

## The mass arrest question Extended injunction on application of Section 86

**I**n a move towards upholding human rights values, the court last Wednesday extended the order putting lid on misapplication of Section 86 of the DMP Ordinance up to October 26. Originally, the High Court had issued the injunction of September 29 on blanket arrests with validity up to October 3. But on the heels of the government appealing the court decision, the appellate division on October 1 modified the injunction slightly whereby the government was debarred from arresting anybody under section 86 unless he or she is found with any arms or dangerous house-breaking tools between sunset and sunrise without any satisfactory reasons.

The fact of the matter is, the last series of blanket arrests, the unrepentant replay of the April version has been taken to the Court and the latter has responded to the civil rights concerns in right earnest. The very injunction order, mindful of a sensitive date the opposition had scheduled an agitation programme for, the extension of it by a vacation bench of the HC, and the transfer of the case to a regular bench for hearing on October 26, two days after the 50-day annual Court vacation ends -- all bear testimony to the highest court's sagacity and commitment to public welfare.

There are specific HC guidelines on application of section 54 of the CrPC, and although the final verdict is awaited on government's use of section 86 of the DMP ordinance, arbitrary arrests have gone on under some pretext or the other. This is unfortunate, albeit indefensible in a democracy.

It is claimed by the government in defence of indiscriminate arrests that there are specific cases against those being held up. Assuming that arrests are being made on specific charges which were the innocents picked up then, something that is admitted to, if only indirectly but in such a nonchalant way that it betrayed a certain insensitivity to public welfare. Again, what are the specific charges against the arrestees and why were not these formally framed so far? These are legitimate questions exercising the public mind when hardened criminals with umpteenth cases against them remain outside the dragnet.

Mass arrests have raised serious questions about human rights violations, rule of law, allowing working space to the opposition, credibility and image of the government, and above all, the unconstitutionality of the whole approach. If not anything, it is in the greater interest of the government that it must eschew such a self defeating course.

## DCC-DTCB imbroglio

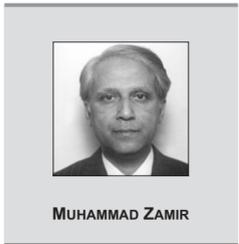
An indecent and uncalled for incident

**T**HE manner in which a group of Dhaka City Corporation (DCC) staff ransacked and relocated the office of Dhaka Transport Co-ordination Board (DTCB) using force cannot be condoned. Especially since it involved two government organisations. Whether there was a long drawn dispute over the issue or, as claimed by the DCC, that it was done with the prior knowledge of either of the parties, this was in no way a decent and right way to tackle the problem. It simply displays the lack of respect for one government body by another.

And if it can happen between the government organisations, then we can easily assume that it can take place, not only at other sections of the government but elsewhere also flouting the rules and regulations. It seems that a tussle was going on between DCC and DTCB, the implementing agency of World Bank funded Dhaka Urban Transport Project over where DTCB would eventually sit. Strangely enough, though originally set up at the DCC headquarters, DTCB office was shifted to another place after two and half years into the project because World Bank was not happy with the slow pace the project was moving forward. Then why did the DCC suddenly want to relocate the office to its original venue is a question only they can answer.

If it was a case of one-upmanship or a cold war, as described by an anonymous official of DTCB, between the DCC and the Communications Ministry, then was it the proper way to deal with it? Who should be responsible now for irreparable damage done to the important documents and data saved in the computers? Did those who invaded the office and take away everything ever think of the consequences of their actions? This was undoubtedly a bad and negative manifestation of strained intra-agency relationship. From the point of view of decency and decorum this was definitely not a moment one would savour. We hope the higher authority will make sure that similar untoward incident does not take place in the future.

Take the case of religious



MUHAMMAD ZAMIR

**T**HE world, instead of becoming safer, appears to be deteriorating into a more complex stage where terror is assuming different masks. The recent arrests in Pakistan of a top cardiologist, a renowned orthopaedic surgeon and some university graduates on charges of being hardened terrorists should give all sane people a cause to pause. The whole thing is very sad.

I believe time has come for both the United Nations and the OIC to jointly consider ways and means for the preparation of a common strategy which would enable 1.3 billion Muslims in the world to focus not only within themselves but also question why misperceptions about Muslims and Islam are gaining the upper hand in many parts of the world. In these sensitive times many are disregarding the fact that a great majority of the world Muslim population supports human development, the MDGs, a widening of democracy and human rights. What is gaining attention is the killing of innocent civilians in Madrid and the grisly beheading of isolated individuals. Islam, the fastest growing religion in the world is not only becoming controversial but Muslims are being viewed as potential terrorists. We are losing the public relations exercise.

At this juncture we need to communicate the moderate nature of the religion and the human face of Islam to the rest of the world. To

do this, we need to draw attention to the fact that two-thirds of the Muslims live in the Asia and Pacific region and that three countries with the largest Muslim populations Indonesia, Pakistan and Bangladesh are in Asia.

The EU and the UN have been taking regional initiatives to remove mistrust and foster understanding. However, they have been focussing only around the Mediterranean rim and the

are numerous references to the need of believers to help others and fulfil mutual obligations.

Similarly, the Charter of the OIC not only seeks rapprochement and solidarity between the Islamic people but also reaffirms the commitment towards fruitful cooperation amongst all people.

It is therefore clear that necessary foundation exists for the next step the important role of the United Nations and the OIC to

empty. This in turn is raising questions about the relevance of institutional bodies like the United Nations and the OIC. Groupings like the Non-Aligned Bloc have also become less important.

The unfortunate part is that countries like the United States, UK and Australia tend to forget that might as expressed through arms does not necessarily solve all problems. In fact their efforts to curb terror and contain global

terrorism.

Palestine is a case in point. Iraq is held responsible for not implementing UN Security Council Resolutions and many other countries threatened with economic boycott for failing to abide by stringent UN resolutions. International law and UN Security Council Resolutions are however flouted continuously by Israel in the name of its security and nothing happens. A lot of wind would

religions and provide a foundation upon which we can build an edifice of dialogue among civilizations. Such a dialogue between religions and cultures is needed today to prevent religious fanaticism based on false promises. The UN and the OIC are philosophically, institutionally and politically well placed to lead the way to peace by engaging in a meaningful dialogue with all parties.

There is need for reflection, introspection and action both in the Islamic and in the non-Islamic world to bridge the prevailing misunderstandings. The UN can act as the catalyst for a positive change in this regard, particularly within the non-Arab Islamic world. Muslims in these countries feel targeted as part of the fight against terrorism. Their anxieties need to be reduced by affirmative action and pro-active role by the UN. This will also remove the perception that the UN is a tool of the Western countries and is only interested in their global agenda.

Both the OIC and the UN can also work together to find a viable balance without eroding established moral values. This is particularly important for the Muslim world which consists mostly of poor or developing nations which are suffering the consequences of the ever-widening inroads of material globalisation and its associated culture. An unfortunate spin-off of this scenario has been the growth of discontent and resentment that is sometimes being translated into desperate acts. Both the UN and the OIC need to address this together. This is necessary to avoid exploitation of such antipathy by individuals and groups who try to use such unhappiness to fuel terror and fundamentalist reaction.

Their efforts in this direction need to be supported by the developed countries.

Muhammad Zamir is a former Secretary and Ambassador.



Love, peace, brotherhood and sanctity of life are integral to all religions and provide a foundation upon which we can build an edifice of dialogue among civilizations. Such a dialogue between religions and cultures is needed today to prevent religious fanaticism based on false promises. The UN and the OIC are philosophically, institutionally and politically well placed to lead the way to peace by engaging in a meaningful dialogue with all parties.

adjoining areas. A wider response is required and the UN and the OIC under the stewardship of its new Secretary General should make that their common objective. This strategy, according to Djibril Diallo of the United Nations could be based on the strong foundation of decades of UN cooperation with Muslim countries and those with large Muslim populations. This is a good focal point.

We need to understand and convey to the rest of the world the positive and moderate elements in the Holy Quran and in Islam. In this context I am reminded of some Ayats from the Holy Quran. Verse 171 of Surah Nisaa urges believers not to 'commit excess in your religion's as it might lead the person away from the very spirit of religion, which is peace and understanding. Similarly, Verse 71 of Surah Tauba suggests that 'men and women are protectors, one of another's and that 'believers enjoin what is just and forbid what is evil.' Throughout the Holy Quran, there

project the correct image of Islam and Muslims. The effort will not be easy. The media, particularly the Western media, is greatly persuaded by agendas, facts and figures put together by sources who are not always friends of Muslim countries. This has already led to a war, in contravention of international law, fought on the basis of assumptions which have now fallen by the wayside.

We live today in difficult times. The problems that we face are enormous but so is the potential for improvement. I feel that we need to tread softly, but firmly.

The current international scenario is subject to multiple undercurrents, and in more ways than one, is far more complex and unpredictable than the bipolar world that framed Cold War realities. At the same time the international system is being seriously questioned as various countries are trying to find a rationale for the new doctrine that permits intervention through pre-

terrorism is becoming more controversial. Somehow, agencies associated with this undertaking are also ending up typecasting whole groups of populations needlessly.

What is required is cooperation to fight global terrorism. It is here that the OIC and the UN can and should work together. They have to stand up to this menace jointly in various part of the world.

It has been explained recently by the Malaysian Prime Minister in Washington, in his capacity as Chairman of the OIC Summit, that OIC members agree that extremism and the evil of terrorism constitute a menace for the international community, its security and well-being. However, at the same time, it was also suitably explained that there has to be a recognition by the Western powers that the widening of power asymmetries, increasing world poverty, economic deprivation and suppression of freedom movements are giving rise to

disappear from the sails of Palestinian freedom fighters (also called terrorist) if Israel left the occupied territories and permitted the Palestinians to form their own Independent State. The cause for terrorism in that part of the world would then be substantially reduced. Israel would not need an illegal wall. Their security could be assured through the presence of soldiers from Muslim countries under the UN flag on its borders. There are UN peace keepers from Muslim countries including Bangladesh keeping peace all over there world. This would be just another UN task which could jointly be performed by the UN and the OIC.

This would however require political will, and I am not sure that such an arrangement would be acceptable in Jerusalem or Washington.

A similar scenario could also take place on the border with Syria.

Love, peace, brotherhood and sanctity of life are integral to all

## OPINION

# The difficult equation

DR. SYED JAHANGEER HAIDER

**M**OST of the people tacitly agree that the country needs honest, dedicated and wise leadership to save it from its existing morass where desire and demand of the people are denied and evil forces despite best wishes prevail in the governance. If we start with the general mass, one would find that there is desire to alleviate current misfortunes, but none would risk themselves to strive to come out of it. Instead, they dreadfully await a messiah to save them -- a status of blissful complacency to outmanoeuvre the pains through inactive and idle concerns for a better future.

Take the case of youth, radarless body-mass, occasionally raising voices within campus without comprehensible goals or objectives. Only active youth left are the unemployed and the misdirected ones (but a few), who are most talked about for their mischievous acts. Yet, they have earned blemished image as every one is threatened and recounts their evil performances.

Take the case of religious

leaders (the ones visible and heard), they are mostly dedicated in their efforts to revive Islam through rituals dictated by borrowed ideas from renegades, who prefer to rekindle the glories of Islam through paths abhorred by sane mind. They are more concerned with practices superficially engaged to protect the dignity of believing women through a piece of cloth either covering around their forehead or faces. Whether a child is malnourished or not is hardly their concern.

Take the case of teachers, lawyers, business elite, who are glorified by their identities as members of the Civil Society, without properly defining its connotation. These days, they are using the courtyard of Press Club and High Court, to ventilate their protestations. Result is that both the places are gradually losing their effectiveness. Of course without hesitation some among them are making their cases felt and praised by the people.

Now take the case of bureaucrats. The dynamic machine that fuels the running of the country is hostage to all the forces described above and also to the

politicians. In the absence of noble directions to steer to, except in papers (like implementing PRSP), they are demonstrating that they are the best tools for whatsoever wishes to use them in whatsoever way.

Next in the lines are the NGO leaders, not the workers. The latter have been rendered ineffective by their status of becoming paid employees (fixed pay not elastic to their quality and quantity of performances). NGO workers are the bureaucrats without clouts. NGO leaders for long had been depending too much on the donations and grants and the sources of these mostly dominate their psyche.

Last but not the least, the Politicians (the powerful ones, not all), no longer demagogues but demigods, at least a few are in the latter category, who are behaving that the country is their serfdom and the people are their serfs. A typical mediaeval mindset. Even feudalism had some laws and accountability, but for the powerful politicians of Bangladesh hardly anything is acceptable as norm or value. Each one of them is creating their own standards of

practice and behaviour. Even historians will be at a loss to analyse such practices as there is no standard to compare the same. Here one needs to put forward some logic to establish and prove what has been said above. The powerful politicians in position or in opposition deny to interact with each other. The only way they interact is through remote control mechanism of using the forces of power: be it organised state force or the forces of the street (hartaals and gehraos).

One would fail, if one does not acknowledge the contributions of the journalists (both print and electronic media --TV), who are frequently effective in blessing the people with messages of 'Social Justice'. However, social justice is recognised, but not established yet. Some of them have achieved crescendo of glories through sacrifices (even with lives) not really deserved by us (the people), who lack courage and fortitude to duly pay back their sacrifices caused due to their strong imprinted words of justice and inspirations for achieving goals of noble life!

What should the people expect

in this situation of grave national misfortune and disasters? How should one attempt to solve this difficult equation of complex and excruciating circumstances that the people are locked in? Common intelligence fails to grasp a solution. But one is reminded that the common people not totally lost and despaired. Supporting evidence is that despite frequent social and natural disasters (particularly floods), the farmers are feeding the people, the workers in the industries are earning bread for the nation, the expatriate workers are sending their contributions regularly. These are beacons of hope, only what the nation needs is possibly a Mandela, who would be ready to sacrifice everything both during the times of being vanquished (in prison) and victorious (when winning state power). Most of our national leaders have failed to demonstrate sacrifices during their winning times -- a magnanimity which takes an individual from mediocrity to greatness and also to noble heights. There are a few genuinely concerned national leaders -- from among the journalists, lawyers and NGO leaders;

but they are failing to be persistent and consistent in their sacrifices. Possibly they think that the uprising of the people will reward them soon, even though they are not connecting with the people (masses). Their messages reach those who understand them (the intellectuals). Can they come out from their trap (communications with the blessed few only) and reach the people? Almost all of them are captives of their institutions (law, journalism, NGO), which have made them famous, but unless they reach and relate with people with commitment and continuity, people will not reach them. And when people relate with them, only then the difficult equation will be solved. People need to get right messages; mere messages of out government may be misleading. Instead people would prefer a message concerning their lives free of corruption in a terror free society.

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# TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

## Israeli atrocities

In your article Oct. 4, 2004, entitled "We express our outrage, Israel's butchery must be halted," you state the following: "The ferocious and mindless attack on the Palestinians by Israeli troops in the last few days has been nothing but mass murder in cold blood." You go on to state, "Because, Israel says, it wants to stop militants firing home-made rockets into their territory." Doesn't that amount to putting the blame on Israel only? **David Cassius** Seattle, WA, USA

## Value of life

Living in Dhaka it seems there is an urgent need for reflection in the current values of life in this Age of Change. Both the young and the old generations have to adjust, but the question is how, as the adjustments noticed are not in public interest, as terrorism holds the society a shortage.

Bangladesh is passing through a political, social and moral crisis. The breeze of materialism has disrupted the easy-going life of the past, as the cities develop vertically. This rise in

the vertical density level (human and material) is also affecting values, however indirectly. Politics now is very much linked with easy earning. Patience and tolerance have reached alarmingly low levels. The race to materialism is to the swift, but the innocent suffer.

In this IT age the politicians are not happy with the revival of interest in religion (in the US or in S Asia). There is now a universal trend to delve into the source of original creation, as money cannot solve or resolve the deeper meanings of life. It is a basic human need, which acts as a depository of faith. It is a basic human need, which acts as depository of faith. Hedonism (almost naked) is now easily carried in the satellite television channels even in S Asia.

The evils of consumerism (goods and ideas, styles, or waves) have now penetrated into the underdeveloped pockets in the LDCs, as migratory ad immigration patterns change (with the economic and communication levels). Money has to roll, whether it is black, white, or grey; and the middle and lower classes (and the fixed income groups) feel helpless and cornered,

and they are being pushed on to the gallery from the playing field.

This is perturbing, as the middle class is the mental reservoir of the playing field.

This is perturbing, as the middle class is the mental reservoir of the society. But its power to influence is being diminished as black money speaks louder than moral aphorism. Thinking as a tool is loaded with potentiality, but it has to deliver during periods of crisis, which are now more frequent in this turbulent society.

How much the top society of today is prepared for mental confrontations? Politicians under-act rather than overact; and the police are not acting as effectively as it is supposed to do. The goal of politics is confrontation or peace and harmony? Late regulatory actions develop left-overs. Irritating the politicians in or out of power.

Bangladesh is becoming more and more exposed to fundamentalist propaganda from all around; and in these changing times, the mode of thinking is also changing. The politicians have found a handy alibi; the country is in danger; Change is loaded, whether stuffed with good or

evil. Change is like a shadow, and a shadow cannot live in isolation.

In Bangladesh, the passions are being roused through vested propaganda. What is at stake? Not the existence of the country, but the cherished values of life. These established values are eroding due to an overdose of capitalistic materialism, and the cult of godlessness has revived religious movements all over the world. This normal reaction has been compounded with the infiltration into politics, at local and global levels.

Since temptation is half the religion, it is difficult to resist it. And, since the other half of religion is tolerance, it is also too difficult to display it. Today an eroding and mentally weak civilisation is struggling in a tough, changing world. There are reasons for being trigger-happy.

The values of life affect three main areas: religion, morality, and education (only one examinee out of every four passes out at the final exams at the school or tertiary level). Today all the three areas are in a mess, because the areas are inter-dependent.

The religious content in educa-

tion has become an indirect issue today. The Bangladeshis have to sort out this secular issue, but the majority of the citizens are not mentally equipped with the proper tools, due to high level illiteracy (which encourages closed mentality), and low level of economic security. Erosion (in any sector) needs corrective measures in the form of moral embankments and diversion paths to reach the right path.

The national education policy is a foundation of national, public and private life, containing all the essential signals on the highway of life, and nutritive elements to sustain the pilgrims' progress. Therefore its transparency has to be distilled and purified several times over, as it will affect the lives of future generations. Our progress in the implementation of this task is not gathering momentum, as political leadership have no time outside of politics.

We are passing through a phase of ad hocism. Each decade brings more changes at faster rate. It is futile to impede change; but adaptability has to be ensured to maintain the flow and not choke up any

system. How far the oscillating political culture is geared to finetune change in the lives of people at each strata of life?

This is the hidden agenda in any political manifesto. The political ideas have to carry more transparency.

**AMahasen** Dhaka

## Like to eat GM food?

Do you remember all those B-movies from the '70s and '80s? Return of the Killer Tomatoes and others, that almost created a genre? Today the great debate on genetically modified (GM) food takes us back to those days of gore and there is now a playfully sinister coinage, Frankenfood to remind us of it. The reality is far from amusing. Indeed, there is a major war being fought on this issue and the real battle ground is Europe.

On one side are the giant global companies led by Monsanto, Syngenta (whose evolution from Ciba, Geigy, ICI, Zeneca, Astra, etc. is a corporate engineering feat in itself), Bayer Bioscience, Dow Agrosiences, DupPont, and the govern-

ments they control, chiefly the USA, and others that the Americans have cajoled and pressurised. On June 23, 2003, President Bush even attacked Europe, which supplies 7 times more food aid to Sub-Saharan Africa than the USA, for being responsible for the famine in Africa.

More knowledgeable about ecology and the environment than their American counterpart, the Europeans in general were very cautious about the acceptance of GM products and questioned their alleged benefits. They wanted tests to be run and debates on the subject before decisions were taken. This did not suit the makers and war ensued. As always, free trade laws were brought into play and the Europeans were trapped by the every device they had helped invent.

The US took the issue to WTO in May and forced the European Commission to provide a time frame to examine the question of GM products after which it would start selling GM products in Europe. Caught between legal pressure from the USA and the will of its own citizens the Commission issued a decision this summer that it would

lift the ban on GM Food but subject it to labelling, whereby the consumers were at least aware of what they were buying. Once again, this was not acceptable and the US is threatening legal action saying labelling amounts to branding GM products with a black skull and bones marks.

In America almost all supermarket food contains GM ingredients but labels show no hint of this. Ironically, this is the country that proclaims Customer is King. Polls show that 70% of Europeans do not want GM products and 94% want to know if it is in what they buy. Can the customer be wrong in this case?

The variance between the European Commissions position and the desire of its people has prompted many separate battles within this larger war. Most of the EU countries are fighting this on a national level trying to create GM-free zones.

**Abdali** Dhaka