

The off-season downpours

Measures should be afoot to save hard-hit peasantry

WHAT appeared to be a welcome relief from sweltering heat over the last week turned problematic for the city dwellers as the rain fell alternatively in drizzles and downpours clogging city streets. But for the people of the coastal districts, it proved to be a bane rather than a blessing as the low in the Bay behind the rain caused tidal surges that inundated some 52 villages in Cox's Bazar. In Patuakhali, on the other hand, the tidal surges damaged flood protection dam washing away Aman crops in the field and fishes in the hatcheries causing huge loss to fish stock and the crops.

The experience has quite upset the traditional pattern of agricultural farming which depends to a large measure on the knowledge of the farmers about the seasonal cycles. But the recent changes in that seasonal pattern, a phenomenon called 'climate change', has caught our peasants off-guard. They can no more plan their cultivation and cropping strategy ahead of the appropriate times for the different stages of the cropping seasons. Worse still, their age-old knowledge of preparedness against the vagaries of nature such as drought, downpour, floods and the seasonal storms and tornadoes -- which, too, they could predict from the movement of the winds and the clouds -- has lost its usefulness and efficacy in the face of the recent global shift in the climatic pattern.

But agriculture is still the mainstay of the livelihood of 60 per cent of the population. This population, the vast majority of whom are farmers, also feed the entire nation. So, it is the turn of the nation, especially its leaders and policymakers, to provide the farmers with the scientific know-how to cope with the challenge posed by 'climate change'.

The government and all other stakeholders will have to work in concert to provide the farmers with the technical know-how and resources to adapt themselves gradually to the climate change. The experiences of the successive years call for urgent steps on the part of the government to undertake such a process forthwith. Otherwise natural calamities like Aila, Nargis along with sudden floods and torrential rains will continue to deal blows to the farming community.

The incessant rain over the last few days should be a wake-up call for the government to swing into action. The non-stop rain that has upset the city life will be over within a day or two as forecast by the meteorological department. But that should not make us complacent and forgetful of the bigger picture of climate change and our compulsions to face it right now.

Signs of militants regrouping

No way can we let our guard down

THE recent arrest of a large number of militants in Bangladesh is both good and bad news. It is bad because the arrests are very clear indications that the activities of these elements have not subsided a bit, and that is only natural.

Given the setback the local militants outfits have received over the last four or five years in particular, first with the arrest and execution of the top leadership in 2006 and then with the arrest of many of their members, it is only natural for them to renew all efforts to regroup, particularly to induct new members.

The redeeming feature in this matter is that our law enforcing agencies have been proactive and have managed to anticipate the activities of the militants. In most cases the militants were nabbed with improvised explosive devices (IEDs) and other types of incendiary materials before they could make use of them. We feel that it is to the credit of the intelligence and the law enforcing agencies that, as reported in the media, 68 members belonging mainly to the three proscribed militant organisations, namely the Let, JMB and HUI (B) have been seized by the police in the last nine months. And that includes foreign nationals including Indians and Pakistanis.

These arrests, particularly the recent ones, are also disturbing for the fact that it confirms linkages of sorts with international terrorist groups particularly the ones operating in South Asia. Although the agencies have not been able to definitively assert the existence of the L-e-t cell in Bangladesh, we must be in no doubt that there is constant effort to induct into their main fold from the rank of their sympathizers that might be present in Bangladesh. The statements of the arrested foreign militants testify to this reality. However, we must not be oblivious of their immediate aim which clearly, we feel, is to destabilise the country through terrorist attacks and divert the attention of the government from its agenda.

We cannot afford to let our guards down. The developments reinforce the need to gear up our anti-terror measures, particularly passport and immigration control. Reportedly, some of the foreign militants have been travelling in and out of our country with effortless ease, and one of them did so nearly a dozen times in one year, on different names with different passports. Given the technology available, we cannot believe that these people cannot be apprehended even if they changed their identity. We should acquire the necessary technology if we are not in possession of them. And there is also compelling needs to attune our counter terror measures to the rest of the South Asian countries, given the transnational character that the phenomenon has assumed.



Even law enforcers cannot take the law in their own hands.

The indefensible desperation

One needs to know why sworn individuals of law enforcement have deviated from the correct legal course because while law expects them to unravel the mysteries of a sordid crime, it does not approve of their taking the law in their own hands in order to prevent or investigate a crime.

MUHAMMAD NURUL HUDA

THE pathetic recurrent reality of extra-judicial killing has once again attracted attention and, thus, The Daily Star editorial concern on such aberration comes as no surprise. The question that should engage thinking minds is, shall such deviation continue to be a part of our law enforcement culture? Alternately, one could ask as to how we have arrived at a situation wherein it is becoming extremely difficult to de-link a lawful outfit from an unlawful practice.

Though unfortunate, the sad reality as of now is that there are many who do not find anything wrong in physically doing away with a hardened criminal. Such individuals, in an apparently desperate state of mind, hold the view that our criminal justice system has been disproportionately sympathetic to the accused and regrettably unconcerned about the plight of the victims of criminal depredations; and, therefore, in such a scenario dangerous criminals and tormentors that cannot be taken care of within the ambit of law could be dealt with beyond the law.

One needs to know why sworn individuals of law enforcement have deviated from the correct legal course because while law expects them to unravel the mysteries of a sordid crime, it does not approve of their taking the law in their own hands in order to prevent or investigate a crime. One could venture to know if lawless officials are in great demand when lawlessness and disorder assume a serious dimension. Do political superiors look favourably at illusory but short-term spectacular results?

If one has to believe that only the worst of criminals tainted by the commission of multiple heinous crimes are dying in the extra-judicial killings, one can reasonably demand to know why such elements were not booked and tried at an earlier stage? This is only normal because if criminal cases were lodged, then investigation with a view to prosecuting was the logical course of action. It, therefore, follows that statutory investigation was not pursued in serious earnest.

The premonition is that proper investigation was blocked and stalled by vested groups that wielded considerable political

influence and power. In plain words, criminal elements were misused for so-called political gains. In the process, helpless people had to watch silently when their near ones were killed or properties forcibly taken away, and often compelled to pay toll without protest. The utter lawlessness created a debilitating despondency amongst the general population that lost faith in the due process of law. No wonder in Bangladesh today we have silent and vocal admirers of lawless actions.

It has been reported that prosecution cases often failed as sufficiently credible evidence could not be gathered, that state witnesses who were terrorised did not reach the Court, and that investigation at times were perfunctory. All these are illustrative of an unhealthy scenario in the law and order sector. The considered view is that this has not happened overnight and that the accumulated defaults of many have brought us to this sorry state of affairs.

When unhealthy influence is exercised or exerted in the domain of regulatory organs of the state, the end result is invariably tragic, and putting the rails back on track may prove to be a daunting task. However, since we cannot reconcile with unacceptable actions, we have to rise above factional interests and re-establish the administrative ethos; we have to effectively demonstrate that the state itself is the complainant against the criminal predator and that unbiased effective investigation is its sacred responsibility.

Investigative skills have to be regularly

brushed and a scientific temperament has to be inculcated. Evidence has to be largely physical, material and forensically credible, and the investigator has to proceed from the evidence to accused and not otherwise. The disproportionate reliance on judicial confession has to stop. A matter of paramount importance in this regard is a total stoppage of interference in the process of investigation. The investigator's control should be unfettered till he submits the final report under Section 173 of the Code of Criminal Procedure.

The autonomy and neutrality of investigation can be ensured through the mechanism of an independent body that may at best remain accountable to judicial scrutiny. The important issue is to insulate the investigation from the undesirable interference of extra-departmental executives. The police outfit that is responsible for investigation has to be functionally autonomous in the interests of legally correct performance.

When investigative skills entailing unbiased efforts emerge consequent upon a strong political direction, there should not be any need to resort to extra-legal measures. In such an atmosphere, information and intelligence would come voluntarily to the benefit of the victims of crime. We must, therefore, strive to create an environment where the blight of extra-judicial killings would be blissfully absent.

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Future hangs in balance

The judgment gives a pause to the ever-raging differences between the Hindus and the Muslims. It gives them time to introspect. Do they take the same road, which they have traversed since independence? How do they face the future, which is that of science, technology and economic development?

KULDIP NAYAR

NO doubt, there has been peace and tranquillity in India after the judgment on the Babri masjid-Ram janambhoomi dispute. No untoward incident has taken place in the country. But the credit for this must go to the Muslims who, although generally sullen, have abided by their earlier declaration that they would accept the court's decision and go to the Supreme Court if they felt aggrieved. And they have declared that they will go in for an appeal.

Imagine if the verdict had gone against the Hindutva elements. Would they have kept quiet? Even when the verdict is not wholly in their favour, their posture is that of being the victor. There is nothing to suggest that they have taken the judgment in humility and in the spirit that may lessen fears of the Muslims. The difference between the approaches of the two is markedly clear.

All the Muslims organisations have said that they will accept the Supreme Court judgment as final. But none of the Hindu contestants has made such a commitment, not even a vague assurance that if they lose in the Supreme Court, they will accept the verdict as it comes. This is, in fact, the nub of the matter. One community, the minority, says that it will abide by the rule of law and the other, the majority, holds out no such promise.

It was the violation of rule of law when the Babri masjid was destroyed in 1992.

Even the Supreme Court's directive to maintain status quo was mocked at. The UP state government, then headed by the BJP, had no hesitation in conspiring to pull down the mosque, to the glee of top BJP leaders who watched it till the last stone of the masjid was removed. The then Prime Minister P.V. Narasimha Rao did little to stop the destruction, even if the charge that he connived at the vandalism is brushed aside.

Understandably, the Allahabad High Court judgment was only deciding a title suit and was not concerned about the demolition. Yet, the fact remains that those responsible for the demolition are nowhere near punishment even after the court wrangling for the last eight years. The CBI has been going slow as if there are orders from above. Had the government pursued the demolition case vigorously, the cynicism among those who believe that the present judgment is "a balancing act" would have looked out of place.

The judgment does not in any way lessen the crime of masjid's demolition. I am glad to find L.K. Advani repeating that it was "a shame." But he is responsible for another shame; politicising a religious dispute. He is the one who led a rath from Somnath temple to Ayodhya, where the mosque stood. How many innocent people who died in the wake of his yatra should be on his conscience. But he still says that his stand on Ayodhya has been vindicated.

Advani and the entire Sangh Parivar

should offer apologies to the Muslims for the rath yatra on the one hand, and the masjid's demolition on the other. This may help restore part of the community's confidence because the Muslims increasingly believe that they do not get an equal treatment in a country which established a democratic, secular polity after winning independence 63 years ago.

The judgment has accepted the plea that a matter of belief can develop into a legal proof if it persists for a long time. The place where the idols were stealthily placed in 1949 has been declared as the birthplace of Lord Rama. The makeshift temple after the masjid's demolition has also been recognised and allotted to the Hindutva forces. True, the judges have their own arguments.

Still, the verdict has legitimised a new thesis whereby faith or belief becomes a fact without evidence. The mere antiquity is enough. In a way, theology has taken precedence over legal jurisprudence. It could have opened a Pandora's Box of claims and counter-claims. But Parliament probably foresaw the danger. It did well to enact a law in 1993 to forbid the reopening of any dispute or claim over religious places that existed in India as on August 15, 1947, the Independence Day.

In spite of this law, some Hindu extremists want to re-open the arrangements at Mathura and Varanasi. At both places, the mandir and the masjid stand side by side with even the aarti and azan taking place at the same time. In a way, the judges have provided for a similar type of opportunity at Ayodhya. Settling the title suit, they have given one-third of the 2.7-acre site to the Sunni Waqf Board, one-third to Nirmohi Akhara and one-third to the Ram Janambhoomi supporters. The division is to take place in the next three months unless the Supreme Court decides on a stay if and when any party approaches it. It would have been ideal if the masjid

were built on one-third of the site on one side, extending the premises to the opposite side of the Ram Janambhoomi, where the makeshift temple stands. Similarly, the temple could be built on one-third of the site, as allowed by the court, but spreading to the opposite side of the proposed masjid. Between the two, the akhara (wrestling ground), also given one-third of the site, would be located.

But unfortunately, this is not acceptable to the Sangh Parivar. The BJP, their political wing, has led the demand for the rest of the two-thirds of the site. But this is not possible if its supporters continue to ride the high horse. They will have to persuade the Muslims for such a proposition.

I personally think that the entire site should be cleared and left as a vacant ground. At Hiroshima, the place where the atom bomb fell during the World War II, one patch of land has been kept vacant. People go there as pilgrims and weep over the killing of thousands.

The vacant site of Ayodhya would become a hallowed site where people would go and cry over the demise of secularism -- put to death on December 6, 1992.

The judgment gives a pause to the ever-raging differences between the Hindus and the Muslims. It gives them time to introspect. Do they take the same road, which they have traversed since independence? How do they face the future, which is that of science, technology and economic development?

They cannot remain prisoners of bias and prejudice just because they follow different religions. This is another opportunity to strengthen our secular ethos and face the question squarely. Why have we, as a nation, failed to establish secularism to which we swore after winning freedom?

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