

History can reclaim territory it has lost

AL's extended meet decision for movement

It must be rethought in greater national interest

THE decision taken at an extended meeting of the Awami League, based on the sentiment of its grassroots leaders and workers, not to participate in the on-going dialogue and general elections unless party chief Sheikh Hasina is freed introduces a worrying new element into the political dynamics of the moment.



SYED BADRUL AHSAN

THE reformists, if they are really that, in the Bangladesh Nationalist Party have clearly fallen on bad days. Saifur Rahman has made a safe exit out of the country. How he managed to do that and who let him go remains a mystery.

The nation is in no mood for a return to the kind of chaos which caused the political changes of 11 January last year. Given such realities, it now becomes the responsibility of the Awami League to rethink its latest position regarding the dialogue.

Prioritising agricultural research

Funds must be utilised efficiently

AGAINST the backdrop of intermittent food crises in the country, the government decision to allocate funds to the tune of Tk. 622 crore to carry out agricultural research is a timely step. The research endeavours will be directed towards finding ways and means to increase production of essential agricultural commodities to meet the need for food.

Theoretically, it sounds cheering. But we are not sure how things would turn out to be once the project goes under implementation with unforeseen variables coming in the way. The reason for our skepticism is, there is anomaly as far as statistical figures given by various agencies are concerned.

The anomalies in statistics we have mentioned here stem from the conspicuous lack of primary research done to explore the definitive potential of our agricultural sector. It needs no emphasising that a vast area of the sector remains under-utilised, as farmers tend to apply the traditional method of agriculture.

Where the ambitious research and extension work will be done with the participation of genuine experts having genuine intent. This however should not become another consultancy-driven high-profile exercise to use up the fund within the stipulated time.

POTA + federal agency not the answer



PRAFUL BIDWAI writes from New Delhi

THE Jaipur blasts, which claimed 66 precious lives, are horrible reminders of how vulnerable Indian citizens remain to the depredations of fanatics who consider mass murder a legitimate means to further political goals.

However, the Bharatiya Janata Party, which rules in Rajasthan, has politicised the issue. It has tried to cover up its police's ineptitude by accusing the Congress of being "soft" on terrorism.

This is double-speak. The BJP said for four years that terrorists were striking at Congress-ruled states, but not at Gujarat -- thanks to Mr. Narendra Modi's "tough administration."

Yet, the BJP is speechless at Chief Minister Vasundhara Raje's statement that she won't allow Rajasthan to become a "Gujarat" through anti-Muslim violence.

Crisis and response

In short, first do more good than harm. Invoking R2P in Burma is a three-way lose-lose option. It will complicate, not ease, the delivery of relief; fracture the delicate consensus on R2P at the UN; and diminish the chances of protecting victims of atrocity crimes, which should be the primary focus of R2P.

RAMESH THAKUR

THE "responsibility to protect," or R2P, endorsed by world leaders at the United Nations in 2005, is a call to action -- not the opening lines of a Socratic dialogue by diplomats. Its origins lie in our collective failure to prevent or halt mass killings and ethnic cleansing in Rwanda, the Balkans and East Timor in the 1990s.

The goal of the innovative formulation by the Canadian-sponsored but independent international commission was to increase the chances that in future, such calls to action to protect populations at risk of atrocity crimes would be answered: rapidly, effectively and properly. To that end, we restricted the circumstances under which R2P would apply, setting the bar for military

intervention very high, and outlined tight political and operational safeguards against its abuse. The mix of recent cases of intergroup armed violence and unintended victims of natural disasters confirms the need for R2P, the risks of straying too widely from it and the difficulties of activating it even when warranted.

The death toll from Cyclone Nargis could surpass 100,000. The numbers of displaced, homeless, in desperate need of immediate humanitarian relief, is as high as 2 million. The military junta balked at opening Burma's borders to supplies of international humanitarian aid and skilled humanitarian relief personnel.

the necessary legal cover to sidestep the recalcitrant generals and give help directly to the afflicted people. While the legal case is powerful, the politics against it are compelling, which explains why it was dropped in 2005.

John Holmes, the top UN humanitarian official and a former British ambassador to France, described Kouchner's call as unnecessarily confrontational. The British cabinet minister for international development, Douglas Alexander, rejected it as incendiary.

Invoking R2P will make the generals, who are beyond shame, dig in their heels even more firmly. It will antagonise the Southeast Asian countries, whose political support is vital to communicating with the generals and persuading them to open up. It will alienate China, India and Japan, the three big Asian powers whose backing is

essential for delivering any meaningful relief in Burma. It will prove divisive within the UN, reintroducing the North-South polarisation over "humanitarian intervention" that the R2P formula transcended. Faced with firming opposition at all these levels, will the Western powers, already overstretched militarily in Afghanistan and Iraq and increasingly despised around the world for belligerent machismo as their default mode of engagement with regimes that don't kowtow to them, be prepared to use military force? If not, they will damage their own political credibility and that of R2P by invoking it ineffectually.

GROUND REALITIES

It is possible to go back to the roots, to idealism as we once shaped it in 1971. History does more than simply move forward. There are times when it can return to the spots where it has stumbled, or has lain wounded, to reclaim lost territory.

Meanwhile, there is all around us this huge question of what lies ahead for politics in the country. All this matter of whether or not the leading political players in the country will go for a dialogue with the government has been raising all manner of questions. And, of course, for obvious reasons.

If you have noticed, there is suddenly a certain chill in the wind, with many of the leading political figures having been carted off to prison. Things appear to have reached a stage where the government will find it hard to talk to anyone, given the fierceness with which it has been cracking down on politics.

That said, there is still the rather surprising refrain of general elections being held by the end of the year, one that now almost threatens to turn into a cliché. Elections, we can safely tell ourselves, are always charming little demonstrations of the popular will.

But when a government gets into the business of promising elections and, at the same time, makes it clear that politicians has accused of corruption must face the music, especially in a fragile

political set-up as Bangladesh's, things get a trifle disconcerting. Think of the Awami League. It has insisted, at least so far, that Sheikh Hasina must be freed in the interest of a credible electoral exercise.

That is, of course there is a paramount need for a qualitative change in the nation's politics. But, as these past months of experimenting with the internal dynamics of the political parties have so patently demonstrated, it is a job only politicians (and we are not including here the predators who in the name of politics squeezed the country dry, in the manner of an overworked lemon, in the five years between 2001 and 2006) are equipped to do.

So, all around you, there is a certain feeling of unease. Some might go a step further and call it uncertainty. Take your pick. After all, when an election commissioner begins to think loudly of a change (in times when Parliament does not exist) in the constitution, it is indeed uncertainty that stares you in the face.

And we all thought that it was always Parliament that was supreme, that caretaker governments did not possess the mandate

or the right to play around with the constitution, or even think of doing so. It is these fears that keep us on our toes, just as thoughts of a Truth Commission keep us nailed to both disquiet and repressed fury. Yes, of course there is a paramount need for a qualitative change in the nation's politics. But, as these past months of experimenting with the internal dynamics of the political parties have so patently demonstrated, it is a job only politicians (and we are not including here the predators who in the name of politics squeezed the country dry, in the manner of an overworked lemon, in the five years between 2001 and 2006) are equipped to do.

But our political classes, for all their questions and reservations about the doings of the caretakers, should be acknowledging to themselves the difficulty of going back to politics as usual. These emergency times should have been a lesson for all of them, in the sense that they must know that impunity will no more be a given, that it will be penalised. That, of course, presupposes the enactment and adoption of reforms, which truly and substan-

tially matter if democracy is to totter to its feet through replenishing the energy in its roots.

For starters, Article 70 of the constitution, a sad encumbrance on the right or ability of lawmakers to vote on legislation in consonance with their conscience, will need to go.

You cannot have Article 70 and yet believe that democracy will underscore your way of life. Once this article goes, but not before that, can you reasonably expect prime ministerial government to actually give way to cabinet government. And cabinet government is important, for considerably more reasons than we can think of.

Suffice to say for now that it will bring into the entire governance process a high measure of accountability. In a big way, it might also lead to a culture where the parliamentary opposition diligently prepares to govern someday through giving shape to a shadow cabinet.

It has been our singular misfortune as a nation that Parliament, for all the nobility of thought and profundity of dreams associated with it, has remained captive to the majority party and, in turn, the majority party has cheerfully tied itself to the apron strings, or the coattails as the case may be, of its leader.

We need to cut ourselves loose from such a debilitating tradition, for politics based on unquestioned partisan loyalty leads inexorably to a haemorrhaging of democracy.

A legislative body hobbled by a

personality cult or emasculated by an arrogant majority is not intellectually equipped to provide a sense of direction to the country.

And direction is not what you will come by unless parliament arms itself with the authority to discuss within its hallowed halls everything under the sun -- education, diplomacy, defence, internal security and what have you.

It will not be an effective forum for public debate and policy formulation as long as the prime minister and the leader of the opposition do not tangle over the issues at question time. And do not forget that when parliament comes to be presided over by a speaker who cannot leap across party loyalty and reach a higher plane of thought, nothing that it does will reassure people about their individual and collective future, as also the future of their children.

There are times when it can return to the spots where it has stumbled, or has lain wounded, to reclaim lost territory.

In our instance, that lost territory is but the landscape where once the four fundamental principles of nationalism, secularism, socialism and democracy were our beacon unto the future. Get them back. If you do, this cannibalism we go through will be no more.

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THE PRAFUL BIDWAI COLUMN

The BJP clamours for an anti-terror law like Terrorist and Disruptive Activities (Prevention) Act, 1985, or its aborted successor, Prevention of Terrorism Act. It also wants a special federal agency created to deal with terrorism. The BJP demands a "hard state," which would practise maximal violence against terrorists. Some retired police and intelligence officials also advocate tit-for-tat approaches to terrorism -- with blatant human rights violations.

Minister Vasundhara Raje's statement that she won't allow Rajasthan to become a "Gujarat" through anti-Muslim violence.

Ms. Raje claims the culprits have "external links," but the men haven't even been identified. After accusing the Centre of asking her to create a "Guantanamo Bay" by detaining Bangladeshis, she's arbitrarily rounding up scores of Bengali-speakers, many from West Bengal, for "infiltration."

Their demonisation is similar to the abuse ("asylum-seekers") that poor South Asian migrants face from Western xenophobes. The BJP attributes political motives to people who migrate for survival from a dirt-poor to a slightly less poor society, and deserve compassion.

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violence against terrorists. Some retired police and intelligence officials also advocate tit-for-tat approaches to terrorism -- with blatant human rights violations.

They contend that terrorism has now entered a particularly malicious phase. It can only be fought if the state wages all-out war, resorts to intrusive surveillance, allows preventive detention, reverses the burden of proof, and admits confessions to the police as evidence.

These arguments are silly knee-jerk reactions to Jaipur. The cures they propose are worse than the disease. To start with, the utility of a harsh law will be limited to punishing, not preventing, terrorism. It's unlikely to deter suicide-bombers. A law is no good if its enforcers are incompetent, corrupt, or both.

Regrettably, that's true of much of South Asia's police, in which recruitment involves hefty bribes.

The police routinely violate their own procedures -- for example, writing station diaries in serial order in tamper-proof ink. It rarely exercises care even in investigating

ordinary crimes -- witness the Noida murder case.

India already has countless surveillance measures, including roadblocks, metal detectors and closed-circuit TV cameras at airports, train/bus stations and offices, besides identity documents with a huge amount of personal information. But these aren't used intelligently.

India has unacceptably intrusive electronic surveillance. All internet service-providers and cellphone operators must maintain transaction records for three years. The government can tap e-mail conversations at will.

This hasn't produced useful clues to terrorism. But malice, mistaken identities or incompetence has resulted in innocent people being jailed for months -- like journalist Iftikhar Geelani and IT professional Lakshman Kailash.

Surveillance has limited use. Britain has nearly 5 million CCTV cameras. London alone has over half a million. The average citizen is daily tracked by some 300 cameras.

Yet, these yielded no warning of or clues to the July 2005 bombings. Cameras have helped solve less than 3 percent of street robberies.

Take the "special" anti-terrorism law the BJP demands. Any law that routinely allows preventive detention violates the fundamental principle that nobody should be deprived of liberty unless held guilty by a court of law.

Detaining suspects for months should be repugnant to a civilised legal system. Such colonial laws have created huge popular discontent in Kashmir and India's Northeast. They must be repealed, not replicated.

Similarly, inverting the burden of proof violates a basic tenet of the legal system: an accused must be considered innocent until proved guilty, however grave the crime. The demand that confessions to a police officer must become evidence is misguided.

Confessions can be extracted under duress, sometimes torture. They cannot have evidentiary value in a credible legal system. The International Covenant on Civil and Political Rights prohibits such obnoxious practices.

It's simply wrong to contend that India doesn't have laws to deal adequately with terrorism. It does. The police want still tougher laws because they can detain suspects indefinitely without doing their job of gathering evidence and building a strong prosecution case. They can also harass people against whom they nurture prejudice.

The TADA story is horrifying.

Some 67,000 people were arrested under it, but only 8,000 put on trial, and a mere 725 convicted. Official committees found the law's application untenable in all but 5,000 cases. Under TADA, religious minorities were selectively targeted.

For instance, in Rajasthan, of 115 TADA detainees, 112 were Muslims and 3 were Sikhs. Gujarat had an even worse pattern under POTA: all but one of the 200-plus detainees were Muslims, the remaining one a Sikh.

Nor is a federal anti-terrorism agency a magic wand. Besides, many states, including NDA-ruled Bihar, oppose it.

Talk of waging war on terror is dangerous -- witness the US's "Global War on Terror." Since 2001, it has caused a sevenfold increase in terrorism globally, and implanted religion-driven extremism where it didn't exist (Iraq). GWOt has entailed enormous human rights violations, with Abu Ghraib, Guantanamo Bay, and harassment of thousands of US citizens too.

In the last four years, US immigration authorities have detained over a million people, including 311,312 last year alone, creating an "American Gulag."

That's not the way India should go. Terrorism can only be fought if we improve our policing, revamp intelligence agencies, and respect human rights. There's no militarist shortcut to fighting terror.

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