

Death of a trader

Fallout gives rise to questions

THE tragic death of a trader in Bangshal raises some very important questions. Sabed Hasan, former president of Bangladesh Motorcycle Parts Merchants Association, died on Friday after falling from the first floor of his home while trying to evade arrest by the police. It is here that the story gets murky and raises once again questions about the role of the police in the difficulties citizens have lately run into. With reports of individuals dying in police custody recently making the rounds, it makes sense to ask why the police in Bangshal were trying to arrest Sabed Hasan at 1 a.m. Indeed, that there was a noticeable keenness among the police to nab the trader is made manifest by the fact that soon after a case was filed against him by the present president of the traders' association, the police went looking for him.

Hasan's family and other traders in the Bangshal area have alleged that prior to going out in search of Hasan, the police did not make any inquiry to verify the nature of the case. Indeed, the case was promptly recorded, the sad outcome being Sabed Hasan's unnatural and tragic end. We believe the matter calls for a thorough, impartial inquiry. It does not satisfy anyone, least of Hasan's family and fellow traders, that the officer in charge of Bangshal police station has stated that an investigation will be underway to ascertain the circumstances of Hasan's death. An inquiry is clearly necessary, of course. But given the reality in the present instance, such an inquiry must be initiated by people other than those employed at the Bangshal police station. Besides, the OC's plans for an inquiry do not convince anyone that the truth will emerge. And we say that because the local police have in their custody two members of Sabed Hasan's family who, as their relatives allege, are being tortured. Worse is the report that the male members of the family are on the run because the police are looking for them. The police, so the allegation goes, have implicated them in a case of snatching.

What we have here is a classic tale of harassment based on a case whose details have not been verified and the motives behind which remain unclear. It should have been for the local police to follow procedures before letting the entire episode turn into chaos. Sabed Hasan may not have died in police custody, but it is abysmally true that it was the police who pushed him to his death. That his family is yet in a state of fear is proved by the torment it is still going through. We note here IGP Nur Mohammad's pledge, made in Sylhet on Saturday, to take action against the individuals responsible for the recent deaths of individuals in police custody. We certainly hope that promise will translate into reality. Meanwhile, we demand that the death of Sabed Hasan and the role of the police in the harassment of his family in Bangshal be investigated swiftly and thoroughly.

Expansion of baseline industries

Level playing field indispensable

EVIDENTLY the local industry, particularly the light engineering, electrical and light electronics, is facing heavy odds, particularly in terms of uneven tax structure. And that is what is stunting its growth in Bangladesh. The plight of these industries was amply exposed at a roundtable on light engineering, electrical and electronic industries in Bangladesh held recently in Dhaka, organised by The Daily Star and the BUET Alumni Association, which came up with some very substantive suggestions in this regard.

It needs to be mentioned that these industries are variously known as mother / feeder industry, baseline linkage industry etc, which have an import substitution as well as export role. However, there are several impediments that all these which the government must address urgently.

Protectionism is a much maligned concept in today's era of globalisation, but if the government wants to offset the huge imbalance of trade, it is only through import substitution and increase in exports will that be possible, and for which there is little option but to provide equitable conditions for these businesses to operate in. The regrettable feature is that, trade policies are heavily biased in favour of imports and against the local entrepreneurs. The local entrepreneurs do not want extra favours but a level playing field only, in order to be competitive against foreign goods, and find newer markets abroad.

The priority matter in this respect is for the government to provide policy as well as infrastructural support to the local manufacturers.

The government should consider restructuring the current tariff regime. It is quite extraordinary that the existing duties are in favour of the importers. One wonders what the reason might be, but the comments of the minister for industries, who happened to be present at the roundtable, and also of other experts with established credentials, that those who are involved in framing the tax structure are either ignorant or deliberately chose to be so, and that these people want to make Bangladesh a captive market, have very strong rationale behind their arguments. A case in point is the demise of local TV assembly plants that were doing brisk business but had to wind up after 2002 because of bad tax policy. Some suggest that it is big businessmen who influence policies for their benefit.

There are others essential support like roads and power that many of the industrial estates lack and which the government should make their primary concern.

We are happy to note the assurance of the minister that an industrial policy is in the making; we would hope that the concerns of local manufacturers would be reflected in the same.

There is little doubt that political commitment should also backup whatever policy is formulated. Failing that, we will continue to remain a captive market -- much to the detriment of the economic development of the country.



The law must be applied to all, in every situation.

Getting the police on course

But what shocks common citizens, who are increasingly feeling insecure about their lives and property, at none other than the state's hands is: What has gone wrong with the system?

SYED FATTAHUL ALIM

AFTER the death of Babul Gazi, the owner of a CNG-fueled auto-rickshaw, while in police custody, along with the death of two other persons, Mujibur Rahman and Mizanur Rahman, under similar circumstances, the High Court ordered the government to explain why it should not punish the policemen involved in those deaths. In the same ruling, the HC also asked the officers-in-charge, sub-inspectors and assistant sub-inspectors, of the Gulshan and Darussalam police to appear before the court on July 19 (today) to explain how the victims had died.

In another development, the chief metropolitan magistrate (CMM)'s court of Dhaka has ordered a judicial enquiry into the alleged killing of Babul Gazi. However, the CMM's court issued this order upon the lodgement of a case by Babul Gazi's wife. In that case, homicide charge has been brought against five police personnel including the officer in charge of Ramna police station.

Whatever might have been the circumstance of the CMM's order for a judicial probe into Babul Gazi's death, to all appearances, the death of a citizen in police custody has finally been brought under serious scrutiny. However, the out-

come of the investigation and the onward court proceedings will finally determine the fate of those accused in the case.

But what shocks common citizens, who are increasingly feeling insecure about their lives and property, at none other than the state's hands is: What has gone wrong with the system? Why are citizens falling victim to state-sponsored violence and that, too, when an elected democracy is running the affairs of governance?

For is it not the state, which, by definition, is responsible for the security of the lives and properties of its citizens? Or has it all turned topsy-turvy in this part of the world, or has something gone haywire in the entire governmental system?

To the dismay of the victims, their families and the people who have witnessed how an organ of the state turned against the people it is supposed to protect, this has been the exact experience in recent times.

Mercifully, of late, some human rights bodies and the media have been keeping tabs on these incidents of state-sponsored violence and raising their voices in unambiguous terms against torture and the deaths of those while detained in lock-up. Deaths of persons in so-called "crossfire" or police encounters, too, are coming under the purview of such concerns as expressed by the media and the human

rights groups. And now, we also have the High Court behind this issue. In this context, one may recall that the court has on different occasions issued rules calling into question the government's role in those custodial deaths and urged it to take appropriate actions to right the wrongs done to the victims.

These developments notwithstanding, there is still no sign that the police are now more restrained or careful in treating citizens while in their custody. Will, then, the pressure exerted by human rights groups or the orders issued by the court, by themselves bring about any positive change in police behaviour towards citizens? To answer this, one needs to go into the genesis of the police itself to understand why they behave the way they do.

The behaviour of the police towards people, whether they are accused in a case or held just out of suspicion, had never been humane. In fact, the police department we have is a legacy of colonial times. And the governments that came and went in succession, after the colonialists left the subcontinent more than six decades ago, never brought any qualitative change to this department. In fact, this is true of the entire edifice of public administration, the bureaucracy in particular. Even the great War of Liberation through which Bangladesh wrested its freedom in 1971 could not bring about any qualitative change in the administration. Under the circumstances, there is hardly any reason that the police bureaucracy might undergo any positive transformation on its own. Small wonder it is drawing all the flak now

like it did generations back.

Now that some rights group and the court have become vocal against these police excesses, done in the form of custodial torture, or death, death in police encounters certainly mark a significant departure from the past. For technological developments in information gathering by the media as well as other competent bodies has made it nearly impossible for any government agency, including the police, to hush up any of its misdeeds. Even, then, we cannot say that such type of public glare into police activities is enough to stop any further excess from taking place.

Truth be told, nothing will happen until and unless the government takes any effective step to change the police department, lock, stock and barrel.

It cannot be denied that the successive political governments and leaders of the government in power, in particular, are to a large measure responsible for misusing police for their partisan ends. And it is through these acts of interference in the normal functioning of police that has done the most damage to this vital organ of the state.

The present government with its huge public mandate is in a position to make the desired changes in this department. For the present, it should at least listen to what the public, the media and rights groups are saying and implement the High Court orders to restore the image of the battered police department.

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Dialogue, not force, is the way forward

What J&K needs is healing -- and restoration of long-denied citizen rights and freedoms. This should begin with scrapping the Armed Forces (Special Powers) Act and other draconian laws, releasing political prisoners, thinning out security forces, and retraining the state police.

PRAFUL BIDWAI

THE protest wave that gripped the Kashmir Valley has abated with the calling in of the army -- for the first time for crowd control since the *azaadi* movement erupted in 1989. But public anger against the killing of 15 young Kashmiris, including a 9-year-old boy, won't vanish soon.

The army's induction claims a high price; damage to the Indian state's credibility. The crisis has shown not just Chief Minister Omar Abdullah, but the Union Home Ministry at its worst. It inflamed the situation with its crude militaristic approach.

Absent remedial measures and popular alienation could again generate pervasive unrest in Kashmir. This time, India won't be able to blame Pakistan.

The protests were triggered by the disclosure in May of the Machil fake encounter, in which an army major had three innocent men killed after falsely branding them terrorists.

About the same time, the J&K government admitted that the army had conscripted the entire male population of 24 villages in North Kashmir into forced labour for 13 years. An NGO recently claimed the existence of unmarked graves in North Kashmir, containing 2,943 bodies.

Public anger at these disclosures erupted into an Intifadah-like movement. Youth pelted stones at police and Central Reserve Police Force troops. They retaliated in kind, and worse, by firing bullets. Such

revenge attacks against civilians are impermissible.

Real trouble started on June 11, when the police fired a teargas shell into the skull of a 17-year-old student at close range, killing him. Amidst snowballing protests, the CRPF became more brutal. It beat a 25-year-old man to death. It targeted teenagers in Srinagar, Sopore and Baramulla. On July 6, it hit a 17-year-old student in the head with rifle bullets. It denied having arrested him. His body was found the next day.

As mosques started playing *azaadi* songs on loudspeakers, Mr. Abdullah called in the army, bowing to the Home Ministry's pressure. Harsh media censorship was imposed.

Yet, until July 12, nothing was done to soothe hurt sentiments or inquire into police excesses. Mr. Abdullah didn't mobilise his MLAs or eminent citizens. He belatedly called a meeting of mainstream parties. The opposition People's Democratic Party boycotted it. Meanwhile, the Home Ministry accused separatists and the Lashkar-e-Toiba of orchestrating the protests.

While the protests may not have all been spontaneous, they undoubtedly reflected resentment at CRPF-police brutality and the government's cynical attempt to cover up its mistakes. The separatists and the PDP tried to exploit the crisis politically. But they didn't manufacture it.

Mr. Abdullah is inexperienced in Kashmir politics and hasn't set up the promised elected local bodies. (Kashmir has no local government.) There's a yawning

divide between the NC-Congress alliance and the people, which young protesters have filled.

The situation has presented the two deeply crisis-ridden factions of the All Parties Hurriyat Conference an opportunity to revive themselves.

The Centre is primarily responsible for the deterioration of the Kashmir situation. It's the Centre which has deployed 4 million security personnel in J&K. It defines the security strategy framework within which the state government operates.

The Centre doesn't comprehend three fundamental realities: Widespread disaffection in the Valley; emergence of a young generation which grew up under militancy and counter-insurgency; and the futility of violent crowd-control methods.

Many in the Indian establishment interpreted the 60% turnout in the 2008 J&K Assembly elections as popular approval of Kashmir's integration with India. The elections were largely free and fair. But the people voted in a government which would buffer them from the Centre. They didn't endorse the status quo.

Disaffection with India persists in J&K -- although there's disenchantment with militancy. According to a first-of-its-kind survey conducted in late 2009 by the London-based Chatham House think-tank, less than 1% of respondents in J&K endorse the status quo. Only 2% want the state to accede to Pakistan. But support for integration with India is also limited (28%).

As many as 43% of J&K's people prefer independence. The proportion is a high 75% to 95% in the Valley. There's all-round opposition to militancy (84% to 96% in the Valley) and good support for the India-Pakistan dialogue; 55% believe that dialogue improved their security. The survey may not be perfect, but it's a good pointer.

The successful elections and Pakistan's recent withdrawal of large-scale support to militancy offered another opportunity to build peace and find a Kashmir solution acceptable to India, Pakistan, and the

people of J&K and Pakistan-administered Kashmir. But the government lost the chance.

Considerable progress towards resolving the Kashmir issue was made in 2008 -- until the Mumbai attacks. It's imperative to resume the dialogue with Pakistan.

Second, recent violence, including in the 2008 Amarnath imbroglio, and protests against the 2009 Shopian "rape" and "murder" of two women, has followed official tactical errors. The Shopian case turned out to be false. But repression of protests, within a climate of distrust, created large-scale turmoil.

The new generation of youth grew up in a climate of militancy, repression and rampant unemployment. It faces a bleak future.

The government hasn't created conditions for a better life for young people. For them, pelting stones means defying the Indian state -- necessary for their self-esteem.

Finally, take violent crowd-control. There's no excuse for firing on protesters armed with stones. The principal crowd management methods must be non-lethal, including water-cannons, stun-guns, stink-bombs and tasers (which deliver a shocking, largely harmless, electric shock). Firing can only be the last resort, in self-defence.

The targeting of individuals "to teach them a lesson" must be illegalised and exemplarily punished.

What J&K needs is healing -- and restoration of long-denied citizen rights and freedoms. This should begin with scrapping the Armed Forces (Special Powers) Act and other draconian laws, releasing political prisoners, thinning out security forces, and retraining the state police.

At the same time, India and Pakistan must sincerely try to resolve Kashmir within a soft-borders formula.

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