

Seven years of CHT accord

We have really not been fair to the people of CHT

SEVEN years have gone by since the CHT peace accord was signed by the previous AL government and the representatives of the indigenous CHT people. The accord was hailed as a milestone with the potential to bring peace to the region, where armed militancy had derailed normal life.

It was seen as the starting point of rebuilding many things, notably trust among the people living in the CHT. But the provisions incorporated in the accord still remain unfulfilled. To begin with, the constitutional changes required to implement the accord in its totality have not been effected. It seems the change of government in 2001 has led to dissipation of the momentum, vital for the implementation of agreements on different issues, though the BNP, on assumption of power, had committed itself to full implementation of the accord. The AL government had made limited headway in ensuring the accord's implementation in the four years since signing it in December 1997.

The unresolved issues are tricky, and their resolution crucial to durable peace in the region. The controversy over voters' list persists, and land survey and settlement are still elusive goals. So what have we accomplished with the accord in the past seven years? It seems even the psychological block in the form of mistrust could not be eliminated over such a long period of time.

Shantu Larma, the PCJSS leader who had led the pro-peace elements among the indigenous CHT people during negotiations with the government has set a six-point demand in order to get the agreement fully implemented waxing critical of the government's role. Some of his demands merit attention. However, indigenous leaders should also address the issue of in-fighting which is a major threat to stability and a roadblock to speedy implementation of the accord. They must strive to attain a minimum degree of unanimity among themselves on the thorny issues. The implementation of the accord and establishment of the rights of all groups, will not be possible in the present atmosphere of discord.

Peace in the CHT is crucially important not only for the region, but also to the nation as a whole. The CHT has great development potential which can be exploited only through concerted efforts on the part of all concerned in a peaceful, stable situation.

Jaundice in DU

Is it a trivial issue?

A jaundiced eye approach to the jaundice outbreak in the Dhaka University residential halls -- this could perhaps be a more appropriate title to what happened in parliament on Wednesday centring around a point of order raised by AL lawmaker Jahangir Hossain about the incidence of jaundice in DU. Responding to the opposition member's point, water resources minister Hafizuddin Ahmed said that the opposition were bringing up 'non-issues' like jaundice finding no other point to criticise the government on, as the latter 'was running the country smoothly'. We are aghast at the thought that the minister could consider jaundice epidemic as something of a trifling issue, although by all accounts, it has emerged as a serious public health concern.

The spread of hepatitis infection in the Dhaka University residential halls has been in the national news for quite some time now. The scale of the affliction can be comprehended from the fact that some four to five residential halls have had bouts of jaundice with nearly five hundred students falling victim to it. There is hardly any sign of remission and the outbreak is widely viewed by the students and their guardians as being an epidemic. The water, food and overall hygienic conditions in the dormitories have come under the microscope with the university and hall authorities caught unprepared in coping with the health exigency. The students kept away from the halls and there has clearly been an unsettling effect on the academic life at the highest seat of learning in the country. Hospitalisation and treatment were severely constrained as the lone university medical centre could not face the onrush of patients involving the dire need for investigations and emergency medical help.

The Daily Star published quite a few editorials echoing public concern over the outbreak of the disease and highlighting the imperative necessity for an effective coordination between the health and education ministries to alleviate the suffering of the students. We hope no effort will be spared to bring the situation to normality.

Our policeman's predicament

MUHAMMAD NURUL HUDA

LAW-enforcement activities or the lack of it occupies a disproportionately large space of our print and electronic media. Cynics comment that there is nothing unusual in that as according to them, disobedience of law is a way of life for many Bangladeshis. Still others would go to the bitter extent of saying that it is prudent break or circumvent the law as that proves to be financially satisfying, at least from a personal point of view. The anguish or sarcasm in the above observation is too manifest to escape the notice of even an ordinary mind. While the deprivations of a suffering public justifiably demand closer attention for possible remedies, the predicament of law enforcers, in our parlance, has very rarely, if ever, attracted any discussion whatsoever. This writer, in view of his preoccupation with the law-enforcement scenario of this country in the not-too-distant past wishes to discuss some of the occupational hazards of the much-maligned law-enforcers in the hope that at the very least there will be some appreciation of the subject by the appropriate quarter.

The immediacy factor

Immediate compliance or carrying out of order irrespective of the objective conditions or the limiting circumstances, is a dominant characteristic of our enforcement scenario. Whether it is the political boss or the armchair bureaucrat at the secretariat or the senior commander at the headquarters level, the overriding expectation is of almost bionic compliance, at times for very cogent compulsions. In such a situation the real problem arises due to the commonly mistaken equation of speed with efficiency because what is efficiently done may not have been lawfully accomplished. In the initial desper-

ation of a horrendous crime or a law and order situation, the element of lawful conduct is often lost sight of. The political or the administrative boss dishes out/barks out orders like "I want action within 24 hours" or "How you do the job is not my business" or "I don't know how would you do the job but you have to accomplish the task by tomorrow". It is only appropriate to mention here that acts done under tremendous haste and desperation mostly do not stand the test of law subsequently.

The other ill effects of immediacy are that, quite paradoxically, lawless

expectations (compatible with the rule of order). It is this pernicious double standard which makes people think that the police are principally an agency of social control with their chief value being efficient enforcement of the prohibitive norms of substantive criminal law.

Statistical result orientation

Despite police's well-known limited capacity, the public continues to expect the police to prevent all crime and the police tend to continue to commit themselves to the same goal. Many police officers, thus,

ing good statistical results on all these fronts compels, the policemen to resort to non-registration of cognisable crime and offences, use of third degree methods, fabrication and concoction of evidence, having fake encounters with criminals and terrorists and gimmicks for improving their performance just to show off to the power-that-be and the unsuspecting citizens that they are effective and as such real police officers who deliver goods.

The above statistical result-orientation of the police owes its very existence to the superintendence and control of the executive

where truth suffers some infirmity when projected through human process? It is necessary to have proof beyond reasonable doubt but it may not be necessary for that proof to be perfect. If a case is proved too perfectly it runs the risk of attracting accusations of artificiality and similarly when the case displays flaws it may be deemed as having imperfect evidence. The point to be highlighted is that whether in our meticulous hypersensitivity to eliminate a rare innocent from being punished many guilty persons must be callously allowed to escape.

The means and goals

Some ill-trained police officers believe that if the culprit is known, there is no harm in creating some evidence to punish or convict him. This is queer logic because if fabrication of evidence were to be justified because of the so-called laudable motive of punishing a known culprit, then the worst criminal on earth also could have justified the blakest crime on ground of good motive. It has to be remembered that the police is under the hegemony of a legal system with a basic commitment to the rule of law. Police officers are sworn to uphold the law. The enforcers of the law must not be allowed to violate the law even to catch the criminals. If they are permitted to resort to 'dirty' methods, they make the law dirty. If the government becomes a law-breaker, it breeds contempt for law. To declare that the government may commit crimes to ensure punishment of criminal would bring terrible retribution. It is to be borne in mind that the interest of the civilised governments is not to score points or play to the gallery but to ensure that justice shall be done. Law is the means and justice is the goal.

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police officers are in great demand when in an area lawlessness and disorder prevail. Police behavioural norms that are generally admired are those of 'tough' rather 'soft' behaviour. Believers in the rule of law and followers of the straight legal methods are considered to be 'softies' and 'sissies' and are not adjudged fit enough to deal with those explosive situations because a police officer working within the limitations of the rule of law will have to put in sustained efforts to achieve substantial results. A rule of law oriented police officer will be able to show substantial results in the long-run but the bosses are interested in short-term spectacular results even though they may be illusory. It thus follows that our de jure expectations (compatible with the rule of law) of the police are at total variance with our de facto

become so zealous about their effectiveness that they look only at the ends and do not bother about the legality of the means they employ. This is most clearly reflected in the practice of using crime statistics as a measure of police effectiveness -- the police being held accountable for increase in reported crime and being credited when a reduction occurs. Policemen's performance is judged by the percentage of detection (how many cases out of the registered ones have been investigated and sent up for trial in courts), percentage of recovery of stolen property (how much stolen property involved in such offences has been recovered) and percentage of conviction (how many cases sent by the police to the courts for trial have resulted in the conviction of the accused).

The overriding target of achiev-

over the police. The executive have to face the parliament (to which they are accountable) and when there is no increase in reported crime, they can, with a sense of satisfaction, claim that law and order in the state are well under control. Unscrupulous policemen continue to resort to illegal methods for doing things they ought not to do.

Civil liberty and police effectiveness

The police is authorised to use reasonable and necessary force to take custody of a person, to defend themselves or others, and to maintain order. Just how much force is reasonable and is necessary depends upon the facts of the situation, and of course not all instances of use of police force are unreasonable and unnecessary. However, the

therefore, constrained to sacrifice police effectiveness at the altar of civil liberties which indeed is as it ought to be. In this idealistic backdrop when police officers find that, despite their earnest endeavours, they are not as spectacularly effective as they should be, they too frequently become defensive and frustrated. The result is often scapegoating of other branches of the criminal justice system or particular segments of the community.

The pursuit of perfection

Are our courts insisting on too high a standard of fool-proof evidence without perhaps realising that judicial quest for perfect proof may often account for police presentation of fool-proof concoction? Must we not realise that perfect proof cannot perhaps be had in this mater-of-fact imperfect world

Feeling for others



MOHAMMAD BADRUL AHSAN

If you look in the mirror, what you see is your own likeness. Now take that visual experience and sublimate it to the emotional level. Compassion is when you feel the pain of another person as your own. It is when the heart turns into a mirror, and you can feel for another person like you see the reflection of your face.

Feeling for others is a virtue no doubt. In fact, it is a rare ability to commiserate with others, to suffer for their sufferings, to weep for their tears. There are killers who cannot look their victims in the eye. The pilot of Enola Gay, who dropped the bomb on Hiroshima, lost his mind when he realised his horror. Deshbondhu Chitranjan Das gave away his wealth to the poor because he was able to ingest their pain. It works like magic. The shock waves travel from heart to heart, and create the vicarious sense of one man's pain in another man's passion.

Prince Siddharta sneaked out of the palace in the middle of the night, because he saw the harsh facts of old age, sickness, and death in others, which bothered him too much. Mahatma Gandhi changed from western couture into loincloth,

because he wished to become one with his oppressed countrymen. The Christians believe that Jesus Christ was crucified for the sins of mankind. Great people have always suffered for others, which is the trade secret of leaders, prophets, saints and messiahs.

But then it also has its professional hazard. Feeling for others is of sound mind if taken in the right dosage. An overdose can be deadly. It can delude the mind with inordinate impulses, knocking down its own safeguards. Iris Chang, the 36-

forced to rape their daughters, sons were forced to rape their mothers, and pregnant women were eviscerated and nailed to the walls.

In that process Iris Chang crossed the line. She took things to heart and became emotionally involved in the tragic stories she wrote about. She transformed in her experience and gave in to bouts of depression, which got worse when she undertook to write about yet another tragedy, the infamous Baatan death march in the Philippines during World War II, which killed 20,000

person, or you hate him. Either you feel happy for another person, or you feel sorry for him. You respect him, or you disrespect him, what you see, hear, smell, taste and touch, constantly scan the horizon and push you to judge people and objects around you.

The judging does not stop even when the scanning is gone. The Vietnam veterans in the United States carry the psychological scars of that war as they grapple with the right and wrong of what they had done. That is equally true for the

lights.

One flower does not smell the fragrance of another. One tree does not shed tears for another. One animal does not show consideration for another. Human race is but an exception to that rule, when bodies echo within bodies and hearts clamour within hearts, when the wind of emotions blows in one soul and the pendulum swings in another, when one person's tune resonates in another's strings.

So, feeling for others is very much a human thing, a rare type of osmo-

men to express theirs." It is not enough to feel, unless one has the proper language to express that feeling. A cry or smile is a portrait of feeling that speaks for itself. You can tell if the person is either sad or happy, because he wears it on his face.

But feelings without expression are flowers without blossom. People write, speak, sing, play music, paint, dance, laugh, weep, scream, and shout, because they have to let go of their feelings like heat radiating from boiler. Lives churn, people turn, and hearts burn. In the great frenzy of the cosmic mystery, the secret lies in the myth of eternal return. All things repeat, again and again, making history like a quilt of stitched time.

What returns in that repetition is not man, but feelings of man. Pattern of sorrow, pattern of despair, pattern of hope and pattern of joy, subsumed within the larger patterns of life and death, create the illusion of coursing lights. The light switches on when there is feeling for others. It switches off when there is none. Good and evil, greatness and meanness, virtue and vice, peace and war, all things blissful, all things baneful, take turns on this world.

It all depends on one thing. Feeling for others. It cuts across eternity and multiplies your life. The finite becomes infinite. How? You become the person you feel, and feel the person he feels, just like your face in the mirror when its reflection is seen in another mirror. Feel for others. If cat has nine lives, it will give you more lives than many. Try it!

Mohammad Badrul Ahsan is a banker.

CROSS TALK

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year-old Chinese American author, committed suicide last month by self-inflicted gunshot. "She felt other people's suffering so intensely, to the point that it made her suffer," said her friend Barbara Masin during a memorial service.

There is a twist of irony in her story. Everything looked picture perfect for Iris Chang, until she wrote a book, which catapulted her to fame in 1997 at the age of 29. In "The Rape of Nanking", she described how the people of Nanking were killed by the invading Japanese Army, who raped and killed more than 80,000 women. She recorded many accounts of this tragedy, narrating how fathers were

U.S. soldiers. "Opinion is ultimately determined by the feelings, not by the intellect," writes Herbert Spencer. Life is absorbed and appreciated through the five senses: see, hear, touch, taste and smell. Feeling is a complicated work, a sort of regression analysis of all the stimuli captured through the network of senses. You feel for a person, when he is deconstructed through the various senses and then reconstructed again in your thoughts and imagination. The feeling is as good as your opinion of another person.

For that matter, people always feel for each other and they always have opinions. You love another

victimiser and the victim. The Korean women who were forced to become sex slaves during the Second World War still demand that Japan should compensate for its atrocities. We still grieve at the mention of 1971, because its memory is loaded with despicable horror.

When you nurse the sick, feed the hungry, and shelter the homeless, you do so because you feel for others. The Gestalt psychology believes that we are built to experience the structured whole as well as the individual sensations. It is like watching a coursing string of lights. Even though only one light glows at a time, the whole event contains relationships among the individual

sis when one living body absorbs the emotions and sentiments of another, and shares the joy and sorrow with him. Perhaps it is amongst the greatest mysteries of creation that one human being has the capacity to pulsate in another. One lives and breathes through another's love and hatred, rouses his feelings and drains his energy, gives him hope and brings him nightmare, as if two people are locked in the steps, figures and poses of an eternal tango.

Thomas Hardy expounds in *Far from the Madding Crowd*. "It is hard for a woman to define her feelings in language, which is chiefly made by

Japanese troops likely to stay in Iraq for one more year

MONZRUL HUQ writes from Tokyo

AS the Iraqi city of Fallujah joins the rank of once flourishing human habitats leveled to the ground by systematic and well-planned assaults of the mighty and powerful, Japan continues a heated debate over the issue if Iraq as a whole could be termed a combat zone or not. We know for sure there is nothing new in the way Fallujah was punished by those who preserve the right of punishing others for acts they consider crime. The process is a mere continuation of what started at the dawn of human civilization and despite our claim to be more civilized than those who dwelled the earth before us, Fallujah comes as a proof that our journey might have been a reverse one as the destruction of the city has been thorough and complete, taking a fraction of time that early savage invaders needed in those days we love to call dark ages.

We also know for sure that debate over calling a wrong step right is also nothing new as there is no shortage of such examples in our past history. Yet we join the debate and try to prove how correct our respective positions are. The debate that Japan is now involved in, which is if the whole Iraq is a combat zone or just

part of it, is another example of looking for an answer to that widely discussed matter of which came first -- the egg or the chicken. For Prime Minister Junichiro Koizumi, however, the outcome of the ongoing debate is vital, as he is poised to extend the deployment of Japanese troops in Iraq for another one year period with the expiry of the current deadline on December 14.

The Japanese prime minister is in an all out effort to convince his critics that the part of Iraq where Japanese soldiers are stationed is in fact situated out of the conflict zone and hence their stay in the country does not violate Japan's constitutional provisions that put a rigid ban on sending Japanese military personnel to a combat zone anywhere outside country's territorial boundaries. Moreover, under the special law enacted by the Diet last year to facilitate the deployment of Japanese troops to Iraq, country's self-defence forces can only be sent to non-combat zones.

Public opinion in Japan is not supportive of Japanese military presence in Iraq, where, as many in Japan believe, a great tragedy has been unfolded due to utter irrational and irresponsible behaviour of the US president and some of his allies.

CLOSEUP JAPAN

the Koizumi administration seems to be convinced that what the majority in Japan is thinking runs contrary to the reality. The administration also prefers to cite the other figure that show more than 80 percent of residents in Samawah area support the dispatch of Japanese troops. A survey conducted jointly by Asahi Shimbun and an Iraqi newspaper found that the local residents are mostly in favour of Japanese presence as it also brings valuable economic assistance and also creates jobs for the local community. So, who cares about Fallujah as long as people of Samawah remain happy and content with the presence of Japanese soldiers?

Opposition groups in Japan are now trying hard to take full advantage of the prevailing public mood to block any move by the government to prolong Japan's military involvement in a conflict turning increasingly bloody and savage. But Koizumi is determined to overcome such obstacles as he now feels a renewed obligation to stand by the side of his trusted friend George W. Bush, who despite winning the election is rapidly becoming more and more isolated in international politics. Koizumi was among the handful of international leaders who openly expressed support to Bush before the US presidential

election. In a desperate attempt to silence his opponents over Iraq issue, Koizumi in times resorts to logic that sounds more like a schoolboy repeating word by word certain paragraphs that he had memorized from the textbook without understanding what in reality has been said in the text. In a recent parliamentary debate, for example, the leader of the opposition Democratic Party of Japan (DPP), Katsuya Okada, asked Koizumi to define what he wanted to mean by the word 'non-combat zone'. Koizumi's reply was very straightforward, just as if he was uttering exactly what has been

written in the textbook definition: "The area where the self-defence forces are operating is a non-combat zone. This is the basic point of the law." As a result, we can assume that the prime minister of Japan thinks anywhere in the world where country's self-defence forces are deployed automatically turns into a non-combat area, no matter if bloody war and confrontation might still be going on within its vicinity.

A year ago when Japan was getting ready to send troops to Iraq, Koizumi spoke of the requirements of the Japan-US security alliance and argued that it was necessary to join the US-led coalition in Iraq, as

answering Washington's expectation would fortify Japan against the threat from North Korea. A year later he has shifted his focus from the narrow Japan-US alliance and now calling for the need to proceed with international cooperation and the Japan-US alliance.

It's true there have been no casualties among the Japanese troops since the self-defence forces units were deployed in the southern Iraqi city of Samawah. There have been several mortar attacks in and around the area, but with little damage. This, however, doesn't guarantee Japan's 100 percent safety in a country where the existing

social orders has been systematically broken down to a level when nothing accounts for as normal behaviour. The message that the government is trying to convey to the people is that, Japanese military presence in Iraq is essential for the rebuilding of a country destroyed and crippled after years of misrule and wars. But Japanese people are not convinced enough if sending troops is the right way to help Iraq overcome difficulties. According to a number of recent opinion polls, more than 80 percent oppose extending self-defence forces mission. The results indicate that the public is uncertain if Iraq can really be reconstructed under the current circumstances.

But the Koizumi administration seems to be convinced that what the majority in Japan is thinking runs contrary to the reality. The administration also prefers to cite the other figure that show more than 80 percent of residents in Samawah area support the dispatch of Japanese troops. A survey conducted jointly by Asahi Shimbun and an Iraqi newspaper found that the local residents are mostly in favour of Japanese presence as it also brings valuable economic assistance and also creates jobs for the local commu-

nity. Encouraged by this and some other findings, Koizumi recently indicated that the Iraq mission of Japan's self-defence forces was almost a done deal.

Sources close to the government are now saying that approving a new basic plan to extend the dispatch, possibly for another year, would most likely come around the second week of December, after the current Diet session.

But some predict that the situation in Samawah is expected to become more unstable next March when the Dutch military is slated to pull out. Presently the Dutch has been in charge of security in the region. It is not clear yet who would replace the Dutch to perform security responsibilities. Japan is surely eyeing for that too, as the government is also planning to shift to security duties those members of the Japanese unit who are presently assigned to non-security responsibilities like ensuring water supply for the people of Samawah.

So, who cares about Fallujah as long as people of Samawah remain happy and content with the presence of Japanese soldiers? May be the two cities no longer belongs to the same country.