

## AG's remarks on retiring CJ shocking

*Is this any way to bid farewell?*

IT is our considered opinion that the remarks made by Attorney General Mahbubey Alam at the farewell for retiring Chief Justice Mohammad Fazlul Karim on Wednesday were unprecedented, uncalled for and unbecoming of the office he happens to hold. The convention has always been that every time a chief justice goes into retirement and his successor enters upon office, other judges and the lawyers' community in general take it as an opportunity to reflect on the positive aspects of the functioning of the judiciary. A farewell to a chief justice is a formal practice, but within that formality comes the question of a demonstration of respect for and graceful remembrance of tenure of the one who is going into retirement. Such an occasion has never been a time for acrimony or for an expression of bitterness on the part of any individual. If an individual temperamentally or professionally feels unable to accord due respect to a retiring or incoming chief justice, he can do the tidy thing of staying away from the occasion altogether.

The attorney general's show of resentment of Justice Karim's unwillingness to swear in two judges to the High Court because of the controversy surrounding their past was entirely misplaced and unsuited to the occasion of bidding farewell to an outgoing CJ. The attorney general would not stop there, even imputed a political motive to the retired CJ's action which took his bitterness to an indecent level. For our part, we feel that Mahbubey Alam's remarks have deeply disappointed the nation. Where it is his job to defend the government in court through legal arguments, he has overstepped his authority by launching a personal tirade against Justice Karim. He had done neither himself nor the government he speaks for any good by his attitude.

There is every reason to ask the attorney general why he did not come forth with the accusations against the chief justice earlier when Justice Karim happened to be presiding over the judiciary. If he feels so strongly about the appointment of the two judges in question, he should have gone public with his sentiments. It would have given the nation an opportunity to see a serious legal issue debated on and probably resolved to the satisfaction of all. By raising the issue now, Mahbubey Alam has made it hard for Justice Karim to respond because he no more holds office. Besides, the allegations the attorney general has made against Justice Karim are a fundamental attack on the latter's person, professional integrity and patriotism. The remarks of the attorney general have been in extremely bad taste and could seriously impair relations between the judiciary and the government. Worse, these remarks could well be the beginning of a trend whereby vicious personal attacks on members of the judiciary by lawyers may end up undermining the integrity and independence of the judiciary.

It is our expectation that such comments as have come from the attorney general will not be repeated in future, that indeed the judiciary will function independently and purposefully and will not succumb to pressure of any kind from any quarter.

## Reception of PM at airport

*Please set a new tradition by cancelling such events*

WE congratulate Prime Minister Sheikh Hasina on her successful trip to UN during which she received an award for Bangladesh's attaining an MDG goal of reducing child mortality rate. She was praised by US President Obama and took the opportunity of meeting some world leaders having had useful exchanges of ideas with them. Her trip has certainly brightened the image of Bangladesh.

While we are greatly appreciative of the outcome of her trip to the UN, and her reception was reflective of the sense of achievement our people shared, yet we cannot but help wonder whether she realises what pain and trouble the city-dwellers went through due to traffic hold-ups that caused immense suffering to the commuters. She may not have been informed of this by people around her so that we deemed it necessary to bring it to her notice.

The day (Wednesday) the PM returned, for instance, was not a holiday, but another normal working day. So, as usual people were busy doing their day-to-day chores. But the activists of the ruling party hogged one of the main arterial roads of the city, the New Airport Road, with their processions up to the Hazrat Shah Jalal [R] Airport. That caused to freeze the traffic on the road to the chagrin of the hundreds of commuters and other road users who were left stranded for hours together. As a result, what could be an event of joy for everyone turned into its opposite to many.

Were the organisers of the reception aware that by their callousness and insensitivity towards the people in the buses, taxis, ambulances and cars, they deprived them of their right to pass through the road normally and thereby alienate them?

What further mortified many on the following day was the media report on the plight of 50 residential students of a Dhaka University dormitory as they were driven from their hostel by the leaders and activists of the ruling party and forced to live under the open sky for the whole night. Why? Because they failed to join the reception march!

We are constrained to say that the whole approach is apt to send a wrong signal about the government's or, for that matter, the ruling party's attitude towards citizens.

So, sooner the realisation dawns on them that whatever they do is being watched and judged by the man in the street, the better. It is time the government officials and ruling party leaders and activists carefully observed how in other democracies they organise events of similar nature, especially those that relate to the return home of head of the government or of the state from foreign visits.

And to spare the commuters, they may think of an alternative arrangement for according such receptions, say, at a separate venue dedicated for the purpose.

## The day Parliament attacked press



Media is the link between the people and Parliament.

Both lawmakers and newspapers are people's choice, one in the parliament and other on the newsstand. Democracy is safe should they return that favour, choosing to attack each other only when they must fight for the people.

MOHAMMAD BADRUL AHSAN

ON September 21, the lawmakers in this country supposedly had a field day in the Parliament. They lambasted a few newspapers, berated an editor and then reiterated their dissatisfaction with the role of the media. The speaker was jovial, the members were convivial, and the whole thing had the air of a festival. Freedom of expression was met with freedom of expression. They must have gone home that night and slept tight for the first time in many months.

It couldn't have been the same story with the newspapers. The editors must have stayed up late scratching their heads. They must have burned midnight oil thinking and worrying. News seldom invites such angry riposte from newsmakers in the parliament.

So much so, one of the lawmakers asked the speaker to summon an editor

before the Parliament. Another lawmaker demanded a ruling against a particular daily and also a censure motion against it in the Parliament. "If MPs are made unpopular in the country, there won't be any existence of parliament or democracy," he was concerned. That was an appeal loaded with sentiments. If I were the speaker, I would have been tempted to give in to the logic of this argument.

But the real-life speaker showed restraint. He listened to the debate, interjected with his characteristic quips and then listened more. Since the Parliament is a place for debates on national matters, I am happy this is exactly what happened on September 21. It would have been perfect only if the opposition MPs had also attended.

Good news is that it was a proof of something all of us should appreciate; our lawmakers do read newspapers and

believe that newspapers can influence minds. The alarming thing, however, is that like iron cuts iron freedom has undermined freedom. Both the Parliament and the media are meant to be the bastions of democracy. And they aren't mutually exclusive for that matter. A gagged press is not democracy so much as an egged parliament is not.

Of course, there are always tensions between these two defenders of democracy. That's more or less true in every country of the world. Roughly three months ago the Italian media went on strike over a proposed parliamentary bill to gag the media. Most of Italy's editors, judges and prosecutors said it was intended to shield politicians, and particularly the prime minister, whose career was ridden with financial and sexual scandals.

Another example is when *the Guardian* was gagged from reporting parliamentary proceedings in October 2009. The Commons order papers contained a question to be answered by a minister, and the newspaper was prevented from identifying the MP who had asked the question, what the question was, which minister was going to answer it, or where the question was to be found. For the first time in UK his-

tory, *the Guardian* was also forbidden from telling its readers why the paper was prevented from reporting parliament.

British historian Robert Hargreaves wrote at that time that the right to report parliament was the subject of many struggles in the 18th century, with the MP and the journalist John Wilkes fighting every authority up to the king. "It gradually became accepted," he underscored, "that the public had a constitutional right to know what their elected representatives were up to." *The Guardian* eventually won the battle and reported the banned proceedings.

It is clear what our legislators wished to seek by throwing their tantrums at the newspapers. If anything reported was wrong and misleading, it would have been more appropriate to set those records straight in a session of the Parliament. They could have asked the newspapers to run rejoinders, or going further, if they wished to teach those pesky newspapers a lesson to remember they could have taken the editors and the publishers to court.

Instead, what the Parliament members did on that day amounts to a smear campaign. They taunted the newspapers, vented venom against them, and then singled out one particular editor for personal vilification. They made slanted remarks about his source of income and involvement in the grenade attack of August 21. They virtually ganged up on a single man and demeaned him.

I suppose they have the evidences to substantiate their accusations. Otherwise, they are guilty of cooking up conjectures for which they have criticised the newspapers. Again, if they hold evidence then shouldn't it be their solemn duty to let people know? After all, the lawmakers of the country shouldn't suppress facts. They shouldn't condone anything that has enough implications to deserve exclusive deliberations in the nation's parliament.

Both lawmakers and newspapers are people's choice, one in the parliament and other on the newsstand. Democracy is safe should they return that favour, choosing to attack each other only when they must fight for the people.

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## Step up to the plate

The newly rising powers -- China, India, Brazil -- rightly insist that they be more centrally involved in the structures of power and global decision making. But when given the opportunity, do they step up to the plate and act as great powers with broad interests?

FAREED ZAKARIA

YOU can count on a few things during the UN's annual General Assembly. The traffic will be bad, the speeches will be worthy (if a bit dull) -- and Mahmoud Ahmadinejad will say something absurd. This year the Iranian leader suggested that US officials orchestrated the 9/11 attacks to save Israel and "reverse the declining American economy." (Has he noticed the actual effect of the war on terror on America's fiscal state?) It continues to be a pity that a great civilisation like Iran is represented by such a character.

In other ways, however, the atmosphere this year was muted. I asked Israeli President Shimon Peres, who has been going to such gatherings for decades, for his read of the mood. "There is more worry than there used to be," Peres said. He described a general atmosphere of unease and uncertainty amid which emerging nations were jostling for influence. "I don't think it's that America is going down, but the world is becoming larger and more complicated."

There has been much worry about the activities of countries like Brazil and Turkey, with many Americans arguing that the two countries have become troublemakers, cutting deals with Ahmadinejad and turning away from America.

But we have to understand the dynamic that is altering the power status of these countries. Twenty years ago Brazil was struggling to cast off a long legacy of dictatorship, hyperinflation,

and debt.

Today it is a stable democracy with impressive fiscal management, a roaring economy, and a wildly popular president. Its foreign policy reflects this confidence and a desire to break free of its older constraints.

In a speech in Geneva on September 11, Brazil's intelligent and ambitious foreign minister, Celso Amorim, explained that even eight years ago, United States absorbed 28 percent of Brazil's exports, but now buys only 10 percent, surpassed by China.

Africa, too, is now a major trading partner for Brazil. In explaining the country's new interest in Middle Eastern affairs, Amorim pointed out that Brazil's 12 million Arabs would constitute the fourth or fifth-largest Arab nation in the world.

Recently, in another speech, Amorim urged Brazil to be bold and expansive in its conception of its interests. "It is unusual to hear that countries should act in accordance with their means," he said. "But the greatest mistake one could make is to underestimate [Brazil's potential]."

Then consider Turkey. Twenty years ago, it too was perceived as a basket-case economy, dependent on American largesse, protected by the American security umbrella, and quietly seeking approval from Europe.

It needed the West. But now Turkey has a booming economy, has an increasingly confident democracy, and is a major regional power. It is growing faster than every European country, and its bonds are safer than those of many Southern European nations.

Its foreign policy is becoming not so



Iranian President Mahmoud Ahmadinejad.

much Islamic as Ottoman, reestablishing a sphere of influence it had for 400 years. Abdullah Gül, Turkey's sophisticated president, explains that while Turkey remains resolutely a part of the West, it is increasingly influential in the Middle East, Central Asia, and beyond. "Turkey is becoming a source of inspiration for other countries in the region," he said to me while in New York last week.

The newly rising powers -- China, India, Brazil -- rightly insist that they be more centrally involved in the structures of power and global decision making. But when given the opportunity, do they step up to the plate and act as great powers with broad interests? On trade? Energy use? Climate change?

No. Many of these countries want to be deferred to on matters of regional peace and stability. Yet they continue to

pursue their national interests even more zealously.

Perhaps the most egregious example is South Africa, which has insisted that it is Africa's natural leader. Yet the country has been shamefully absent in the efforts to rescue the people of Zimbabwe and Sudan from the tragedies unfolding in their lands.

Says Shimon Peres, "You can call yourself a decision maker, but if you are not ready to donate, to sacrifice life, to take risks -- not because your country is being attacked but because peace is being put into danger -- then it's more of a perception than reality."

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