FOUNDER EDITOR LATE S. M. ALI

DHAKA FRIDAY JULY 22, 2011

Clemency for a convict

Judicious use of prerogative necessary

E are deeply concerned at the grant of presidential pardon to an individual sentenced to death on charges of murder. Exercising his authority under Article 49 of the constitution, President Zillur Rahman has granted clemency to A.H.M. Biplob, son of Laxmipur Awami League leader and pourashava chairman Abu Taher. It is chillingly shocking that the convict, who had been a fugitive from justice for a decade and only surrendered to the law in April this year, is now about to return to normal life thanks to presidential clemency. We feel that the power of pardon given to the President of the Republic is a prerogative that should be exercised so judiciously as not to lower the dignity of the office or the reputation of the individual occupying it.

The culture of cases being withdrawn on the suspect ground that they were originally initiated on political considerations must come to an end. Indeed, the propensity on the part of those who govern to free their own partisan followers of judicial conviction is badly undermining the rule of law. This latest grant of clemency to a convict is a rude shock to the nation given that the background of the case against the convict appears not to have been duly considered. The President could have gone for a reduction of the sentence from one of death to life in prison. To lift the entire process of conviction is, we believe, a clear misuse of presidential authority. It only raises new questions about bad politics undermining the course of justice. It only upholds a dark legacy that was inaugurated in the period 2001-2006 when the then BNP government influenced the President at the time into granting pardon to the infamous Jintu, another fugitive from justice.

We call for a judicious exercise of Article 49 by the President. To this end, we urge that a list be prepared of all instances of presidential pardon in the last decade and it be deliberated on in the Jatiyo Sangsad. Powers of pardon are exercised in India, Britain and the United States with extreme caution. The same must happen in Bangladesh if people are to have their faith in the law restored.

Reforming police

Pressing urgency to bring it about

N Bangladesh the problem of combating the older and emerging types of crime is getting tougher. That is due to multiple reasons, which include the fewer police men and women compared to population size, inadequate logistic supports available to them, anachronistic laws that governing them and so on.

Unfortunately, a law framed about a century and a half back during the colonial period is still guiding our police force. For obvious reasons this law cannot serve the need of an independent nation. And given its historical context, it cannot also be pro-people.

So far initiatives were undertaken for the umpteenth time to reform the police and tons of recommendations were also made for the purpose. It is more than half a decade that the UNDP-sponsored police reform project has been undertaken. The members of the police have also received trainings from abroad on modern methods and techniques to combat new kind of crimes. But in spite of all these ostensible efforts, we have hardly noticed any qualitative improvement in the service of the law-enforcement agency. Neither could these leave any significant impact on the overall law and order situation characterised by ever-rising rate of violence and crime in society.

To cap it all, the police are increasingly coming under the scrutiny of the media, the civil society and the local and international rights watchdogs for their alleged involvement in corruption, nexus with criminals and their growing tendency to become the cronies of the party in state power. Needless to say, these are seriously affecting the efficiency and morale of the police.

Therefore, the need for reforming and modernising the police cannot be overemphasized. And given the urgency of the situation, we hope, the government would waste no more time in adopting prompt steps to address the issue.

July 22

838

Battle of Anzen: the Byzantine emperor Theophilos suffers a heavy defeat by the Abbasids.

Ottoman Wars in Europe: Siege of Belgrade John Hunyadi, Regent of the Kingdom of Hungary, defeats Mehmet II of the Ottoman Empire

1946

King David Hotel bombing: a Zionist underground organisation, the Irgun, bombs the King David Hotel in Jerusalem, site of the civil administration and military headquarters for Mandate Palestine, resulting in 91 deaths.

1977

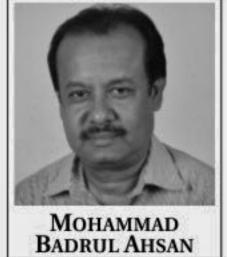
Chinese leader Deng Xiaoping is restored to power.

2003

Members of 101st Airborne of the United States, aided by Special Forces, attack a compound in Iraq, killing Saddam Hussein's sons Uday and Qusay, along with Mustapha Hussein, Qusay's 14-year old son, and a bodyguard.

CROSS TALK

A census without consensus



HANK God they were handling numbers not real people, it could have been one of the worst genocides in the his-

tory of mankind. Last Saturday, the planning minister announced the findings of the 5th population census, claiming that Bangladesh has a population of 142.3 million. In October 2010, the United Nations Population Fund had arrived at a figure of 164.4 million. More than 22 million people evaporated in the gas chambers of conflicting figures in roughly six months.

The UNFPA subsequently eliminated 16.4 million in its revised estimate in the face of strong protest from the Bangladesh government. As patriotic citizens of the country, we should believe what our own government says. But one would still ask how did the UN body come up with the higher figure, its revised enumeration still exceeding the government enumeration by 5.7 million?

Frankly speaking, in our inveterate liking for foreign opinions, we have subconsciously accepted the UNFPA figure. And that figure has been made apparent by the reality of the country. Standstill traffic, soaring prices, crowded neighbourhoods, packed shopping centres, scramble for land and housing, scarcity of gas, electricity and water and the prevailing atmosphere of chaos and incontinence give us the feeling that the population of the country had a runaway growth.

Then, of course, we have to use our common sense. The population was 76.40 million in 1974. Then it was 89.9 million in the 1981 census, which increased to 111.45 million in 1991 and 130.5 million in 2001. The average population growth in three previous censuses was registered around 20 million. Given the utter neglect of family planning programmes in the country for last ten years, it is hard to

believe that this average should be lower, if not higher, for the decade in review.

That should have easily taken the population figure above 150 million in this census. So, the government announcement last week gave us the

In fact, a census never gets the full scale. That is why statistical enumerations use confidence interval and margin of error as indications of their reliability. But so far it looks like Bangladesh's population is anybody's

shock of a plummeting plane. The figure dropped when it was expected to go up.

guess.

The smaller-than-expected population size must give us the mental relief of a claustrophobe finding open space. It means we have 125 fewer people per kilometer than what the original UNFPA survey had claimed. We have that many fewer people contending for food, clothing, shelter and employment. We should have that much free space in the fields and on the roads. Even better, one has to infer from the agriculture minister's comment that we should have surplus stock of rice.

Instead, the census has left us in an existential quandary. What about those nameless and faceless 22 million plus people, who either existed or still exist in the cracks of controversial counting? It is a significant chunk of our population, a good 14%, which cannot be explained as error margin.

How could either the Bangladesh government or UNFA be right or wrong by such a wide margin?

Net-net, the whole thing has been a rather poor show for this country. There have census scandals in other countries as well. In July last year the

enumerations use confidence interval and margin of error as indications of their reliability. But so far it looks like Bangladesh's population is anybody's guess.

& EDITORIAL

The Central Intelligence Agency of the United States of America has



census conducted in Brooklyn, New York proved flawed. Many luxury rental and condominium buildings had strict "no enumerator" policy. There were also tenement buildings and private houses where it was unclear as to how many people lived in them. Some enumerators went for public search records on the Internet or merely wrote the names of the mailboxes. The mid and upper level census managers encouraged field staff to "guesstimate."

Some of these lapses have allegedly happened in our census as well. Complaints have surfaced that the enumerators often counted people without going to their doorsteps. Party workers were employed to collect data as if political loyalty should qualify anybody to fly airplanes.

These are but a few examples of why counting may not get hundred percent. In fact, a census never gets the full scale. That is why statistical

reported in its July 2011 report that Bangladesh has a population of 158.5 million. In 2009, the United Nations Children's Fund counted 162.2 million people. The same year the World Bank figure was 160 million.

The confusion within the government is not negligible. The Statistical Pocket Book 2009 issued by **Bangladesh Bureau of Statistics** showed the population as of July 2009 was 146.6 million. Bangladesh Economic Review 2010 put the figure at 146.1 million. Yet another study conducted by the ICDDR,B researchers claimed the population was 147 million in mid-2007.

Even wedding planners need to know the exact number of guests. And, we are talking about a country. What if, God forbid, millions indeed have been lost in the count?

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Standing by South Sudan

BAN KI MOON

N July 9, the Republic of South Sudan joined the community of nations. Foreign dignitaries converged on its capital, Juba, to watch the new country raise its flag and inaugurate its first president, Salva Kiir Mayardit.

For the more than 8 million citizens of South Sudan, it was a momentous and emotional day. In January, they voted in an historic referendum to separate from the rest of Sudan. That they did so peacefully is a credit to both the North and South Sudanese leadership.

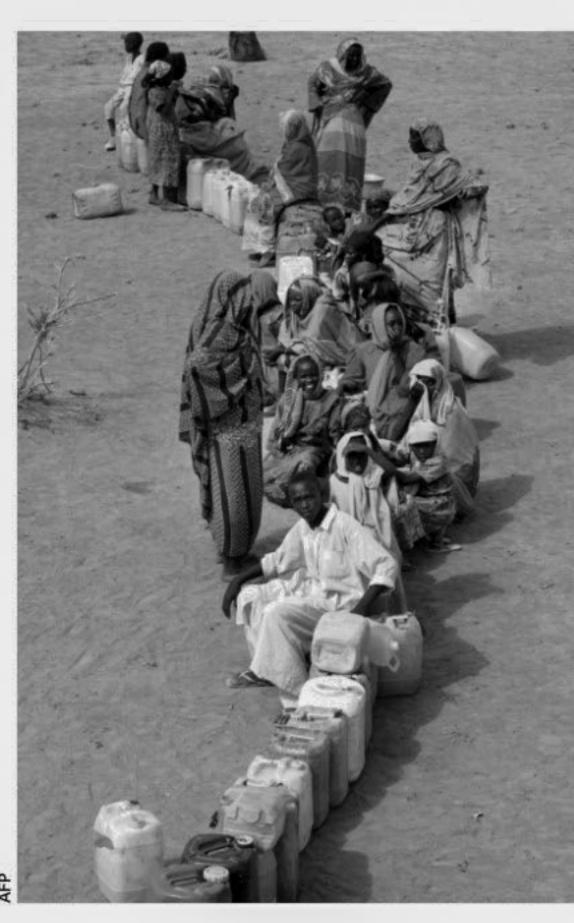
Yet nationhood has come at steep cost: A staggering number of lives lost and people displaced in a 21-year civil war that ended only in 2005. When the assembled presidents and prime ministers boarded their official planes to return home, the challenges that remained would be daunting indeed.

On the day of its birth, South Sudan ranked near the bottom of all recognised human development indices. The statistics are truly humbling. It has the world's highest maternal mortality rate. Estimates of illiteracy among the female population exceed 80%. More than half of its people must feed, clothe and shelter themselves on less than a dollar a day.

Critical issues of poverty, insecurity and lack of infrastructure must all be addressed by a relatively new government with little experience and only embryonic institutions. I came to appreciate the sheer scale

of these challenges for myself when I first visited South Sudan in 2007 -- an area of 620,000 square kilometers with less than 100 kilometers of paved road. Within this larger context, the risk of increased violence, harm to civilian populations and further humanitarian suffering is very real.

At the same time, South Sudan has remarkable potential. With substan-



Our purpose is to do more than celebrate this milestone. It is to highlight the international obligation to stand by the people of South Sudan as they seek to build a stable, strong and ultimately prosperous nation.

tial oil reserves, huge amounts of arable land and the Nile flowing through its centre, South Sudan could grow into a prosperous, selfsustaining nation capable of providing security, services and employment

for its population. Alone, South Sudan cannot meet

realise its potential. Doing so will require partnership -- a full (and on-going) engagement with the international community and, most especially, South Sudan's neighbours.

these challenges nor

First and foremost, the new leaders of South Sudan should reach out to their counterparts in Khartoum. Strong, peaceful relations with the North are essential. A priority for both countries is agreement on their common border, sustainable relations to ensure both states can benefit from the oil revenues in the region, and cross-border arrangements to continue their strong historical, eco-

nomic and cultural ties. Recent instability in Southern Kordofan and Abyei have strained North-South relations and heightened political rhetoric. Now is the time for both the North and the South to think of the long-term benefits of working together, not short-term political gains at the other's expense.

South Sudan must also reach out to its other neighbours. Across the globe -- and in Africa,

especially -- the trend is toward regional partnerships. South Sudan will be strengthened by becoming an active participant in the regional organisations of East Africa and developing durable trade and political ties throughout the continent.

Finally, South Sudan must reach out to its own people. It must find strength in diversity and build institutions that represent the full constellation of its broad geographic and ethnic communities. The basics of any modern, democratic state must be guaranteed: free expression, full political rights, inclusive institutions that extend benefits to citizens of rural areas as well as regions affected by

conflict. In the 21st Century, the international community has increasingly come to recognise the responsibilities of governments to their citizens, including the protection of political space and democratic rights. The popular uprisings in North Africa and the Middle East have shown what can happen when governments are inattentive to the needs of their people.

The United Nations is committed to assisting the government of South Sudan to meet its many responsibilities. That is why I have proposed a new United Nations mission in South Sudan: to help build the institutions that the country needs to stand on its own. In doing so, let us remember that the United Nations is only one part of a broader set of partnerships that the government should develop -- with the North, with its neighbours in the region and beyond and, most importantly, with its own people.

On July 9, I joined other leaders in Juba to mark the birth of South Sudan. The last thing a new nation needs is a celebration as it springs into existence, only to then be forgotten until the next crisis. Our purpose is to do more than celebrate this milestone. It is to highlight the international obligation to stand by the people of South Sudan as they seek to build a stable, strong and ultimately prosperous nation.

The writer is Secretary General of the United