

## Protectors as violators!

Alleged rape by cops

**T**HE Chuadanga incident in which a young housewife was allegedly raped by members of the police led to street demonstrations as people were greatly agitated by the news.

This is not the first time that police have faced such infamy. It is regrettable that law enforcers, who are supposed to protect vulnerable people, were charged with rape quite a few times in the past. People in Chuadanga reacted sharply for some obvious reasons. First, the crime was alleged to have been committed by none other than the custodians of the law, which is always hard to accept. And, mind you, it is gang-rape of a housewife that is being talked about. Second, the unusual delay in carrying out the medical examination of the victim made people suspicious about the ultimate motive of the authorities dealing with the case. It is not at all clear why they took 40 hours to conduct an examination that might have a decisive bearing on the fate of the case.

The accusation itself is highly undesirable and embarrassing, for it further bruises the blurred image of law enforcers -- thanks to some black sheep among them. It erodes people's confidence in the efficiency and integrity of the law enforcers which perhaps have never been so low in the past.

The investigating police officers have apparently tried to downplay the gravity and enormity of the crime. But they have accepted the fact that the offence had been committed, if by a few number of men than is generally believed. And that alone is sufficient to establish the unpalatable truth that in some instances police are exploiting the vulnerability of people. How have they forgotten the Yasmine rape and murder case in which three police personnel were sentenced to death?

We express our solidarity with the people who have demanded exemplary punishment to the culprits when they are proven guilty in a court of law. All the policemen have been withdrawn from the camp concerned. But we believe that departmental action can only be a palliative where the nature of the crime demands deterrent punishment.

The image crisis of the police will deepen if such incidents happen from time to time. The police bosses should address the issue in right earnest and try to adopt measures as will help stop such barbaric crimes against society.

## DFP's charade

Time to come clean on real numbers

**T**HE parliamentary standing committee on the information ministry is to be commended for finally calling attention to a long standing charade -- that of the circulation figures for daily newspapers compiled by the Department of Film and Publication (DFP). The fact that the figures are known to be and are so obviously incorrect reflects very poorly on the information ministry, under whose auspices the DFP operates.

If government statistics are not to be relied upon, then where is the public to go for accurate information? Public faith in all the statistics that are published by the government is shaken and the credibility of the government takes a strong hit. This is not something that this or any other administration can want.

It is common knowledge that the DFP has long been a den of corruption. We demand that the government immediately initiate a probe to determine how the DFP manages to arrive at such fanciful figures and why the ministry of information has continued to tolerate such malpractice on the part of the DFP for so long.

The genuine circulation figures are not hard to obtain. Information such as print orders, newsprint quota purchases, and taxes paid are readily available to the government, and taken together can easily provide an accurate picture of the true circulation numbers of all the dailies.

The fact that the truth is so easy to find out indicates the DFP's bogus figures are no mere accident or oversight. The unarguable conclusion that we come to is that the figures have been allowed to be exaggerated as part of a ploy to permit the DFP to continue to perpetuate its misdeeds.

The allocation of government advertisement expenditure -- that totalled Tk 25.7 crore in the 2003-2004 fiscal year -- depends on the DFP assessed circulation of the dailies in which they run, and so it is readily apparent why some interested party would want to cook the numbers.

We reject the DFP circulation figures and urge the ministry of information to do the same without delay.

## Political parties and non-party caretaker government

M. ABDUL LATIF MONDAL

**I**T seems that the nation is heading towards a political crisis on the question of reforming the non-party caretaker government system. The non-party caretaker government was formally incorporated into the Constitution through the Constitution (Thirteenth Amendment) Act, 1996. On December 7, 2004 Sheikh Hasina, president of Awami League (AL) and leader of the opposition in Parliament told at a briefing at her Dhanmondi office that she would not agree to accept Justice KM Hasan, who among the retired Chief Justices retired last, as the Chief Adviser of the next non-party caretaker government. Prior to AL chief's a forementio ned observation, a front-ranking AL leader and finance minister in the immediate past AL government Shah AMS Kibria in an article published in The Daily Star of 23 November last wrote: "It would tantamount to committing suicide for the Awami League and other opposition parties to participate in an election when the Justice will head the caretaker government." The daily Ittefaq of December 20, 2004 reported that while addressing a meeting of the Juba League at Bhabar on December 19 the AL presidium member Zillur Rahman told that AL would not participate in the next general election if reforms were not brought in the caretaker government system.

The other political parties that participated in the eighth parlia-

mentary elections (2001) have not yet clearly indicated their stand on the question of reforming the caretaker government system. These parties include, inter alia, Bangladesh Gano Azadi League (Azad), Bangladesh Hindu League, Bangladesh Janata Party, Bangladesh Khelafat Andolon, Bangladesh Krishak Sramik Awami League, Bangladesh Muslim League, Bangladesh National Awami Party, Bangladesh People's Party, Bangladesh Samajtantrik Dal, Bangladesh

Ittefaq of 20 December. This means that the issue is being discussed at different spheres of the society.

The AL leadership has proposed that the chief of the caretaker government should be a person with no political affiliation and must be acceptable to all the political parties. But the AL leaders have not yet elaborated on the criteria of a neutral person who would be accepted by all the political parties.

The AL's objection to holding of the next general election under the caretaker government headed by

parliament, three separate bills by the Jamaat-e-Islami Bangladesh, Awami League and Jatiya Party on the framework of the caretaker government were submitted to the parliament secretariat. "The essence of these three bills was more or less similar, but differed on selection of head of the caretaker government. While Awami League was in favour of appointing the Chief Justice as the head of interim government, Jatiya Party proposed for selecting a neutral person as the head of the caretaker government,

It would appear from the above that it was the AL which demanded that the non-party caretaker government should be headed by the Chief Justice. The constitutional provision that exists for the appointment of the chief of the non-party caretaker government is in conformity with the AL's demand. Justice KM Hasan, who among the retired Chief Justices retired last is, according to the Constitution, the first and foremost qualifier for the job of the chief of the caretaker government.

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the caretaker government composed of persons who are not the elected representatives of the people. The Advisers or Ministers of the interim government will not be eligible to contest elections. This interim government shall carry on the routine functions of the government and shall have no power to interfere in the holding of general elections.

The ruling Bangladesh Nationalist Party (BNP) has ruled out the possibility of any reform in the caretaker government system.

The other political parties that

Workers Party, Communist Party of Bangladesh, Gano Forum, Islami Oikya Jote, Jatra Party, Jamaat-e-Islami Bangladesh, Jatiya Party (Manzil), Jatiya Party (Nazir), Jatiyo Samajtantrik Dal, Krishak Sramik Janata League, and Sramik Krishak Samajbadi Dal. Newly formed political party Bilkal Dhara, Bangladesh has also not clearly indicated its stand on the issue.

Articles, letters etc. have been appearing at the newspapers favouring and opposing reform in the caretaker government system.

"Who will head the caretaker government?" was a headline in the

Justice KM Hasan seems to have stemmed from the notion that he "served as the secretary of the international committee of the BNP" during the regime of President Ziaur Rahman. According to one analyst, the AL objects to Justice KM Hasan because he as a judge of the Supreme Court had been embarrassed to sit on the bench in the case of appeal of his relative Col. (retired) Farook Rahman, now on the death row upon conviction in the murder case of the President Sheikh Mujibur Rahman, the architect of Bangladesh.

During the tenure of the fifth

and Jamaat-e-Islami demanded for forming an advisory council headed by a neutral person to be appointed by the President -- writes an analyst. These bills, however, were not placed in Parliament because of opposition boycott of Parliament and the ruling BNP government's reluctance to consider the case. The non-party caretaker government system was unilaterally moved by the BNP in the sixth Parliament and on 26 March, 1996 it was passed by 268-0 vote. It may be noted that the Awami League and other major political parties boycotted election to the Sixth Parliament.

M. Abdul Latif Mondal is a former Secretary to the government.

## The father, the son and the ghost of times to come

MEGASTHENES

**A**S some people hoped, many expected, and even more people worldwide were apprehensive, George W. Bush was comfortably re-elected to a second term of office. Thus we have had President Bush the father, now have President Bush the son, and come January 20, 2009, we should have, figuratively, of course, the ghost or spirit of times to come. The US presidential election is primarily or essentially the concern and province of the American people. But it is also the pre-eminent quadrennial political event of the world, which naturally enough evokes intense interest and even passion among other peoples and nations.

Walter Lippmann was as perceptive and persuasive a political commentator, as any, in the annals of US journalism. In a commemorative publication after the passing of Adlai Stevenson, he ruefully observed that there were two Americas, the America of Theodore Roosevelt and the super-patriots, and the America of Abraham Lincoln and Adlai Stevenson. Decades on Lippmann's observation would still seem to apply. This divide possibly manifests itself most unabashedly and crudely at election times in particular, and naturally enough so, as elections are, in Pandit Nehru's words, "extraordinary phenomena" that "have a curious way of upsetting tempers and ordinary standards."

Kerry won every face-to-face television debate with Bush; TV debates have figured prominently in every presidential election since 1960. Have these diminished in importance or relevance? The two most prestigious dailies of the US, the Washington Post and the NY Times, among others, endorsed Kerry for President, as did the premier weekly news magazine, The Economist, which has a larger circulation in the US than in the country of its publication. Is informed opinion at a discount at election times? The economy has always been a major determinant in an election, certainly of greater import than moral issues. In this election did issues like gay rights, abortion and stem cell research weigh more with voters than lost jobs, liberal tax benefits for the affluent and

better health care? Were not voters concerned that a sizeable fiscal surplus had transformed into a huge deficit? It would be futile to speculate about the possible impact of the Bin Laden video tape that surfaced ahead of the election. Indeed one may as well ponder what would have been the effect, if any, on the outcome of the 1980 election, if the US hostages in Tehran had been released in September or October of that year. The Christian conservative groups -- more on this later -- have perhaps never played as crucial a role in an election before. The Economist described Bush as being "in hock to the Christian right." Some of the President's comments would suggest that he communes directly with the Almighty before arriving at decisions of great moment. There have been reports of

payments by Bush, through federal faith-based initiatives, to religious organisations. Does this suggest a trend of the future?

9/11 was unconscionable and abhorrent, as traumatic for Americans as Pearl Harbor. The perpetrators perished and those believed to have orchestrated it from afar have been relentlessly pursued. It is surely also true that but for monstrous failures of intelligence and of stringent safeguards that are routinely in place, 9/11 would not have happened. After Pearl Harbor, Admiral Kimmel, the C-in-C of the US Pacific Fleet, was removed from command and later reduced in rank and retired. No such action to fix responsibility for failures seems to

and no punches pulled political event. Since the War, Truman and Johnson apart, Republicans have probably had an edge over Democrats in the rough-and-tumble aspects of elections. Two examples would explain. Richard Nixon never received the recognition and respect that he so desperately craved from the intellectual elite, perhaps for valid-enough reasons.

Adlai Stevenson had observed of him in 1952: "Nixonland is a land of

slander and scare, of lay innuendo, of a poison pen and the anonymous telephone call, and hustling, pushing, and shoving -- the land of smash and grab and anything to win." Sonorous, mellifluous and elegant, but not exactly brimming with the

approach" but "hold the same basic tenets."

Politically, fundamentalism came to the fore in 1928 during the Scopes trial in the state of Tennessee. John Scopes, a school teacher, was tried under the Butler Act, an obscure new state law that prohibited the teaching of Darwin's theory of evolution, as it conflicted with the Biblical teaching of Special Creation. William Jennings Bryan, three times Democratic candidate for president, former Secretary of State, populist and pacifist and also fundamentalist led the team of prosecutors. In 1923, Bryan had attributed America's every ill to the teaching of evolution. It would be better, he felt, to destroy "every other book ever

extrapolation, and rightfully belongs to the never-never land of "might have been." Biographical novelist Irving Stone once drew up a list of those who lost presidential elections, who, he was convinced, would have made better presidents than those who won. His list included Humphrey over Nixon, 1968, Al Smith over Hoover, 1928, Davis over Coolidge, 1924, Cox over Harding, 1920, Hancock over Garfield, 1880, Tilden over Hayes, 1876, Seymour over Grant, 1868, Fremont over Buchanan, 1856, Scott over Pierce, 1852, and Lewis Cass over Taylor, 1848.

President Bush has his share of critics and more. It may be simplistic though to see the political, moral and ethical issues, raised by so many of his decisions, in shades of black and white. Abraham Lincoln, during considered the greatest of US presidents, was, in his time, almost as reviled and vilified as he was admired. A very apposite observation by him should apply also to Bush, his successor in office several times removed. Lincoln had said, "If the end brings me out all right, what is said against me won't amount to anything. If the end brings me out wrong, 10 angels swearing I was right would make no difference." Future scholars, animated and informed by the ethos and spirit of times to come, will surely judge whether or not Bush belongs in the category of Presidents Nixon, Hoover, Grant and others, and Kerry in the company of Humphrey, Al Smith and Seymour and the rest. The Bush presidency will be rated on the basis of what was done, not done, and, even more importantly, the consequences thereof.

An awesome concentration of power that can be wielded with near impunity, compounded by absolute moral certitude, corporate greed, ultra-nationalism and an almost antinomian philosophy, can make for a heady and deadly brew. Innumerable people -- and not just in the US either -- may well ponder with a sense of unease, one of HL Mencken's more acerbic pronouncements in the Chicago Tribune in 1926: "No one...has ever lost money by underestimating the intelligence of the plain people."

written and save just the first three verses of Genesis." Defending Scopes was Clarence Darrow, autodidact and agnostic, the foremost criminal lawyer of the time. Another protagonist was HL Mencken, part journalist, part philosopher, an icon and iconoclast, libertarian but no radical, in his own words "quite devoid" of religion, who reportedly persuaded Darrow to defend Scopes. Those supporting Scopes, including the American Civil Liberties Union, hoped that the case would go eventually to the US Supreme Court for a definitive ruling on the constitutionality of the Butler Act. It took a jury all of 9 minutes to find Scopes guilty, a verdict later reversed on a legal technicality by the Tennessee Supreme Court. Incredibly, the Butler Act, though never again invoked or enforced, remained in the statute book of Tennessee, till 1967.

There are people who believe that in all US presidential elections, the more deserving candidate, the one more attuned to the needs of the time, have won; a sort of doctrine of "popular infallibility." Not everyone would concur. This is not a question that can be resolved empirically; rather it relates to instinct and

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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.

**Mahathir's visit:  
BMCCI clarification**

Our attention has been drawn to the editorial "Mahathir's visit was eventful" (20 December, 2004) in your newspaper. In the first line of the second paragraph of the editorial it was mentioned that "the purpose of Mahathir's visit was primarily to accept an honorary degree of law from the University of Dhaka." But it is not correct.

The truth is that the purpose of Dr. Mahathir Mohamad's visit to Dhaka was to attend the First Bangladesh-Malaysia Business Forum 2004 to deliver the keynote speech on "Malaysia 2020: From Vision to Reality" at the invitation of the Bangladesh-Malaysia

**Chamber of Commerce and Industry.**  
Abdus Salam  
Hon' Secretary General  
BMCCI

**Right decision**

The government of Bangladesh has been able to uphold the principle that nobody is above the law of the land; it refers to the government's decision in relation to the case of the immediate predecessor of the Inspector General of Police.

The decision of such nature is an encouraging one because it could inter alia be instrumental in promoting an enabling environment for building people's confidence in the country's system of governance. More examples are, however, needed in the area.

Dr. MS Haq  
Bangkok

**A prayer for my brother**

A part of me left a long time ago and passed away. My brother died a long time ago. He was a lot older than me. He died when he was a baby. I was born much later. I never had an older brother and I never will. My ancestors have passed away. Human beings are spirits or souls. Thousands of souls. I think when people die, their souls and spirits live on. The Christians believe in an afterlife. The Sufis also believe that the soul lives and we have a spiritual existence. According to Irish beliefs and folklore, Halloween is a holy evening or all souls day when we are supposed to pray for those who passed away. In Mexico, the people also have a tradition for the day of the dead. Death of people in the past

and the days to come. Life and death in the legendary Mexican symbol. I do not have an answer as to why my brother died. I still feel that he is a soul that roams and visits me, an angel spirit, a blessed baby. Blessed angels, blessed baby. The blossoms, the olive tree.

I am sad because you did not see my happy days. I am glad because you did not see the horrible grief and violence in life. My brother is near the olive tree, on a borderland, beside a river. Like a rare gemstone. My brother died a long time ago.

EM  
On e-mail

**Temptation of the Promised Land**

It's morning again in the US, and along with the rising sun comes the

bittersweet realisation that the great promise of redemption from halfway across the world is all but gone. What is only a cricket match to most becomes a way of life to the managerial few, and for those Bangladeshis who were mesmerised by what Mohammad Ashraful and his supporting cast did to the Indians in Chittagong, the question of the day is "Did it really happen?" Did we really score 397 runs in a day? Did we really lose 16 wickets, the last 9 in less than a session? Did we really miss the follow-on target by a mere 7 runs after scoring over 300, massive by our standards? Did Ashraful with his magnificent unbeaten 158 really strike fear in the hearts of the opposition? Then just when we thought salvation was near, did he first chase a suicidal run in the last ball of the first innings, and then not come in to steady the top of the order while his teammates were throwing it all away in the second? On the morning of the fourth day, were Bangladesh again 90 in the second innings, a match uncannily similar to the one played this week. So perhaps we are no closer or further away from the "promised land" than when we first started.

What I will remember most of the night will be how grown men and women stayed glued to a screen all night, watching a little man play savor. We were in the middle of yet another infamous Bangladesh "dawat", yet for once the cricket reigned supreme. There were calculations and counter-estimates, how many runs to the follow-on target, can we bat all day, how many sessions will the Indians be forced to play in their

second innings to rebuild their lead, can we last on Day 5 to draw it? The heart wanted to believe, even if the calculations did not supply the right data.

B