

LATE S. M. AL

DHAKA MONDAY OCTOBER 23, 2006

Eid greetings to all

Let it be a harbinger of better tomorrow

ID-ul-Fitr, the biggest religious festival of the Muslims all over the world, is here once again to beam the intrinsic message of peace, tolerance and fraternity. After engaging in fasting, special prayers and philanthropy throughout the month of Ramadan, Muslims will traditionally celebrate the Eid day in the company of family members and friends.

The day comes to remind us that in the eyes of the Almighty everyone is equal and Muslims have to uphold this message of Islam through practice. Therefore, we have to share this message and take fresh vow to build a just society on the basis of the principles of equity and equality.

Eid-ul-Fitr this year is being celebrated in Bangladesh with some dark clouds hovering over the nation as it remains splintered on certain political issues of importance. Despite calls for applying utmost wisdom in solving the problems so that the people may look forward to a free and fair election, obstinacy and short-sightedness among politicians keep widening the gap between them and the people.

However, the silver lining in the dark cloud came in the form of the Nobel Peace Prize that Dr. Muhammad Yunus and Grameen Bank received this year. This particular achievement came as a light at the end of the tunnel to elevate our spirit to a new height. The nation celebrated the news that came in the month of Ramadan as an auspicious gift. This addition to the nation's laurels will make this year's Eid more enjoyable to Bangladeshis.

However, the nation has to take further steps to eradicate poverty that has pervaded the lives of millions in the country. The joy of Eid will become profounder and more intense when everyone in the country will be able to reach a respectable level of living.

We wish our readers a very enjoyable Eid. Let us share the happiness of the day with everyone in society.

High stakes in the dialogue

Shun the path of confrontation

HE eagerly-awaited and supposedly climactic round of talks between BNP Secretary General Abdul Mannan Bhuiyan and his AL counterpart Abdul Jalil is taking place today. The 5th round on October 16 ended on a hopeful note in two ways: first, the participants in the dialogue voiced their identical view in terms of having come closer on issues; secondly, and more importantly, they promised to come back to the talks on October 23, presumably with nods from their respective party leaders Begum Zia and Sheikh Hasina on their return home from overseas.

Although at the end of each encounter, both sides claimed to have made some headway in the talks, no specific detail was released to the press about it thereby raising doubt whether the one-to-one engagement was being directionless. This apprehension seemingly gained ground when out in the open both sides traded ballistic remarks against each other. Even so, the very continuation of the dialogue process has bred hopes in the public mind for a denouement, especially when impressions were given of the gaps being progressively bridged on issues.

The point we are trying to drive home is while so much of the nation's time, energy and emotion has been invested in the dialogue process, the latter cannot simply be allowed to founder on the rock of any narrow partisan spirit.

Running parallel to the dialogue process is an ominouslooking drift towards confrontation. Both sides are preparing for a showdown in the street, if the talks, now centred on one issue, namely that of doing away with Justice KM Hasan as the chief of the caretaker government, should fail. The ruling BNP has chalked out a programme to show their strength of public support by holding rallies at Paltan and other places from October 27 to November 1. On the other hand, the 14-party alliance are taking preparations for laying siege to Dhaka and bringing things to a standstill in the event that Justice KM Hasan takes over as chief advisor to the caretaker government.



M ABDUL HAFIZ

HE quintessence of the much-touted political dialogue about the opposition's electoral reforms proposals has only been a bit of surrealism on an amorphous structure. Even at the outset it suffered jolts over its imponderable agenda and objective

When it took off at long last it groped for direction which scarcely came forth in concrete terms from party sources or any other quarter. In arcane secrecy, the interlocutors kept mum on the outcome, if any, of the talks. In spite of that, the charade of a dialogue went on -- but haltingly -- keeping the anxious public in suspense

In the meantime, the voluble party leaders on both sides kept throwing innuendoes at each other like missiles -- thus vitiating the



The question has so far been widely debated, both in favour of, and against, the establishment's scripted arrangement. Both sides appear to have stuck to their guns, for the stakes are high indeed. The post of chief adviser is the lynchpin for the conduct of the crucial election due early next year. Unless some miracle takes place today -- and to the satisfaction of popular demand -a disaster of unknown proportions is a clear possibility. This is no time for sophistry or delusion.

ambience for dialogue. The pungency of the prime minister's remarks directed at her opponent is anything but conducive to the efforts to reach an understanding on the vital national issue of holding free, fair, and credible election. The lack of restraint on the part of the leader of the opposition also dampened the spirit of dialogue.

Hoping for a miracle

To make things worse, the absence of both the party supremos, as well as the interlocutors, from the country at this crucial juncture gives further jolt to the dialogue which is now in limbo. Meanwhile, the news of Professor Yunus of Grameen Bank winning the Nobel Peace Prize has created a fluster, making everything else seem insignificant.

In an euphoric outburst, a Yunus fever has taken things by storm, and suddenly the dialogue has lost

its primacy and centrality in the country's political discourse. Although it is yet to be over, or abandoned, few think that the dialogue would lead to a positive

outcome Where do we go from here? With every passing day, the political crises surrounding the next general election are assuming more and more complexity. The people, steeped in despair, tend to clutch at any straw to seek relief from the continuing agony of uncertainty, and a looming political conflict.

Many have hinted at Professor Yunus as a possible saviour. But doubts abound as to whether his expertise would, in any way, enrich the country's politics -- notwithstanding a singular success in his own sphere of specialization, i.e. poverty alleviation. Although he gives an approving nod to the idea by declar-

BYLINE

ing that he would float his own political party, if required, to ensure the country's governance by the fittest and the honest, the reactions are mixed

Politics the world over has its own traditional way, and can hardly be conditioned by the experts' views. There has seldom been instance of experts taking the helm of the country's politics. Because, in that case, both politics and their noble ventures in the field of their expertise are likely to suffer. Politics has its own process of catharsis which churns out only the

verv best. This dynamic of politics has only to be revitalised through credible election, which is a dependable process of political catharsis. It invariably churns only the very best, and filters out the fake, pseudo, and unwanted politicians



Several consecutive elections, credibly conducted, can produce the results desired by the likes of Professor Yunus. The issue facing the nation at the moment is that of a credible election. Our problem is that of being denied such an election through a series of shenanigans resorted to by the establishment.

There was the need for dialogue on electoral reforms so that the people are free to elect the legislator of their choice, and the wisdom of their choice has amply been exhibited in the past. There are indications that the dialogue has run into an insurmountable snag with regard to the guestion of the

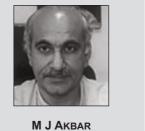
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Brig (retd) Hafiz is former DG of BIISS

Some happy Diwali, Eid thoughts



HE Eureka moment came at around four in the morning in Kolkata. I was in my room at Sonar Bangla, one of the finest hotels in Asia, and had flicked open the television after sehri, the pre-dawn meal before the Ramzan fast. The screen came to life with Zee Music, and with my brain at full throttle I realised that it was the old Hindi films, which were really true

to life. It is the new movies that are unreal. Have you seen the ghost in the

song Mere Mehboob Qayamat Hogi from the Kishore Kumar film Mr X in Bombay? The ghost in this

fast asleep You might, in the bargain, end up also watching a song from Rajendra Kumar, who never used a word he could not describe with his fingers; or, at the other end of the scale, Bharat Bhooshan -- the only part of his body that moved when he was singing songs was his hair, in response to either a river breeze or the studio pedestal fan.

But our bygone heroines pro-

their exterior is pawned to motives that are ulterior. A Meena Kumari or an Asha Parekh was never embarrassed by the natural waves of soft flesh. Nobody ever caught them in a gym with latex underwear.

This air of unreality is seeping over all forms of entertainment. Take the Champions Cup coverage on television. There is a perfectly sensible anchor, Charu Sharma, but each time he gets to the third sentence he is interrupted by his co-host. Her most penetrating comment on the state of the game is "I told you! I told you!" I presume advertisers insist that she ask questions, so she restricts herself to the obvious, never making the mistake of mentioning either cover or mid-off in case she gets confused between the two. All the experts, and there are some serious heavyweights out there, play along, except for the majestic Geoff Boycott who insists on sticking dogmatically to the point. It is beginning to dawn on the other commentators that they are here on a well-paid picnic, so why not Sushma Swaraj, and Sidhu.

enjoy it.

He is a natural. He used to whack the cricket ball quite a bit once. These days he punishes the English language. His technique may not have changed. In the old days he decided what he needed to do with a delivery before the bowler had bowled it. Now, he has a set of answers that are delivered irrespective of the nature of the question. The subject might be anything: Pakistan's recovery, Ponting's dropped catch. Lara's back. The answer is the same, delivered in a rising lilt, rising from alto and ending in cracked tenor. "Character is the soul of wit! You can take the actor out of the character, but you cannot take the

hands, silently. Advani looks thoughtful, and then looks away. Joshi adjusts his scarf. The silence gets heavier by the second. Sidhu nicks up the silence and smashes it The Eureka moment came at around four in the morning in Kolkata. I was in my into smithereens. "The grit of the earth is writ in the wit of the candidates. He who picks up the brick will kick defeat in the face!" Vajpayee is now engrossed in his fingernails; Advani is thinking about Shyama Prasad Mukherjee; Rajnath Singh's mouth is ajar. Jaitley takes things into his hand.

"UP is difficult, but if we draw a parabola between Ferozabad and Lakhimpur Kheri, withdraw all resources from Allahabad and Kanpur, and concentrate on..."

Joshi splutters: how dare anvone withdraw resources from Allahabad, his constituency, which he would have won handsomely if everyone had not conspired against him!

Sidhu intervenes. "He who withdraws from battle is going to get stuck with the cattle! Charge on, I say, and send the bill to Bombay!"

Vajpayee closes his eyes in

Madhya Pradesh, so that we can remain the Number Three party." "Oooooooooohaaaaaaaaaaaaaa

South, with cross-border help from

h!" exclaims Sidhu. "You can carry the cross to the water, but can you cross the water with the horse? That is the question, my friends, and unless India answers that question, I say, numbers are as numb as a dumb charade! You can make all your calculations, but three into one will only keep you third!

Vajpayee and Advani look briefly at each other. Nothing is said, but their eyes indicate that they are utterly grateful that neither is president of the BJP at this fateful hour. Joshi announces his retirement from politics, but only after he has completed his current Rajya Sabha term. Rajnath Singh gets up and hands over charge of the UP elections to Sushma Swaraj. As the others leave, Jaitley stares dully at Sidhu

"Ho ho ho!" says Sidhu, his voice

are unreal. Zee Music. That song comes punctually at 4. I can say this with some certainty since they do not change either the sequence or the selection of songs at that hour, safe in the knowledge that both shareholders and executive directors are

room at Sonar Bangla, one of the finest hotels in Asia, and had flicked open the television after sehri, the pre-dawn meal before the Ramzan fast. The screen came to life with Zee Music, and with my brain at full throttle I realised that it was the old Hindi films, which were really true to life. It is the new movies that

All these raise the stakes in the talks further. The choice before the ruling and opposition parties is between sanity and insanity, between equanimity and disaster. All we entreat them to do is to keep the national interest uppermost in their minds.

song has a paunch. What could be more realistic than that? A ghost has a midway existence between this life and wherever we go to in oblivion. It retains elements of this life, as for instance the famous dancing girl whose anklets tinkled through the night in Warren Hastings' haunted bungalow in Kolkata. (Haunted, that is, before it became a residence of the nou-

veau riche; which ghost can survive the cultural enthusiasms of black money?)

If you don't believe me, get up at four in the morning and switch on

tected realism. Their body and body language belonged to the soil of India. Their fleshy contours are visible in any respectable Indian restaurant or market. I submit that it is the current crop of actresses who are utterly unrealistic. Who could have such slim, svelte, and sultry bodies as they do?

Their sex appeal is a figment of some marketing imagination, a page out of a glossy magazine that tells more lies than politicians in campaign mode. Modern

Bollywood actresses are not allowed to have a posterior, and

There is one cricket commentator who is so unreal he is unworldly: Pradesh. The party could even sink Navjot Singh Sidhu. No marketing to fourth place in the next Assembly genius could have invented him. elections. Vajpayee looks at his

character out of the actor!" The curious thing is that Sidhu's other job is as a full time Member of Parliament, representing Amritsar for the BJP. I have often wondered what would transpire at a meeting

deep meditation: Advani has shifted his thoughts to Deen Dayal Upadhyay; Rajnath Singh's mouth is now open to the extent of two inches and Joshi is suddenly looking defeated. Sushma Swarai between Atal Behari Vajpayee, Lal looks at Jaitley and asks sweetly if Krishna Advani, Murli Manohar there should be a fixed quota for Joshi, Rajnath Singh, and the cricketers in Parliament. Jaitley, young guard of Arun Jaitley, conscious of his high status in the management of Delhi cricket. A grim Rainath Singh opens the continues manfully. "You see, if meeting with bad news from Uttar West UP is lost and the East abandoned, then our strategy must be to

at its excitable best. "He who fights and runs away, lives to fight another day! But the boy who stood on the burning deck was lost to flames but not to fame! Never lose heart before an enemy! Only lose heart to a lover!"

Jaitley leaves the party office and goes on a long Diwali holiday. Sidhu's sidhuisms echo eerily across an empty hall.

M J Akbar is Chief Editor of the Asian Age

Why Afzal shouldn't hang



Consider the facts. Afzal was not the mastermind or chief conspirator in the Parliament attack. He didn't commit murder or participate in the attack. Yet, he was sentenced to death for murder (Sec 302 of the Indian Penal Code), waging war against the state (Sec 121 and 121A), and criminal conspiracy (Sec 120A & B). The punishment is, prima facie, excessive and disproportionate. Afzal's death sentence violates the Supreme Court's guidelines, which say that sentence should be awarded in "the rarest of rare cases" -- when a murder is extremely brutal, grotesque or diabolical, or targets a community or caste. This doesn't apply to Afzal.

OR centuries, criminals in most countries used to be publicly executed to the

PRAFUL BIDWAI

writes from New Delhi

applause of mobs drunk with revenge. It's only in the 20th century that capital punishment stopped being a spectacle.

The death penalty revolted many citizens and stands abolished in nearly 130 countries. However, as we move into the age of terrorism and counterterrorism, revenge and retribution are coming back

The Latin American writer Eduardo Galeano says: "In a world that prefers security to justice, there is loud applause whenever justice is sacrificed at the altar of security." Galeano believes executions have "a

pharmaceutical effect" on the elite. Pharmacy is derived from the Greek pharmakos -- "humans sacrificed to the Gods in times of crises.

A section of Indian society wants just such pharmaceutical relief through the hanging of Mohammed Afzal for the Parliament House attack of 2001. A medieval lynch mob is being

mobilised through lurid media stories which say the families of the victims of the attack cannot get justice unless Afzal is hanged. There must be no clemency for a traitor. He must die.

It is unspeakably sad that rank blood-thirst and chauvinist ultranationalism are disquised as an innocuous demand for justice. All

manner of arguments are cited to claim that the president has no power to pardon Afzal. However, former Solicitor General TR Andhyarujina has clarified that the power of pardon

is not an individual act of grace. but is an integral part of the criminal justice system and India's constitutional scheme. It doesn't interfere with the courts.

The president is entitled to reappraise a case, and come to a conclusion different from the court's. The purpose of the clemency power is to ensure that "the public welfare would be better served by inflicting less punish-

ment than what the judgment has fixed." President Kalam, acting on the

cabinet's advice, should take a fresh look at Afzal's case. It is his constitutional and moral duty to ensure that there are no grey areas in the evidence on which Afzal was convicted

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criminal conspiracy (Sec 120A & B) The punishment is, prima facie, excessive and disproportionate.

The investigation was completed in just 17 days by Assistant

Commissioner Rajbir Singh of the Delhi police's anti-terrorism "Special Cell." A self-confessed "encounter specialist," Singh stands disgraced for extortion and corruption Huge gaps remain in the

sequence of events, links between Afzal and the claimed masterminds (Jaish-e-Mohammed's Masood Azhar and Ghazi Baba), and the attackers' identity

The biggest gaps pertain to the role of the J&K police's Special Task Force to whom Afzal, a former JKLF militant, surrendered. Afzal claims -- without being contradicted -- that he met Tarig Ahmad at an STF camp. Tariq took him to a police officer, Dravinder Singh, who introduced him to Mohammad alias Burger, named as the leader of the attackers

Afzal brought Mohammad to Delhi, and helped him buy the car used in the attack. But he says Dravinder and Tariq ordered him to do this.

Here, the investigation goes cold. There's no trace of Tariq or Dravinder. In the murky world of Kashmir's insurgency-counterinsurgency, it is hard to pinpoint crime and complicity. And it's a mystery why the police knew nothing about the activities of a closely-monitored surrendered militant.

Circumstantial evidence of Afzal's involvement in conspiracy hinges on the recovery of explosives, and crucially, on records of cell phone calls to the five attackers.

However, the police couldn't explain why they broke into Afzal's house to recover explosives during his absence -- when the landlord had the key.

The cell phone record traced several calls from the five men to number 98114.89429 -- allegedly belonging to an instrument seized from Afzal. The instrument had no SIM card. The only identity mark was its IMEI number, unique to each instrument.

How did the police discover the IMEI number? There are only two ways: open the instrument, or dial a code and have the number displayed. But the officer certifying the recovery swore that he neither opened nor operated the instrument.

Besides, the claimed dates of

purchase of the phone (December life sentence of six men. Five 4) and its first recorded operation ethnic-Russian Latvians were (November 6) don't match! freed at the Russian govern-

This large grey area in the evidence puts a big questionmark over the conclusion that Afzal must be awarded the severest punishment.

outflank the Congress with a pincer

movement in the Centre and

Afzal's personal deposition describes how he was drawn into secessionist militancy, but got disillusioned. After surrendering he was harassed and subjected to extortion by the STF. The picture that emerges is that of a person who isn't beyond reform.

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The judiciary has often distinguished between an act's commission and conspiracy to commit it. Nathuram Godse was hanged for Gandhiji's assassination, but not his fellow-conspirator Gopal In the Purulia arms-drop case -

ment's request. Peter Bleach was freed in 2004 at the urgings of British Prime Minister Tony Blair The reasons for releasing them involved political relations with foreign governments. In Afzal's case there are more persuasive reasons. The govern-

ment must apply the "public welfare" test and take a statesmanlike view based on a compassionate and humane vision.

important moral argument against capital punishment. It violates a principle at the heart of any civilised society -- prohibiting the planned killing of a person. Capital punishment does not

All legal systems are fallible. It's immoral to extinguish a human life by assuming the opposite.

Praful Bidwai is an eminent Indian columnist

India's worst-ever security breach -- the state commuted the Finally, we must recall the all-

deter heinous crime.