

## Latest instance of DB tyranny

*We want a public inquiry into it*

THE facts of the case seem too obvious to be swept under the carpet. There are reasons to believe some DB black sheep are out to bring the government and, what's more serious, the state into disrepute. The detective branch of the police directorate is in the news once again. Not for a piece of excellent forensic work but because of the tragic death of a young man allegedly occurring in consequence of torture perpetrated in DB custody. As if to heighten the sinister nature of the murder, he was brutalised not to extract any information but out of anger for his relatives' failure to pay in ransom money. An extortionist greed appears to be the motive behind casting the net of arrest wide so as to extract money from several families anxious to get helpless detainees released.

The story revolving around the death of 19-year-old Mohammad Badal reads like a game-plan played out to the hilt. On October 5 last year, a girl was raped and murdered by criminals. Her mother named three in an FIR lodged with the police where Badal did not figure at all. With the transference of the case from the police to the Narayanganj DB, Badal gets implicated and consequently taken into custody, significantly as late as on May 7 this year. DB Sub-inspector Azharul Islam allegedly demanded Tk 50,000 from his relatives initially for his release but later on settled for Tk 20,000. When the relatives eventually expressed their inability to pay anything at all, the police officer purportedly had Badal put through electric shock and beaten up in front of his near and dear ones.

He was brought before the court two days after the arrest on the 9<sup>th</sup> and sent to Narayanganj jail on the same evening. On the 17th he was transferred to Dhaka Central Jail and later on the same day to Dhaka Medical College Hospital following a dip in his conditions. He dies at night. The dates and sequence of happenings are all recorded. The name of the officer concerned is known as well. We demand an immediate public inquiry into the incident and punishment of the guilty.

## Free-for-all cheating on decline

*But it's delivering quality education that matters*

PUBLIC exams like the on-going HSC series are no longer a matter of proving proficiency in certain subjects which have been studied over a prescribed period. It's also about law and order and electronic surveillance and mass arrests and complex strategies to cheat and outsmart cheating with stray cases of violence including suicide. It's about the state of the health of the state.

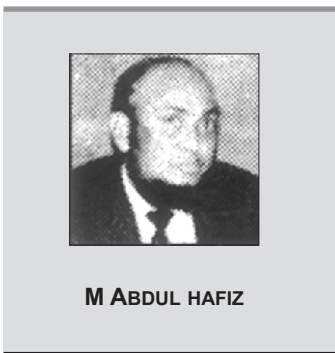
One must however congratulate the present government first for the energy with which it has tried to rein in the monster and succeeded in it much more than expected. The feeling that had grown that cheating was right sounds far less valid today and the efforts of the Education Minister of State and his staff seem genuine to this end. Several thousand cheats have been caught and chucked out and many have been cowed down. The overall atmosphere isn't a pro-cheating one that had blossomed in the last five years. This is a definite positive development.

But video recording, nabbing cheaters and their helpers including teachers in some cases and the law and order approach speak of a similar problem and the malady's roots lie elsewhere. At some point the education system has failed and it has manifested itself through extreme cheating at a national scale.

Exams have certainly stopped being about education and its value as a personal, income generating or social capital has declined to the point of extinction. Exams mean a route to a certificate which in turn means a possible shot at getting a job. It's therefore part of an overall survival scheme. The students who sit for the exams would be quite willing to do a host of other things if that meant getting a job. What drives them to cheating, apart from a decline in moral value, is desperation to surmount an obstacle. Since in this society, what matters is getting something and not how, these students might well think they are behaving normally given how Bangladeshi society operates.

To heal the situation, it's important to make education relevant and employment and learning linked to society. Quality of education is a critical part of the scene and that may be where the key lies. Mass cheating is basically an indicator of a failed class-room engagement between the teacher and the pupil.

# Myanmar's lady with the lamp



**M ABDUL HAFIZ**

EVEN if the release of the NLD (National League for Democracy)'s Nobel laureate leader Aung San Suu Kyi early this month appeared dramatic -- the process leading to the freedom from her 18-month long confinement in her own villa in Yangon -- was under way for several years. Under the auspices of none other than UN Secretary General, Razali Ismail, an astute Malaysian diplomat kept both NLD and Myanmar's military junta, officially known as SPDC (State Peace and Development Council) who were in the words of Razali "remained committed to national reconciliation and democracy", effectively engaged since October, 2000. Although the NLD leaders in Yangon insisted that the talks were still in the confidence building stage because many of the their political supporters had not been released; yet, the ongoing dialogue constituted the most serious effort to arrive

at a political compromise since the junta refused to hand over power to the NLD in 1990 when Suu Kyi led the party to a landslide victory in the country's first ever general election since 1962 military takeover by General Ne Win.

The statements emanating from the United Nations after its special envoy Razali Ismail's sixth visit to Myanmar when Razali was quoted as saying that he hoped to see

the country and rumblings within its ranks. General Ne Win, considered, father of all military regimes that ruled Myanmar and one who enjoyed special clout in national politics had himself ruled the country with an 'iron hand' for 26 years since 1962. Even after his formal quitting in 1968 he maintained close links with the top leaders of the junta, particularly Khin Nyunt, the powerful intelligence chief himself a protege

clean break both with Ne Win and the SLORC and has backed away from their shadow and clout. Speaking recently on National Armed Forces Day, the senior General, Than Shwe, the SPDC chairman and prime minister openly blamed Ne Win for plunging the country into turmoil when he had a showdown with pro-democracy forces in Yangon in the late 1980s. Than Shwe also hinted that the political

house arrest in March after he allegedly plotted a coup against the present ruling dispensation. The arrest, it is widely speculated, has brought an end to the era characterised by isolation and repression. Suu Kyi's release, although overdue, is a significant step in that direction.

According to Than Shwe "untiring efforts are being made to ensure that when the time comes to hand over

country's power structure.

Many analysts believe that the military feels insecure and loath to give up all its privileges to a civilian government after they remained entrenched in absolute power for last four decades. The current round of UN-sponsored dialogues are at the best aimed at reaching a 'compromise' formula for power sharing. The junta's acceptance of Sun Kyi now as an interlocutor in the dialogue points to the possibility of striking a fair 'deal' directly with the person who would matter most in a future dispensation. In the meantime, the SPDC repeatedly stated that the changes in Myanmar will be a gradual process. The military government also announced that the persons arrested in March for plotting coup would have to face trial on charges of high treason.

Whatever turn the course of events take in Myanmar the path for democracy will continue to be arduous. The texture and tenor of democracy to be achieved through a hard bargaining will largely depend on how the UN's special envoy Razali's skill cuts through the web of intrigues that must have been laid out by the military to ensure its sway over the key aspects of country's power structure. In a country where its political culture shuns both violence and mobocracy, the lonely lady with a lamp is perhaps the only viable alternative.

Brig (ret'd) Hafiz is former DG of BISS.

## PERSPECTIVES

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'tangible result' and a 'clear roadmap by 2002' were clear pointers of Suu Kyi's imminent release. But in true tradition of mystery that often surround the country's politics, little information to this effect could be earlier available for the people of Myanmar; neither did a circumspect Sun Kyi said a word about the dialogue after it commenced.

Notwithstanding, Sun Kyi's release which she was granted also earlier, Myanmar's military junta still seems set against a meaningful democratic change despite a fading economy, pressures from outside

of Ne Win.

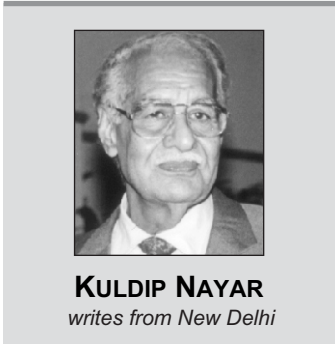
On the part of SPDC, now engaged with NLD for what the former terms as national reconciliation, it is however a hard task to put a bitter past behind and develop mutual trust between the two sides after the SLORC (State Law and Order Restoration Council), as the junta described itself earlier, dumped the 1990 election result and meted out a high-handed treatment to NLD leaders including charismatic Suu Kyi with her populist image. Therefore, the SPDC has been apparently trying to make a

stalemate the country faced since 1990 was the result of military's refusal to hand over power to the NLD.

The SPDC's decision to engage with a woman they frequently derided as a "foreign stooge" came after its apparent disapproval of the roles both of Ne Win and later the SLORC for Myanmar's present predicaments with the international community imposing sanctions on the impoverished country. The Generals have now put Ne Win and his family who long enjoyed state patronage under various garb under

the responsibilities of the state, succeeding governments will be able to provide leadership with rectitude and continuity to a nation when favourable conditions of peace and stability prevail." Yet none is sure "when the time for democracy" will come. They are also not sure whether the military authorities will ever hand over power to democratically elected government. Even if there is agreement that a new government will assume power after fresh election and not on the basis of 1990 election result, the military will continue to dominate the

# A challenge to conscience



**KULDIP NAYYAR**  
*writes from New Delhi*

IT has not mattered to the BJP's allies in the National Democratic Alliance. But the Gujarat carnage has pricked the conscience of high-ups in the government. One of them is India's Attorney General Soli Sorabjee. He looks like quitting his post. He is unhappy over the centre's lack of action on what has happened in the state.

But his real annoyance is with the Home Ministry, which has not even acknowledged his letter that drew the attention of the government to a two-page pamphlet. The pamphlet, issued by a functionary of Vishwa Hindu Parishad (VHP) in the state, appealed to the 'conscience' of Hindus and asked them "to save the country by boycotting Muslims economically and socially." The pamphlet also said: "You are a very important and responsible citizen of this country. But you and your family are in danger and there is a threat to your life. I have come to warn you about this."

The pamphlet, as Soli Sorabjee has pointed out in his letter to the ministry, violated sections 153A and 153B of the Indian Penal Code. The two sections relate to punishment for spreading disaffection against a

particular community. In this case, it is the Muslims. Since the BJP is prejudiced against them, the ministry has preferred to stay mum. It has not given any explanation.

The commitment of Home Minister LK Advani to the Sangh parivar and the line it advocates is too well known. But what he forgets is that he is not the parivar's home minister but India's. Whatever his personal inclination, the position puts certain

hobbling. Advani may be singled out one day for the blame because his ministry looks like shielding the VHP and the like.

The tragedy at Jammu is another act of terrorism, which has killed the innocent. It is reprehensible and the guilty must not go scot-free. In Gujarat, the state's complicity is proven and in Jammu, the military government's from across the border. Both want to tear apart the

spared or excused. Those who engineer the events must be punished. There cannot be any compromise on that. But this happened in 1980 when Mrs Indira Gandhi came back to power. All those who were named by the Shah Commission for having indulged into excesses were not touched. Even cases against them were withdrawn. In fact, those in the police who did act against the accused were punished. One police

and appoint a new chief minister in the state. This may happen by the time this column appears or soon after. In fact, this step should have been taken long ago. The conflagration in Gujarat would have ended automatically on his removal. The entire anger was against him and his exit would have mollified high tempers in no time. Prime Minister Atal Behari Vajpayee disclosed in parliament that the decision to

BJP did not want to lose face? If that is the case, it is all the more reprehensible.

It is obvious that Modi has been asked to go when the cry for his removal is at the lowest. There is something diabolical about this logic. What do people do? If there is no protest, nobody even notices the resentment. But if there is protest, the government becomes mulish and says that it will not yield. Whatever the BJP may say, the contemplated exit of Modi is, indeed, because of the hue and cry raised within India and abroad. The BJP made it unnecessarily a point of prestige and shattered its image beyond repair. The point at issue was the ethnic cleansing which did not seem to stop so long as Modi headed the state government. He represented all that was bad. He had to quit.

Even now, Advani says that they had won on Gujarat. Yes, they have. They and their power-hungry allies had the numbers in the Lok Sabha. Is governance only a matter of proving numbers? Parliament and such other institutions are a means to an end, not the end itself. The end is the people; their sense of security and their feeling that there is the rule of law. And what about something called morality? Once Advani used to give lectures on that. But he seems to be convinced now that a victory in parliament is adequate to cover up any act of shame. Many more Soli Sorabjees must quit to prove to the government that human blood is not so cheap. The issue is not a party matter. It is a challenge to man's conscience.

Kuldip Nayyar is an eminent Indian columnist.

## BETWEEN THE LINES

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responsibilities on him, which he must carry out.

It is an open secret that the VHP played havoc in Gujarat. Most of the killings and looting has been done by it. In fact, a top state VHP leader has gone on record to spell out how they made plans to kill, burn and loot. Ironically, he was once a top literary figure of Gujarat. He should have been arrested by this time and the VHP, which is only a band of religious terrorists, should have been punished.

Even otherwise, they qualify for punishment under the worldwide resolve to suppress terrorism after the September 11 incidents in New York and Washington. The absence of action against the VHP will only impair the image of the Vajpayee government, which is already

multi-religious fabric of India. Neither should go unpunished. Military rulers can manipulate the laws. But the rule of law in a democratic set-up cannot become a question mark. Crime cannot be condoned in any way. When the prosecution of those who kill, burn or rape, is not automatic, then the fear of punishment goes. People go wild. It happened in Delhi in 1984; in Mumbai in 1992 and in Gujarat now not to recall scores of other places where riots took place. Situations of mass murders and violence are a challenge to our legal system and social conscience. That they happen is bad enough. But the fact that the perpetrators go scot-free is a shame for the nation. The instigation of communal frenzy and the commission of mass murder cannot be

officer, NK Singh, had to run for his life.

A basic tenet of Indian democracy is that government servants must always be accountable to the law of the land. The role of the police must be rule-based and here the law is supreme, including in its authority over the lawmakers. The efficacy of this system of accountability has a direct bearing on the health of our democratic institutions. If the mechanisms that ensure this accountability to the law weaken or fail, democratic governance will be substituted by despotic and arbitrary rule, gravely endangering the fundamental rights of India's citizens.

But then the BJP tends to act too late. There are authentic reports that the Sangh parivar has now decided to get rid of Narendra Modi

remove Modi was taken before he went to Goa. But then the decision was not implemented because the repercussions were considered too dangerous to face. This is not convincing. What seems to have happened is that the RSS threatened Vajpayee and he, as usual, caved in meekly.

The argument by the BJP leadership is that it did not want to give the impression that it was acting under pressure and hence Modi's removal had to be delayed. Even now this feeling would be difficult to stall. The BJP may have avoided the embarrassment of not facing parliament by ousting him after the end of its session. But the matter is not so simple. Every day people were being butchered. Was this orgy allowed to continue just because the

# East Timor: Transition to independence

**ABM BAZLUR RAHMAN**  
*writes from Dili, East Timor*

TODAY (20 May, 2002) the Special Representative of the UN Secretary General, Sergio Vieira De Mello, head of the United Nations Transitional Administration in East Timor (UNTAET) hands over power to Xanana Gusmao, the newly elected President of East Timor and with that the 190<sup>th</sup> country is born and unfurls its flag in the comity of nations. Transition is an exciting time of renewal and rebirth but the political climate in East Timor is very stable.

The land area and topography of East Timor can be compared almost exactly with Chittagang Hill Tracts with only much higher mountainous regions. The size of the population is 840,000 which is largely catholic with only 3 per cent Muslims. The first Prime Minister is Mr. Mari Alkatiri who is a Muslim. The land is replete with big churches and cathedrals but there are two big mosques also one in Dili and another in Baucau.

The UNTAET has used 7,687 total uniformed personnel, including 6,281 troops, more than 1,288 civilian police, 118 military observers, 737 international civilian personnel and 1,745 civilian local staff to achieve its mission. Total 38 countries contributed police and military personnel, 17 of them died in service. From 1 July 2001 to 30 June 2002, UNTAET has and will have spent 476.8 million USD. The expenditure from September, 2000 to June 2001 was 563 million USD.

Elections for a Constituent Assembly were held successfully in August 2001, resulting in the election of the 88 members, either representing political parties or

independent. These members have worked together closely on the constitutional drafting process since September 2001. The Constitution of the Democratic Republic of East Timor was adopted on 22 March, 2002. The constitution was passed by a strong majority (72 of the 88 members), and all 88 members signed the document in a spirit of national unity.

Following Fretilin's win in the August 2001 election, the party was invited by the United Nations Transitional Administrator to form a Council of Ministers. The Council is comprised mainly of Fretilin ministers, but also includes independents and one representative of the Democrat Party. Many of the ministers have experience in the former Indonesian Civil Service. Some of the Diaspora Timorese members of the Council also have extensive experience in the private sector or foreign civil services in African countries, Portugal and Australia.

There are currently 16 registered political parties in East Timor, with a number of other unregistered groups existing. East Timor is an open democratic society and groups are free to conduct their activities whether they are registered or not.

The presidential election campaign took place in a spirit of tolerance and participation. Two candidates were nominated for the 14 April election. Xanana Gusmao was nominated by nine political parties and Francisco Xavier do Amaral by two parties. Both campaigned broadly in all districts. Both presidential candidates prioritized nation building and reconciliation in their vision for an independent East Timor. On 17 April, Xanana Gusmao was declared the winner. Election

was a calm and peaceful event without incident. Voters turned out in large numbers and cast their ballots without fear or intimidation. All observers, both international and East Timorese, have declared the elections to have been free and fair.

The East Timorese leadership, with the full support of the United Nations, has been working for over two years towards national reconciliation.

Independent research by an NGO has shown that East Timorese are tolerant of free speech and political differences and their toler-

ance is growing.

The East Timorese Government has also developed a friendly, co-operative relationship with Indonesia. The two governments have concluded a number of co-operation agreements such as the arrangement on the payment of pensions to former Indonesian civil servants, POLRI and TNI. The East Timorese Government also works closely with the Indonesian Government in assisting the East Timorese refugees in West Timor to return home.

The United Nations Police (UNPOL) and the East Timor Police Service maintain law and order in East Timor. There are now 981 United Nations Police officers from 38 countries, as well as 239 officers serving in Special Police Units in Dili and Baucau. Usually stone throwing by night between aggrieved parties

was established in Dili in March 2000, which has since recruited nearly 1,600 East Timorese police officers. These police officers have been vigorously trained in democratic policing, ethics, human rights and community policing, and are now serving alongside their international counterparts. The East Timor Police Service expects to have 2,830 officers by the year 2003.

The United Nations Peacekeeping Force (PKF) maintains external security for East Timor and supports humanitarian assistance to the people. This international peacekeeping presence will be maintained in East Timor until at least 2004. As the security situation has been stable, UNTAET began reducing its 8,000 international troops in mid-November 2001. There will remain 5,000 troops now. In addi-

tion, recruitment for an East Timor Defence Force (ETDF) began in September 2000, and there is now a 600-member ETDF battalion undergoing advanced training in Lautem. The ETDF will eventually replace the PKF, and a second ETDF battalion is currently undergoing training.

The literacy rate is less than 15 per cent and there is no manufacturing industry. The country is heavily dependent on imports and heavy smuggling goes on with Indonesia along the western border.

There are a number of issues regarding land and property in East

Justice. Once the policies relating to land are in place all the claims will be considered to determine land ownership and title. This will be a most important and complex task for the independent East Timorese Government.

East Timor's Ministry of Health is taking over the implementation of district health care in all districts. Health officials are creating a network of 64 community health centers, 88 health posts and 117 mobile clinics. More than 800 national health staff have been employed, with a further 394 positions under

also schools with teachers and managers, as well as books and furniture.

The Universidade Timor Lorosa'e is functioning again as the national university of East Timor, with four campuses across Dili rebuilt with donor help. Some 5,000 students are now attending the university. A National Research Centre has been opened at the university that supports the work of the Agriculture, Technology, Economics, Education and Political Science faculties. A National Institute of Linguistics, also based at the university is promoting the development of the Tetum language.

Assisted by the Ministry of Education, a substantial number of East Timorese students have been able to resume their studies in Indonesian universities and colleges. Many others have also taken up scholarships abroad. East Timor now has a chance to build a new national education system, one that, as a new nation, it deserves and needs.

The Ministry of Agriculture and Fisheries is committed to restoring East Timor's agricultural production through a wide range of activities now underway. These projects aim to improve East Timor's food security and promote rural growth. There are schemes to rehabilitate irrigation, provide hand tools to farms, vaccinate livestock against disease, and improve fishing activities and forestry. One hundred thousand chicks, and the food to feed them, are being given to poor rural families to improve household nutrition and income, and 2,000 heads of buffalo and Bali cattle are being provided to selected farmers that have lost their animals.

There are also farmer information campaigns, including field days

and workshops, and 1,000 AM/FM dyno-solar power radios have been provided to rural communities and farmers so they can receive regular information and technical advice broadcast from Dili. The current crop situation is average. Maize is currently being harvested, although some crops, especially in the lowlands, have been abandoned because of a lack of rain last December.

The Government of Indonesia has concluded an agreement with UNTAET on the Payment of Pensions during the transition period to former Civil Servants. Members of the Police (POLRI) and Armed Forces of the Republic of Indonesia (TNI) from East Timor. According to this agreement, former Civil Servants who were already receiving pensions from the Indonesian Government in August 1999 would continue to receive it until the date of independence. To be able to obtain any payments they have missed, East Timorese pensioners must register at the Civil Registration Offices in East Timor to get their pensions paid in East Timor.

To compensate former Indonesian Government employees and pensioners for their loss of employment and pension benefits after independence as a result of East Timor's separation from Indonesia, a "Special Fund" has been established. The amount of the fund, and exactly who will benefit, has not yet been established since this will depend on the amount of fund raised from Indonesia and the international community.

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