

Protectors turn predators

Institute judicial probe into Jamal's death in police custody

IT'S all so sadly familiar. An undergraduate student dies in police custody, reportedly succumbing to hours of inhuman torture by law enforcers in the name of interrogation, and the home ministry commissions a committee to probe into the 'unnatural death' and file a report within a specified timeframe. Meanwhile, two members of the police station concerned are suspended for negligence of duty. From what we have seen on many such instances before, the committee would probably file its report to the home ministry in the stipulated time and the content of the report would probably never be made public. There also is the faint possibility that the matter would go to the court of law and drag on and on until people lose interest in this harrowing episode of police brutality and media's obligations to keep track of things mounts. Then, in all likelihood, Jamaluddin Fakir's death would become one of those long-drawn, unresolved cases, just as Rubel's killing in police custody has become.

Such sustained indifference by the government and, to some extent, the public has allowed excesses in the name of investigation and interrogation to become regular features in police affairs. There seems to be a general tendency in society to accept police brutality, unless it assumes horrendous proportions, as it did last week in Kapasia or in the case of Rubel four years back. Sporadic uproars over some major cases of police excesses aside, the general response has been somewhat subdued at best and indifferent at worst. Varying degrees of human rights violation by police at regular intervals hardly ever been brought under the microscope. Moreover, major instances of police excesses have not been properly followed up on. As a result, the culprits in uniform have got away with the most heinous of human rights violations.

Jamaluddin's murder has brought forth yet another opportunity for the government to set things right. However, ritualistic departmental inquiry, as the home ministry has initiated, could not be the way to deal with this. A judicial probe is called for. The objective of such a probe should be to identify the culprits and bring them to justice. And punishment for these criminal elements should be exemplary enough to deter similar incidents of human rights violation by custodians of law.

Chirac on crucial run-off test

First round provides a stunner

IN the first round stunner of French Presidential election results far right National Front leader Jean-Marie Le Pen has eliminated Socialist Prime Minister Lionel Jospin from the race. Now Le Pen with 17 per cent of the vote polled, and president Jacques Chirac with his 20 per cent tally remain frontrunners in the run-off election which is to decide the fate between the two on May 5.

The rightist swing in the first round has been dubbed as a 'political earthquake' or 'holocaust' in picturesque French Phraseologies. Prophecies of gall-up and exit polls pointing to a close contest between incumbent president Chirac and has rival socialist prime minister Lionel Jospin have turned upside down. And, even though Chirac comes first, the lessons for him ring loud and clear indeed. It is a rebuff to the 'cohabitation' between president Chirac and prime minister Jospin who ruled France together since 1997. Chirac has kept at bay attempted court hearings on allegations of corruption by claiming presidential immunity to prosecution. High taxes and bureaucratic arrogance may have caused voter disenchantment, not just with his rule but also with the polls as reflected by the poor turn-out of voters.

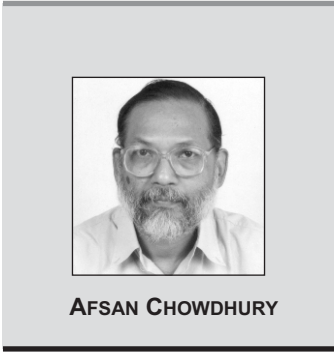
The message is perhaps also for reining in the supranational Maastricht Treaty flair that seemed at odds with the French nationalist fervour. Rightist Le Pen coming into limelight after two decades in wilderness thought it was a victory for ordinary Frenchmen -- farmers, miners and industrial workers.

Even so, Jacques Chirac who represents the republican traditions of France and her liberal values of moderation and modernity in inter-racial co-existence may be the fancied choice in the deciding round early next month when the French take a hard look at Le Pen's credentials. This man has been called a racist and an anti immigrationist who once spoke of 'repatriating' the expatriates home. Whether he was bending the stick excessively on the other side 'to straighten it back to size' will be something to watch out for in the unlikely event that he became the next French president.

True to predictions that a low turn-out could be an advantage for lesser favourites, it has worked to Le Pen's advantage; but this hardly alters the fact that Chirac has had a brush with protest vote. With setbacks to incumbent governments in Hungary and Germany he needs to make a serious bid for a win in the run-off polls.

The rights of the dog

At Kapasia the obvious is only restated



A boy is tortured at the police station, escapes, is chased into a pond where he dies.

Two policemen are ordered by the court to take a child to jail instead of remand. The policemen refuse the order, beat up the child and extract money from the relatives.

A man is brought from outside Dhaka and then beaten by the police at the interrogation cell for having defied the police in an earlier political era. He has to be flown in and hospitalised.

Welcome to the present tense.

IT was a typical scene of mob culture in the 1970s.

The boys lie half naked on the pavement, their bodies pounded beyond recognition. With two others they have been caught stealing money from a passer-by. They fail to escape and are caught. The crowd, swelled by the rising waters of rage, engulfs them. They are wiped away by its fury as fists and kicks land on them like the proverbial hailstorm. Soon they are dead. Soon, there are only dead bodies on the footpath and the unsatisfied rage looks for bodies to pour their anger. Blood, dirt and hate are all mixed together and the dead bodies, no longer recognisable, become symbols of a society gone mad with the pain of its own failure.

Did the police create the killer crowd?

Did the killer mob generate the unaccountable fury of the police?

Or is it that the state always kills them all?

WHEN the political agitation was peaking in the streets of Dhaka in the early 1990s, the situation would turn dramatically volatile every other day. Near the Pir Yemeni Market, it erupted one such March. Bullets, bombs, brickbats all flew in a furious relay of violence. Some of us were forced to take shelter. I sat close to a wall atop a running drain holding on to a pair of shivering scared shoulders. I looked up to try

One such person - actually stoned at that moment - made a remark which could only be called a joke and impossible to be taken seriously. Sadly for him, a sycophant poet went and told those who mattered including "the HIM" who mattered and they came to teach him a lesson.

I remember seeing a dozen of them descend on him at Sharif Mia's canteen and start beating him. The only one who tried to pro-

But do you remember the rickshaw-puller who was shot while democracy agitation were on in this city?

Of the boy in the Sabujbagh thana who too died in custody?

Of the hundreds of others who have died in custody and never had a headline to support their cause?

Isn't this a system that we established when we became independent and now have turned it into a tradition?

That is, beat people, sometimes to death.

THAT day was still on. By this time officers from the foreign ministry began to congregate and declare their denial of allegiance to the old government. Suddenly there was a shout from inside the Secretariat. It seemed things had begun to move inside. Many journals rushed in, all excited. By the time we entered through the gates, which for

from the argument in spirit that moved to the killing of the dog in Dhaka?

It was killing an innocent in both cases.

OUR democratic instincts are rooted in denials. There is only one side, my side and my side is the right side. The police are also a side and more, I think, deliberately brutalised by the system so that when need arises they can go for it without holding back. The recent beatings have sent a strong signal that the police can ignore the court and the reins of law. Kapasia isn't outside that. As someone who has followed what the police have done over the years, I see them as the most necessary part of keeping the state alive. If we can accept that remand and torture are part of the essential structure of the police system, as we have, what are we arguing against? We ourselves take up arms when we feel cheated and safe enough to do so.

Will I say that I am against torture if that is directed against a *santrashi*? I am not going to be a liar. I am not against it because torture is part of the policing system and I don't think torture is wrong. It's bad luck that at Kapasia the chase reached the pond and the death happened there. Everyday, police regularly send requests for money to avoid beating. They beat children regularly. I have documented them and have no confusion about it. But are we really against it?

CHILDREN and adults all have a right to a life free from torture. Democracy belongs to all, and not just to people from my side. If you protest you must protest for all and whenever that happened, now and before.

Democracy belongs to the dogs too.

Afsan Chowdhury is a Senior Assistant Editor of The Daily Star.

STRAIGHT FROM THE HEART
Our democratic instincts are rooted in denials. There is only one side, my side and my side is the right side. The police are also a side and more, I think, deliberately brutalised by the system so that when need arises they can go for it without holding back. The recent beatings have sent a strong signal that the police can ignore the court and the reins of law. Kapasia isn't outside that.

to find who was shooting and saw civilians fire from the top of a house.

I looked at the man who was hiding and saw the terrified face of a policeman.

That evening in my BBC broadcast, I mentioned the fact that the police hadn't fired at the crowd. For that broadcast, I was attacked a number of times by the activists. And as expected invited by the police to lecture them on behaving with the media when there was violence in the street.

At such meetings I saw that the police are probably the most traumatised people on earth, forced to do the state's dirty work. They ultimately become pawns in a game they don't understand. They are their own prisoners.

DURING the first innings of the Awami League under Sheikh Mujib, violence occurred at an unprecedented level. This party has always claimed that this was inevitable in a post-war society. Others have called it collective arrogance. But I do recall one incident that illustrates the mood of the era.

In the 1970s, Dhaka University was full of poets and bohemians.

test him a bit was Sharif Mia himself, a socially marginal man. They started to beat him from where the Public Library now stands and beat him all the way to where the Aparajeyo Bangla stands. There, they made a circle and beat him some more. They went on long after he felt no pain and left him there to be picked long after everyone had gone home and smuggle him away outside Dhaka by his friends where he went up mad.

Everyone remarked that it was very charitable on the part of the people who beat him up. After all, they could easily have killed him.

They are all dead now. Not just the protagonists but even Sharif Mia of the canteen.

WE are shocked that two policemen violated all norms of rights and went for a young boy who was apparently innocent and then killed him. Is this something new? Has there ever been a regime in this country where the police haven't gone and killed the innocent?

Does anybody remember Rubel? The police killed him in front of his parents and the case is still on, one supposes.

Would we have been so shocked if the boy had been guilty?

I remember the day Ershad fell. We were at the Press Club that had become the centre of all activities. In Bangladesh, no governments fall unless the state pillars fall and that means the Secretariat. We were hoping that it would because it was critical news.

An impromptu cultural *mancha* was on and Fakir Alamgir went up after a few others had sung their homage to democracy. Suddenly someone shouted, "He is a traitor. He is pro-Ershad. He went on a cultural mission to...." The words didn't end. There was a sudden attack and he was brought down and beaten up. You didn't need to try him and even find out if he was guilty. An accusation was enough to get someone a beating, even death.

Did the victory for democracy justify the attack?

Was it democratic? If democracy-loving citizens can beat a fellow cultural activist on the grounds of having gone abroad, then why shouldn't police chase and do what they always have done?

The NDA boat rocks: Hindutva can be checkmated

PRAFUL BIDWAI
writes from New Delhi

APRIL 12 will go down as a turning point in Indian politics. On that day, the BJP returned to the belligerent *Hindutva* agenda which it officially suspended four years ago -- to creep into power.

Equally important was Mr A.B. Vajpayee's diatribe against the religious minorities -- 180 million Indians.

The speech does not indicate a real shift of stance. As argued repeatedly in this Column, Mr Vajpayee has never cut his umbilical chord with the RSS' near-fascist ideology. The "moderate" mask has always sat awkwardly on him.

The true significance of Mr Vajpayee's address lies in the low moral-political depths it plumbs. Never before has an Indian Prime Minister, of whatever persuasion, descended to making an anti-Muslim hate-speech, or rationalising a communal carnage.

Never before has a PM said: "Wherever there are Muslims, they don't mix with others... They propagate their religion [through] fear and terror..." Never before have our religious minorities been chided: "India was secular long before Christianity and Islam came here... We even let the Muslims and Christians pray..."

Mr Vajpayee blames the victims of India's worst communal pogrom for their own suffering. No other Prime Minister has so blatantly

undermined the public's confidence in the rule of law and in the possibility of minimal justice for all.

Instead of asking, as he did on April 4, "what face do I show to the international community?", Mr Vajpayee should ask what face he can show to his own people.

Who are these people in Gujarat? They are: the woman

stories.

These reports together suggest that the condemnable Godhra incident was a spontaneous, not planned, if terrible, over-reaction to the daily harassment of local Muslims by communally charged *karsevaks* returning from Ayodhya.

Had there been serious preparation for the attack on the Sabarmati

not. It was outright butchery of one community, planned weeks in advance.

For instance, lakhs of anti-Muslim leaflets were illegally printed on slow treadle machines -- which must have taken months. Arms were stockpiled over weeks.

The pogrom would have occurred *even if Godhra had not*.

Gujarat calls for national *intervention*. To prolong that breakdown, or hold elections in the near future, would compound the original sin.

Free and fair elections can't be held in a climate of fear, intimidation and insecurity. In terror-bound Gujarat, even school examinations cannot be properly held.

Voting under hatred and preju-

Reichstag fire, the BJP can create a Godhra-II -- through *agents provocateurs*.

Parties like the BJP, the Nazis or Taliban belong to the ethnic-chauvinist extreme-Right spectrum of politics. Power doesn't moderate them. It can aggravate their intolerance and strengthen their pursuit of power with which to achieve retrograde social change and glorify the German/Aryan/Islamic/Hindu "nation".

The power game is now driving the BJP towards the "Final Solution" mindset.

The right defence against this aggressive *Hindutva* posture cannot be retaliation or retribution, or a sullen turning inwards on the part of the minorities or of secularists. The only defence is affirmation of Constitutional values, universal citizenship rights, and mass counter-mobilisation.

This alone can isolate and defeat communalists. Failure on the part of secular parties to counter-mobilise will promote tolerance of evil, making *Hindutva* respectable.

This must not happen. Gujarat's culprits must be punished *criminally*. And the BJP must be punished *politically*.

Indians owe this to themselves, their future generations, and to the founders of their Constitutional democracy. They must resolutely fight the foul politics of religious hatred.

Praful Bidwai is an eminent Indian columnist.

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR

"A frightening trend"

Thank you for your editorial "A frightening trend" (April 20). However I feel many like you are fighting a losing battle with the state of our Police forces. As the famous saying goes "what is the use when the wind cannot read". Frankly 'closing' a cop or an OC here or there will not make any difference whatsoever. They, the police will go on forever.

The problem with the police is complex and deep-rooted. Over the years our political leaders have used and abused the police for their 'gains'. I am simply amazed at a time when the government can bounce back in a flash whenever there is a "plot or a conspiracy" against its vested interests, where as in matters of day to day handling of cases like the one you refer to all that the police does is "receive either directives" from some higher authorities or at best 'close' one or two of its own people. Nothing seems to work with our police.

Frankly these days when I come across a police on the street I try not to look at him or perchance draw his attention simply out of fear of being

suddenly and unduly harassed. I am twice more afraid than others since I have an Arthritic knee and literally drag myself step by step in the name of walking. God forbid if ever a police 'picks' me up, since that is what they do and if I am allowed to contact my family, the very first thing I would request of my family is to pray for my life. Torturing people under custody has turned out to be a routine affair with our police.

I may sound overtly bitter and highly reactionary. Indeed I am, bitter, yes but not reactionary.

With the report of one more alleged death of one Mr. Jamal under police custody (April 22) I am now really scared. They are now talking about setting up of speedy trial courts to try individuals under the just enacted Law called Law and Order Disruption Crimes. Among other things it is my strongest belief that this will further embolden the police making them confirmed agents of torture and terror. I am least concerned about the possible emergence of the Taliban style of terror within the country as recently expressed in the international

media but certainly do feel insecure and terrorised by the rising high handed behaviour of our police.

Is there a way out of this pitiable state of affairs? I often hear that best state of law and order this nation has ever witnessed was during the reign of the Caretaker Government prior to the last national elections. I think all that is left for us, the poor and the powerless section of the population are to pray and hope for the best.

Shamsher Chowdhury
Dhanmondi, Dhaka

Police brutality and human rights

The recent incident in Kapasia, Gazipur, where a 22 years old college student and an Awami League activist was mercilessly tortured, inhumanly abused, detained in police custody without any particular case or a criminal background and finally killed in the river proves the utmost human rights violation and inhuman police atrocity prevailing in Bangladesh. The police arrested the victim without any warrant, didn't bring him

before court in time and tortured him brutally on mere suspicion!

In a democracy, all the citizens should enjoy their rights and privileges from the government and all of their agencies. No one can touch even any criminals while they are in police custody. But unfortunately, what the police doing in Bangladesh is beyond imagination. We, the taxpayers, pay the police force and it is high time we decided whether we need a police force at all. Is Bangladesh now under Police rule? If yes then the government should declare it openly and if not then can we demand exemplary punishment for the responsible people?

Mahammad A. Siddique
New York, USA

Hoping for a better tomorrow

Bombing, murder, rape-- these words have become very common now a days. In this age of IT when other countries are becoming more and more developed, we are moving backward. Why?

Bangladesh is a country where

political instability is constant. Most political leaders are concerned about their selfish interest and are involved in petty party politics. And to remain in power, they are ready to do anything and everything.

Take for example, student politics. Our so-called politicians don't hesitate to use the students and destroy their life if needed. Such is the sorry state of politics in our country.

With the increase of corruption and terrorism in the society, the young generation is becoming more and more victims of social unrest. Drug addiction and crimes like mugging etc have become serious threat for us. But nothing seems to be bothering our government. They seem to be absolutely oblivious of such frustrating state.

The same is the case with smuggling and other crimes. There are many known smugglers in our country but the law enforcing authority are unable to arrest them and bring them to justice because they claim that there is no proof against their crimes. And it becomes more difficult to try these criminals

when a section of police is involved with the culprits. How would it be possible to establish rule of law in the society, if the custodians of law are involved in criminal activities?

We have to remember that crime gives birth to crime. If we really want a peaceful and secured society everyone must abide by the rule of law-- be it the general people, the police or the politicians. Only then we can hope for a better tomorrow for which thousands of people gave up their life in 1971.

Debashish Ghosh
Dhaka

DCC elections and cops with mobiles

It seems amazing to me that the PM actually trusts the same man- who can't stop his police from using mobiles to forewarn criminals- to actually keep the peace on April 25th.

Although BNP has all but managed to successfully put the city into the hands of wanted criminals, they should not labour under the misperception that no one will remember. AL lost the last elections to a great extent thanks to their

inability to maintain law and order. BNP expects to do better by nominating and electing criminals?

I am also disappointed with Sadek Hossain Khoka for not having yet, to my knowledge, make any comments regarding the criminals who will be his colleagues and who have been nominated by his party. As far as I know, his main platform so far is a promise to swat flies.

The Home Minister is running after his cops trying to stop them from talking on their mobiles. But he does not for once address the root causes of the deterioration of our police force. The police are demoralised, under paid and exploited by politicians. Why should a sergeant do his duty honestly if his government will not pay him a living wage? Police and army officer pay and benefits should be pegged; actually police officers should get more. They can be under fire at any time while army officers have only to fear an invasion by India.

The Home Minister also hasn't made any comments about re-equipping the police with more modern weapons. India and Ban-

gladesh are probably the only countries in the world that still use .303 rifles.

BNP is doing a magnificent job of shooting itself in the feet. With a ruling party like this who needs an opposition?

Don Quixote
Dhaka

Sunbeams vs South Breeze

I noticed that in your April 21 issue Sports section while writing about the girl's basketball competition you wrote "Sunbeams beat South Breeze 22-18 on Friday after leading 13-6 in the first half".

Please note that South Breeze was leading in the first half not Sunbeams. You have got your information wrong. These little things do matter to young players who are completely new in the game.

I hope that you will see to the mistake.

Purna Hassan
Dhaka