

Hartal should have been withdrawn

Totally purposeless

Withdrawal of the hartal called for today by the BNP, now that the government has stepped back from its plans for an airport at Arial Beel, would have paid the party good dividends. That Begum Zia and her colleagues have refused to do away with the hartal is regrettable. Of course, there is the general feeling that all the cases registered by the authorities in connection with the recent agitation in Arial Beel must be withdrawn if conditions are to return to normal. The BNP would have done better if it had served warning on the authorities on the need to ensure security for the inhabitants of Arial Beel by a quashing of the cases filed against 21,000 people. For the party to now say that the hartal will be under-way unless the cases are withdrawn and unless the crises in the areas of gas, electricity and water are resolved is really to shift the goal posts.

A hartal in these times serves little purpose, seeing that it puts citizens, particularly daily wage earners, in a quandary. The economy, of course, takes a severe beating at a time when it should be flowing in uninterrupted manner. Apart from the hurdles put in the way of public movement, there is the grave damage done to education. School children, in many instances, are compelled to attend classes on their weekly holidays because a hartal has claimed one of their regular study days. Patients can neither be taken to hospitals nor cared for in hospital wards.

It is our appeal, to the BNP and to other political parties, that they abjure this culture of hartal in the greater interest of the nation. The BNP, whose earlier two hartals drew flak, must go back to the Jatiyo Sangsad and raise there the very issues it has long been talking about outside the House. It owes it to its constituents to speak for them in the House. Agitation in the form of hartals can only go so far. It is serious deliberations on public issues in parliament that are a measure of a party's commitment to democratic politics.

Physicians' aversion to remote areas

Disservice to rural people

The Prime Minister has echoed the concern of all by adding her own voice to it over doctors' unwillingness to serve in the rural areas. If that be the case who is going to attend to the poor in the villages and remote areas? The mindset of some of the doctors has been taken to such a ludicrous level that not to speak of shunning the villages, many of them even avoid going to remote towns and district headquarters.

And whereas it is mandatory for newly graduated government encadred physicians to serve an initial stint in the rural hospitals and clinics, the rule is often bent, or blatantly flouted, with impunity. And in many cases, the work places are visited on the first day of the month only to draw the salary.

This mindset, unfortunately, flies in the face of government's resolve effort to take health care to poor in the villages and outlying areas of the country. It must be admitted that insofar as health service structure is concerned, our community clinics and rural health complexes are perhaps among the best in the region, but remain underutilised. What is lacking is adequate manning, both in specialist care and nursing service. The result is the inevitable, but avoidable, rush to hospitals in the towns and cities, particularly the capital.

Those that have sworn by the Hippocratic Oath to serve the physically distressed can hardly afford to choose their place of work. However, given the tendency as described, it is for the government to ensure that orders are complied with. We feel that sterner measures must be taken against the defaulters, at the same time those that work under difficult conditions in the remote areas of the country for any length of time be adequately

THE DAY IN HISTORY

February 7

1897
Greco-Turkish War: The first full-scale battle takes place when the Greek expeditionary force in Crete defeats a 4,000-strong Ottoman force at Livadeia.

1944
World War II: In Anzio, Italy, German forces launch a counteroffensive during the Allied Operation Shingle.

1986
Twenty-eight years of one-family rule end in Haiti, when President Jean-Claude Duvalier flees the Caribbean nation.

1990
Dissolution of the Soviet Union: The Central Committee of the Soviet Communist Party agrees to give up its monopoly on power.

1992
The Maastricht Treaty is signed, leading to the creation of the European Union.

Births
1812
Charles Dickens, English novelist.

Deaths
1999
King Hussein of Jordan.

KALIDOSCOPE

Let Shariatpur tragedy be enough



SYED FATAHUL ALAM

THE death of 14-year-old Hena of Chamta village in Shariatpur district after she was forced to suffer arbitrary punishment at the hands of self-styled adjudicators is a glaring instance of how vulnerable women still are in our society. The victim girl, who was still in her dreamy adolescent years, could not perhaps imagine in her worst nightmare how heartless and barbaric some of the elders among whom she had been growing up could become -- not at least until the fateful night when she was raped by one of her relatives in his forties.

But the worst was yet to come. Ironically though, contrary to showing any sympathy for the grievous wrong done to her, the senior members of the locality arranged yet another round of torture of the harshest kind on the girl. The victim, already traumatised by the bestiality of her molester, would have to suffer 100 lashes as adjudged by some village elders in exercise of a *fatwa* issued by the prayer leader of the village mosque. The word cruel is not enough to describe the mental state of those who perpetrated the monstrosity.

It was too much for the hapless girl from a poor household to bear. The parents, being too afraid to protest, had nothing to do but helplessly watch the tragic end of their beloved daughter at the local Upazila Health Complex as she succumbed to the physical and mental wounds she was compelled to suffer. And thus was a girl's right to live and see justice was denied by some so-called village guardians.

It defies common sense, how the victim of a terrible crime be put on the same moral footing as the perpetrator of the crime? No doubt, that has been made possible through a distorted interpretation of Islamic laws by some influential members of Chamta village to serve their selfish ends with the assistance of religious bigots.

But what was the administration doing at that time? Unfortunately, the vile drama of the murder of the girl by

a hurriedly constituted "village arbitration court" was staged despite the existence of a High Court (HC) order that declares all kinds of extrajudicial trial, including those by *fatwa*, illegal and anti-constitutional. The said HC rule further provides that the executors, accomplices or even those present at the scene of such trial would come under the purview of offence according to the penal code.

In an earlier order, the HC had even directed the Local Government and Rural Development Ministry, the law-enforcing agencies as well as chairmen of union parishads and municipalities to take immediate measures against any punishment awarded through such extrajudicial trials. Was then the local union

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parishad chairman sleeping when such mockery of a trial was being carried out in Chamta village? Was not the chairman aware of the HC order to take necessary measures to prevent such a crime?

Had the local administration and local government officials been sufficiently aware and prompt in the exact spirit of the HC order, they could well have prevented the illegal, extrajudicial trial from happening in the first place, and thereby save a valuable life.

Nevertheless, the murder of the girl, Hena, in the name of a so-called trial could prick the conscience of the whole nation after it was reported in the media. And that, too, was possible only after the bereaved father of the girl, out of desperation, lodged a case against the culprits involved with the

local police station, defying the browbeating of the powerful quarters of the village.

But then, instances abound in which the news of such crimes are suppressed by way of intimidating the victim, if alive, or her/his parents or close relatives. Simultaneously, the vested quarters also exert their influence on the local administration including offer of inducement to the administrative officials as well as to the victim and her/his family members to withdraw the case.

In the present instance, too, a local Union Parishad member, who is also an accused in the case, offered the victim girls peasant father Darbesh Kha Tk.700,000 so

According to Ain o Salish Kendra's (ASK) estimate given in July 2010, some 10 to 12 such fatwa-based village trials took place the year before. As indicated in the foregoing, the reported number of such trials is just the tip of the iceberg. More studies and in-depth researches are necessary to determine the actual extent of the crimes being thus committed in the villages unbeknown to the civilised world.

The gravity of the issue also calls for creating a greater awareness at all levels of society to stand against these illegal rural arbitrations and the trials that follow. The good news is that the High Court has meanwhile ordered the information ministry to launch a media campaign to create public



that he might not proceed with the case any further.

This provides yet another dimension to such local level arbitrations, where it is mostly the poor and the vulnerable who are at the receiving end. And the so-called trials through *salish* (village arbitration) are often run by the powerful quarters of the locality while the half-literate village adjudicators and *fatwa* issuing *mollahs* play second fiddle to the local elite.

Given the prevailing state of overall lack of awareness, or even insouciance, about such extrajudicial trials based on fatwa, one wonders how many more such tragedies that befell the Shariatpur girl go unreported day in, day out in the outlying districts.

awareness against infliction of such kinds of punishment.

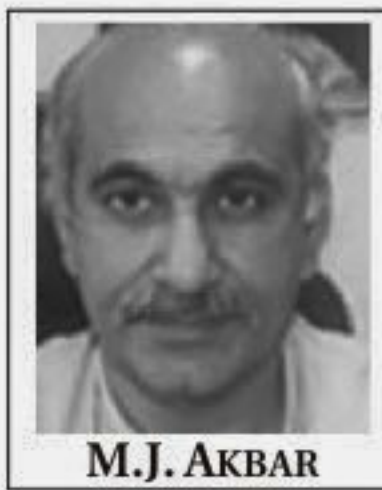
There are laws to address the victims of women and child repression and prevent violence against women. And there are also other criminal laws to fight any kind of offence in society. In addition to these, we have the HC orders. Those notwithstanding, the related crimes are on the increase.

In the circumstances, the government needs to lay more emphasis on the implementation of the laws and HC directives in existence. Unless duly and timely applied, the mere existence of the laws would hardly help matters to prevent or reduce the frequency of extrajudicial trials by *fatwa*.

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BYLINE

The collapse of a lie



M.J. AKBAR

NOTHING goes the maxim, clears the head faster than the sight of a noose. This is true for ordinary mortals like you and me.

Despots intoxicated by the hallucination of indispensability are either puzzled or terrified by the notion that power is finite. Their cronies have always told them otherwise. Their palaces have insulated them from the street. The international order did business without the whisper of a question. Why bother?

Dictatorships are arrangements between elites. They begin, as in Hosni Mubarak's case, as a lottery windfall. He would have retired into obscurity as a nondescript general with a few silly gongs on his breast if Anwar Sadat had not been assassinated by a soldier at a parade. (Since then, parading units do not carry live ammunition; which saved Rajiv Gandhi's life during his visit to Colombo when all the man in uniform at the airport could do was attack India's prime minister with a rifle butt.)

Mubarak began his rule with a lie, promising democracy while he rearranged the instruments and institutions that would keep him in power for three decades. He is trying to hold on with yet another lie, the promise to go quietly in September.

The army has provided the operative muscle to Mubarak, but from some distance, since it is a conscription force and does not want to lose its connect with the citizen. The bureaucracy pushed the files and

picked up benefits. Media read from the Mubarak script and fawned over intermediaries of the palace. Foreigners swam in the Sharm el Sheikh and gasped at the treasures of King Tut.

It was a different story for the people. Fear was the toxic smog over Mubarak's Egypt. It was not the menacing black that darkened Saddam Hussein's Iraq from horizon to horizon. Mubarak was too Egyptian to be that crass. But an unmistakable haze of threat overshadowed you the moment you stepped outside pro-

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scribed limits. The proscribed lines were not cultural. You cannot have tourism as your principal wage-earner and ban bikinis or bars. Limits applied to the engagement between citizen and authority.

Deviants, particularly anyone asking for human or political rights, were punished by prison. Democracy was dismissed as an invitation to chaos. The first alibi of Mubarak remains the last alibi of Mubarak. He is still trotting out this nonsense to the pitiful few who will listen. Perhaps he has actually begun to believe this rubbish.

It is axiomatic that a despot must have contempt for his own people since he cannot trust them with collective common sense. Dissidents who became insistent, or those who dared to organise secular opposition,

were picked by the dreaded Mukhabarat, the intelligence service, uninhibited by a compromised judicial service.

The purpose was not merely to annihilate the victim but also send a chilling message to anyone foolish enough to believe in change. In the last decade, it was not only Mubarak who loomed over the nation, but his son Gamaal, whose sole qualification lay in his genes.

It suited Mubarak to tolerate the Muslim Brotherhood (within parameters of course) as the only

opposition. He could point to them as the alternative and ask the West to choose. America and Europe convinced themselves that the emasculation of the Egyptian people was a price worth paying for Israel's security.

Once Egypt's ruling class had been neutralised Palestine's dream of an independent state remained just that, a dream. The US-sponsored Cairo-Tel Aviv deal maintained the status quo between existing nation states, and their dynastic regimes, but eroded Palestinian space tree by tree, orchard by orchard, yard by yard, settlement by settlement, year after year. It was the perfect trap.

That trap has been sprung open. Mubarak could not do two things,

the first of which was arguably less dangerous for him than the second. He could not ban the Muslim congregational prayer every Friday. This became the public meeting of thousands of communities, united in reverence to God, but increasingly sceptical of the man who had imposed his authoritarian regime in Cairo. It is not an accident that the namaaz has become a recurring symbol of protest at Tahrir Square in Cairo.

Nor could Mubarak censor Egyptian humour. The joke became a potent weapon of resistance. The Mukhabarat was helpless. A joke has no author. How do you send Mr. Anonymous to jail? Laughter ripped apart Mubarak's credibility during the long fallow years, until one sudden day it evolved into mass anger.

A state has many advantages in a confrontation with the people. It can twist the law under the pretext of maintaining order, even when it is the principal cause of disorder. A despot has even more advantages, because he is not in the least bothered by legitimacy: after all, a coup is an illegitimate birth. He can provoke violence and then cite violence as the predicted symptom of chaos. This is the final throw of Mubarak's loaded dice.

A dictator has many routes back to square one. The people have only one road towards their horizon of democracy. They need heroes for the struggle is uneven. Egypt is trembling. If the people fail, the nation will fall into a dangerous abyss.

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