

Opposition Summit: What does it Transpire?

by Dr Mozammel H Khan

It is absolutely unclear to any one with a minimum logical sense as to why is the BNP playing this losing battle when their staunchest supporters even fumble on the question of resignation of the government? Even the former first lady and a Jatiya Party MP expressed her indignation and could not be sold to the idea. Several groups with vested interests are luring the BNP, in my view, to this no-winning game.

THE recent summit of their leaders is portrayed by the opposition parties as a landmark phenomenon in the political history of the country. It is, on the contrary, apparent to any vivid observer of the political scenario of the country as a sequential natural phenomenon. It happened in the past, it is happening now and will happen in the future. However, in several respects, the present one demands some distinction as compared to what happened in earlier occasions.

In the past, Awami League chief, being the official leader of the opposition had a meeting with the parliamentary leaders of the other opposition parties. In the present case, however, the official leader of the opposition had a summit with the leaders, two of whom are not members of the parliament and one of them even does not have any representation in the legislature.

In the past, AL's marriage with the Jatiya Party and the Jamaat-e-Islami was limited to their similar views on a single issue (caretaker government), not on any thing beyond. The present declaration of the opposition, however, touches on every issue that matters to the state and the people and outlines a subtle desire to form a coalition government that will "adhere to democracy and patriotism" and pledges "an unre-served respect for the constitution".

The declaration, especially its commitments and conclusions, constitute an attractive election platform for the political rookies, but does not bode well for the parties that were in the helm of the state for more than two decades. The commitment to free the electronic media and to abolish the Special Powers Act adversely dilutes the credibility of the other commitments, which look so attractive on paper. It also reaffirms how deeply these four parties are bonded by their identical ideological-political conviction!

It is indeed a great triumph for the BNP to indoctrinate Ershad with "democracy" and to induce him to galvanise his respect for the "constitution". It is equally a momentous accomplishment for the BNP to consecrate Golam Azam in their exclusive club of "patriots" and to

ordain him as one of the valiant custodians of our "hard earned independence" which is otherwise in jeopardy in the custody of the "treacherous" Awami League! It was fabulous on the part of the BNP to convert Ershad into a die-hard critic of the Ganges Water Sharing and CHT treaties, both of which received his unreserved congratulations when they were first made public. By the same token, Ershad must be equally applauded for rediscovering his "democratic" allies within the party that even did not allow his own to hold a single public meeting until it formed an alliance with the AL!

There is another notable difference between the past and the present. When Sheikh Hasina met with Nizami, there were considerable criticisms from the benefactors of the AL at all levels and she had to be on the defensive all the way. Ershad's support for the AL was not a matter of pride for any AL supporter either. On the contrary, I have not yet seen any piece of writing from the BNP sympathisers, especially the ones who very often boast themselves as free thinkers, criticising BNP's politics of convenience.

The signed declaration of the four leaders could be broadly divided into two categories. One that elaborates the failures of the government in all areas of the governance that one could possibly think of; while the other part outlines their collective commitments and agenda for the future if they are elected to power.

Elaborating the failures of the government, the declaration concludes that the present administration is "illegal" and as such no moral right to remain in power. The allegations, which are brought against the government, are very common in nature and also, to a certain extent, being done in the matured democracies around the globe. However, the objective evidences corroborate the accusations in most cases in meliorated democracies. Their credibility would be in jeopardy if the objective evidences run counter to the contentions of the opposition.

In the economic front, the opposition declaration categorically reiterates that the economy is in ruin, the banking system is in shambles, agriculture sector is in the face of complete

destruction, and the domestic and foreign investment is stalling.

Contrary to oppositions' blanket observation, the economic indices show a more than 5 per cent GDP growth for the last three successive fiscal years, which, incidentally, were the highest since the inception of the country.

The agriculture sector contributed the lion's share of the GDP growth and the total food production curve is maintaining an encouragingly positive slope. The recent comments of the DG of the FAO further illustrate the noteworthy success of the agriculture sector. The banking system, which was allegedly left in disarray with 300 billion taka of bad loans by the previous administration, has regained some of its discipline with a considerable realisation of the above amount as claimed in the report of the Bangladesh Bank. Bangladesh currency also has maintained a fair degree of stability in face of the debacles of its counterparts in the region. In the foreign investment sector, government's policy of an attractive investment package initially created a lot of interest among the overseas investors and has attracted \$9 billion worth of investment in the last three years if the statistics of the BOI and the declaration of the PM have to be believed.

However, in recent months the interest of the overseas investors has been dampened considerably due to the political programmes of the opposition parties.

The greatest challenge in the three-and-a-half year tenure of the AL was to face the unprecedented natural calamity that engulfed the nation in 1998. With all its fairness, it could be concluded that the government machinery carried out the daunting task with phenomenal success. In the international arena, with all its limitations, the image of the country was never better.

The accusation that

Bangladesh has become a market of Indian products' is a very common one and is being put forward by all the opposition parties against the successive governments. However, if the official statistics is to be believed, then the previous BNP regime is to be burdened with the worst record on the ratio of the import from and the export

who are empowered to give the eventual verdict in the general election.

The opposition parties have no legal or moral authority to act as both plaintiff and adjudicator by calling for the resignation of the government. This is more so for the fact that the constitutional provision of caretaker administration automatically binds them to resign at the expiry of their mandate.

This is a milestone in the democratic development of Bangladesh and should act as a deterrent against the oppositions' frustration.

The idea was first mooted by the AL and has been ironically proven, once again, through its own acts in the infamous Tangail by-election.

Sheikh Hasina maintains a better record, both as the PM and the leader of the opposition.

The banking system, which was born as an opposition political party with its glorious attachment to the emancipation of the people, it would be probably fair to conclude that the AL has done poorly on that expectation of the people in terms of creating an atmosphere of tolerance inside the parliament.

Almost all other allegations contained in the summit declaration can neither be verified nor nullified in certain terms and they are very much traditional in nature such as the politicisation of the state-controlled media. As opposed to their adversary, the BNP is blessed with a very independent and to a certain extent sympathetic judiciary, which through its discretionary power helped many of their leaders remain out of prison even in some apparently genuine instances.

Opposition leaders, as their predecessors did, have also put forward the frivolous argument of using their share of votes to justify the people's support in favour of the resignation of the

government. People voted for them either to form the government or to join the opposition for the whole tenure of five years.

Within their jurisdiction in the parliament, they are legally allowed to bring no-confidence motion against the government and if they can muster majority support, the government falls within the provision of the constitution.

Oppositions' share of the votes does not dictate the agenda of the government.

The four-party alliance has around 130 seats in the parliament. This is the only number that counts in the ultimate decision of forming the policies and the laws of the land.

Should the oppositions' share of votes bear any significance, the BNP government should have resigned the day following the declaration of the three-party alliance in 1994.

Our political system is not equipped with any objective mechanism to gauge the popularity or the depth of isolation of the political parties from the people. However, AL's organisational strength at grassroots level seems not to be as strong as it used to be when they assumed power.

The party is plagued with internal feuds at all levels. In fact, the internal strife is so intense that they could not even elect a consensus general secretary. Their workers, in general, are in great frustrations due to the lack of avenues of communications with their leaders in power and as such are unable to address the needs and concerns of the people who they have so tenaciously convinced to vote for the party. The absence of a young, energetic and effective general secretary has greatly intensified the problem.

The AL leadership has also taken their workers and supporters for granted which only signals a prelude to disaster. They have, in their usual selfish and egoistic attitudes did not attempt to polarise the pro-liberation political forces and

failed to bring them into confidence. Rearming herself with the lessons from their earlier failed rule, the prime minister should have been surrounded by a team of seasoned advisors, not sycophants, who would inform her of the hard-facts, not necessarily what she always loves to hear. Awami League is, indeed, the only political party who enjoys the luxury of having many such prudent personalities in their patrons' list. However, the Awami League leadership has, once again, failed to cash on that advantage.

The organisational weakness and the internal feuds of the AL across the country (more so abroad) should not be unknown to the BNP leadership. To win over such an adversary in a general election under a caretaker administration should not be a difficult task for a organised and well-financed BNP.

Instead of facing the AL with constructive policies, their destructive policies such as indiscriminate use of hartal is only helping the AL and is inducing the disgruntled common masses to grow apathy instead of a natural sympathy for the BNP. Their successive tougher actions are going to bleed the economy badly; the lion's share of the blames of that bleeding will eventually transmit on the shoulder of the BNP, not on the AL, as some BNP policy planners might have postulated.

Secondly, there are politicians closed to Begum Zia whose pens and panegyrics blossom in presence of democracy while their careers flourish in its absence. They feel proud to sweep the street at the command of the autocrat and are exalted to "feel themselves honored" to be a minister or an ambassador at the dictation of the usurper of the state power. To them, no action of the opposition is "tough enough". They are bent on creating political anarchy to make ground for their self-enhancement, not by any means for the pursuit of a democratically elected former Prime Minister. Are they too difficult hypotheses for the BNP policy makers to comprehend? Is there any one of sense in the BNP camp to rescue it from the eventual quagmire?

with vested interests are luring the BNP, in my view, to this no-winning game. Two hypotheses could be put forward in favour of these observations.

Firstly, Ershad and Begum Zia draw supports from the same constituents. However, there could be no two captains for the same "nationalist" and "pro-Islamic" ship. With thriving leadership of Begum Zia, Ershad has to take the back seat. That is not a very palatable distinction for the longest serving chief executive of the country. Secret pact with Jamaat in 1991 election might have worked very well for both; but to what extent their well publicised link with this despised political entity, especially with its disaligned leader Golam Azam, who will win or lose voters support for the BNP is yet to be seen. If BNP loses the next general election, Begum Zia's leadership is most likely to end in disgrace. And guess, who will be poised to fill-up the void? Ershad's recent speech to a group of his BNP admirers that "his party shares the same ideology with that of the BNP and the Jatiya Party is a nationalist and pro-Islamic political party like the BNP" will only help the transition so smooth. He will be no stranger to many of the present-day close confidants of the BNP leadership anyway.

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DNA Profiling Can Help Track down Criminals with Stunning Accuracy

by Md Asadullah Khan

DNA analysis is proving to be one of the most powerful detective tools ever to have been invented. Soon it may brush away even fingerprinting, the queen of forensic science since the turn of the century. DNA evidence has been used in thousands of cases since it emerged in Britain in 1986. Then, it showed that a rapist had not committed the crime to which he confessed and eventually uncovered the real culprit. Subsequently it has been used to acquit the innocent at all stages of investigations, including after they have been convicted on the basis of lesser evidence. It has also proved useful in nailing the guilty, often in cases in which there were no leads and no clues other than a smidgen of DNA.

Take the case of Oklahoma Junior High School teacher Dennis Fritz. Fritz had never thought that he would be convicted of raping and murdering his neighbour, 21-year-old Debra Sue Carter. He had no criminal records but the dubious testimony of a jailhouse snitch who claimed Fritz confessed while awaiting trial landed him in prison with life sentence. That was all it took to send a man away for life! "When the jury came back with a guilty verdict, I almost went into shock", said Fritz. His co-defendant Ron Williamson was on a death row but his conviction was reversed on a technicality. Before retrying him, prosecutors decided to do DNA test of semen and hair found at the crime scene and compare them with Williamson's. Fritz's lawyers asked them to test Fritz too. The result was astounding. The DNA excluded both men and implicated someone else who had never been charged with the crime. Last April after 12 years behind bars, Fritz and Williamson were freed.

Such stories have become shockingly familiar: a convicted criminal languishing in jail with little hope of ever proving his innocence, is sent free when a DNA test reveals he could not have committed the crime. In another case it is known that Vincent Jenkins who had served 17 years in prison for the rape of a woman in N.Y., was released in early September last after DNA evidence showed that he was not the culprit. Encouragingly, he became the 65th inmate to have a conviction overturned, thanks to DNA evidence, including eight released from death row. These numbers are testimony to the fallibility of our criminal-justice system, as well as to the determination of the "Innocence Project", an enterprising New York city law clinic that has pioneered the use of DNA to free the wrongly convicted persons in all states in the U.S.

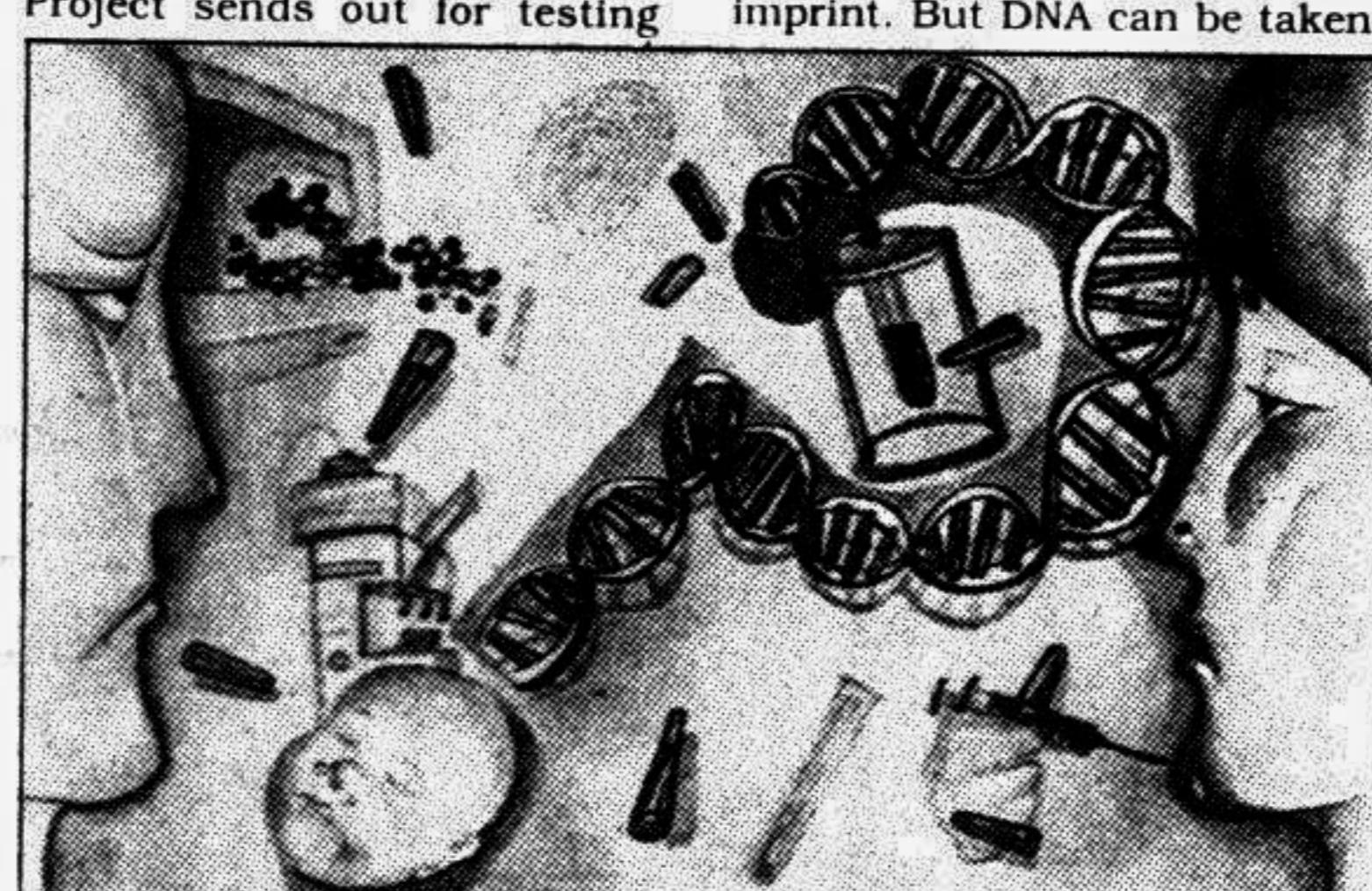
The "Innocence Project" is the brain child of New York Lawyers Barry Scheck and Peter Neufeld. These two lawyers in the early days of their career were overworked and underpaid legal AID lawyers in South Bronx, N.Y. Like most lawyers they believed the system made mistakes. And earlier than most, they realized that the hot new technology of DNA testing could revolutionize criminal defence by providing scientific proof that their clients were not guilty. Despite the fact that DNA technology has made such

great strides, biological evidence is hardly taken at any point. In rape cases, semen is generally recovered, and in murder cases there is often hair or skin evidence. But some samples come from less obvious sources: in the World Trade Centre bombing case, DNA was recovered from saliva on the back of a postage stamp. But getting access to that evidence might have been difficult. After taking a case, the first hurdle the Innocence Project faces is about getting access to a biological evidence. New York and Illinois in the U.S. have laws mandating post conviction DNA testing. About 60 per cent of the samples the Innocence Project sends out for testing

are attacked. When his DNA was entered in the state's databank — something Virginia law now requires of all felons — it matched a semen sample recovered from Smith and entered in the bank six years earlier. On the basis of the DNA match, Jimmerson was convicted of raping Smith and given two life sentences plus 25 years.

DNA technique now enables police in the U.S. to track down and put away criminals who might otherwise have gone free.

DNA is the biggest thing to happen in crime solving since fingerprinting — and it's likely to be a lot more useful. Fingerprint can be used only when a perpetrator happens to leave a clean imprint. But DNA can be taken



DNA Fingerprinting

Deoxyribonucleic acid (DNA) are molecules that contain a human's genetic blueprint. They are found in every cell. A sample of blood, saliva or semen is frozen at -70°C in an enzyme solution that chops DNA strands into thousands of shorter bits.

The DNA fragments are placed in a gel and subjected to bursts of heat. This ruptures cells, separating DNA bits according to their sizes and electrical behaviour.

The result is a pattern of stripes, like a bar code, on a bromide. The bar codes are matched: A son's DNA pattern will exhibit patterns similar to his father's.

In the U.S. DNA technology is getting a boost through state encouragement. The FBI has started providing states with free CODIS (Combined DNA index system) software which digitises and compares DNA profiles. This has already produced some impressive results. Reports circulated in U.S.-based magazines indicate that after a series of rapes in Sarasota, Florida investigators entered DNA from the crime scene into the National system. The DNA turned out to match that of Mark Daigle who had served in a Virginia jail for six years earlier for burglary. Florida officials arrested Daigle and last year he was convicted of rape.

Three features make DNA evidence compelling. First, it can, in principle, distinguish between all individuals except identical twins (only identical twins have identical DNA). Second, it is derived from techniques used routinely in molecular and population genetics, the science of which is already well-researched. And third, the invention of the "polymerase chain reaction" (PCR) in the 1980s allows DNA analysis to be performed on minute amounts of tissue — making it harder for a criminal to remove all the evidence from the scene of a crime.

PCR works by "amplifying" minute amounts of DNA into quantities that chemists can work on. It does so by taking advantage of one of DNA's pri-

mary properties — the ease with which its molecules can be replicated. At high temperatures, the two strands of the famous double helix that constitutes a DNA molecule come apart. Normally, when the strands are cooled again, the helix reforms. But by adding an enzyme called polymerase to the mixture (along with a liberal supply of the chemical "bases" that are the components of DNA), a new strand can be produced alongside each existing one. Heating and cooling thus doubles the amount of DNA in the mixture — a process that can be repeated until there is enough for analysis.

But civil-liberties groups in Britain are not. "We have concerns about how the data is kept", says Atiya Lockwood, spokesman for the civil rights group Liberty, "and about records being removed when people are acquitted", as is required by the law. Testing of genetic blueprints sometimes proves to be a mixed blessing in solving disputes over paternity. For a child born in a wedlock, especially in situations when either the husband or wife is staying apart, seeds of doubt might sprout about the identity of the offspring.

It so happened in a certain state in India in 1996. Ramesh Mehta was away on a job in the Gulf when his wife gave birth to a boy. Back home, Mehta suffering from the trauma of parental proof, journeyed to Hyderabad, where scientists matched microscopic strands of deoxyribonucleic acid (DNA) floating around in his cells with his child's DNA. The match was perfect. In India, especially in the state of Kerala, this sort of paternity or maternity tests these days are coming in larger numbers. Experts there are intrigued at Kerala's proclivity for DNA testing. Of course there are no clear explanations for the trend. Literacy, and husbands leaving home for jobs seem to be the factors responsible. Sometimes they (husbands) spend a month in India and go back to work. So says Gita Sen, a women's rights activist, "there is a lot more suspicion when they return and hear that

a baby is born". Thomas and Nancy's case in Kerala is quite interesting. Thomas and Nancy wanted to baptise their eight year old son in July 1996 when their priest — for reasons unknown — wanted proof that the child was theirs. "Get his DNA tested in Hyderabad" [the institute founded in Hyderabad in 1989 at the Centre for Cellular and Molecular Biology (CCMB)], the priest insisted. So they did. The boy's DNA matched theirs and the baptism was done. Encouragingly, the first time a court accepted a DNA fingerprint report as evidence was in Kerala in 1989 when a woman successfully proved that her employer had fathered her son.

Naina Sahni's murder case in Delhi in 1995 created a lot of puzzling problems for the administration. Sahni was murdered and her body was burnt in the tandoor (clay oven) in a hotel in a bid to wipe out all evidence of murder. Her parents initially refused to accept that the charred human remains were their daughter's: they finally did so after a DNA test proved it was Naina's body.

Nature's photocopying machine — DNA — kept its secrets well for centuries. Scientists are now beginning to crack its blueprint. The scientist watches as two sets of what looks like a colourful bar code roll onto a computer screen. These genetic "bar codes", the end result of DNA fingerprinting, are as unique as a thumb print. Some civil liberty groups are sometimes unnecessarily worried about the potential for DNA profiling. One such incident happened in Cardiff, Wales. Police there in a bid to investigate the rape and murder of a 15 year old girl, Claire Hood, in the woods near the housing projects where she lived made a list of some 2000 men among 11,000 residents and asked them to give blood samples voluntarily. One of the few pieces of evidence

that remained there was the semen of the murderer. Those who refuse", said Stewart Lewis, a chief inspector involved in the case, "will find themselves under interrogation by the police". While this may sound like coercion, advocates of DNA testing argue that the process can also serve to prevent harassment and false arrest. True, in the sexual abuse case of the six year old girl Tanila in the CMM's court premises in Dharavi, about three years ago, suspicion still lurks in public mind if the alleged abuser rounded up is the real one.

Suspicion about harassment of the innocent has been dispelled by Sussex Detective Chief Graham Hill. "If you are innocent", says Hill, "you'll quickly be eliminated" as a suspect — a new rendering of the long standing law enforcement axiom that the innocent has nothing to fear.

Dr. David Werrett, research director of the Forensic Science Service in U.K. the agency that is charged with compiling the DNA data bank, sympathises with those who argue that the facility is the ultimate privacy invader. "I think people have a right to raise these issues", Werrett says. At the same