

End of Osama, emergence of new concern

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TO many, the news of the death of Osama Bin Laden was a great relief, to some it caused grief and to some others it was a mystery wrapped in disbelief. At the end of the massive manhunt for 11 years, the Americans were able to kill the man on whose head they had declared an award of \$25 million.

Some say the Americans had fostered Osama to raise al-Qaeda to fight against Russian aggression in Afghanistan, while others say that he raised a force to fight aggression against Islam. Whoever may think whatever, the fact is that Osama had been an institution that promoted idealisation of orthodox Islamic values as a way of life.

His "jihad" against whatever was "un-Islamic" in his definition stemmed from his disapproval of the West's scheme to gradually isolate the Muslim majority countries from mainstream global or regional politics, diplomacy and economic dispensation. Today, most people will forsake him believing in the proverb "victory has many fathers, defeat is an orphan." There will be public demonstration of ecstasy and grief. Maybe his erstwhile hard-core supporters and renegades will say: "There is death for his ambition" to prove their detachment from him so that they are not hunted and brought to "justice."

I will not presuppose any consequence of Osama's killing, who

himself masterminded the killing of thousands. In death, he once again proved the contention that those who live by the sword die by the sword. The instant reaction of the people of various hues, by and large, was one of relief, and they expect that this will draw the curtain on the senseless killings for religious cause. For the Americans it is a resounding victory, and we have seen on television how they rejoiced at news of the death of Osama who kept them in constant fear of death for over a decade.

Even President Obama broke the barrier of his characteristic sedate nature to declare American's victory. Indeed, President Obama is happy on at least two counts: first, it has paved the way for withdrawal of American troops in Afghanistan on schedule without putting the peace there at a stake, and second, it will boost the prospect of his reelection to the presidency in 2012 as he likely to have convinced American voters that he has fulfilled his pre-election pledge to destroy al-Qaeda.

While this is a vindication of Americans' private feeling that the American army had failed to make the al-Qaeda leader surrender, the other actors have sunk into a sea of apprehension and anxiety about the fallout of the event.

Of all the actors, Pakistan appears to be the major victim of its expressed ignorance of what was happening on its soil. The mere fact that Pakistan's well-oiled elite intelligence outfit had "failed" to dis-



MAHMUD HANIS/AFP

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cover that Osama had been staying in Abbottabad, barely two hours away from the capital, for at least five years is no small wonder for its people. It has indeed shamed the ISI of Pakistan.

As known, a large segment of Pakistanis viewed Osama as a leader who dedicated his life for Islam's resurgence. They may not share the view of Prime Minister Mr. Gilani, who expressed happiness at the killing of Osama bin Laden in inde-

cent haste. We have noted the Pakistani public's resentment against foreign aircraft with arms flying over Pakistan's airspace "without prior information."

In Pakistan's "Q" TV's talk show immediately after the killing, many participants expressed doubt that it will bring about an abrupt end to the Osama episode. They were of the view that the legacy of Osama is very likely to be carried forward by those operating in the field as the

rank and file of al-Qaeda. They have even expressed the fear that Pakistan's security situation may worsen and politics may become acrimonious.

This may distance the civil society and the army from the ruling party. Existing divergent stances of the parties may get a handle centering the new issue. Pakistan's frontier province is likely to be volatile as a large number of Pakhtun and Baluchi tribals on the border between Pakistan and Afghanistan supported Osama's "jihad" and also enjoyed his generosity, which might cease with his passing away. There might be a spurt of subversive activities across Pakistan, as al-Qaeda has taken roots there.

Afghanistan, the less affected of the two major actors, must be finding itself immensely vulnerable. The Taliban, who have declared the beginning of the spring offensive against Karzai's forces, may take advantage of the lull that may prevail for sometime due to America's possible rethinking of its strategy because of public demand to withdraw its forces as their enemy has been killed.

Karzai might be concerned about the capability of his forces to protect him from the Taliban onslaught as his army is not yet well geared to do it alone. He may feel constrained to seek Pakistan's support to fight the Taliban, which may require him to accede to diplomatic concession that may jeopardise his plan to boost the relationship with India.

Karzai's plan to play the India card to browbeat Pakistan will have to be abandoned.

The Osama killing is very likely to brew a situation that would warrant mapping of America's global strategy afresh, with new concerns. New initiatives should immediately be taken to restrain the Taliban, al-Qaeda, Pakistan and Afghanistan from disturbing the prevailing partially peaceful situation. America should not spend much time rejoicing at the recent success and should soon get involved in arresting developments that may destabilise the region where the danger of a fratricidal war looms large.

America should not fear a Russian backlash as Russia is militarily incapable of launching and supporting any invasion there. Iran is not adequately equipped to occupy Afghanistan as the Islamic Revolution itself is under threat at home. So, America should focus on developing an environment of amity and concord, continue to provide economic support for nonmilitary/humanitarian purposes, and leave no stone unturned to help hold a credible election in Afghanistan so that Afghans can vote to design a future for themselves. Thus, only America can convince the world that Osama bin Laden had to be killed to make peace.

The writer is a former Director General of BIISS.

Influencing the judiciary

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A worldwide consensus has emerged that the judiciary has become the safeguard of democracy and the rule of law, particularly in new democracies (Kenneth Janda, Jeffrey M. Berry and Jarry Goldman, The Challenge of Democracy: Government in America, 2008:427)."

Judicial independence is regarded as a central feature of democratic societies. James Madison, the fourth president of the United States and father of the US Constitution, held that an independent judiciary is

sition, Bangladesh Nationalist Party, at a rally in Mukhtangan on April 16, bitterly criticised the prime minister for trying to influence the judiciary. The rally was organised in protest against the PM's remark on the cases against Khaleda Zia's sons ((Daily Star, April 17).

Speaking as the chief guest, BNP Standing Committee member Khandaker Mosharraf Hossain remarked that the PM's instruction to accelerate the proceedings of the cases against Tarique and Koko was a clear intervention in the judicial process. He also added that

was a violation of the constitution.

Later, a BNP-oriented lawyer's forum declared a protest programme on April 20, opposing the PM's alleged directive for advancing money-laundering cases, including those filed against Khaleda Zia's two sons. The Jatiyatabadi Ainjibi Forum (Nationalist Lawyers' Forum) observed the protest programme in all units excluding the Supreme Court, which was on vacation.

The Supreme Court Bar Association, in its press conference on April 19, alleged that

parent governance and the principle of separation of powers propounded by political philosophers such as John Locke (1690) and Montesquieu (1748).

Indeed, the theory of separation of powers is essential to preserve rule of law and independence of the judiciary. In the democratic world, the executive is not permitted to compel judges into acting in its desired manner. The executive is not supposed to either delay or accelerate the path to justice.

Judges perform their professional responsibilities impartially and conscientiously. Judges should not be treated like civil servants of the country. Civil servants, who also belong to the executive branch of the government, may be encouraged, engaged and directed to act quickly. Possibly the judges cannot be commanded in the same manner.

Judges always should be allowed to work unhindered and unconstrained to safeguard constitutional rights of the citizens and non-citizens. Freedom of the judges is crucial for the maintenance of constitutional principles, parliamentary democracy, and the rule of law. If the courts are stained by a lack of transparency owing to executive influence, it will immediately erode public confidence in them.

To sum up, the judiciary must be able to deliver justice without favour or prejudice. The perceived political interference by the executive branch of the government is unwelcome. This is because executive intervention defies the constitution and disrupts the independence of the justice system, and hence undermines the safeguarding of democracy and fundamental rights of the citizens. In a democracy, the judiciary should not be subject to any executive influence or pressure. And rule of law is always deemed superior and binds both the government and the bureaucracy.

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ROSS DURANT PHOTOGRAPHY

"after hearing her statements regarding the cases, we won't be wrong if we suspect that all recent verdicts in the courts were given following her (prime minister's) direction."

Presiding over the protest rally, BNP's Acting Secretary General Mirza Fakhrul Islam Alamgir said: "People have struggled to make the judiciary independent, but the prime minister is destroying the judiciary by choking its freedom." Another standing committee member Rafiqul Islam Miah maintained that, according to the constitution, the cabinet has no right to discuss any pending cases of the court. He claimed that the PM's remark

the PM was making unwarranted and direct interventions in the judicial process of the country and in so doing tarnishing the independence of the judiciary.

A deeper analysis shows a number of implications. First, it provoked controversy and produced political heat for the prime minister. Secondly, the PM's presumed intrusion seemed to substantiate US State Department's recent allegation that Bangladesh has an "increasingly politicised judiciary (2010 Human Rights Report: Bangladesh)." And last but not the least; the PM's directive appears to undermine the credibility of democratic and trans-

How to deal with rejection



A British woman named Jacqueline Howett wrote a book and published it herself on the Internet. Astonishingly, a book critic actually took the trouble to review it. Big Al gave it a thumbs up, saying that although the spelling was bad, the story was "compelling."

The thin-skinned Ms. Howett was furious, posting a response describing him as "discusting" [sic], and saying: "Your [sic] the target not me! Not get this review off here!" As the fight continued, Ms Howett, from the UK, added: "You are a big rat and a snake with poisonous [sic] venom."

An observer gently pointed out that Ms. Howett, by misspelling all her remarks, was merely "proving Al's point for him." Ms. Howett replied with a two-word phrase: "**** off!" (She managed to spell that term correctly, no doubt after a quick flick through a dictionary.)

This recent skirmish (which has grown to more than 300 comments on Big Al's book blog) caused much amusement among real writers last week.

You see, the lives of full-time workers in the creative industries are filled with such vast amounts of rejection and criticism that we have skins thicker than ancient carnivorous dinosaurs such as the megalosaurus, the oviraptor, Rupert Murdoch, etc. Doctors give us injections with pneumatic road drills.

For example, two years ago, this columnist wrote a song with Katy Oh, a singer from Singapore. So far our YouTube video has received 637 comments, almost all negative. The "dislike" button has been pressed way more than the "like" button. But we are so pathetically desperate for feedback that we're thrilled by all of them.

They range from "This is horrible" to "This is ****ing horrible." We

write back: "Thanks for your kind comment! You made our day!"

For decades, the governments of Singapore and China proudly held the crown of World's Thinnest-Skinned Groups, with epidermises a single atom thick. But this year that crown was stolen by celebrities at the Golden Globes awards.

Host Ricky Gervais simply told the truth. For example, he looked at the "mature" women who starred in Sex & the City 2 and said: "I was sure the Golden Globe for special effects would go to the team that airbrushed the poster." He continued: "Girls, we know how old you are. I saw one of you in Bonanza." The celebrities were outraged. The world's viewers were delighted. Well done, Ricky.

But staying on the topic of YouTube: surely the mother-lode of thin-skinned people is the strange community of people who add comments to that site? For example, under one video, a girl named Lily "Tinkerbell" wrote a one-word abusive comment: "Stuped." Lily, dear, if you can't spell "stupid," you probably are not cut for the life of a critic. This is an example of what Shakespeare called "being hoist with your own petard."

Bad spelling is everywhere these days. A woman posted a question on a parenting website: "Why does my brian hurt?" I posted an answer: "He hurt his stomach laughing at his mother's spelling."

It occurs to me that if Jacqueline Howett wants a writing partner, she could team up with Ms. Tinkerbell to create books together. Every time someone criticises them, they can reply: "How dair you say we kant spel. Your discusting and stuped." And if they post that remark on this website, I'll reply like a true creative professional: "Thanks for your kind comment! You really made my day!"

Now I need to finish this post. As a professional writer, I have a big pile of rejection slips to open.

To know more, visit our columnist at: <http://mrjam.typepad.com>

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"an impenetrable bulwark against every assumption of power in the legislative or executive." In a democratic state, the judiciary is supposed to act with full independence from the executive.

A contentious political debate recently emerged on Prime Minister Sheikh Hasina's alleged attempt to influence the judiciary. In a cabinet meeting (April 11), PM Hasina reportedly asked for acceleration of the disposal of cases against Khaleda Zia's two sons. While it demonstrated the tendency of executive domination of political life in Bangladesh, it also gave a chance to the opposition to exploit the issue politically. The leaders of the main oppo-