

Time for campus police

At present it takes time, and the system is not transparent at all. Suppose a student of Dhaka University, hailing from Patuakhali, needs police verification from his own thana, where he/she may be unknown. In this case, the police may give a false report and could take bribe from the parents or relatives of the candidates. When the campus police will give clearance, it will be a genuine one. All the private universities will also be brought under campus police administration for these purposes, as the contribution of private universities now-a-days is not less than that of public universities.

MD. MASUM BILLAH

A timely and thought-provoking article appeared in *The Daily Star* of its September 9 issue under the caption "Campus police," which received my attentive reading. During my university life, I strongly felt the necessity of the introduction of a special kind of police force in the university and university college campuses, which would be different from the normal police force of the country. I sent my proposal to English dailies, and it got published in the letter column. The article by A.N.M. Nurul Haque reminded me of my university life, and I must appreciate the concern of the writer who regularly contributes to *The Daily Star*. I would like to add

some more points to his proposal. The sudden incidents, occurrences, accidents, and crimes that occur in the higher educational institutions call for a different type of dealing, which the normal police force cannot address pragmatically. The context and nature of the incidents in universities or colleges are different from those outside the campus. The traditional and non-technical police force find them difficult to deal with. The arrest of university teachers and arrest of a criminal stand far apart, which the normal police can never understand. From these perspectives we strongly feel the necessity of introducing a highly qualified, educated and technically profi-

cient police force to maintain peace and order in our higher educational institutions. Recruitment of campus police will be according to the usual procedure of the police department, but when they are deployed in the campuses, they will be under the university administration. If the administration desires, they can ask the police authority to transfer the members or officers. But the campus police will be with the mainstream police of the country. All campus police should be graduates at least, and all the officers must be masters degree holders. The job will be a prestigious one. Special attention has to be given to the recruitment process, though all of the officers



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would be civil servants.

Both high-ranking police officers and university teachers will be in the viva-voce board. Their transfer will be among the univer-

sities, university colleges, and colleges. The proctor of the university will function like a home minister of the campus, and the campus police will be under his

command. Of course, there will be a high-ranking police official (DIG in universities and SP in the university colleges) who will work under the command of the proc-

tor. Campus police will be without heavy arms in the campus. Only during an emergency, or a dangerous situation, will armed and riot campus police appear on the scene. But they will always be ready to respond to any emergency or untoward incident in the campus. Intelligence police will always be in the campus. Arranging personal security of VC, pro-VC, proctor, and registrar will fall under their purview. Ensuring security of the campus will be their duty. Students passing out of the university need police verification for getting job, going abroad, and getting a passport. The campus police will issue the police verification report on the basis of their performance in the campus during their university life. At present it takes time, and the system is not transparent at all. Suppose a student of Dhaka University, hailing from Patuakhali, needs police verification from his own thana, where he/she may be unknown. In this case, the police may give a false report and could take bribe from the parents or relatives of the candidates. When the campus

police will give clearance, it will be a genuine one. All the private universities will also be brought under campus police administration for these purposes, as the contribution of private universities now-a-days is not less than that of public universities. A considerable number of students seeking higher education find their place in private universities, which are spread all over the country, from the capital city to metropolitan and even *muffassil* towns. The writer says that Howard University in Washington DC has a very inventive campus police which works cooperatively with the District of Columbia Metropolitan Police and federal government agencies. This campus police has five sections namely; field service bureau, personnel department, training section, investigation section and operation section. Our campus police will also have different departments to function smoothly. The matter calls for serious attention and thinking of the authority concerned.

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Development and the right to information

The Indian Supreme Court did not mention the right to information specifically, but it declared the right to information as a fundamental right through its decision. In *Bunnet Coleman & Co. vs. Union of India*, the Indian Supreme Court held that the right of the government to put restriction on newsprint etc. violated the right to free speech and expression as well as the public right to be informed on various issues.

SHEIKH HAFIZUR RAHMAN KARZON

NATIONALLY and internationally, the right to information is a standard unit for measuring the efficacy of participatory democracy, good governance, and sustainable development. Every citizen of a country has the right to know how the government, collector of his taxes, is discharging its duties to ensure a secured and better life for him. Simply put, the right to information lies at the core of a smooth-functioning democracy, creating an environment of openness where free flow of information prevents the capriciousness of the state system. Inquisitiveness is normal in every individual, and he/she wants to know what is happening around him/her, some of which are profane and some are spiritual. The earthly affairs may subsume social, cultural, and

economic reality. At a certain stage of human civilisation the state emerged with all its formalities, establishing its territorial and military sovereignty, which gave rise to the culture of secrecy. The ruling elites demanded some prerogatives, which have long been beyond the public domain. The administration always liked to work in an environment of secrecy. But with the development of both the bourgeois and communist revolutions in UK, France, USA, Russia, and China, myriad types of human rights developed. The development of democracy with separation of power provided many new ideas of rights, the emergence and implementation of which ensure good governance and sustainable development. If we consider the inquisitiveness of human mind as the origin of right to information, then the origin of this right is as ancient as human genesis. But the term "right to information," in the sense we are using it, is not very ancient,

making its place in national legislations around two hundred years ago, and in the international instruments around 60 years back. Sweden is the pioneering country which recognised freedom of information in its Constitution, and implemented it by enacting separate Act in 1766. The United Nations General Assembly was the first to coin the term when, in 1946, it declared at its first session that: "Freedom of information is a fundamental human right and ...the touchstone of all the freedoms...." The declaration of UN General Assembly recognised the right to information as a fundamental human right, and its importance for smooth functioning of democracy, where openness of the governmental system allows collectivity to win. In 1948, the United Nations adopted the Universal Declaration of Human Rights, where it made direct reference of the right to information. The above international instru-

Article 19 of the Declaration provides that, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinion without interference and to seek, receive and impart information and ideas through any media regardless of frontiers." The meaning of freedom of expression under the Universal Declaration of Human Rights is extended to subsume seeking, receiving and imparting information. The International Right of Correction, 1952, also deals with freedom of information at the international level. It asks the state parties to develop reliable understanding between their people through the free flow of information and opinion. The freedom of information found some good connotations under the term "freedom of expression" in the International Covenant on Civil and Political Rights, 1966. Article 19(2) of the Covenant reads as follows: "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all rights, regardless of frontiers, orally, in writing, or in print in the form of art, or through any other media of his choice." The idea of dialogue, in con-

trast to monologue, is at the heart of much thinking, which is leading towards a process of developing social rights. The right to communicate is an extension of the continuing advance towards liberty and democracy. There are around seventy countries in the world which have enacted some form of freedom of information law, described as "open records" or "sunshine laws," under which people get right of access to information or records held by the government. In the modern world, there is an international campaign to make the people aware that they have the right of access to public documents and local taxing entities. The right to information laws, generally, provide a procedure through which documents of public and private sectors become available to the people. In many countries the peoples' right of access to information has been guaranteed by the constitutions, but those are vague, and, therefore, require specific legislation of right to information to ensure this right. A related concept, open meetings, has been developed, allowing people to attend government meetings. Privacy or data protection laws may be considered as part of the freedom of information

legislation in many countries. A basic principle of most of the freedom of information legislation is that the person requesting information does not need to elaborate the reasons for his request, but if the information is not given, a valid reason must be given by the authority. The constitutions of almost all the countries provide for freedom of expression, but there the freedom of information provisions are absent. The judiciaries of different countries have been liberally interpreting freedom of expression to include the right to receive information. The US Supreme Court held that the First Amendment of the US Constitution included the right to receive information. Justice Thurgood Marshall interpreted the First Amendment in *Kleindienst vs. Mandel*, in the following words: "In a variety of contexts, this court has held that the First Amendment protects the right to receive information and ideas, the freedom to hear as well as the freedom to speak. The reason for this is that the right to speak and hear, including the right to inform others and be informed about public issues, are an inextricable part of that process." The Indian Supreme Court did not mention the right to informa-

tion specifically, but it declared the right to information as a fundamental right through its decision. In *Bunnet Coleman & Co. vs. Union of India*, the Indian Supreme Court held that the right of the government to put restriction on newsprint etc. violated the right to free speech and expression as well as the public right to be informed on various issues. In *State of UP vs. Raj Narain*, the respondent sought information about the security expenses of Indira Gandhi, the then prime minister, and the court recognised the significance of the people's right to know as a deterrent to oppression and corruption. The Supreme Court of India had been consistent in its view in succeeding cases. In *S.P. Gupta vs. Union of India*, the court held that, "No democratic government can survive without accountability, and the basic postulate of accountability is that the people should have information about functioning of government. It is only when people know how government is functioning that they can fulfill the role which democracy assigns to them and make democracy a really effective participatory democracy."

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History repeats itself in Sri Lanka

Continuance of the Rajapaksa government now depends on the Janatha Vimukthi Peramuna with whose support he narrowly won the presidential race in 2005. The JVP made its position clear when it said that it had no intention of protecting the government, which was "dying a natural death due to its own follies." Commenting on the CWC pullout, Vijitha Herath, senior JVP leader, said the imprudent political tie-ups with the CWC, SLMC and the UNP dissidents had led to this critical situation. "The government is driving itself down the path of absolute disaster. It is dying a natural death. We have no need at all to protect it."

SAM RAJAPPA

AS Karl Marx had said, history repeats itself first as tragedy, then as farce. Sri Lanka does not seem to have learnt its lesson from history. In 1992, Army Commander Cecil Waidyaratne and Chief of Staff Major-General Lucky Algamla led the military to victory in the Eastern Province and freed it from the control of the LTTE. The UNP government of Ranasinghe Premadasa quickly followed the victory by holding election to local bodies instead of giving precedence to the holding of a referendum to find out whether the people of the East wanted the merger of their province with the Northern Province as mandated by the Indo-Sri Lanka agreement of 1987 to resolve the ethnic crisis tearing the island nation asunder. The referendum was to be held within a year of signing the treaty but was deferred indefinitely due to

the civil war raging in the province. Premadasa, who was the Prime Minister at the time of signing the treaty, boycotted the ceremony as his heart was not in it. After becoming the President, he armed the LTTE to get the Indian Peace Keeping Force out of the country. Then he turned his guns on the LTTE and succeeded in driving them out of the Eastern Province. Even before the euphoria of winning the East died down, Premadasa was assassinated by the LTTE. Two years later, the LTTE regained control of the areas from which it was ousted by the Sri Lankan armed forces. People confused Fifteen years after, the Sri Lanka armed forces claim that they have "liberated" the eastern province. The people in the East are confused. When the territory south of Trincomalee and north of Batticaloa fell to the security forces, the people of the "liberated" areas were driven into refugee

camp. They are called internally displaced persons. The people of Sampur and Moothoor in Trincomalee district, who are predominantly Tamil, have been told that they cannot return to their homes because the places were declared high security zone. The Supreme Court had rejected fundamental rights violation petitions filed by displaced Tamils due to the military operation. The capture of the territory by the security forces is not going to bring peace to the people of the East. The area declared as high security zone has 19 Tamil schools, including the famous Chennaiyoor Central College, 18 Hindu temples, two hospitals and one church. Plans are afoot to construct a Buddha vihara there. Buddha statues are being erected in prominent places in territory captured from the LTTE-controlled areas. If President Mahinda Rajapaksa is serious about solving the ethnic

problem peacefully, it would be prudent on his part to consolidate the military success and hold a referendum in the eastern province. Merger of the northern and the eastern province is germane to a lasting solution and was brought about by Indian intervention in 1987. The Rajapaksa government has undone it through a court order. The only way to rectify this act is to hold the long-pending referendum. If the people of the East reject the merger, it should be accepted by all. Holding local body and provincial council elections could wait. The huge victory rally held by Rajapaksa in Colombo for defeating the LTTE in the East was uncalled for. He should remember that winning land and claiming territory is easier done than holding it, as his predecessor, DB Wijetunge, who succeeded Premadasa as President, learnt to his cost. The LTTE recaptured the territory in two years' time. It was for this reason Ranil Wickremasinghe, the UNP leader, did not share the joy of Rajapaksa and boycotted the victory rally for which his patriotism was questioned. Rajapaksa's idea of a grand alliance with Karuna, the renegade LTTE leader at the front, for the Eastern Provincial Council election is doomed to fail. Major-General Daya Ratnayaka, General Officer Commanding, Batticaloa

Division, wants the Karuna faction disarmed. The Unicef, in its report to the UN Secretary-General, Ban Ki Moon, charged both the Karuna faction and the LTTE led by Velupillai Pirapaharan of continued child recruitment. While the Karuna faction operates under the protection of the Sri Lankan armed forces, the other faction operates on its own. Although the election commission has not recognised the Tamileela Makkal Viduthalai Pulikal (TMVP), political arm of the Karuna group, the government has approved the idea of the group contesting elections in the East. Rajapaksa wants to project Karuna as the chief ministerial candidate of his alliance. While Rajapaksa has visions of developing the eastern province under the chief ministership of Karuna, who is only the other side of the same coin as Pirapaharan, as a model province of co-existence of the three major communities -- Sinhalese, Tamils and Muslims -- and the envy of the all-Tamil northern province, the Ceylon Workers' Congress, an upcountry Tamil trade union and political party led by Arumugam Thondaman, a cabinet minister in the United People's Freedom Alliance of Rajapaksa, and three junior ministers of his party, have pulled out of the ruling coalition, reducing the strength of the government to 113 in the 225-member Parliament.

If Periyasamy Chandrasekaran, leader of the splinter Upcountry People's Front, another party of Tamils of recent Indian origin, follows suit, the government loses its majority. The Sri Lanka Muslim Congress, also a constituent of the UPFA, is similarly disillusioned with Rajapaksa's handling of the ethnic crisis and is waiting for an opportune moment to pull out, leaving the government with the support of the hardline Buddhist monks' party, JHU, which wants the government to liquidate the LTTE and desist from sharing power with the Tamils. Continuance of the Rajapaksa government now depends on the Janatha Vimukthi Peramuna with whose support he narrowly won the presidential race in 2005. The JVP made its position clear when it said that it had no intention of protecting the government, which was "dying a natural death due to its own follies." Commenting on the CWC pullout, Vijitha Herath, senior JVP leader, said the imprudent political tie-ups with the CWC, SLMC and the UNP dissidents had led to this critical situation. "The government is driving itself down the path of absolute disaster. It is dying a natural death. We have no need at all to protect it." National Congress Waiting in the wings and watching the developments closely are Ranil Wickremasinghe, leader of the UNP who lost to Rajapaksa of



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the SLFP in the 2005 presidential election, and Mangala Samaraweera, rebel SLFP leader and former foreign minister in the Rajapaksa government. The two have launched the National Congress, which has the blessings and backing of former President Chandrika Kumaratunga, daughter of the founder-leader, SWRD Bandaranaike, of the SLFP. In effect, it is a coalition of the UNP and the SLFP. Unlike Rajapaksa's offer of maximum devolution of power to the Tamils within the framework of the unitary constitution, the National Congress proposes to find a solution to the ethnic problem that accepts wide sharing of power within an undivided country in a

federal setup in which every citizen, whether Sinhala, Tamil, Muslim, Burgher, Malay or Christian would be equally treated and would enjoy equal fundamental and democratic rights. The term "unitary state" does not figure in the National Congress' scheme of solving the political crisis. The alliance of the UNP and the SLFP, the two major political parties in Sri Lanka, has greater chances of solving the ethnic problem than either party trying it separately. The author, a veteran journalist who retired from The Statesman, is based in Chennai. © Asia News Network. All rights reserved. Reprinted by arrangement.