

## Religion-based political parties

*Not banning them exhibits PM's robust sense of realism*

PRIME Minister Sheikh Hasina's categorical statement to her cabinet colleagues that her government has no intention of banning region-based political parties should set at rest all speculation about it in the wake of the HC's invalidation of the fifth amendment. What particularly strikes a responsive chord in all right-thinking people keeping welfare of the nation upper most in their mind is her reasoning behind her decision. Her argument is that if banned, politics of such denomination would go underground. She sagaciously visualises that when driven underground such politics could acquire all clandestine implications with portents for wreaking havoc on national psyche, let alone fuelling militancy.

Significantly, the PM is learnt to have iterated in the cabinet meeting that the words Bismillah-Ar-Rahman-Ar-Rahim will remain as it is in the preamble to the Constitution 'since it reflects the belief of the people'.

While we are in full agreement with her approach to the issue of religion-based politics and appreciate her clarifying her government's position without muddying it any further, we must warn against exploitation of religion by any quarter under any guise to serve their political ends. Our people are highly religious-minded, something that is often sought to be taken advantage of by people intent on capitalising religious sentiments of the people to push their narrow and rigid extremist political agenda. Let politics be in its temporal domain and religion be kept at its own spiritual plane; there should neither be any attempt to blend the two nor play one against the other, wedded to a pluralistic society of many faiths and ethnic groups as we are.

There is little scope for controversy over the issue; in fact, those who fulfill the criteria for registration with the Election Commission as political party will be treated as such.

There is another very sensible directive pronounced by her against the cacophony of voices being heard from ministers and lawmakers over the question of constitutional amendment dishing out confusing and misleading opinions about shape of things in the wake of the annulment of the fifth amendment. She has asked her party colleagues to refrain from these as an all-party parliamentary committee is to deal with the matter.

## Clashes in Chittagong University

*Could have been avoided with some prudence*

THE student-police clash at Chittagong University was most unwarranted. The violence, which erupted between the police and the agitating students, who were protesting the hike in tuition fees, appears to us a matter of administrative failure too. A large number of students and policemen have suffered injuries, apart from the fact that several vehicles were also damaged during the clash. Understandably, the situation came to such a violent state after the police intercepted a student procession in the campus.

We understand too that the students had been remonstrating for seven days against the fee hike, about which they had come to know only when they went to pay their monthly dues, before the matter turned violent last Monday. And this is what begs the question.

While one must condemn violence and destruction that the students indulged in, one is constrained to ask what the administration had done in response to the negative reaction of the students to the hike for as long as a week. One appreciates the fact that fee hike may be a justified step, whether or not in the rate it has been is another matter, as the grievance of the students against the increase is. But that should never have been allowed to precipitate into violence.

If the decision to increase the fees was taken at the Senate meeting, and there may have been cogent rationale for the Senate to do so, why were the students not informed about it well in advance of the decision coming into force? We wonder whether students' views merited consideration by the senate, they being a major stake holder too. If it did, was it not for the administration to convince the students of the rationale behind the increase during the eight days that they were trying to ventilate their objection?

On the contrary, it is our understanding that the students were given a short shrift, and there were attempts to put down their protests. Clearly, there has been a complete gap in communication between the teachers and the students, and the teachers have apparently deliberately failed to feel the pulse of their wards. We feel that the matter would not have come to this had the students been consulted before finalising the decision to increase the tuition fees, which in some cases have been enhanced by almost 90 per cent.

In this regard we are also surprised at the role of the police, who failed to realise that in certain cases not taking action helps calm a situation down faster than going into precipitate action against the agitators. Policemen charging female students with makeshift batons cannot be a pleasant sight to a civilised person, and it is our hope that the university authorities would be more prudent in seeking the deployment of police inside the campus.



RYAN MCAY

Sidelined!

## When parties disown the faithful

Politics, you might as well know, would not have gone through such precipitous decline had the parties played by the rules. Ah, but rules matter little when parties decide that a surefire way of going to power or staying in close proximity to it lies in seeking revitalisation through an inauguration of political dynasties.

SYED BADRUL AHSAN

IN the end, Begum Khaleda Zia remained convinced that Abdul Mannan Bhuiyan was guilty of treachery. In her view, he had not merely undermined the Bangladesh Nationalist Party by his moves to reform the way it worked. His acts were also instrumental in having her two sons suffer at the hands of the Fakhruddin caretaker administration.

The former prime minister made it a point to let us know that had it not been for her, Bhuiyan would not have scaled the heights he eventually did when he entered the cabinet and also took charge of the BNP as its secretary general.

That last bit makes you a little worried, for it does not quite state the obvious. The fact is that Mannan Bhuiyan's political career went way back to the 1960s, when as a left-wing student he comprehended the necessity of progressive politics in the country. That he was quite a rising star when he linked up with Moulana Bhashani was never in doubt.

And when he ditched left-wing politics to be part of the Zia bandwagon, it was fairly obvious that he was one of the men

whose services the nation's first military dictator sought assiduously in his bid to become a politician.

The point here is not hard to follow. Whether Begum Zia would have climbed the political heights she has so far if she had not been Zia's widow remains a question. Dynastic politics is forever a deceptive thing. It does not produce greatness and it is no guarantee of the quotidian wisdom so necessary in a politician who means to administer a country.

Dynasties may end up producing entire caravans of clannish political heirs, but they hardly ever turn out politicians. The record shows that Abdul Mannan Bhuiyan was a politician. Begum Zia will always be known as Ziaur Rahman's heir.

Khaleda Zia ought to have treated Mannan Bhuiyan with respect. That she did not or would not is once more symbolic of the semi-feudalism which characterises politics in Bangladesh. Whether or not you agree, the reality in this country these days is that political parties are regularly proving their disloyalty to the men and women who have sacrificed nearly their entire lives for these parties.

The guilt is not the BNP's alone. It also

afflicts the Awami League, whose leader has seen little reason to accommodate men like Suranjit Sengupta, Tofail Ahmed and Abdur Razzaque in the party policy-making structure.

Take Tofail Ahmed. His was a vibrant young voice in the struggle against Ayub Khan in the late 1960s. Bangabandhu's faith in Tofail's abilities was absolute. And Tofail's belief in his party has never wavered. And yet he stays just outside the perimeter of the core Awami League leadership today.

That is the pity. And then there is the irony. You think back on Moudud Ahmed. In the early 1980s, after General Ershad had seized the country on the strength of military might, Moudud stayed loyal to Begum Zia -- for a while. Then he went to prison, per courtesy of the martial law regime. When he emerged free of it, he made it known that he was aligning himself with Ershad. He rose to the peaks in rapid succession.

As minister, deputy prime minister, prime minister and vice president (all under General Ershad), he was a powerful pillar in a regime desperate to keep democratic forces at bay. Moudud Ahmed fell the day Ershad fell. And then, in a curious working of political fate, he picked himself up and returned to the BNP, became a minister in the government it formed in October 2001.

Mannan Bhuiyan did not ditch his party. It was the party which ditched him. In similar fashion, or quite, Abdul Jalil did not turn his back on the Awami League (despite

that much vaunted public statement about retiring from politics in caretaker times). It is the Awami League which today pretends that Jalil does not exist.

Not long ago, Abul Hasan Chowdhury was a growing phenomenon in the Awami League. As minister of state for foreign affairs, he made us all believe, with good reason, that he was part of the future. And then the party, in behaviour that was petty and so unbecoming of itself, made it hard for him to stay within its councils. Long ago, it was Kamal Hossain who discovered, to his as well as our consternation, that the party he had served faithfully for years suddenly had no interest in him.

Politics, you might as well know, would not have gone through such precipitous decline had the parties played by the rules. Ah, but rules matter little when parties decide that a surefire way of going to power or staying in close proximity to it lies in seeking revitalisation through an inauguration of political dynasties. And once dynasties take charge, liberalism takes to the woods and democracy becomes a hollow affair.

Abdul Mannan Bhuiyan and Badruddoza Chowdhury would be powerful voices in the BNP had the party followed standard rules of operation. Kamal Hossain and Abul Hasan Chowdhury would have made the Awami League an intellectual powerhouse had its leadership been less parochial and more accommodative of the other point of view.

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## Side-stepping the legitimacy issue of Kosovo

Legal experts said that while the ICJ had ruled that Kosovo's declaration of independence was legal, it had avoided saying that the state of Kosovo was legal under international law, a narrow and carefully calibrated compromise that they said could allow both sides to declare victory in a dispute that remains raw even 11 years after the war there.

HARUN-UR-RASHID

AN advisory opinion was sought from the International Court of Justice (ICJ) at The Hague by the UN General Assembly in October 2008 under Article 96 of the UN Charter when Serbia questioned the unilateral declaration of independence of Kosovo on February 17, 2008.

Serbia sought international validation and support from the ICJ for its stance that the Kosovo declaration of independence was illegal, after the United Nations General Assembly approved (with 77 votes in favour, 6 votes against and 74 abstentions) in 2008 Serbia's proposal to request an ICJ advisory opinion on the matter.

This was the first case regarding a unilateral secession to be brought before the World Court.

On July 22, the court opined, by a vote of 10 to 4, "the declaration of independence of the February 17, 2008 did not violate general international law."

Legal experts said that while the ICJ had ruled that Kosovo's declaration of independence was legal, it had avoided saying that the state of Kosovo was legal under international law, a narrow and carefully calibrated compromise that they said could allow both sides to declare victory in

a dispute that remains raw even 11 years after the war there.

Simply said, the Court's ruling says that it is all right under international law to say that you want independence. But it adds that because Kosovo is "sub-sovereign" and not a proper nation state, it is not subject to international law. Therefore, the legal status of Kosovo remains the same as before.

The Court has essentially said that Kosovo's legitimacy will be conferred by the countries that recognise it rather than by the court.

It means the issue is political and not legal, and supported the 1950 UN Secretariat legal opinion indicating: "While states may regard it as desirable to follow certain legal principles in according or withholding recognition, the practice of states shows that the act of recognition is still regarded as essentially a political decision."

Kosovo received recognition from 69 out of 192 UN member-states as of July 2010. The United States and some major European countries, such as Britain, Germany, France and Italy, have accorded recognition to Kosovo, while some EU members such as, Spain, Romania, Cyprus, Slovakia and Greece did not recognise Kosovo.

Security council permanent members Russia and China have not recognised it. The official position of these countries is that Kosovo, formally known as Autonomous Province of Kosovo, is a Serbian province under ad-interim UN control.

The countries that oppose recognition of Kosovo consider that lending legitimacy to Kosovo will boost secessionist movements across the world. They further argue that the actions of the US and some European Union member-states in recognising Kosovo have provided "a tool kit" on how to achieve recognition of an ethnically divided state.

Russia's position is that the problem of Kosovo can be resolved only through negotiations between the interested parties, on the basis of the provisions of Resolution 1244 of the UN Security Council.

After the ruling of the World Court, European Union foreign affairs chief Catherine Ashton offered to broker a dialogue between Serbia and Kosovo, saying Brussels was "ready to facilitate a process of dialogue between Pristina and Belgrade" with the goal of opening up "progress on the path to Europe." She insisted that the future of Serbia and Kosovo lay in the European Union.

Some argue that the circumstances that led Kosovo to declare independence are similar to those in Bangladesh during 1971 and that Bangladesh should recognise Kosovo. The argument is misconceived, as the situation was different in the following ways:

First, Bangladeshi freedom fighters fought against the occupying Pakistan army, which was defeated. Second, the former territory of East Pakistan (now

Bangladesh) was never under the administration of the UN. Third, Pakistan recognised Bangladesh in February 1974. And fourth, the UN envoy to Kosovo recommended that Kosovo should have internationally-supervised independence for an initial period.

Certain principles are considered to avoid complication in the political situation in the region by giving recognition to a new state by other states. Two of them are:

• Whether neighbours of the state that wishes to recognise have accorded recognition (Bangladesh has to consider whether India or Pakistan or Nepal or any Saarc country has recognised it);

• Whether all neighbouring countries of the new state (Kosovo in this instance) have recognised it.

The above conditions have not been met. Furthermore, in the case of Kosovo, a Muslim-majority territory of 2 million, we should see whether the 56-member Organization of Islamic Conference (OIC) has taken any decision. It is noted that OIC is split on the issue of Kosovo's recognition.

Furthermore, political observers say the issue of recognition of Kosovo appears to be a game of power politics between US/EU and Russia and China. Bangladesh does not wish to be unnecessarily caught in a power game between big powers by recognising Kosovo.

It is argued that Bangladesh may wait for the outcome of the proposed negotiations between the parties by the EU. The national interest of Bangladesh should guide the decision in the matter of recognition of Kosovo at an appropriate time.

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