

Declaration of ML and act of high treason

We heartily welcome the Judgement

WE most heartily welcome the Supreme Court (SC) judgment declaring Martial Law (ML) as illegal and promulgation of ML as an act of High treason. The recently released full verdict of the Supreme Court on the historic Seventh Amendment to the Constitution has ruled that the violation of the Constitution is the gravest of all offences and shall remain illegitimate for all time to come.

We are glad that the highest court has put its seal on an issue that has been coming to the fore of public discourse from time to time. And it has been the demand of the people that political power cannot and must not ever be usurped by an extra-constitutional authority. And now, finally, the SC has invalidated appropriation of power by the military. We note with satisfaction that the present government has already amended the Constitution towards the end.

One must admit that Bangladesh has matured over the last two decades and so has its military. Since the departure of Ershad, military behaved as it should in a democracy. The military leadership too, we believe, have no inclination to power either. Unlike Pakistan, our military totally accepts the civilian leaders as their masters. If 1/11 happened in Bangladesh, putting the blame entirely in the military for that would be acknowledging half the truth. After all, there was the issue of potential subversion of election, of an inflated voter list, of an election commission tutored to run a convoluted poll, to make the result go BNP's way by hook or by crook.

On the other side, we want to stress that democracy does not mean holding an election every five years and winning an election by means fair or foul. Winning elections is only but a part of democracy with many more things, particularly ensuring good governance and implementing the rule of law rather than rule of men. Making democracy flourish entails allowing the institutions to run independently. Election victory, or a brute majority, does not give one the license to be an elected autocracy. It means taking the opposition into confidence and exercising intra-party democracy and allowing new leadership to grow, too. Only when we are able to differentiate between majority and majoritarian rule can we expect democracy to thrive fully.

State-owned banks in management crisis

Political appointments to blame

IT is hardly surprising to find that state-owned banks are in doldrums. As pointed out in national media, never have so many directors been appointed in these banks as has been during the tenure of the present government. The problem is that most of these directors have no inkling as to how a bank operates. Such appointments have opened the flood gates to sanctioning unworthy loans based on political considerations rather than due banking procedures. It is little wonder that most state-owned banks are facing a rating crisis.

It comes as a shock that despite experiencing the single largest scandal in the banking sector revolving Hall-Mark group, the government remains committed to making the same mistakes, i.e. many directors with dubious records but sporting political colour are in the process of having their contracts renewed. Reportedly, a number of politicians too are making their debut at directing banks. It is said there is a first time for everything, but must we play with our financial future by appointing people with no proven banking track record and who owe their allegiance to party and institutions second?

It is mindboggling to see former student leaders and party organisers ten-a-penny being appointed right, left and centre at the top echelons of state-owned banks. It is of grave concern that the central bank's circulars on rules and regulations concerning what a director can or cannot do are gathering dust on shelves. Rules are there that specify code of conduct of directors. But when these are flouted in terms of interfering in administrative work, creating undue pressure to facilitate sanctioning of essentially bad loans, we have a major problem. It would appear that the government has failed to take any lesson from the Hall-Mark debacle. Rather, its actions are paving the way for more debacles in the financial sector -- scandals that will

THIS DAY IN HISTORY

December 21

1832

EgyptianOttoman War: Egyptian forces decisively defeat Ottoman troops at the Battle of Konya.

1941

World War II: A formal treaty of alliance between Thailand and Japan is signed in the presence of the Emerald Buddha in Wat Phra Kaew.

1969

The United Nations adopts the Convention on the Elimination of All Forms of Racial Discrimination.

1973

The Geneva Conference on the Arab-Israeli conflict opens.

1995

The city of Bethlehem passes from Israeli to Palestinian control.

CROSS TALK

When in a hole, stop digging



THIS country last week looked like a deer in the headlights. Truth and falsehood lit up in full glare over the shocking death of a young man who was guilty of being in the wrong place at the wrong time. The media insisted that the killers were members of the student wing of the ruling party. The home minister denied, other party leaders protested and the Prime Minister's Office sanctioned that nothing could be farther from the truth. An entire nation watched in dazed stupor as the authorities behaved like an ostrich in their state of denial and buried their heads in the sand.

What happened next was even more bewildering. The post-mortem report turned a mountain into a mole-hill. It worked the victim's body like the mechanical drawing toy Etch A Sketch. By the time it reached the hospital, the tossing and turning of the body had auto-erased many of his wounds! The doctors could find fewer wounds than the number of times we saw the victim was struck with cleaver and rod. Next time, turn a victim upside down and shake his body. You might actually get him thoroughly healed.

In fact, that poor body has been emblematic of our national politics, having immense capacity to absorb lies, deceptions and cover-ups. This broad-daylight killing had its unique features. It was the country's first live telecast of how killers killed, their hands wielding murder weapons and their faces reflecting changing shades of rage and rancor.

The whole country witnessed it, yet there were frantic efforts to hide the truth as if what we saw was an illusion. Those who have read murder



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And, we heard the meticulous stories of how the killers came from families with ties to opposition political parties. Some of them had their fathers and others had their brothers who had political links with either Jamaat or BNP. The overriding conclusion of those underlying assumptions was that the killers were wolves in sheep's clothing: they killed for the opposition to implicate the ruling party. If that were true, how could the police simply stand there and do nothing?

While conspiracy in politics is always a possibility, family ties cannot

be a red herring. There are many illustrious sons and brothers in this country, who have divided national politics like a family task, each shouldering the responsibility of one political party to ensure they can be in power through eternity. The background of the killers may be a necessary proof, but it cannot be a sufficient proof of why they killed.

The important question is whether these killers belonged to the student wing of the ruling party. If their background has to be an issue, it should have been an issue at the time of their recruitment. That is when it should have been considered if the young men raised in questionable homes could be trusted with their party roles.

Adolph Hitler's propaganda minister Joseph Goebbels is known for his

doctrine that a lie repeated often enough becomes truth. Goebbels was one of the highest educated members of the Nazi leadership, who was accused of dragging German culture to the level of mere propaganda. He responded by saying that the purpose of both art and propaganda was to bring about a spiritual mobilisation of the German people.

That response screamed through the noise of artful propaganda last week. It was scary because our national politics looked ominously bankrupt where truth was no longer an antithesis to lie but its synthesis. It was similar noise that had mobilised the spirit of the war criminals in 1971, who were convinced that nothing was wrong with slaughtering their own people and betraying their own country.

Forty-two years ago this country was created on the basis of rational hypothesis. It was rational that the majority should form the government. It was rational that the land that has greater resources should have its fair share of economic prosperity. When an aggressive army cracked down in the middle of the night, the people of this country had to fight for their freedom.

Daniel Kahneman, a Nobel Laureate and professor of psychology at Princeton University, argues that we are not nearly as rational as we like to believe. But last week was confusion, because we didn't know what to believe anymore. It was shocking to watch a man being cut up in clear view, but more so when it was being cluttered to puzzle ourselves that what we saw wasn't what happened indeed.

It has been always true for politicians in power in this country. They can't stop digging when they are already in a hole.

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Japan elects new government

ASHRAF UD DOULA

ON December 16, while we were celebrating the 41st anniversary of our Victory Day, the people of Japan went to the polling booths, voting the Liberal Democratic Party (LDP) back to power just in three years.

Shinzo Abe, a former prime minister (2007-2008), who was elected as the leader of the LDP in September 2012, was set to become the prime minister for second term on December 26 -- a record held by no other Japanese political leader since WWII. He is also expected to announce his cabinet on the same day.

The Democratic Party of Japan (DPJ), which lost the election, came to power in 2009 after evicting the then ruling LDP, which ran the country uninterrupted for nearly 55 long years, riding on the mounting discontentment and disillusionment of the people. The Japanese voters also longed for a change, being infected by the American election which brought President Obama back to power.

No sooner had the DPJ came to power, its honeymoon was over as it got embroiled in financial scandals of its top leaders. The DPJ supremo and architect of its election victory, Ichiro Ozawa, had to renounce his prime ministerial aspiration, even before the election was held, under media exposure. His successor, Yukio Hatoyama, also had to quit the post of prime minister within a year over similar charges. Naoto Kan, who succeeded Hatoyama, failed to deal with the social and economic issues, engendering the people's dissatisfaction.

On the external front, Japan's relations with the US became cool over the US air force base in Okinawa, while relations with China, which started on a positive note (Ozawa, soon after the DPJ victory in 2009,

took a delegation comprising 140 parliamentarians to Beijing as a show of changed Japanese attitude), also deteriorated over maritime disputes. In the Korean peninsula too, relations with South Korea were strained over territorial disputes while the North continued to flex its nuclear muscle, causing security scare in Japan.

The opposition LDP, in the meantime, slowly regained its strength and started challenging the government. As early as March 2011, there were talks of an imminent fall of the government, triggered by a major defection by its rank and file members.

Then suddenly the nation faced an unprecedented disaster. A huge tsunami, followed by a major earthquake, struck Japan on March 11, 2011, killing thousands of people and destroying property worth

damage, the die was already cast. The Parliament was thus dissolved on November 16, paving the way for a new election to be held on December 16.

In the just concluded election Abe's LDP, together with its coalition partner New Komeito, captured 325 seats out of 480 seats (67.77%), giving it a 2/3 majority in the parliament, while the ruling DPJ made a poor second with only 57 seats (11.88%). A newly formed party led by the former maverick Tokyo governor and staunch nationalist Shintaro Ishihara pulled a surprise and was a close third in the race, capturing 54 seats (11.25%).

Abe, who is grandson of a former prime minister and son of a former foreign minister, is a pro-nationalist and conservative leader. While his immediate task will be to restore the

Notwithstanding the change in government, Japan's policy towards Bangladesh has remained unaffected. Japan has always attached high priority to our national development as demonstrated by its recent commitment to provide \$2.7 billion for construction of Dhaka city metro rail.

hundreds of billions of dollars. Coupled with these, four nuclear reactors in the affected area of Sendai-Fukushima exploded, releasing huge amount of radioactive materials. The government's response in the wake of the national calamity was less than adequate and lacked effectiveness.

The Kan government was not only perceived as incompetent and inept, but it was also revealed subsequently that the government suppressed vital information about the extent of damage caused by the nuclear explosion. On August 26, 2011, Kan resigned, making way for Yoshihiko Noda to assume the government responsibility. Although Noda tried to repair the

economy and strengthen ties with Washington, he is likely to take a strong stance against China and South Korea over the territorial disputes. He is also in favour of amending the country's pacific constitution, framed by the US, and enhancing the role of the Self-Defence Force. Abe also wishes to retain nuclear power.

China, although it reportedly reacted with alarm at Abe's return to power, however, declared itself ready to work with Japan on "further development of stable relations."

Implication for Bangladesh

Japan-Bangladesh relations are founded on strong friendly ties built

over the years since independence. Beginning with Bangabandhu, all our heads of state/government have visited Tokyo. Japan continues to be our number one development partner, and has generously contributed to the tune of \$15 billion towards the development of our economy, infrastructure, poverty alleviation, disaster management, human resource development and several other areas. In recent times, trade, commerce and investment relations with Japan have also increased considerably. It has also written off a substantial amount of Bangladesh's past debt liability.

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Prime minister elect Shinzo Abe and his wife Aki Abe are genuine friends of Bangladesh. Mrs. Abe visited Dhaka last year. Another close friend of Bangladesh, former prime minister Taro Aso, who is also the president of Japan-Bangladesh Parliamentary Friendship Association, is tipped to be appointed as deputy prime minister in the Abe cabinet.

The author, since his ambassadorial tenure in Tokyo, has maintained close relations with all of them. Following the election Abe, in a telephone conversation with the author, reiterated his sentiment about Bangladesh and promised to visit the country at a suitable time.

Therefore, it is expected that Bangladesh should be able to benefit from the favourable political climate in Tokyo, provided we can play our cards right.

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The author is a former Ambassador to Japan.