

Ending border killings: Balance between 'doors and walls'

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WHILE we are troubled by Felani's case and the reported deployment of drones, we are not paying proper attention to why, like Felani, hundreds of other Bangladeshis are crossing the border into India on a regular basis.

According to a local English daily, 21 persons were killed at the border over the last eight months. In most of these firing cases, we find that BSF shot at unauthorised trespassers showing no respect for international norms of border management. If citizens of the two countries illegally cross the border, it would be considered trespassing and as per law those persons should be handed over to the respective civilian authorities.

However, we will emphasise on the unauthorised border crossing issue because solution of this problem will take India's aggressive border control logic apart.

Unauthorised crossings take place largely due to various quasi-legal or informal trading across borders. This is characterised as 'informal trading' rather than 'illegal trading' because there is wide participation by locals within border areas, and the trade generally bypasses custom posts and operates in liaison with the anti-smuggling enforcement agencies on both sides.

Local people around the border area individually transport small quantities -- often just as head-loads or by bicycle -- which is often called 'bootleg' smuggling.

There is another type of smuggling called 'technical smuggling,' where large quantities of goods are passed through formal legal customs and other channels, and carried mostly by trucks and boats. In these cases, custom officials and members of law enforcing agencies on both sides collude with the smugglers in

explicit illegal practices such as under-invoicing, misclassification and bribery. These traders are medium and large traders who also trade across the border through formal channels.

There is a close link between 'bootleg' smuggling and 'technical' smuggling. Although bootleggers carry goods in small quantities across the border, trucking them to border areas -- often from distant parts of India -- storage is mostly organised by medium size and large traders. On the Bangladesh side, there are medium and large traders who buy these smuggled goods and flood our local markets with them.

It has been widely reported that there are a large number of factories in Indian territory along India-Bangladesh border that continue production and supply of Phensidyl to Bangladesh, despite Bangladesh's repeated request to demolish those factories.

It seems that border killings often occur only at the tip of the iceberg -- the poor bootleggers -- where medium and large traders, factory owners, corrupt law enforcing and custom officials, human traffickers are at ease and profit from the very last bit of capital which the poor people are willing to risk to just survive.

It is reported that a bootlegger gets only Tk.3,000 to Tk.4,000 for a pair of cattle, while they are sold in the nearby market at Tk.40,000 to Tk.50,000.

In his classic study, titled "Cross border trade between India and Bangladesh," S.K. Choudhury

found that "once in a while, either due to a breach of understanding or to demonstrate efficiency or agility of the law enforcing staff (to meet anti-smuggling target, if any), some seizures [in the worst case, killing] are stage managed and the petty operators bear the consequences."

The size of 'informal trade' and number of

Hindu, June 26, 2008.)

Informal trade-related border crossing is further supplemented by labour migration, which is also legally restricted. It happens on both sides of India and Bangladesh, largely due to little scope for urban migration. For example, a World Bank study showed that a section of Bangladeshis and Indians who live on either side of Benapole-Petrapole border engage in employment in Kolkata or Jessore rather than in Dhaka or Delhi, which are farther away. Felani was also a migrant worker, employed in Delhi. In its World Migration Report 2008, the IOM cited unofficial estimate saying there are as many as 10 million irregular Bangladeshi migrants in India. Labour migration on both sides could be legalised following international norms of labour migration in which both the countries have been actively participating.

So, why are these people adopting a livelihood negotiating between legal and illegal means? This brings us to the deep-seated economic disparity between border regions and other parts of the country. According to World Bank, border districts in Bangladesh tend to have lower per capita income than national average. As there is dearth of research on the economy of border areas, it is difficult to comprehend the scale of disparity, but it can be ascertained that the return through smuggling and illegal migration is higher than available employment opportunities in those areas.

This supposition can be built up further by the fact that over the years trade through border areas has declined sharply. In 1948, intra-

South Asia trade was 18% of total trade and today's border areas were relatively wealthy. In 2000-07 this share dropped to 5%.

So when we talk about any solution to the illegal border crossing we have to keep in mind the deprivation of the border regions.

India has developed a Border Area Development Plan which can be a good model for Bangladesh, if applicable. Under this project, they have been developing 0-10 km areas near the border region with establishment of roads, educational institutions, small industries and other necessary infrastructure.

The plan for reducing disparity in border areas should be supplemented by measures for formalisation of informal trade between these two countries.

Bangladesh government legalised cattle trade in 1993, but Indian ban on the export of cattle encourages the illegal business. Both Bangladesh and India should legalise cattle trading.

Bangladesh and India reintroduced border haat on July 31, 2011. Both governments have plans to increase the number of border haats. However, the good move has been facing challenges due to non-cooperation by Indian, which discourages Indian businessmen from buying Bangladeshi goods, according to a national daily referring to officials of commerce ministry. In addition, the buying limit and varieties of goods are too inadequate to be an effective alternative to the large volume of informal trade.

The border trade policy should follow a balance between "doors and walls" where, on the one hand, the government will further extend the list of tradable goods and, on the other hand, strictly control trafficking in human, narcotics, small arms and other illicit items.

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Myanmar's military transformation

NEHGINPAO KIPGEN

THIS September 18 marks the 25th anniversary of the last military takeover in 1988. It was the third major military intervention in Myanmar's political history since independence. At that time, the country was still officially called Burma and the government changed it to Myanmar the following year.

The military's first intervention was in 1958 when civilian Prime Minister U Nu invited the military to form a caretaker government, stabilise the country and hold general elections. The then army Commander-in-Chief General Ne Win acted as interim prime minister.

The military's second major intervention was in 1962. Unlike the first intervention, it was a coup that ousted the democratically elected government. Prime Minister U Nu was arrested along with his cabinet members and the national parliament was dissolved.

The 1988 military takeover marked the end of Ne Win's authoritarian regime and the emergence of a generation of new military leaders in Myanmar politics. How political transition took place is key to understanding the present dominant role of military in politics.

There is a clear pattern of how the military transformed itself from one form to another. First, the military ruled the country under the Burma Socialist Program Party (BSPP), then the State Law and Order Restoration Council (SLORC) with its official political party, the National Unity Party (NUP).

The SLORC government then transformed into the State Peace and Development Council (SPDC) with its political party, the Union Solidarity and Development Party (USDP). The SPDC was formally dissolved on March 30, 2011 after the inauguration of a new government led by President Thein Sein of the USDP on March 29, 2010.

Despite the military's successive transformation, there has not been actual power transfer. The present government was established in accordance with the 2008 constitution, drafted by delegates selected by the military government.

Myanmar politics is shaped by the outcome of the 2010 general elections and the 2012 by-elections. In 2010 elections, the USDP won in a landslide victory. In 2012 by-elections, except for the disqualified candidate in Northwest Sagaing Region, NLD won in 43 out of the 44 seats it contested.

Despite NLD's overwhelming electoral victory, the combined strength of all opposition groups in the parliament remains insignificant force to challenge or threaten the USDP-led government.

All the three branches of government -- executive, legislature, and judiciary -- are dominated by former military generals and the military-backed USDP members. Some of the

significant privileges of the military are the reservation of 25% of seats in parliament without election, the power to dismiss government in case of national emergency, and the requirement of more than 75% of votes in the parliament for any constitution amendment.

Moreover, all security-related ministerial portfolios such as defense, home affairs, and border affairs are held by members of the USDP. The National Defense and Security Council is the most powerful executive branch of the government as enshrined in the 2008 constitution.

The 2008 constitution also ensures immunity for military generals of their past actions and human rights violations.

In July this year, the parliament formed a 109-member committee to review some of the major concerns of the country's constitution in view of the upcoming general elections in 2015.

The committee includes lawmakers from the NLD, USDP, and representatives from the 25% of seats allotted to the military. The committee, among others, attempts to address two pressing electoral concerns -- removing or modifying the clause that prevents Aung San Suu Kyi from becoming the country's president, and allowing states to choose their own chief ministers. The committee will submit a report of its findings to the parliament before December 31.

Despite the ongoing tangible democratic reforms, it is still early to suggest that the process is irreversible. The government has reached ceasefire agreements with majority of the armed groups, but there is no guarantee for an amicable political settlement with ethnic minorities on the question of autonomy.

Moreover, there is no guarantee that the present quasi-civilian government will amend the 2008 constitution to remove the inherent role of military in politics. There is uncertainty whether the 2015 election will be free and fair.

There is also no guarantee that the constitution that guarantees 25% of parliament seats to the military will be amended. There is every reason to be optimistic about the democratic reforms. But given the nature of Myanmar's historical problems and the inherent role of military in politics, there are also reasons to be critical about long-term solutions.

Though it is still premature to predict the possible outcome of the constitution review committee and how the military-backed USDP will approach the 2015 general elections, one thing, however, certain is that the military intends to remain an inherent element and play a vital role in Myanmar politics, at least for the foreseeable future.

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Compromise: Lifeline of democratic governance

HABIBUL HAQUE KHONDKER

COMPROMISE is difficult, but governing a democracy without compromise is impossible." Thus begins the best-seller by Amy Gutmann and Dennis Thompson, *The Spirit of Compromise* (Princeton, 2012). Amy Gutmann, a political philosopher and president of the University of Pennsylvania, is known for her views on deliberative democracy. But her recently co-authored book, although written with the illustrations of American politics, should be a must read for all the democratic leaders of the world.

The authors lament that the spirit of compromise is lacking in the Obama-led USA today. I wonder what the authors would say about the state of "democracy" in Bangladesh today. I put the quote marks deliberately to signal my doubts about democracy in Bangladesh. If we define democracy as non-military rule, then indeed, Bangladesh is a democracy.

This author has viewed Bangladesh, some may say unkindly, as competitive authoritarianism. To draw an analogy from the science of economics, what is monopoly to authoritarianism, duopoly is to competitive authoritarianism. In Bangladesh, people are presented with a stark choice between two parties -- Awami League (AL) and Bangladesh Nationalist Party (BNP). The other parties remain irrelevant except as coalition partners. When I hear the raging debates on the electronic media and the public speeches of the leaders of various parties and their numerous affiliates that "democracy will be in danger if elections are not held under caretaker government," etc. I chuckle. As if we have a robust democracy and it may decline!

A careful and dispassionate look will tell us that democracy has been seriously lacking in Bangladesh for a long time. One does not have to review the past 42 years of the history of the nation to establish the point. Just look at the past 4 years. As soon as the Awami League-led coalition formed government in 2009, the main opposition BNP refused to accept the results of the election as fair and raised accusations of fraud. Remember, the said election was held under the aegis of a neutral caretaker (albeit military backed) government. This raises a point that even a clean election -- some argue, the cleanest in recent history of elections in Bangladesh -- conducted under a neutral government armed with the cleanest voter-role and backed by photo-ids was trashed by the leading opposition party.

The leading opposition's shunning of the inauguration of a popularly elected government and its continued reluctance to attend the sessions of the parliament are a strong vote against democracy in Bangladesh. The lack of the spirit of compromise began with a silly squabble on sitting

arrangements in the parliament, more befitting children in a kindergarten than parliamentarians.

The behaviour of the leaders of the two-parties was not only uncompromising but also bellicose. There are very few examples of "democracies" where leaders of the leading political parties are not in talking terms. In the context of Bangladesh, there could be special circumstances that led to the relationship of mutual disrespect and mistrust.

Where is the resistance to compromise in democracy? For Gutmann and her co-author, it lies in "an uncompromising mindset." The uncompromising mind-set in Bangladesh is not only seen at the national level politics but even at local and associational politics. Look closely, you will see examples right before your eyes.

How do we transform the mind-set? Well, as Robert Putnam, Harvard political scientist and author of *Making Democracy Work* (Princeton, 1993) says, you just have to wait. Putnam saw that transition take place in the regional politics of Italy over a period of two decades. Why it is taking such a long time in Bangladesh? Are politicians more tolerant of their opponents today than ten years ago?

The debate in Bangladesh should revolve around the state of democracy and not just quality or composition of the caretaker government. The fact that the majority of the people want a caretaker government is a tribute to the political acumen of the leaders of the opposition. Their oration and persuasive skills are beyond doubt. Is democracy limited to who should conduct the election? Let's not forget that there can be elections without democracy. Yes, clean election is important in sustaining a democracy but democracy is more than the procedure of election.

The issue of compromise presents an interesting paradox also recognised by Gutmann and Thomson. In Bangladesh, the quality of political leadership is often judged by the degree of how uncompromising a political leader can be. Being uncompromising is a quality, especially in the opposition politicians. The more uncompromising one becomes the more he or she gains in stature as a strong politician. A great majority of people tends to support leaders who are reputed to be uncompromising.

This leads to the point about the difficult relationship between majoritarianism and democracy. Is majoritarian rule same as democracy? The well-known dictators ruled in the name of the people and, surely, some of them were not lacking in popular support. Principles such as justice, rule of law -- not just the formal law but the spirit of law -- truth and honesty are not nearly as popular as the topic of caretaker government in a campaign. And that's not a healthy sign for the future of democracy in Bangladesh.

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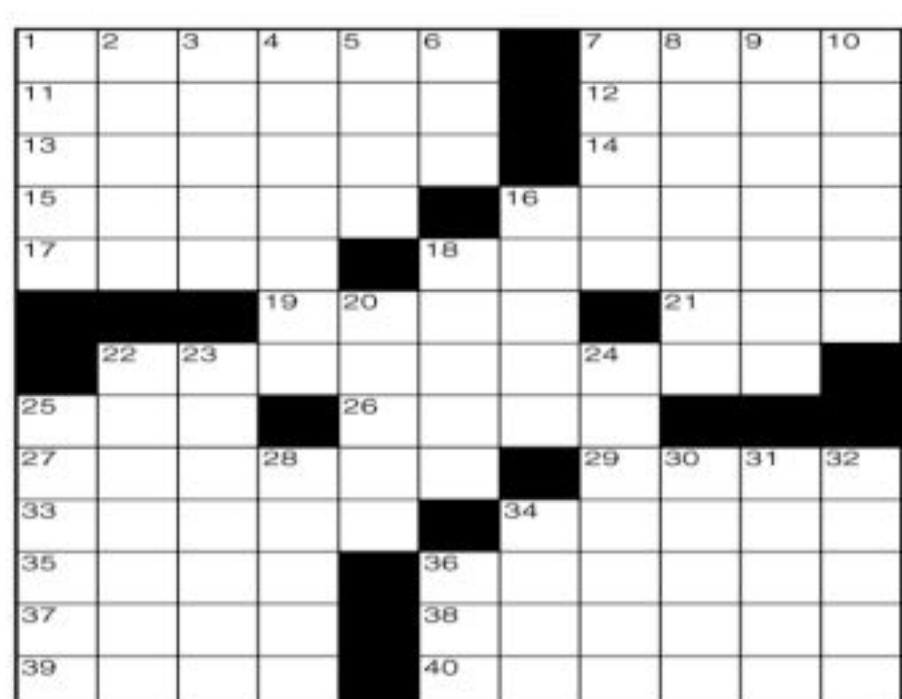
By THOMAS JOSEPH

ACROSS
1 Around
7 Petty argument
11 Get in
12 Choir voice
13 Flute's cousin
14 "Toodlee-oo!"
15 Pandora's box held them
16 Banjo's cousins
17 Jazz club units
18 Be contrite
19 News article
21 Billboards, e.g.
22 Camera feature
25 Jumble of noise
26 Letterman rival
27 Tell, e.g.
29 Brewery sights
33 Swell
34 Emerald, for one
35 Letter opener
36 King of music
37 "Lonely Boy" singer
38 Mis-treated

DOWN
1 Wise guys
2 Bear out
3 Round-the-world trip
4 Does a great standup act
5 Preparation times
6 Tennis need
7 Showed interest
8 Mesa's kin
9 Goes to

PUPAS MAPLE
EMATIL ALLIN
APPLIE MEANT
LITTLE STEE
ERR VET TAR
DEUCES SIRS
MASONIC
ABBY RUNSTO
BAIR ANT TEN
ORE DOIC RAM
RILKE ABASE
TULIP SOWED
SMART EASTS

Yesterday's answer
10 Wedding reception events
16 Cleaner scent
18 Allude
20 Apartment sign
22 Fleet owner
23 Pops open
24 Supposed
25 Pinnacle
25 Blots
28 Fights
30 Came up
31 President with 15 children
32 Some coasters
34 Rum-soaked cake
36 Pinnacle



AXYDLBAAXR is LO

NGFELLOW
On letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

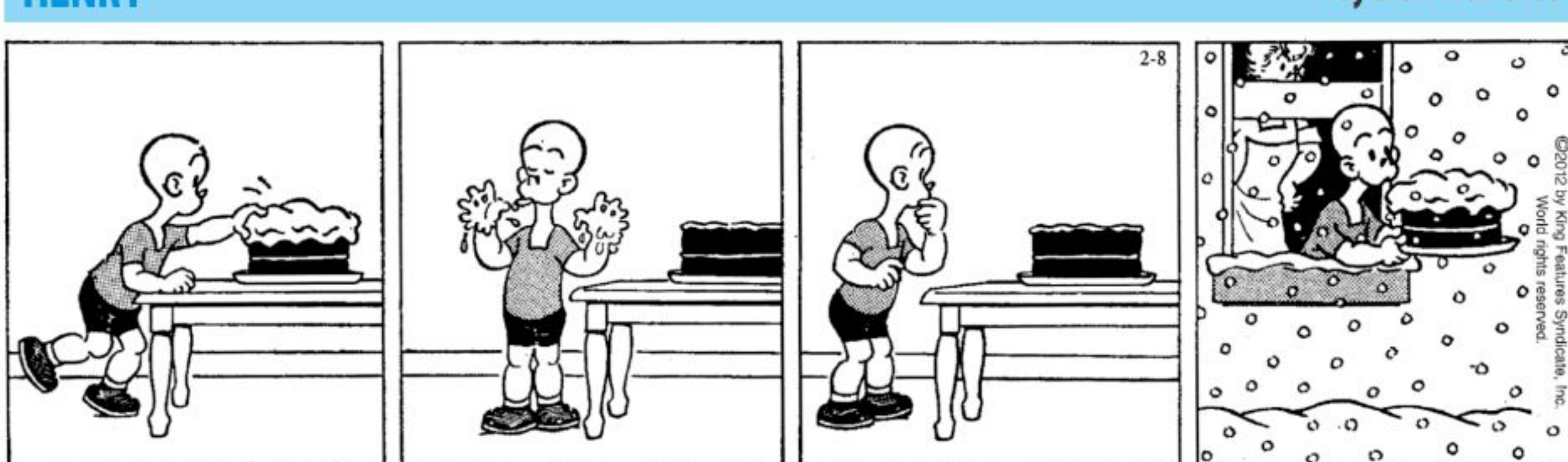
8-23 CRYPTOQUOTE
M WHXWGR QESITEQ W
GWNW XWR QENYY OYYQ.

Yesterday's Cryptoquip:
WHAT THE CATERPILLAR CALLS THE END OF THE WORLD, THE MASTER CALLS A BUTTERFLY. -- RICHARD BACH

BEETLE BAILY



HENRY



by Mort Walker

by Don Tranchte

QUOTABLE Quotes

"You are the embodiment of the information you choose to accept and act upon. To change your circumstances you need to change your thinking and subsequent actions."

Adlin Sinclair