

The spirit of Ramadan

Let's live up to it

THE month of self-purification, fellow-feeling and soul-searching is here. As Muslims throughout the world practise *Siam*, they go through a bodily and spiritual cleansing process.

But there is more to it than the well-being fasting brings to an individual. By keeping from food and drinks for long hours, we learn the hard way as to how valuable victuals are in our lives. Moreover, the pang of hunger makes us realise what goes through the minds of people who are famished and starving.

In the month of Ramadan our hearts ought to go out in sympathy for the poor, malnourished and undernourished multitudes. This feeling of empathy that grows out of the spirit of abnegation extends into distribution of Zakat. By the same token, it is only expected that we avoid gluttony during the permissible eating hours after evening. At the same time, the hollowness of crass materialism is underlined as a gross aberration in a poverty stricken society. Thus by parting and sharing we re-commit ourselves to establishing a just and egalitarian society.

But it is the intrinsic quality of national politics within and outside the Parliament that has a tremendous bearing on economic advancement. The annual cycle of the month of Ramadan comes as a reminder of the extent to which we are lagging behind in those vital areas.

One hopes that fellow-feeling and brotherhood which Ramadan proclaims should help the Islamic world close their gaps at a time when they are facing the spectre of being stereo-typed in the sequel to Nine/Eleven.

The spirit of abnegation and self-sacrifice is about creating a better world based on mutual co-existence of communities and societies.

Welcome to the month of *Siam*.

CHT peace accord

Its implementation needs bolstering

SANTU Larma's observations that signing of the Chittagong Hill Tracts Accord was a mistake may have surprised many. However, his remarks are nothing but an expression of frustration and disappointment. This has to do with non-implementation of the peace accord in some major areas. It is almost five years since the accord was signed, but exasperated comments like this from the former guerilla leader of PCJSS, one of the signatories of the accord, have been rather frequent.

The accord had positive implications for the troubled region and we supported it accordingly. But we witnessed down the line that enthusiasm from the authority to implement it tapered off as the time advanced. We also feel that the tribal leadership was divided on the question of cooperating with the accord.

It is very unfortunate to see that much of the hope that was raised after the signing of the accord, return of hundreds of refugees from neighbouring Tripura to CHT and surrender of arms by the Shanti Bahini, appeared dashed within a short time. Though the previous Awami League government kept saying that the implementation process was on in full swing, it was clear to most people that no headway was made on important parts of the accord. Such as land reform programme and holding of regional and local council elections in particular.

Then there were the apprehensions about the future of the treaty after BNP-led coalition government assumed power. They had strongly criticised it while in opposition and had even threatened to scrap it. But afterwards it became apparent that they wouldn't do so, but may amend some parts they differed with. Now, Mr Larma says the present government is following in the previous administration's footsteps. We hope the government would apply their mind to the accord and accelerate its implementation sooner than later.

Separating the judiciary

How long shall it remain elusive?

A R SHAMSUL ISLAM

NOTHING unusual happened. The deadline of 26 October the Supreme Court fixed for the government to implement 12-point directives for separating the judiciary passed off without any tangible result. The Attorney General had put up a prayer for extending time for another four months, an exercise taken by the government for the fourteenth time on this issue. The Apple Court is understood to sit on the matter after the middle of the current month when all members of the bench will be available to hear the case.

The issue of an independent judiciary is a fine example of how every political party assertively acknowledges its imperativeness but when it comes to implementing this long-felt human rights protective process the ruling party shies away almost unendingly concocting pleas after pleas. As an election manifesto this issue proves a shining armour. But respecting it while in power remains unendingly elusive.

This sad behavioural contradiction while in power and while out of power among our politicians and statesmen has held good for quite sometime past ignoring the basic rights of the people. In the national polls of 1991, 1996 and 2001 the major political parties together with other counterparts voiced full-throatedly for separating the judiciary. The BNP came to power twice and the AL once: unfortunately none cared to keep its word.

The historic verdict on separation of the judiciary pronounced by the High Court and upheld by the Supreme Court in equal historic manner is losing its way in the vicious political bureaucratic maze. All the governments had set their hands to the drab exercise of deferment of the execution of the verdict. Two points are pertinent here. First, after judgement of the highest court of the country was passed the issue of

the proposal raising lots of attendant problems. Even the field officers reacted adversely. The chief adviser sat with the latter and could allay much of their misgivings. The then President Shahabuddin Ahmed, though differing in the first instance, agreed later to issue an ordinance on it. Barrister Ishtiaq Ahmed had said that in the last meeting of the advisers of the caretaker government on 3 October 2001 the PM

pression of the executive if one is to walk to a court manned by the same executive it is anybody's guess what sort of relief may come. Of course there is the higher judiciary that still holds people's confidence as honest and fair. But how many of them overwhelmingly poor people could enter its precinct? And poverty that goes on adding layer after layer is in no mean way promoted and perpetuated by misgovernance.

our governments are democratically elected but not educated in democratic practices. They are highly intolerant of other's views particularly those of the opposition. Transparency and accountability are what they have not yet been able to raise beyond lip service. Endless self-glorification and perpetual vilification of the opposition are ingrained in their marrow. They suffer from a conspiracy phobia by the opposi-

of the press that the government has decided to retain its sixteen hundred magistracy officials in the original post for next ten years is no short of sending out a message that execution of separating the judiciary will be kept shelved for a further decade.

All focus now converge on how the division bench deals with the time extension petition filed by the government on the expiry of the deadline on 26 October. If the caretaker government could finalise its implementation chart in its short stay of six months what logically does hinder the elected government from locating it? The bench directed the Attorney General to tell the court on affidavit the names, addresses of those obstructing the passage of separation of the judiciary. There is no evidence that the government has obeyed this directive.

To quell government dilatoriness to separate the judiciary the Supreme Court of India fixed an unalterable time frame that was not waived. A conviction has grown in the minds of the people of Bangladesh that the government is far from sincere to free the judiciary. Can the execution of the verdict of the highest court be consigned to the grace of the government?

A.R.Shamsul-Islam is retired Principal, Government Mottila College, Pabna.

All focus now converge on how the division bench deals with the time extension petition filed by the government on the expiry of the deadline on 26 October. If the caretaker government could finalise its implementation chart in its short stay of six months what logically does hinder the elected government from locating it? The bench directed the Attorney General to tell the court on affidavit the names, addresses of those obstructing the passage of separation of the judiciary. There is no evidence that the government has obeyed this directive.

separation of the judiciary no longer remained a policy making affair of the government. The governmental pleas that a cabinet committee was probing the matter do not hold water. Second, does it require so much time to execute the court verdict?

What appears most relevant and searching is the revelation of information that the last caretaker government was set to round off the administrative process of separation of the judiciary from the executive. The then law adviser Barrister Ishtiaq Ahmed having performed all requirements sent a draft of laws making the judiciary separated from the executive each to the cabinet, home and establishment secretaries who were, however, lukewarm to

designate Begum Khaleda Zia telephonically told the chief adviser that separation of the judiciary was an election pledge of the BNP and her party wanted an opportunity to fulfil it. Shockingly, in practice, it is being routinely deferred by the BNP-led government. What a golden chance to meet a long-felt demand of the people was frittered away by the caretaker government!

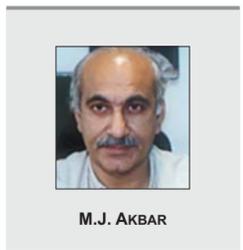
Court is the last resort of the people to protect their rights. The more a country is misgoverned the greater is the need of the people to move to this legal sanctuary. But if the latter gets apparently biased what else support is left to the people? No mean share of misgovernance falls on the executive. To seek protection from op-

Sadly, the AL chief and her comrades have kept painfully mum over the issue, let alone launching any action programme. It is true that the pro-AL advocates led by Barrister Amirul Islam stayed off the courts for certain hours in support of the issue. Anyway it was too little to animate the demand. Believably, if the AL were in power now it would have possibly tolled about seeking time extension with the Appellate Division. Law Minister Barrister Moudud Ahmed told that it was only the judges, lawyers and a section of the administration that wanted separation of the judiciary, none others not even the opposition was demanding it.

What ails the governments to free the judiciary? The hard fact is that

tion. So they launch a systematic suppression of all those who differ with them. The police is their favourite tool. Far from being people's force it has degenerated into an agency of the ruling party. As a back-up front to weave a network of ruthless party dominance of governmental administration (politicisation?) a subservient administration (politicisation?) a subservient criminal court, is the government's great need. The formula is: The police will catch the listed opponents and the court try them for the desired detention and, if possible, punishments. When the division bench is pressing the government to obey 12-point directives within a deadline for separating the judiciary a news published in a section

I swear



M.J. AKBAR

WHY is a swearing-in ceremony called a swearing-in ceremony? Because everyone present at the ceremony is swearing for some reason or the other. The ministers, chief and not-so-chief, are naturally the most open as they swear to uphold the Constitution of India. They want every television camera to record their pledge. No one may remember a word of the Constitution, or have any intention of honouring it, but swearing in the name of God is easy. God is not going to punish you for perjury in this life.

The ruling party MLAs, sitting on chairs in neat, and later not so neat, rows are less ecstatic as they see their government being sworn in. They are, noiselessly, swearing at the lucky sods who have been selected by the chief minister to become ministers. Dark thoughts swirl through their minds as they contemplate plots that will sabotage ministers, forcing them to be dropped so that berths can open up for those who were betrayed by fortune this time.

The Opposition MLAs are swearing at their own leaders, who are so worthless that they lost the election and left them simmering on the wrong side of the House. Their boss, defeated but given a seat in the front row as the ex-chief minister, forced to wear a political smile that displays all his false teeth, is swearing in every language he knows and some he is in the process of learning as he seethes with

silent invective. The boss is cursing, in this order, Fate, the stupid voter, the worthless candidates who were too stupid to lose, and that grinning new chief minister who has replaced him.

For evidence of this thesis, you have to do no more than to turn to Srinagar on Saturday the second of November, where and when Mufti Mohammad Sayeed replaced the Abdullah family after three generations and a total of 32 years in power in two spells. The Mufti himself was doing the preferred kind of swearing, along with the magic eight who got their chance to become ministers. But a dozen of his coalition's

stand before the vote of confidence."

This translates into: All right, smarty pants, or smarty shalwars, you can smile all you want as the governor gives you all the fancy titles but in a couple of days when the Assembly meets and you need a majority of the votes in order to retain power, you will have to cringe and come crying to me. It is then that I will make you thoroughly miserable. If I don't get what I want, I will sound so principled on every issue that you will puke. If this is what the ruling coalition MLAs who have not been sworn in are saying, then we can easily imagine what the MLAs of the defeated National

is hardly surprising that the moment the elections were over he shot off to London. He must be using the Queen's English to describe Mufti Mohammad Sayeed and Atal Behari Vajpayee.

But his son and heir Omar Abdullah was there in the distinguished audience during the swearing-in ceremony, and you can make a safe bet that behind his pleasant smile he was doing everything possible to make the swearing more colourful. His range would also be far greater than the narrow focus of the others at the function. The rest would be and large have single, if not singular, targets. Omar has the right to swear at all sides. Where

National Conference's options might have been a little more fluid. The only person he probably would not swear at would be the Prime Minister. Atal Behari Vajpayee simply refuses to accept Omar's resignation, no matter how many times he offers it. Which grandfather would ever be so accommodating? The more intriguing question is: Is Omar Abdullah a minister of state in external affairs at this moment or not? He said he had sent in his resignation. Has the postal system failed? Has the PM sent the resignation? Is the PM resigned to the young man's resignation?

The list of swearers is not complete. There was Ghulam Nabi

case the dynamics of Kashmir politics will be controlled by extraneous factors. The real test that Mufti will face is not the survival of his government, but the survival of Kashmir as a peaceful and integral part of the Indian Union.

It is this national consideration that persuaded Sonia Gandhi to surrender the arithmetical claim of the Congress in favour of the more powerful wisdom of political reality and accept Mufti as the first chief minister of this coalition. Sonia Gandhi took one small step back to move two large steps forward in the evolving chess game of Indian politics. She was one person in Srinagar on Saturday who had no reason to swear.

The time for the people to swear has not come. It is of course too soon. But the difference between too soon and soon is only a small three-letter word which will melt in the thaw of the next spring. The government, or durbar as it is still quaintly called, of Jammu and Kashmir will shift now to Jammu from Srinagar for the winter months. By the time summer returns, people will want to see whether the promise of good governance has any delivery systems or not. There are some visible definitions of good governance, with electricity and communication being at the top of the list. On the political side, the people have voted for talks with militants in the long process to bring them in from the outside. To draw timelines for such a process would be irrational, and this is a problem that can only be eliminated piecemeal; it will not disappear suddenly. But the voter will expect the basic conveniences that have been denied to him by misgovernance and corruption. Understanding will not stretch to a status quo on darkness and misery. There is one swearing-in ceremony that every government must be wary of, which is when people begin to swear. They do it without ceremony.

MJ Akbar is Chief Editor of the Asian Age

BYLINE

On the political side, the people have voted for talks with militants in the long process to bring them in from the outside. To draw timelines for such a process would be irrational, and this is a problem that can only be eliminated piecemeal; it will not disappear suddenly. But the voter will expect the basic conveniences that have been denied to him by misgovernance and corruption. Understanding will not stretch to a status quo on darkness and misery. There is one swearing-in ceremony that every government must be wary of, which is when people begin to swear. They do it without ceremony.

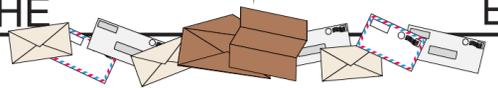
MLAs, who have collected under the grandly titled People's Democratic Forum in order to strengthen their bargaining power for the rewards of office, were already swearing at Mufti and the deputy chief minister from the Congress Mangat Ram Sharma for not giving their group the portfolios they wanted. The language they choose for their swearing is naturally disguised. How does an angry dissident curse his own chief minister? Naturally, in the most lofty terms. Sample: the head of the People's Democratic Forum, Ghulam Mohiuddin Sofi said, "We have decided not to join the new government. We will offer issue-based support from the outside and have asked the bigger members (the two who got the ministers, Mufti's PDP and the Congress) to clear their

Conference are telling each other: "Those great Abdullaha! What hape we got from them! That we would win despite the visible anger of the people! All our superstar Farooq did in the last five years was build a golf course, indulge in dramatics, holiday around the world, party in Delhi and Mumbai and then insisted that the infrastructure of institutionalised corruption he had created would pull in the vote. Kept winking that at the last minute the rigging angel would appear and take us to that magic majority. Here we are! This is our big, fat majority. And he didn't even make a minister the last time..." Farooq Abdullah, true to style, had found the perfect place to curse from. London. He disappeared for a few days to play golf in South Africa during the election campaign, so it

would he start swearing? Imagine his thoughts at the party that his father inherited from his grandfather and what he has been left with. Then he could take a look at all the rigged elections that not only kept his father illegitimately in power, but also directly inspired a secessionist movement that left a generation in Kashmir and India scarred. He might find a few words about the administration during his father's days in power; that would be reason for some exceptional swearing out. But if Omar were honest, he would also probably swear a little at himself, for being party to such a party. When the going was good, he wasn't going anywhere else. Would he swear at the ministry he belonged to in Delhi? There would be enough reason to: if the BJP had not got wiped out in Jammu the

Azad, dapper in polo-neck shirt and jacket, sitting with justifiable pride beside his leader Mrs Sonia Gandhi. We can only guess at his private thoughts as he watched Mufti Mohammad Sayeed taking the oath: there but for some good sense on the part of Sonia Gandhi, he could have been star of the day instead of being merely a front-row guest. According to the deal between the PDP and the Congress, Azad must wait for three years before he gets a chance to become chief minister. The word chance is used advisedly. A week, as was famously said by Harold Wilson, is a long time in politics: to predict what will happen three years later is silly. Within the next three years not only will the rest of the states go to the polls, but there will be general elections as well. In any

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



"AL and terrorism in Bangladesh"

I am not surprised at Sheikh Hasina's comment. It has been the hallmark of our Opposition Leader to thrive on hate campaign both inside and outside the country. Coming to the aspects of "possible" rise of terrorism of the existing global kind, I have this to say: Let us not be complacent. Whenever and wherever such accusations are made the Government should immediately go for extensive enquiry and make the findings known to the people of the country. Keep the intelligence network active with particular focus on this aspect. After all in the process we have nothing to lose but to gain. **Shamsher Chowdhury Dhaka**

The quote below is from your commentary "Will our elected govt tell us what is happening?" "The Al-Qaida terrorist captured by the US soldiers are being denied many of their rights at the Guantanamo Bay prison for which

the US is being rightly criticised. But at least they are not having 'heart attacks' after interrogation. The suspected Washington DC area sniper accused of 10 cold-blooded murders through single sniper shots will NOT die, we believe, during interrogation. Why? Because civilisation guarantees that. We are part of that civilisation."

The news report below "CIA Killed Al Qaida Suspects in Yemen, Official Says" is dated November 4, by Charles Aldinger of Reuters. "A missile fired by an unmanned CIA drone aircraft hit a car believed to be carrying suspected Al-Qaida members in Yemen Sunday and killed several occupants, a U.S. official said Monday. The official, who asked not to be identified, told Reuters the American military was not involved in the attack, which reports from the capital Sanaa said killed six alleged Al Qaida members."

Will the learned editor help us in reconciling his commentary with the Reuters report above? **Jennifer Fishman**

Quito, Ecuador

*** This is in response to Mr. Azad's (November 05) comments. His reaction was pretty personal. The fact is, most of us are so politically motivated and divided that we fail to respect people having a different opinion. Sheikh Hasina's comment may not be palatable to all, but she usually never lies rather tells the truth in a naked way. That is good in a sense than many of our learned political leaders who are masters of speech but can't produce anything positive! **Ahmed Reza Canada** ***

This is in response to some reactions (reference: Mr. Azad and Tanvir, November 05) to Dr. Zaman's letter (November 04). First of all, Mr. Azad seemed to have failed to get the theme of Dr. Zaman's context unless Azad is radically partisan for the ruling party. I think, Dr. Zaman is very well versed about the day to day happenings of our nation. What Mr. Azad referred

as the reports in last three weeks' dailies. Dr. Zaman, I think simply tried to say the same thing that when news are available via Internet and other various sources, why blame Sheikh Hasina for her speeches abroad!

Hasina said what our newspapers report and people around the globe have access to those reports. Is it then only Hasina from whom the whole world gets these reports? Dr. Zaman referred to Mr. Mahfuz Anam's commentary as an example of news source to foreigners too. Also, I think Dr. Zaman was very neutral as he also mentioned about Tipu. His arguments were indeed very strong. I would suggest that one should read and get the theme of any letter before making any aggressive comments.

By the way, Mr. Azad, you can send your kids to any school you want (unless you prefer universities with BNP VCs) but here in the US, by law, schools have academic freedom and researchers talk based on facts and findings. **Humayira Khanam, USA**

"A touch of gratitude"

I was moved by the story of the four *Birangona* sisters in the news-item "A touch of gratitude" (November 4). I wish to express my deepest appreciation to the organisers of the event.

I owe everything that is good about me to these known and unknown sisters of mine. I am an unworthy, ungrateful man, as most of my inept countrymen are.

However, it moves me to see that there are still some among us who have not forgotten these *Birangona* sisters of ours. **Shafiq Ahmad Canada**

Some words on army drive

It is really interesting to see so many people from all walks of life taking the time to talk/write about the on going army drive in our country. While all these people may be right in their own jurisdictions, it would be more wise and prudent if they were

best not to criticise army and alienate them from the rest of our society.

The truth is the army is an integral part of a sustainable democracy just as the truth is, as I believe, it is also just as much under pressure... both internally and externally... as our elected government, because both know what would happen if they fail in their current venture of rooting out crimes and evils from our society. Our country has survived many emergency situations in the past and let's hope that this time it will survive too. May Allah almighty bless our country. **Masud Nowsarul Abdullah USA**

Army arrests

I read in your paper that on November 4 the army arrested a Jane Alam, an executive engineer of the Roads and Highways division. The army recovered apart from a pistol, shotgun and ammunition, eight bottles of foreign liquor, two briefcases of porno magazines and CDs and two video cameras.

This kind of a haul seems to be quite common in Bangladesh. Last

year when the police raided the residence of Joyal Hazari, similar items were recovered.

Of course I have no issue with the arms and ammunition being impounded but I fail to see why video cameras fall in the same category. It also seems quite a waste of time for the army to capture booze and porn as well.

Riki Dhaka

"Unilateral US strike will be disastrous"

This is in response to Mr. A. S. Byatt's letter (November 1).

George Bush Sr. enjoyed an extraordinary popular support during and immediately after the Gulf War. His reasoning to the world was that Iraq couldn't be allowed to attack and keep a country because it desires so. Towards the US people his argument was also clear. He wanted to keep the oil supply route to the US and the developed countries free of Saddam fear. He, of course, had the support from the UN and almost all the countries of the world except a few. I can remember

Jordan as one that did not support the US that time.

George Bush Jr.'s support for unilateral attack of Iraq is not high at all. It is also decreasing day by day as his reasoning is not justified. All the US intelligence could not link Iraq to the September 11 terror attack. If they could, Iraq would be their first target. Now he is presenting all the evidences that Iraq is building weapons of mass destruction to legitimise his attack of Iraq. These evidences may be called at best what Mr. Putin said, "merely propaganda".

The US doesn't care about the UN. We have seen that numerous occasions in case of Israel. But if it starts damn caring the UN in starting war against any country it does not like, then what will be our security in this mono-polar world? **M. Mashui Huq Qatar**