

Boycotting budget session is a bad idea

AL must fulfil its obligations to its voters

THE stated logic behind the opposition Awami League's decision not to join the forthcoming budget session does not stand to reason. The party chief whip's explanation that they don't want to give 'legitimacy' to the budget by attending the session sounds more like an excuse than an argument.

It is a constitutionally mandated responsibility of the MPs, regardless of their party affiliations, to represent their constituencies in parliament. And, what could be a better opportunity to speak for the people than the one being presented by the budget session of Jatiya Sangsad.

We urge the AL leadership to join the parliament session without much ado. They have to realise that the JS is the house of the people, not of the government. People have elected their representatives to speak in parliament not to be absent from it. So, the AL's apparent failure to distinguish between the parliament and the government has only lowered the party's standing in the public eye. The AL MPs represent the people of their constituencies in the very least; and perhaps, more to the point, the country as a whole as the elected opposition.

People are aware of the fact that the opposition is given limited space in parliament. The opposition has been critical of the role of the speaker and accused the ruling party of not giving them adequate space and time to make their points. But, in spite of the limitations, if the opposition attend the parliament, express their dissent on different aspects of the budget and put forward their suggestions, no matter what contribution they made it would have gone down very well with the people.

The AL has boycotted the parliament for months together and is largely responsible for making it dysfunctional. There is still more than a year left for the party to prove its commitment to parliamentary democracy and make up for their unheard voice through skillful articulation at this point in time with an eye to the next general election which are not far away. The budget session is where anything under the sun can be discussed, so it gives the AL a major opportunity to make their presence felt.

The question circulating in the public mind is: what has the AL gained by not attending the majority of JS sessions. Moreover, participation in parliament does not preclude other options of voicing dissent such as staging public rallies and forming human chains.

The French and the Dutch say 'No'

It is not a rejection of united Europe

THE thumping 'no' by the Dutch within a week of a similar verdict by the French on EU constitution has cast a shadow on the immediate prospect for a united Europe, but has not negated the concept of European integration as such.

The European constitution can not come into effect unless all 25 EU members ratify it. What the EU headquarters plans to do now remains to be seen, but this week's turn of events has clearly brought into focus the sharp divide in thoughts between some governments and their peoples.

In the case of France, the rural populace feared that an ultra-free market mechanism within the EU would put their interests in jeopardy. They are skeptical about giving up too much sovereignty to the EU. The Dutch voters, apart from the fear of losing their identity, were not too keen on countenancing the domineering attitudes of the bigger economies and more populous countries among the member states. They probably want to believe in the idea of One Europe, but not at the expense of losing their individuality into what they apparently perceive to be a whirlpool of a supra-national identity.

So what happens now? Though as many as nine member-countries, including Italy, Germany and Spain, have already ratified the constitution, more countries like Ireland, Luxembourg, probably United Kingdom too, are likely to hold referendums in the coming months. Whether they will go ahead with the vote, or the recent results would have any impact on their minds otherwise, only time will tell; but one thing is certain -- the debates both in France and Netherlands have set the clock of progress of European integration back.

All this doesn't mean though, that the pursuit of give-and-take in Europe, inter-penetration of markets, increasing employment opportunities, cultural exchanges, freedom of movement across borders have lost any of their original appeal.

It is the people of Europe who may have forced a rethink on the part of governments about the need for rewriting the constitution of Europe. That is the message.

MUHAMMAD NURUL HUDA

THE police force being a law-enforcing agency is an indispensable wing in a country governed by rule of law. The democratic and human rights of the people invariably interact with the process of criminal administration of justice with which the country's police is directly involved. In progressive stages of any democracy the traditional concept of police as a mere law-enforcing agency or a coercive instrument of the government is rendered obsolete. The entire focus of the role of police shifts and the police needs to project itself not as a servant of those in power but as a guardian of citizen's values and as a monitor of democratic order.

Adjustment with democratic system

In present day Bangladesh, in fact, there is hardly any activity left out where the police is not to be posted on duty. In cricket stadium or cinema theatre, the presence of policemen becomes relevant. The police, therefore, has become an integral part and an intrinsic need in the socio-politico-democratic process. The offences which originate from social tensions call for humane approach and selective treatment by the police. The family violence, offences by and against women and children or the crimes traceable to facts like unemployment and poverty are actually social ills and aberrations, which the police have to control. The skill, proficiency and temperament of the police are tested in the situations peculiar to the democratic activities like protest meetings, religious processions, political rallies, public gatherings,

agitations, gherao, student unrest and all kinds of mass gatherings. The policemen is expected to observe greater restraint, as any excess by them can result in direct violation of citizen's fundamental and democratic rights.

Orientation to democratic values

In our scenario the police has been unsuccessfully struggling to transform itself and the political class of

force is not independent of the executive and the politicians exercise ultimate control over it. The political interference in the functioning of the police department has not only paralysed the force, it is one of the major reasons which have prevented country's police from becoming suitable to the needs of democracy. Consequently, the police has lacked in the professional standards of

its role has not been brought to the public scrutiny and public debate in our country so as to infuse awareness in the police set-up about their duties.

It is time we take cognisance of improved methods and refined processes in expert investigation and the use of brains as against brawn. We must reeducate the constabulary out of their sadistic arts and inculcate a respect for

not lead to arbitrary, whimsical or tyrannical behaviour.

Strengthening democracy through modernisation

There is not much to speak positively about the performance of Bangladesh Police but the unaltered fact of the matter is that the police continue to be the principal investigating agency of the state for all criminal offences. However, years of neglect have brought us to

We may also consider if the universities could be policed from within as is done in western countries thereby relieving our over-stretched police force from a socially unwanted job. The manpower thus made available could be suitably utilised for actual security of citizens through deployment in exclusive anti-crime assignments. In democracy safety of the people is the highest law and thus the judicious allocation of police manpower has a tremendous supportive value.

the country is apathetic towards the need to revamp the police. The credibility among the common man and accountability towards the society at large are the twin tests to judge whether the police force has democratised its functioning. The reasons why police in Bangladesh are wanting in these two areas are often traceable from within the society itself. On one hand the people are in the habit of looking at the police contemptuously and on the other hand the persons in power have shown no political will to introduce reforms advocated by various quarters. A bridge of confidence between the police and the people is a *sine qua non* in democracy but ironically our police is gripped by the crisis of this very confidence.

In democracy utility of police department can be secured in optimum only if it is allowed to function impartially and with independence. In our set-up, the police

competency rendering them incapable of facing the multiplying challenges of crime and order.

The role

The role of police will be evaluated in the perspective of people's interest. The police forms part of the executive. The police, the government and the judiciary bear a mutually informing position to one another in a democracy. An efficient police force provides the teeth of effectiveness to the government. By maintaining law and order and ensuring public peace, which is a basic requirement for socio-economic advancement, the police facilitates the task of a democratic welfare state. Thus the police functions as an active partner in democratic progress. As a crime-prevention and investigation agency the police performs a supplementary role to the courts of law. In spite of the pivotal place of the police in democracy, somehow

human rights. We have to realise that a police force which relies more on fists than on wits or on torture than on culture can not effectively control the crime. Police in our democratic polity must keep off the trigger-happiness and must exercise due restraint especially when tackling the political rallies and gathering where people's democratic rights are directly affected. The spectrum of punitive, regulatory and restrictive functions of police is very wide now. In these new dimensions, the role as a watchdog of democracy is quite complicated and sensitive. But this role can be performed only when the police functions as an instrument of law and the state and not of the government or party in power. The police must not be allowed to break the laws while dealing with groups of people who believe in violence and who work for breaking laws. It should be seen that discretionary powers of police do

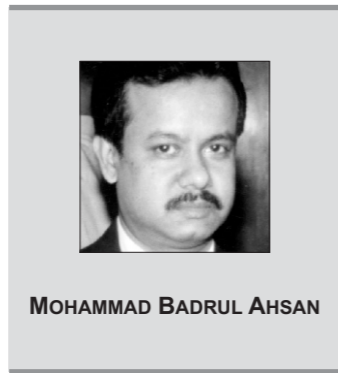
the present sorry state of affairs when the credibility, efficiency and neutrality of the investigative body has been questioned and external agencies have become favourite for a job that is essentially ours. This situation should compel us to seriously ponder over the areas of mal-functioning and the alleged cracks in the institution. If the overbearing political executive has to be restrained from interfering in the investigation process then the tough talking has to be done now without any further delay. But prior to that an environment has to be created where all concerned can muster enough courage to call a spade a spade. The lead must come from the politician because he carries the mandate of the people. Executives of the bureaucracy, in their role as appointed representatives, must assert themselves so that the hallowed traditions of public service are not smeared any further.

To inculcate a scientific mind and to establish the preeminence of brain over brawn our investigative body must have the benefits of modern forensic laboratory. Enhanced investment in this regard brooks no further delay. Purchase of fearsome hardware may serve some purpose, but mainstream policing will get a solid boost if investigation efforts received substantial resources. If this is done then we will not have to look for external help in conducting criminal investigation and in so doing we will strengthen a vital organ of the democratic state. The supportive role of police cannot be minimised.

Frequency of order situations in Bangladesh wherein police force have the unpleasant but onerous responsibility to tackle crowd and gatherings in political rallies and hartals may perhaps be minimized by means of prior discussion and negotiation, howsoever funny it may sound. If only our people knew what staggering amount of public money is spent in the preventive arrangements of law-enforcing agencies in connection with hartal and the like. We may also consider if the universities could be policed from within as is done in western countries thereby relieving our over-stretched police force from a socially unwanted job. The manpower thus made available could be suitably utilised for actual security of citizens through deployment in exclusive anti-crime assignments. In democracy safety of the people is the highest law and thus the judicious allocation of police manpower has a tremendous supportive value.

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The gulags of our time



MOHAMMAD BADRUL AHSAN

was being kicked, thrown to the floor, or withheld from the prisoners as a punishment. One prisoner had complained as early as August 2002 that guards had flushed a Koran in the toilet.

The Pentagon reaction to the allegation has been crass and constrained. It claimed that the same prisoner was interviewed on May 14 of this year, and he "did not corroborate" his earlier claim. "We still have found no credible allegations that a Koran was flushed down a toilet at Guantanamo," Pentagon spokes-

man Bryan Whitman said in a statement last week. Knowing what happens inside that prison, it isn't a surprise that the particular inmate might have changed his story two years later. Lawrence of Arabia, who was sodomized in a Turkish jail, wrote in his memoirs that there was nothing he wasn't ready to do in order to avoid a moment of pain. Better forget than face the dire consequences of speaking up inside a gruesome gulag. Perhaps years of beating, stripping, sexual humiliation, and intimidation left him in no condition to remember.

But the claim that the Koran was desecrated by the US soldiers didn't come from that prisoner alone. Several detainees made

that claim and at least three others told FBI interrogators that they had heard about such incidents from other inmates. Similar allegations were made by the International Committee of the Red Cross and a Muslim chaplain as well as other detainees and their attorneys.

Whitman of the Pentagon tried to brush off these allegations with absurd arguments. He said that al Qaeda members have been trained to lie about their treatment during incarceration. He also said that the officials at Guantanamo knew how to handle the Muslim

with an extremist movement that vowed to fight the American hegemony on their soil. Many of them have been held without trial, their lives shattered by bestial treatment in the newly-invented American gulags. It doesn't need a Sigmund Freud to explain how depravity begets depravity until an entire society is consumed by deranged minds. Two female interrogators at Guantanamo Bay have been reprimanded for sexually related techniques, including one for smearing ink on a detainee and telling him that it was menstrual

has faded into the background, people are being persecuted in the US military prisons. There is a Freudian anxiety about this madness, one that sends a man into the frenzy of vengeance when he keeps hitting long after the enemy is dead. The suicide bombers of the Twin Towers went down with their planes. Many al Qaeda leaders have been captured and others are dead. Saddam Hussein and his men are in prison, his sons dead, his country occupied by the American forces. But people are still held in

end. They wanted everybody to see the world through their eyes. It was a mistake. But the same mistake is being repeated in the American gulags, where the prisoners are being persecuted because they didn't see eye to eye with the United States.

While releasing its report in a press conference, Amnesty International called on foreign governments to investigate Defense Secretary Donald Rumsfeld and other US leaders for the torture of prisoners under their watch. Last Wednesday, Donald Rumsfeld held his own press conference in the Pentagon, issuing warnings to any country which might give shelter or medical assistance to the terrorists. His warning basically fell short of saying one thing. He didn't say what would be done to the mothers who conceived terrorists in their wombs.

Here is a lesson of biology for Donnie Rumsfeld. Terrorists are also born of mothers like he once was, before they take up arms or blow up themselves in the blast of suicide attacks. If we come back to the news of desecration of the Koran, 16 people have already died in protest to the news, which is now being claimed as a rumor. But many times more that number has taken their hatred for the United States to their blood. That is the ultimate shelter for terrorism. How will Rumsfeld go after these terrorists hiding in their mother's milk and father's blood?

I guess Rumsfeld will have to hold another press conference to tell us how he plans to deal with it. Meanwhile, I would like to warn every Muslim on his behalf. He might come after you if he finds out that your children are also harbouring your hatred for the United States.

Mohammad Badrul Ahsan is a banker.

CROSS TALK

In the ultimate analysis, the inmates of the American gulags were warriors, who fought for their countries and for their convictions. They oppressed women, sent children to religious schools, chopped hands, beheaded people, and took religion to its logical end. They wanted everybody to see the world through their eyes. It was a mistake. But the same mistake is being repeated in the American gulags, where the prisoners are being persecuted because they didn't see eye to eye with the United States.

Holy Book, since the Pentagon issued rules for handling it in 2003.

This is where truth lurks in fiction like sunshine in the clouds. If allegation of mistreating Koran was raised in 2002 by the inmates and the rules of handling Koran with utmost sensitivity was issued in 2003, it only tells us that something must have transpired in the meantime. We shall come back to it, but let us first talk about the Russian gulags which are being run on the American standards. The inmates are so frustrated that they even contemplate mass suicide and often ask the guards to kill them.

None of these inmates participated in the bombing of the twin towers, but happened to be ideologically and militarily connected

blood.

Inmates are abused in every prison of the world, and the military prisons can't be five-star facilities for those who are captured and held for plotting to destroy the most powerful country in the world. So, when naked bodies are piled up for sordid pictures, guards mock dead prisoners, throw prisoner's prayer cap in the trash, sexually molest them, break their bones, cut their skin, kick them, hang them or torture them in every possible manner, these are but manifestations of how the vanquished has to pay a price to the vanquisher.

Almost four years after September 11, long after the Americans have invaded and ransacked two Muslim countries, and the search for Osama bin Laden

captivity, their bodies bearing the brunt of the American vengeance, defiled and deformed in the demented delight of sadistic killers who tie up their victims in the cellar and then tear them apart limb by limb. These prisoners never attacked the United States. They never committed any crime on American soil. If anything, their only crime was to espouse a passion to resist the American supremacy on their own soil.

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OPINION

Thinking the unthinkable

ATM MURSHID ALAM

TWO news items appeared boldly in the newspaper pages on a single day and dominated for a while. These are, firstly, the appointment of the chief election commissioner (CEC) by the government and secondly, banning of all types of agitation by the lawyers on the court premises by a High Court Bench. Let's discuss the first point first.

The government's sudden and abrupt appointment of Justice MA Aziz, a sitting judge of the Appellate Division of the Supreme Court, as the new CEC has reportedly caused shock, distress, and surprise to the opposition political camps. Awami League and some other parties have rejected this CEC appointment outright. Newspaper pages came out filled with editorials and articles about what else the government could have done along with wise com-

ments about a missed opportunity by the government, through which the ever widening gap between it and the opposition parties could be narrowed down for the betterment of all concerned. These are all noble thoughts, no doubt.

But is there any reason to be shocked or surprised by the government action?

Do the reacting parties and persons really think so? Are not they thinking the unthinkable? Rather, the unthinkable would have been just the opposite. The government could shock and surprise the whole nation by announcing that it is inviting the main opposition party AL for a discussion on the appointment of the new CEC, though this is not constitutionally obligatory to them. AL could also shock and surprise the nation by welcoming the government move. By a stroke of the pen, the government and the opposition could have caused

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a massive earthquake in the political and social arena of Bangladesh.

There could be the dawn of a new political culture in our country. Political scientists could become busy writing a new chapter on Bangladesh politics. But are our politicians worthy and capable of such extraordinary happenings? The answer is no and let's see why it is no.

Our politics is based on anger, hatred, mistrust, confrontation, and spreading lies. Our political culture is the culture of non-cooperation, non-recognition, and non-appreciation between

the government and the opposition. Our government policy revolves around taking it all and giving nothing to the opposition while the opposition's policy is centred on enforcing hartals to destabilize the government.

Our PM and leader of the opposition are not on speaking terms and hardly sat under one roof except for a brief period of time on some rare occasions. They never met or talked together for any policy discussion. In such a scenario, any concession or initiative by a party is unthinkable as they are scared that the other party may view this as a weak-

ness and take advantage accordingly. So only an Aladin's lamp can possibly do the trick of changing our politics and politicians overnight.

Our politicians tend to walk on a narrow strip and lack a much needed vision for a positive future for our next generation. This situation is not likely to change in the near future as the leaders are surrounded by the sycophants who are too scared to suggest any bold initiative lest they lose their privileged positions and the leaders are safely enchain to their pole positions owing to the dynastic nature of the two main political

parties. We may have to wait for the next generation of leaders for something new to happen.

Coming back to the second point on recent High Court order banning all types of agitation by the lawyers on the court premises, people now think sanity will at last prevail in the Supreme Court and the lawyers would discipline themselves in their attitude, conduct, and behaviour. But are we thinking the unthinkable? Already there are signs of provocation to the court order. The Supreme Court Bar Association cannot behave like a trade union body. Bar members' way of agitation

remind us of the gherao movement initiated by Moulana Bhashani during the fag end of the Pakistan period. Is there no dignified way of expressing grievances by these lawyers?

In fact, two groups of lawyers representing the two major political force of Bangladesh are causing immense harm to the judiciary by resorting to various undesirable activities during the last few years. Both groups remain silent when their preferred party assumes power and they shift their attitude towards the court according to the shift of the positions of their respective parties. These people are said to be inter-preters of law, but it seems they consider themselves above the law. The image of the judiciary is the common target of their crossfire, but in doing so they have damaged and downgraded their own image to a great extent.

But what is the cause of this

image crisis of the lawyers? With due respect to the excellent and dedicated lawyers, a cause may be traced back to a time, when parents in our country used to encourage their children to study law where they would not get a job anywhere else. This may sound odd but it's true indeed. Times have changed -- more students now study law as a matter of choice than as compulsion -- but we may have to wait a bit longer for this new generation of law professionals.

Lawyers are grabbing the headlines for the wrong reasons. They should rather be in the headlines for winning a major case, making some terrific argument in court, or for some extraordinary achievements. Is this too much of an expectation? Or are we thinking the unthinkable?

ATM Murshid Alam is a former project consultant.