

## 'Right to Cheat'

WE have brought down our college education to such a farce that our students now demand the right to cheat. Yes, unbelievable but true, among other 'rights' a section of our students are demanding the 'right' to cheat. And, it is on being refused to exercise such a 'right' that students of Islamia College, Barisal, ransacked their examination centre which was located at the Government Barisal College. It was the third day of Bachelor's degree examination. On the first two days the examinees from the Islamia College tried to copy while writing their exam scripts. Being barred and, in several cases, expelled, a section of Islamia College examinees decided to start a riot demanding that they should be allowed to copy from books and notes in writing their answer scripts. These so-called students ransacked the whole college breaking almost all furniture, destroyed the science laboratory and roughed up several teachers and invigilators who tried to restore some semblance of discipline to the situation. For one whole hour the mayhem continued and it took a battalion of extra police to bring the situation under control.

More and more holding of SSC, HSC and degree examinations look like preparing for some sort of a small-scale battle. Huge presence of police, BDR and even the army is becoming necessary just to hold peaceful examinations. Why? Simply to prevent wayward students from cheating. Saturday's Barisal incident is not the first time that students demonstrated for the 'right to cheat'. It has happened before and the present government is trying to prevent it. But the question is, what has happened to our education, our students, our teachers and our schools and colleges that the situation should come to such a pass? Why has our education deteriorated so much that our students should demonstrate for the 'right to cheat'? How can we show our face to the world and how can we expect them to respect our certificates? More importantly, how can we develop our commerce and industry, our science and technology, and our knowledge base when the learners of today are learning nothing?

The Barisal incident is a symbol of a deeper rot. We suggest that a serious national-level soul-searching must be conducted by the educators to rid our education of this most vile and dishonourable of malaise, which is corrupting the very soul of our nation. A nation that cheats in education deprives itself of a future. That is how serious the malaise is, and that is what the Barisal incident points to.

## Are Police Mere Bystanders?

ON Friday, the police recovered decomposed bodies of two young men from a third-floor apartment at East Rampura in the city. The hapless two, reportedly members of the so-called Seven Star group, were killed with firearms and sharp weapons; and their bodies were left to rot inside the apartment. On August 29, the police recovered the decomposed bodies of Asif, a noted criminal, and two of his associates from a Gopibagh apartment. There are reasons to believe that the two incidents are linked and could trigger off more killings in the underworld. Recent happenings in the country's underworld render Mario Puzo's *The Godfather* bland in comparison, don't they? Above the law of the land and beyond the reach of the law enforcers, a handful of criminals and their 'godfathers' have created a sinister world of their own; a world where murder begets murder, one more horrific than the other.

While the criminals continued with their orgy of killing and getting killed, the custodians of law have remained largely apathetic. Investigations in most cases end with the first information report or FIR. Almost invariably, their intervention comes too late, leaving their role confined to recovery of corpses, ritualistic raids at some places, arrest of a few individuals and often recovery of weapons and ammunitions etc. Eventually, the cases close without any conclusive action. The killers hardly get arrested, prosecuted and punished.

Evidently, the police are not living up to the expectations of the law-abiding citizens. They are routinely outwitted, outmanoeuvred and even overwhelmed by criminal and terrorist groups across the country. Criminal elements seemingly command stronger networks, and possess more sophisticated weapons and ammunitions than the law enforcers do. The fact that our police force is still stuck with three-not-threes of the Second World War vintage bears a strong testimony in this regard. Besides inadequate logistics, improper training poses a major impediment to their overall inefficiency. There have been talk talks of reforming and modernising the police all right; however, on the ground, not an inch of progress has been made in that direction.

The people at the top must realise that law and order situation has steadily declined over the years to the verge of sheer anarchy. The law enforcers must be enhanced, both quantitatively and qualitatively, to combat the elements of the underworld. More importantly, however, they should be allowed to function without fear or favour.

## To the Editor ...

### Irfan Rajas!

Sir, The patriotic people as well as the Government of Bangladesh had shown enough patience while dealing with the Pakistani Deputy High Commissioner Irfan Raja. He deserved to be expelled summarily from Bangladesh for undermining the country and its war of independence. By recalling Irfan Raja, Pakistan has marginally extricated itself from a diplomatic debacle in its relation with Bangladesh.

Those of us who had participated and supported the war of liberation in 1971 understand fully the mental make-up and barrier of the Pakistanis; and they would not find it difficult to recognise Irfan Raja who is a true replica of 71's Pakistanis. There are no dearth of such Irfan Rajas both in Pakistan and Bangladesh.

Last week for the first time the new generation of Bangladesh had a taste of a Pakistani devil in the guise of Irfan Raja. Their spontaneous reaction and protest in the streets of Dhaka and elsewhere demanding immediate expulsion of Irfan Raja reflect the

true spirit of the liberation war and national identity. Their burning of the Pakistan's national flag in the streets is a bold warning to those Bangladeshis Irfans and Rajakars who still dream of the God forsaken dead Pakistan. In the name of freedom and fundamental rights those who write and print the parody of national anthem or raise the Pakistani flag on its national day, and thereafter, take shelter in the chambers of their lawyers inside the buildings of the highest court of the country shall be tried on the soil of Bangladesh. For Irfan Raja, there is Pakistan but for the Bangladeshis Irfan Rajas and Rajakars, there is no shelter.

Let us remind all that Bangladesh was not born out of a judgement of any high court or supreme court or by adopting a resolution. The valiant people of Bangladesh earned their independence at the expense of a sea of blood and sacrifice of our mothers and daughters. I strongly feel, if we understand the perception of the war of liberation and truly respect the martyrs of the war of liberation, none of us shall promote the

"No person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment."--Bangladesh Constitution, Article 35(5)

DESPITE strict prohibition of torture in any form in the basic law of the country the law enforcers regularly resort to inhuman, undemocratic and uncivilised practice of it on a wide scale. This was revealed in a survey conducted by the London-based international human rights watchdog body the Amnesty International (AI) in Dhaka the other day. The survey, which was part of AI's global campaign against torture and impunity, claimed that police brutalities on arrested persons and detainees had been and still is rampant since the independence of Bangladesh. From January to September this year at least 49 people were killed due to torture in police custody. Even women are also not spared. In a number of cases they are raped and tortured while in custody by the police personnel.

AI further claimed that political parties appeared to be indifferent to the cases of police atrocities on the arrested and suspected persons. They clamoured and break their silence only when their own activists fell victim to the police torture. On the other hand, they do not conceal their apparent glee when their political rivals are victimised and tortured by the police. In most cases the political parties which successfully held power in the past and which is holding power now encourage and encourage police actions on their opponents and contenders of power. This equally applies to Awami League, Bangladesh Nationalist Party and Jatiya Party though they apparently and paradoxically claim to vouchsafe democratic values and recognise human rights and dignity.

According to AI the most vulnerable group are those who do not have any political connection

whatsoever and who have in most cases nothing to do with the charges brought against them which, inter alia, means those who are not in a position to protest or seek justice and redress to the complaints of police brutalities the poor hapless segment of the society. The dichotomy in this regard is that while in the opposition the political parties regularly complain against police repression. But the moment they go to power they conveniently ignore such complaints and forget their earlier pledges to abolish the practice. They rather opt for police action to repress their political opponents. This has been the tradition with the political parties since independence. AI claimed that it wrote to various political parties in Bangladesh to issue statements expressing their unanimity against police torture and impunity. But there was no response from any political quarter. BBC alleged that it tried to seek comments on AI reports on police highhandedness from the Home Minister but failed to obtain any despite its frantic efforts. The Home Minister was evasive and avoided talking to BBC on the issue.

The police often pounce upon opposition demonstrators, and when journalists, particularly the photo-journalists, try to take snaps of the police action, they in their turn are roughed up and assaulted by law enforcers in a bid to prevent the publication of the reports of these atrocities. When there is protests against police personnel allegedly indulging in various crimes like smuggling, extortion, bribe-taking and conking with criminal gangs, the protesters are harassed on various framed up charges.

Women detainees are subjected to rape and other torture due to the prevalence of a sense of impunity among law enforcers. The AI in its survey presented a number of case studies to prove how brutal torture by police is perpetrated and practiced resulting even in the death of the victims in open daylight and that too in the city of Dhaka. The AI also described the types of torture inflicted by the police on their victims which smacks of sheer sadism ranging from beating with bamboo or wooden sticks to electric shocks, hanging upside



## HEART OF THE MATTER Mansoor Mamoon

down from the roof and the horrific water therapy, breaking fingers, pulling out of nails and such other brutalities. Interrogation, particularly by what is called the Joint Interrogation Cell, in the name of remand is a dreaded word and the civil society in Bangladesh, time and again, urged for doing away with the same in the name of justice, fair play and civility. Because remand in most cases has been found to be torture and extortion of money and realising the confession of the suspected persons under duress which is forbidden in the Bangladesh Constitution vide Article 35 (4) "No person accused of any offence shall be compelled to be a witness against himself".

The vernacular Daily Janakantha in its issue of December 2, gave first lead treatment to the report that during the

last eleven months (from January to November 2000) there were as many as fifteen thousand allegations of brutalities, torture, misuse of power and other irregularities against the members of police. The daily in a separate story on the same day said probe into the source of eighty police officers possessing fabulous amounts of two hundred crore taka has started. The Transparency International Bangladesh chapter in its recently published survey said police at the upazila (sub-district) level are the most corrupt ones and are found to be

very highhanded and rude in nature. Redress against police torture requires what is known as sanctions entailing cumbersome bureaucratic process and it is not easy on the part of the ordinary citizen to procure the same. Besides, allegations against the police are investigated by their own ranks. And the Bangla proverb says 'A crow does not eat the flesh of another crow'. Hence the fate of these allegations can be easily imagined.

The police do not enjoy a respectable image in the society and the Prime Minister herself on the other day admitted that the police should mend their ways so as to earn the trust and confidence of the people. The Amnesty International cited various laws whose advantage the police take to torture the arrested and suspected persons

like 54 Cr PC and Special Powers Act under which a person can be arrested without any warrant. During the BNP's time there was the notorious anti-Terrorism Act (it was, however a time-bound one and no longer exists) and the ruling party has enacted the controversial Public Safety Act (PSA) which is reported to be widely misused and applied indiscriminately against the activists and leaders of the opposition political parties. The Executive Summary of AI report on Bangladesh has not mentioned about PSA though it is now the talk of the country.

The political parties blame each other for the police brutalities and while in the opposition pledge to abolish the black laws. But when they come to power they jealously guard the same and even go for enacting newer laws to suppress their political opponents. The AI mentions that even after the signing of the Convention against torture in 1998 brutal victimisation by the police has not stopped. According to newspaper reports torture in police custody has rather increased. During the long period of military and quasi-military rules in Bangladesh corrosive torture was resorted to by different uniformed intelligence agencies against persons who pose to be threats to the continuation of military dictatorship. This is quite understandable. Such a practice was also in vogue during the colonial days. But how it is being still assiduously practiced and tolerated during civilian rule which claim to be democratic? Can torture and democratic values go parallel? This amply indicates that the semi-colonial and semi-

autocratic mindset of the political leaders has not undergone any qualitative transformation with the change of time and political environment in the country.

Using the police and other agencies gives the aura of a mighty ruler this might be the psychology of most of leaders over. And the police, as is their wont, take advantage of the situation. Since the British colonial days the police are dreaded and are more fearful to the general public than the Royal Bengal tiger (mark the Bangla proverb 'Baghe chhule atank gha, police chhule chhatri' meaning if the tiger catches you there develop eighteen wounds, on your person but if the police catch you there develop as many as thirty-six wounds and you are literally finished). Since independence there was much talk about reforming the police but there was no such tangible and concrete initiative from any government till today. AI has suggested a number of reformative measures such as institution and formation of an independent human rights commission, the scrapping of laws that provide avenues for the perpetration of torture, and training of police personnel on torture-free interrogation.

But what appears to be of utmost necessity is the unity of the civil society against police torture and atrocities. Only the civil society drawn from various strata can put up the required rein on the police and the rulers and bring both to their senses and remind them of the norms of a democratic dispensation. It is time that the civil society forms the required platform and spreads its network throughout the length and breadth of the country, particularly at the upazila level where the police atrocities backed by ruling party thugs and goons are most preponderant. In the final analysis an active and vigilant civil society is the best guarantee of democracy and human rights.

# Master Plan or People's Plan: Just Whose City is the City?

Praful Bidwai writes from New Delhi

*The future of cities requires a vision and not sudden eruptions of punitive administrative measures. The critical issue is planning in partnership with the community. But our imperious rulers have no intention of involving the people in determining their fate.*



Delhi (Old city) street scene: Whose city?

Supreme Court thundered against 'hooligans'. In reality, these 'hooligans' are workers earning sub-minimum wages. The judges' attitude to the workers was patronising. They called them mere 'migrants' who wouldn't 'mind' being shifted 50 km away. But three-fourths of Delhi's people are 'migrants'. Would the Court want to shift them?

The Court made an invidious distinction between the people's health and livelihoods. On November 21, it said health is more important than livelihoods. But it is wrong to counterpose the two. We must both defend livelihoods and discourage pollution.

The two 'people' are not the same. The health 'rights' pertain to 'residents'—the propertied middle class. The livelihood-affected are the poor—60 per cent of the population. However, it is unethical and undemocratic to put the elite's health before the people's survival.

It is nobody's argument that factories should be located in residential colonies, violating zoning regulations. But the authorities themselves don't respect such regulations. They permit factories and private

hospitals (which generate hazardous waste) to come up inside housing colonies.

Surely, the solution lies in gradually shifting all non-conforming units to alternative sites with roads, water, transport, schools, and above all, housing.

The only 'alternative' identified for the 1.2 lakh 'non-conforming' factories is way-out Bawana. But it can only accommodate 15,000 units. Today, it is a rocky unlevelled plot without water. Therefore the fate of the 20 lakh workers will be the same as that of the 50,000 who lost their jobs in 1996 when 186 polluting industries were closed.

The fate was highlighted when Sarvesh Chand, a destitute worker, immolated himself on May Day, 1997. Nobody who lost his job was compensated. And the factory owners sold their lands for a fortune!

However, officials like Mr Jagmohan see the urban poor and 'their' bustees as a 'plague'. The Master Plan's architects too describe bustees as 'plague spots... concentrated areas of insanitation, crime and vice...'

Surely, nobody wants to live in a slum. People are forced to by poverty, property laws and state

failure to provide amenities. A slum is a settlement without a minimum infrastructure, which is illegalised then and further exploited.

Slums are the logical product of highly dualistic growth, in which the poor lack entitlement to land, housing, water, electricity. They work for the rich at abysmal wages as service providers. Slums are thus good for the rich. As is the poor's servitude. That is the true disgrace.

This ugly urban pattern prevails everywhere. Twenty years ago, two-fifths of the metropolises' population lived in slums. Today, two-thirds do. We cannot abolish this pattern through brutal demolitions. Razed slums come back because they feed into

larger economic processes.

What we need is an alternative conception of urban development based on the people's needs and way of fulfilling them affordably. This is radically different from a market-based approach which allows access to shelter only to the wealthy.

Groups like Mumbai's Nivara Hakka Sasghatana and Delhi's Sajha Manch have developed such alternatives. The National Slumdweller's Federation leader A. Jockin was awarded the Magsaysay Prize for just such alternatives. (See Kalpana Sharma's excellent Rediscovering Dharavi, Penguin).

Many talented architects too have developed alternatives. Take Romi Khosla who is rejuvenating

Jerusalem, Nicosia and Sofia under a UN project. He says cities are not static objects of beauty in which dirt can be removed. They are organisms in which all the parts must be intertwined to provide economic prosperity. 'Master planning' has been abandoned in other parts of the world.

The future of cities requires a vision and not sudden eruptions of punitive administrative measures. The critical issue is planning in partnership with the community. But our imperious rulers have no intention of involving the people in determining their fate. Their conception of cities remains exclusivist—great amenities for the rich, and slums for the poor. But they should listen to Khosla: 'Visionaries are remembered for their visions, not for the rubble they leave behind.'

The Jagmohans have left plenty of rubble since Turkman Gate. But are they capable of a vision?

## Pakistani Diplomat's Derogatory Remarks

### What do They Tell Us ?

by Harun ur Rashid

*Unless there is a sincere attempt by Pakistan to be repentant on what the military regime did in Bangladesh in 1971, there is a strong view that the people of Bangladesh would be reluctant to support the government in forging cordial relations with Pakistan. An apology from the government of Pakistan followed by an offer of compensation to the victims of the war of 1971 is the answer*

THE recent unprovoked, insensitive and derogatory remarks on our Liberation War in 1971 by the Pakistani number two diplomat in Dhaka have been widely reported in the media and rightly condemned by all sections of our community. The remarks are not only unprecedented in diplomatic terms but also reflect the arrogance of Pakistani stereotyped mind-set and utter ignorance of history. It is astonishing to see that a diplomat of his seniority had to say something in public which is callous and highly insensitive, to say the least. The Pakistan Government had to withdraw the diplomat at the demand of Bangladesh Government.

### What do the remarks tell us ?

First, it demonstrates that many people in Pakistan including the concerned diplomat appear to have a warped view of history of 1971 events. In Pakistan the history text-books may carry the tales that it is India's conspiracy which is responsible for the independence of Bangladesh. The fact that Bangabandhu Sheikh Mujibur Rahman, the democratically elected leader in 1970 with a majority in the Parliament, had been denied to become Prime Minister in Pakistan in 1971 appears to have never been told. The crimes committed by the Pakistani army on the innocent civilians in Bangladesh seem to be either suppressed or shown in a light that they are justifiable. It is the jaundiced vision of history that seems to be responsible for such obdurate comments of the diplomat.

Second, the Pakistani nationals similar to the mental make-up of the diplomat in Dhaka appear to have so much 'blind' faith in

the Pakistani military establishment as if they cannot do any wrong. This myth has been perpetuated in Pakistan. They consider Pakistani military as the 'saviour' of the ills of the country without realising that successive military rule in Pakistan has dealt severe blows to the democratic traditions of the country. Many including the concerned diplomat in Dhaka do not seem to appreciate the fact that Pakistan appears to be in a mess as a result of the prolonged military rule.

Third, Pakistan's enmity with India often clouds Pakistan's foreign policy and Pakistani diplomats appear to be so obsessed with it that they lose objectivity of looking at events. It is unfortunate that Pakistani diplomat in Dhaka appears not to read history of what occurred in 1971 in Bangladesh or is being deliberately provocative to please the military establishment.

Fourth, the diplomat appears to mirror the views of military establishment in Pakistan. The diplomat does not seem to be in tune with the enlightened people in Pakistan who blame the military for the atrocities perpetrated on the innocent people of Bangladesh. A section of Pakistani people demanded the trial of the alleged military officers who were the main actors of genocide and crimes against humanity in Bangladesh, after the release of Justice Hamoodur Rahman report. Even his former Prime Minister Nawaz Sharif (a Punjabi) had regretted the events of 1971 during his visit to Bangladesh.

Fifth, history tells us that military President of Pakistan late General Yahya Khan realised his mistakes at the very end and he attempted to patch up the differences with the liberation leaders of Bangladesh. But it was too little and too late. No self-

respecting people can easily forget the brutality of Pakistani military on the people in Bangladesh commencing from March 25 and continuing upto 16 December 1971.

Finally, it reflects badly the policy of recruitment and training of Pakistani diplomats who are posted abroad. Discretion in a diplomat is rated a premium quality and the less intelligent diplomat often adopts the practice of saying nothing. The basics of diplomacy seem to have avoided the concerned Pakistani diplomat. It appears to be unheard of that a diplomat attacks the reasons of very foundation of the host country. Such extra-ordinary conduct raises a pertinent question whether the person is a career diplomat or holding a 'cover post' in the High Commission in Dhaka.

### Conclusion

It has been always a difficult relationship with Pakistan for any Bangladesh government. The visit of Prime Minister of Pakistan late Zulfikar Ali Bhutto to Bangladesh in 1974 was a political disaster. Political wounds need to be healed. Unless there is a sincere attempt by Pakistan to be repentant on what the military regime did in Bangladesh in 1971, there is a strong view that the people of Bangladesh would be reluctant to support the government in forging cordial relations with Pakistan. An apology from the government of Pakistan followed by an offer of compensation to the victims of the war of 1971 is the answer, and such action may go a long way to assuage the wounded feeling of the people of Bangladesh.

The writer, a barrister, is former Bangladesh Ambassador to the UN, Geneva.

Irfan Raja type indulgence in Bangladesh in any form. May God help us fight the Irfan Rajas inside and outside Bangladesh.

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Sir, I don't think we are at all over-reacting to the statement made by the so-called 'errant' (hardly errant in my view) diplomat, Irfan-ur-Raja. Pakistan, there is Pakistan but for the Bangladeshis Irfan Rajas and Rajakars, there is no shelter.

Let us remind all that Bangladesh was not born out of a judgement of any high court or supreme court or by adopting a resolution. The valiant people of Bangladesh earned their independence at the expense of a sea of blood and sacrifice of our mothers and daughters. I strongly feel, if we understand the perception of the war of liberation and truly respect the martyrs of the war of liberation, none of us shall promote the

The Pakistan army mercilessly

massacred thousands of helpless civilians in 1971. They raped scores of our women. And now we're being told to forget the past and move on! This is outrageous. The sheer fact that history repeats itself should serve as an example for why we must spread the message even more vigorously. Let the world know the plight of the Bengalis in 1971. Furthermore, the Pakistanis need to acknowledge the fact.

I would like to point out that this doesn't have so much to do with upholding our national pride (we already are a proud nation), as it does with fulfilling our duties as responsible human beings, who want the world to be a safe place to live in. None of us wants to see another 3 million people being mercilessly butchered for no apparent reason. If Pakistan apologises, which it should do, it will then reveal as an understanding on their part that it was wrong to commit such a heinous crime.

Shubha Rahman Khan  
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### Hate campaign will rebound

Sir, Is Bangladesh politics passing through a killer phase? At the moment, there is a hate campaign in the political arena and the politicians cannot escape some of the responsibility for this type of mindset. This negative political virus has penetrated into many spheres of the society, and people are living in fear and uncertainty. This is not good publicity for capturing votes during the coming polls.

It looks like the tide of politics is going to change soon for the better, once the garbage is cleared, and operation clean-up is mounted by the society (not the politicians).

The political greenhouse effect is in operation right now, not only in Dhaka, but also in other spots on the globe. Politics is global in the global village, and there is no point in pointing fingers at others. There are no 'others'; it is all in the family of a distorted civilisation.

A Mawaz  
Dhaka