

Moving forward to eradicate extreme poverty...

HOSSAIN ZILLUR RAHMAN

BA^{NG}LADESH has achieved a lot of progress on the poverty agenda. In a sense, the discussion is now on the upper type of goals like becoming a middle income status. Our ambitions have moved upwards but the reality is that poverty still remains. The problem is not as big as it was 20 or 30 years ago, but it remains a problem. I think it is useful and timely that even as our ambition has rightly moved upwards, but we need to perhaps reenergise our concern with poverty. The Manifesto for the Extreme Poor, a civil society document launched last year with wide endorsements from stakeholders, shows a way to re-engage the issues on poverty.

The ambition of eradicating extreme poverty in a decade is not unrealistic. If you look at the 2000 and 2010 HIES report, which provides the poverty trends, there has been significant decline in poverty and extreme poverty. In the timeframe 2000 and 2010, there were three governments, Awami League, BNP and a caretaker government. Therefore, the achievements on the poverty front cannot be attributed to a single government, which means that the poverty agenda has gone beyond the political cycles. It is a big lesson from Bangladesh. A variety of actors have driven these achievements -- NGOs, government, donors, social actors, media, community forces, local governments, all have played their role.

Bangladesh, unfortunately, has been given an unfair image by some quarters on the global stage, even by some within our own society. Many tend to have an

image of Bangladesh where women are not held in high esteem. One of the key drivers for the transformation of Bangladesh has been the attention given to the issues of gender, women and girls. Girl education and economic empowerment of the poor women are the agendas which have really transformed what we see today. The women issues have not been resolved completely but we are near our goal. Women have been a very important driver to change.

When Lancet launched the results on health achievement in Bangladesh, people were wondering how such a low income, vulnerable, climate change affected society could bring about such changes. Here is another important lesson which will be required for the next decade. Unlike more regimented societies, like China or Malaysia, our progress has been more specific agenda-centric. We want to get more children in the schools so, around that issue, a range of coalitions have emerged. The coalitions bring together the media, social actors, NGOs and others. So agenda specific coalitions drive the process of change here, not one big policy coalition.

Look at immunisation. How did that happen? A coalition of NGOs and government at a certain point of time brought a lot of achievements. Girl education is another type of coalition. It is a very important lesson for Bangladesh that our forte has been in building agenda specific coalitions which have delivered. This is perhaps where our strengths lie. That's what we need to tap into. We need a new coalition on nutrition to emerge in next decade which will drive the achievement in the nutrition

frontier. We need a new coalition to emerge on urban poverty which will drive the achievements in the urban sector.

We need a new type of coalition for the second round challenges of empowerment at higher level, empowerment in the political arena, empowerment in the job market in the upper ranges. I think these are some of the ways in which we have to think. Perhaps we need a new type of coalition for these goals.

Bangladesh has benefited enormously by focusing on scalable low cost innovations. We look at ORS, central to health sector achievements. Scalable, low cost and innovation -- all these are important. Look at rural feeder roads pioneered by the founder of LGED Q. I. Siddique, a major driver of many of our achievements even if not so well acknowledged. Scalable, low cost and innovative. Girls' stipend, again scalable, low cost and innovative. This is the lesson from our last three decades of history. For the coming challenges of the future too, we have to focus on these three crucial dimensions -- scalable, low cost and innovative. It is not enough to bring change in one village. It has to be brought to fifty thousand villages, to millions of people. Only then it begins to make an impact. And those which have a strong impact need to be scaled up. We need scalable, low cost and innovation focused interventions. We have to bring about changes that we are looking for.

We use the words marginal and mar-

ginalised population. These are important words; sociology has actually provided them to understand certain social deprivations. It is important that marginal populations are not provided with marginal way of thinking. That is a disservice to the poorest. Marginal ways of thinking keep certain groups poor all the time. Poor are marginal. You cannot promote a marginal sense of victimhood. Changing behavioural ideas and psychological ideas is as important as providing resources and material support. Consider the issue of monga in the north. In a decade I think the reality has been transformed. The rice scientists have played a role. But equally importantly has been a change in the way of thinking of the poor of localities -- we may be marginal in terms of our actual social location but we are not marginal in terms of our self-identity. This is an important achievement. That is a core attitudinal change on which I think there has been considerable progress. This is also the message we need to embrace for the coming decade.

Even as we promote the goal of middle income status, we have to simultaneously re-energise the focus on eradicating extreme poverty. Many NGOs have been commendably proactive in this regard. We have to keep this goal alive. Let us activate our sense of citizenship, activism and capacity to bring about change, to build a more inclusive nation, quickly.

The writer is Chairman, Power and Participation Research Centre, and a former adviser to a caretaker government.

Australia's anti-Muslim laws

ANDREW EAGLE

AUSTRALIA'S latest round of proposed counterterrorism measures includes a "prove that you're not a terrorist" provision that risks further alienating the country's Muslims and thereby makes finding long-term solutions to home-grown extremism more difficult.

Imagine the court room: "This is Uncle Ahmed" the defendant is telling the judge, showing the family photo album. The Muslim defendant is trying to prove a legitimate reason for his last visit to Syria, trying to avoid years in gaol.

Under Australia's proposed counterterrorism laws a person visiting an area designated by the foreign minister as an area of terrorist activity must demonstrate a legitimate reason. Publicly stated reasons are visiting relatives or humanitarian work.

The defendant's actual wrongdoing or right-doing has no bearing. Being there is the crime.

Counter-terrorism agencies claim these laws address the problem created by the 150 Australians currently in Syria and Iraq linked to extremist groups. The fear is some may return with terrorist intentions.

Although the potential for domestic attacks exists, in disproportionately impacting Australian Muslims these laws may backfire. These are anti-Muslim provisions.

It is reasonable to assume that a non-Muslim visiting the same area will not arouse suspicion. While a Muslim on humanitarian assignment in Iraq will risk government investigation, for example, their non-Muslim colleague will not. The risk will be greater where the activity's "legitimacy" is untested.

Such provisions may close diverse opportunities for Muslim Australians including freelance journalism, business and visiting as an academic. It may encourage discontinuing relations with overseas family and friends.

Much of this reduced opportunity will surely present itself as self-restriction: "choosing" not to pursue options that risk government interference. It will be invisible but resented. This will be regardless of how the laws are used.

Significant potential for misuse also exists. To stifle dissent the foreign minister might declare Gaza a terrorist zone but not Israel. If the goal was not to pursue political objectives then declarations would be the parliament's responsibility.

The legal profession raised concerns these laws reverse the onus of proof to "guilty until proven innocent." In response, the foreign minister assured -- seemingly on the hop -- that agencies need to show there was no legitimate reason.

This approach is even more problematic. How to prove a negative? For what period will agencies fumble about in Muslim Australian lives on the basis of a trip? Will surveillance include family, friends and associates? Will it be allowable for a week or a decade?

Such activity may spill into other tasks. If, in the course of travel-related investigation an agency identifies an individual -- the traveller, family member or friend -- who might make a useful employee, it might prove overly tempting to pursue coercive recruitment rather than end the exercise. After all, nobody will know.

The greater problem is that Australia's counterterrorism agencies failed to respond well to the post 9/11 world. Since 2001 it's been obvious that the road to long-term security involves community building. The counterterrorism agencies, which have expanded at least threefold in budgets and staffing, have overwhelmingly favoured top-down law enforcement measures which undermine trust.

After spending billions of dollars with appeals for greater powers about annually, the Australian public are told the terrorist risk is greater than before. At what point do we shift focus onto the quality of the agencies? It's hardly a success story.

Added to this is the failure to properly engage with Australia's Muslim communities. Although figures on religion are unavailable, the largest agency ASIO as at 2013 had 94.2% of employees from an English-speaking background. The national figure is 85%. These institutions remain overwhelmingly white.

As counterterrorism chiefs are aware, considering repeated appeals for Muslim recruits, it leaves agencies, in knowledge and ability to engage with Muslim communities, diminished.

Along with the Australian military which is also overly white, that counterterrorism agencies have been unable to redress this imbalance may suggest the prevalence of an unpalatable old-fashioned white ethos.

Evidence might include a few years ago when the then ASIO head argued publicly that Muslims may wish to join because Muslims also die in terrorist attacks, distastefully implying that while non-Muslims may wish to protect everybody, Muslims might be motivated to protect their own.

Counterterrorism agencies need to rid themselves of that kind of "us and them" framework.

The "consultations" concerning these laws have been similarly mishandled. Arriving with well-baked initiatives is not consultation. Muslim organisations have boycotted meetings while expressing valid concerns that although they'd like to consult they wish to be listened to.

One leader, Grand Mufti Professor Ibrahim Abu Mohamed, said that had Muslims not actively worked to prevent it, "There could have been 1,500 [Australian extremists in Syria-Iraq], not 150." Equally, had counterterrorism agencies adopted greater focus on inclusiveness both in-house and in society it could've been 15.

These laws will be referred to a parliamentary committee for further consideration. Let's hope sense prevails. More powers for Australia's counterterrorism agencies, in great need of reform to meet modern Australia's demands, will only lead efforts to end extremism further astray. And Muslim Australians deserve better than B-grade citizenship.

The writer is an English instructor and feature writer.

What is/would be the meaning of 'Imprisonment until Death' for Sayedee?

MOKARRAMUS SHAKLAN

AFTER the pronouncement of the operating part of the Judgment of Delwar Hossain Sayedee by the Supreme Court of Bangladesh some questions have arisen among general people like us. What is the meaning of 'Imprisonment until Death' for Sayedee? How long can Sayedee be kept in jail for the heinous offence which has been proved by the Court? As a lawyer, I would like to start this academic discussion with our readers. Before going into the meaning of Sayedee's sentence of 'imprisonment until death,' I would like to state the general contentions of relevant sections of our Penal Code (Cr. P.C.) regarding life imprisonment.

Section 57 of the Cr. P.C. provides that in calculating fractions of terms of punishment, imprisonment for life shall be reckoned as equivalent to imprisonment for thirty years. On account of this provision it is generally believed that the sentence of life imprisonment means imprisonment for thirty years. Close scrutiny reveals that this provision is applicable only for the purpose of 'calculating the fractions of terms of punishment.' Now, a question arises as to when the need for 'calculating the fractions of terms of punishment' occurs. In Section 511 of Cr. P.C., it is stated that "whoever attempts to commit an offence punishable by this Code with imprisonment for life or imprisonment, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall, where no express provision is made by this Code for the punishment of such attempt, be punished with imprisonment of any description provided for the offence, for a term which may extend to one-half of the longest term of imprisonment provided for that offence, or with such fine as is provided for the offence, or with both."

Let us see an example for more clarification. In Section 124A of Penal Code punishment for sedition is imprisonment for life or any shorter term, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine. But if a person is found guilty of an offence of attempt to commit sedition then there is no clear provision of law by which punishment can be imposed. In that case, as per Section 511, punishments have to be imposed by 'calculating the fractions of terms of punishment,' i.e. in accordance with Section 57. So as per this section it has to be assumed that imprisonment for life shall be reckoned as equivalent to rigorous imprisonment for thirty years, and after 'calculating the fractions of terms of punishment' (i.e. 30 years) the highest punishment for the attempt to commit sedition will be 15 years.

Now the question is whether there is any chance for remission of the punishment of Delwar Hossain Sayedee. The Supreme Court, on 17.09.2014, commuted the death sentence of Sayedee to 'imprisonment till death' for his crimes against humanity committed during the country's Liberation War in 1971. On our plain understanding, it means that Sayedee will have to remain imprisoned 'for the rest of his natural life' and his punishment may not come within the explanation of the above discussion regarding Sections 57 and 511 of the Penal Code. The apex Court, by its articulation, made it clear that he has to pass the rest of his life in jail. But the same apex Court, earlier in Quader Mollah's judgment, clarified that "Section 57 does not say that imprisonment for life shall be deemed to be imprisonment for thirty years for all purposes nor does it enable to draw any such inference. So, prison authorities are bound to keep the accused persons who are sentenced to imprisonment for life in jail treating such

A new question that arises is whether 'life imprisonment' and 'imprisonment until death' bear similar meaning in the context of the trial of war criminals in Bangladesh. We still do not have any definition of these wordings. Similarly, the people too should know the meaning of 'recursions for good conduct.'

sentence for the whole of the remaining of the convicted person's natural life unless he has earned recursions for good conduct. In other words it is not for a definite period."

A new question that arises is whether 'life imprisonment' and 'imprisonment until death' bear similar meaning in the context of the trial of war criminals in Bangladesh. We still do not have any distinction of these wordings. Similarly, the people too should know the meaning of 'recursions for good conduct.' What does it mean and what it would mean in future? In the Quader Mollah judgment we find no clarifications on the point of recursions for good conduct either made or defined by the apex Court; but, the apex Court defined the meaning of life imprisonment with a distinction.

In absence of any distinction between 'life imprisonment' and 'imprisonment until death,' I would like to predict a potential event that may occur in

future. If Delwar Hossain Sayedee shows good conduct in jail and at one point applies to the jail authority for remission of his punishment then what will happen? In that case, whether the jail authority has any option for remission of his punishment in accordance with Quader Mollah's judgment since our apex Court has decided that the convicted has to remain in jail till his natural death unless he shows repeated good conduct. On such application by Sayedee what can the jail authorities do? Should they then calculate the terms of 'life imprisonment' or 'imprisonment until death' in accordance with Section 57 of the Cr. P.C.?

However, there may be an answer in future; but it may depend upon the government's order as Section 20(3) of International Crimes Tribunal Act, 1973, states that "the sentence awarded under this Act shall be carried out in accordance with the orders of the government." In this situation, the government may consider the application for remission of punishment of Sayedee because of the fact that there is no provision which defines the meaning of 'life imprisonment' or 'imprisonment until death' under International Crimes Tribunal Act, 1973. In this context Justice S.K. Sinha's observation in Quader Mollah's judgment is relevant. His Lordship observed: "In the Act, 1973, the meaning of 'life imprisonment' has not been defined or explained." In the absence of any explanation, we may consider the provisions contained in the Penal Code. Now there may be a number of inferences made by the government but, among all others, the government may infer from Quader Mollah's judgment and it might then be decided that "he (Sayedee) has earned recursions for good conduct."

The writer is Advocate, Supreme Court of Bangladesh. E-mail: m_shaklan@yahoo.com

QUOTABLE Quote

Our greatest weakness lies in giving up. The most certain way to succeed is always to try just one more time.

Thomas A. Edison

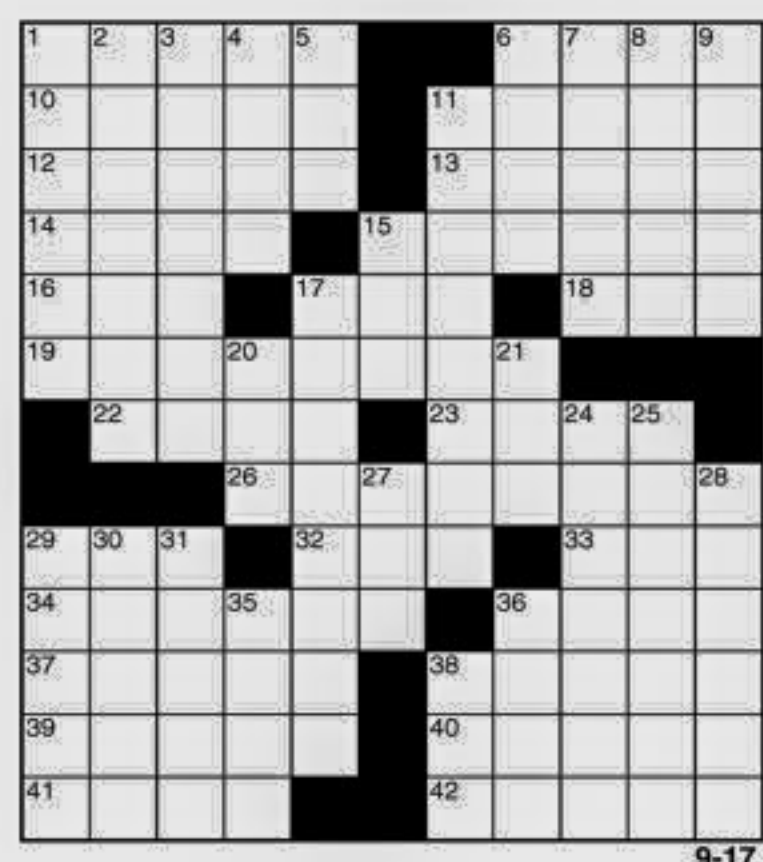
CROSSWORD by Thomas Joseph

ACROSS

- Puccini opera
- Old Italian coin
- Ham, e.g.
- Frisco player
- Publicity act
- Houston player
- Big book
- Vitamin C source
- Decline
- Buddy
- Count starter
- Bullpen pitcher
- Budget amount
- Salon jobs
- One of the faithful
- Funny fellow
- Nonsense
- Juan Peron's wife
- Sudden
- "-- Brocko-vich"
- Shrek's love
- Refine ore
- Camera creator Land
- Supermarket section
- Take five
- Mink's cousin

DOWN

- View expert
- Harvest month
- Trip
- Volcano shape
- Gallery fill
- Shopping aid
- Prelude
- Second airing
- Came
- "I did that perfectly!"
- Cleveland player, for short
- Leader of the Lost Boys
- Bach's Mass -- Minor
- Deli choice
- Neighbor of K2
- Figaro's home
- Auction buy
- Tracy talker
- Thin cookie
- Tolerate
- I gets bigger
- Foot or hand
- Put out
- Paulo



CRYPTOQUOTE

VQT YXOV QWCCG YWLLHWST H DWU CHDVKLT XL HYWSHUT VX YGOTPI RXKPF NT VQT KUHXU XI W FTWI YWU VX W NPHUF RXYWU. -- OWYKTP VWGPXL DXPTLHFST

Yesterday's Cryptoquote: I LOVE CATS BECAUSE I ENJOY MY HOME; AND LITTLE BY LITTLE, THEY BECOME ITS VISIBLE SOUL. -- JEAN COCTEAU

Yesterday's answer

RAWLS DENIM
ALOOP IRONY
DOUBLECROSS
ANN APE GUT
REDEYES IRE
WEE BEER
BLEED SASSY
LENS GEL
ACT DOLLARS
SAW ONE ROE
TRIPLECROWN
ERNIE TAMES
DEEPS STARE

A XYDLBAXR is LONGFELLOW
One 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.

BEETLE BAILEY

by Mort Walker



HENRY

by Don Trachte

