's doctrine expanded the relatively non-controversial concept of true pre-emption, allowed under the UN Charter that could be legitimised if taken under against an imminent, specific and near-certain attack.

The most basic reference to legality of any war under the UN Charter is under articles 42 and 51, either one acts in self-defence or under the authority of the UNSC.

War in any other form would be illegal and unjust. Professor Michael Walzer of Princeton University and the author of Just and unjust war expounded that nothing but aggression can justify war. Walzer argues that, as with domestic crimes, use of force would require actual or imminent boundary crossing, invasion and physical assault.

Otherwise, resistance to aggression would have no determinate meaning.

Walzerian concept presupposes the war between states that were also in the minds of the framers of the UN Charter. They could not have foreseen the devastating role played by non-state actors, the problem of failing and failed states and the technological nature of



Blair's eyes overlooked the global public demand.

the threat.

Critics of the Bush doctrine asserted that the doctrine represented a major redirection of policy and a radical revision of existing security rules.

With repeated usage of military power, where the responsibilities of being the judge, jury and executioner remain with a single country, one has to be aware of the warning echoed by the then Russian President Putin of "the danger that the current system of international security will collapse [...] If we allow international law to be replaced by the law of the fist, according to which the strongest has the right to do whatever he wants and is not limited by anything in choosing means to achieve his goals, then one of the basic principles of international law will be called into questioning the principle of the inviolability of the state's sovereignty. Then nobody or no country of the world would be safe."

It has been argued that in the changed world of post-9/11, the UN system, set up to regulate inter-state relations, is now faced with the arrival of globally organised terrorist groups or non-state actors. So when the Taliban were driven out of Afghanistan, in a way the "law of war" was revised.

Definition of self-defence as given in the UN Charter, some feel, needs revision due to the change in technological nature of the threat. If the reaction time is too short then should the "intended victim" wait till it is attacked so that self-defence measures can be taken?

Another factor was added by the dissolution of Yugoslavia and consequent Bosnia, Croatia and Kosovo crisis.

Despite article 2(7) of the UN Charter related to territorial integrity regardless of what is happening within the territory; the Nato bombings in Serbia established the fact that sovereignty does not allow waging war against one's own people.

Bush's legal advisor, William Taft IV, saw the use of force pre-emptively "as a natural adaptation of the concept of imminence to an era of mass destruction [...] The right of self-defence could be meaningless if a state cannot prevent an aggressive first strike. The rights of self-defence must be attached early enough to be meaningful and effective."

There has been a public demand to try Tony Blair as a war criminal, because the decision taken by him did result in the infractions of Geneva Conventions related to the laws of war and the post-conflict situation in Iraq.

If there is a widening chasm between the Muslim world and the West, the Bush-Blair misadventure is mainly to be blamed for it regardless of the theses by historian Bernard Lewis of Islam's defeat at the hands of the Christians and Samuel Huntington's *Clash of Civilizations* and his conclusion on Islam's inability to adapt itself with the demands of modernity as the main problem.

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