

Impressive SSC success rates

Now the hurdle of admission to colleges

IT is heartening to note that more than 86 percent candidates have passed this year's Secondary School Certificate (SSC) examinations held under the 10 education boards. The credit for this achievement goes to the students, teachers and guardians alike. We congratulate them.

It is certainly an indicator of significant progress in the overall performance of the schools when the number of schools with zero pass percent has dropped to half of what it was in 2011.

Results also show that the overall success rate, especially of the boys, is better than their female counterparts, even though the number of girls taking exams was higher this year. In the previous years the trend was just the opposite. School authorities, the education boards and the ministry need to analyse the changing trend and try to bring about a gender balance.

We appreciate the education minister in particular as well as the education board officials for their efforts to conduct the SSC exams successfully. Many tend to believe that this year's higher SSC pass record has mainly to do with the introduction, since last year, of creative method in questioning. They think this has compelled the students to internalise more of what they read and helped them become less dependent on notes or guide books.

The education ministry, education boards and schools will, however, need to bring greater uniformity in the performance of the schools and their students.

The challenge before the successful students and their guardians will now be to have them admitted into the colleges. Given that better performing students with higher GPA 5 score have registered a sharp rise in number, they will face stiffer competition to get admitted into the reputed colleges.

The government and private educational institutes will have to ensure that none of the successful students is frustrated in his/her effort to get a berth in the colleges.

Forking up undisclosed income

Careful stipulations needed

THE Centre for Policy Dialogue (CPD) has reacted to a reported government intention to allow whitening of undisclosed money in the next budget at a 10 percent flat tax rate. The think-tank is in principle opposed to such a move.

This has been a much debated issue, basically getting nowhere. No clear-cut answer has been found to the problem. Every government ends up trying to nibble at the mountain of black money that is shrouded in mystery, irrecoverable and defiant of the law's grip.

We endorse the CPD's view that whitening black money at a flat rate of interest amounts to rewarding tax evaders and punishing the conscientious tax-payers. It is discriminatory, morally indefensible and economically an unsound proposition.

Nevertheless, 'the proposal may be considered in light of stagnated investment environment and to attract new investments' provided that certain conditions are met. First, flat tax rate of 10 percent is too light and slender a requirement for the big concession being allowed to undeclared income-holders. Therefore, to match the degree of offence committed by black money possessors, they would have to pay a higher tax including additional penalty tax. Secondly, amnesty to declare black money should not be open-ended; there should be a clear-cut closing date; otherwise it will make light of the whole move.

Experience has shown that the previous initiatives of governments allowing for legitimisation of black money had failed to mobilise additional revenues and investments, at least to the desired extent.

The rate at which the tax will be fixed and the timeframe for coming out with black money will have to be determined through consultation with NBR and think-tanks. Then the questions comes of investing the white money in proper areas under strict auditing so that

THIS DAY IN HISTORY

May 9

- 1950**
Robert Schuman presents his proposal on the creation of an organized Europe, which according to him was indispensable to the maintenance of peaceful relations. This proposal, known as the "Schuman declaration", is considered by some people to be the beginning of the creation of what is now the European Union.
- 1955**
Cold War: West Germany joins NATO.
- 1974**
Watergate Scandal: The United States House of Representatives Judiciary Committee opens formal and public impeachment hearings against President Richard Nixon.
- 2004**
Chechen president Akhmad Kadyrov is killed by a land mine under a VIP stage during a World War II memorial victory parade in Grozny, Chechnya.

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GROUND REALITIES



SYED BADRUL AHSAN

THE election of Francois Hollande as president of France is a pointer to a couple of facts about his country. The first is that the Fifth Republic remains alive and well, indeed hearty, in its objective of promoting constructive democratic politics in France. The second is that after all the chaos made of life in the West and elsewhere by capitalism and its cronies, it is time for a return to socialism.

But here is a caveat. It would be futile to think, in this day and age, that socialism of the old sort, the kind that led to half-baked leftist experiments in nations around the world, including Bangladesh, is about to make a comeback. But what needs to be ensured is for politics everywhere to create those conditions which will promote policies and programmes that will have a distinct flavour of leftwing politics. And that can be done through shaping and implementing social democracy in countries where capitalism or the so far unstoppable march of robber barons has upset order and decency. It is when you consider how the odorous capitalism of Russia's nouveau riche has undermined the self-esteem of a nation which until 1991 was a proud bastion of socialism that you realise why the return of Vladimir Putin is so important. His politics has been of the no-nonsense kind; and whatever you might say about his lapses in maintaining a bourgeois democratic order, you cannot dismiss the feeling that Russia at this point needs men like Putin in charge.

A very similar point has just been made by the people of France. With Europe collapsing in a heap over austerity measures in light of the recession, president-elect Hollande's vow that he will move his country away from austerity is a clear sign of how France should or ought to tide over its crisis. One cannot be quite

certain that Hollande will succeed, but one has little doubt that a move away from capitalistic chaos is in order. Add to that, in the context of France, a predominant need for the country to come together after all the fractiousness it was put through, first by Marine Le Pen and then, in the run-up to the second round of the

found a way out of the crises it used to be battered with until De Gaulle was called out of retirement, in 1958, to forge a new order. And any doubt over whether or not the Fifth Republic would survive him -- De Gaulle resigned from the presidency when he lost a referendum on constitutional issues in April 1969 -- was allayed

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presidential election, by the now defeated Nicolas Sarkozy. The outgoing president clutched at a bad straw in the hope that it would help him beat Hollande. He pandered to the far right; he insinuated he was not in favour of immigration; and he tried telling Islamophobists that he understood their worries. That was politics in lowly form. Sarkozy deserved to lose. And he has lost, which is a relief.

Which takes you to the historical side of the Fifth Republic. In simple terms, the republic, since it was inaugurated by General Charles de Gaulle in the late 1950s, has endured. With political authority about evenly divided between the president and parliament, France has cheerfully

when Georges Pompidou, once his prime minister, succeeded him at the Elysee.

There had been those who complained that the Fifth Republic had been tailor-made for De Gaulle. In the event, it has appeared to fit everyone who has been president of France since De Gaulle's departure. When Pompidou died on the job, it was former economy minister Valery Giscard d'Estaing who took over in 1974. He did pretty well in office. It was basically on Giscard's watch that France and (then) West Germany, the latter with Helmut Schmidt in charge, charted a new course, one which hinted at the shape of things to come. And yet, despite the Giscard com-

petence, France was to have a new burst of spring with the election of its first socialist president in 1981. Francois Mitterrand had been a minister in the Fourth Republic and had, in 1965, given Charles de Gaulle a hard time at the presidential election. By defeating Giscard, he sent out the powerful message all across the West that France was changing, that it was turning its back on conservatism. The worries were palpable in Reaganite America and Thatcherite Britain. But Mitterrand's socialism was essentially the promotion of a democratic order that would keep the focus on the little man. And with that would come a reassertion of French grandeur (to borrow De Gaulle's idea) through an injection of fresh vitality into the arts and culture. If De Gaulle and Andre Malraux had constructed a modern edifice of French cultural sophistication, Mitterrand -- scholar and statesman -- gave it some additional, liberating motifs. Mitterrand was president for fourteen years.

The Fifth Republic, its brilliance of appeal notwithstanding, lost some of its shine under Jacques Chirac. Charges of corruption plagued his government and dogged him till the end. The breezy, hyperactive Nicolas Sarkozy turned out to have been a politician without ideas, one whose attachment to the French elite and to Carla Bruni did not quite endear him to the country.

And now the French have done a healthy thing by sending Francois Hollande to the Elysee. Lionel Jospin should have been there before him. His former partner Segolene Royal should have beaten Sarkozy for the office five years ago. But let that be. Hollande faces a tough job. Nevertheless, the signs suggest he will do a good job. Socialists, unencumbered by thoughts of individual glory, always mean well and usually do well.

Finally, Charles de Gaulle, that old history maker, deserves a salute. He built a France politicians of idealism elsewhere might wish to replicate in their wobbly democratic societies.

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| The New York Times EXCLUSIVE

Guantanamo trials should be open

DAVID A. SCHULZ

RECENTLY, I stood before a military judge at Guantanamo Bay to argue that the press and public had a constitutional right to observe the proceedings of military commissions. It is an argument I've made scores of times on behalf of news organisations objecting to closed proceedings in criminal and civil trials, but this was the first time that a military commission -- part of a system of tribunals created in 2006 to try terrorism suspects -- agreed to hear such arguments from the press.

Whether this marks a new openness, or is another in a long line of false starts, remains to be seen. But the government has a real opportunity to show its commitment to the rule of law by acknowledging that the public's First Amendment rights apply at Guantanamo. The values served by open criminal proceedings -- public acceptance of the verdict, accountability for lawyers and judges, and democratic oversight of our government institutions -- apply there with particular urgency.

The controversy over public access to the Guantanamo trials has come to a head in the prosecution of Abd al-Rahim al-Nashiri, accused of masterminding the 2000 attack on the Navy destroyer Cole. Nashiri's lawyers want to meet with him unshackled, asserting that shackling brings back memories of torture and interferes with his ability to assist in preparing his defense. They proposed to call both Nashiri and a psychologist

to testify in support of their request. The government still considers its interrogation techniques "classified information." Under this logic, Nashiri's own testimony about his own treatment must be kept secret. But so much is already known about Nashiri's interrogation that a secret proceeding on its psychological impact is unwarranted. A report, prepared in 2004 by the inspector general for the Central Intelligence Agency and partly released in 2009, disclosed that Nashiri had been waterboarded twice, threatened with use of a handgun and a power drill, and held in stress positions that could have dislocated his arms from his shoulders. What real threat would justify preventing the public from hearing his first-person account of this interrogation?

In May 2010, four journalists were expelled from Guantanamo for reporting the name of the chief interrogator of a terrorism suspect, Omar Khadr -- even though the interrogator had sought out the press years earlier to tell his story. After an uproar, the Pentagon's top lawyer, Jeh C. Johnson, facilitated the rein-

statement of the reporters on their promise that they would abide by rules governing the commissions, and then set out to revise the rules. Under new rules announced in September, reporters may now make their objections to secrecy to the presiding judge in writing. The decision to hear my argument in person

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by the top judge in the Nashiri case, Col. James L. Pohl, was an important step forward.

The motion for access, which was filed by 10 news organisations (including The New York Times, a client of mine), argues that the First Amendment obliges that Nashiri's testimony be taken in an open courtroom. Under the Constitution, the fact that a specific piece of information might technically be "classified" should not be sufficient to close a hearing if the information is already known to the public (and easily found on the Internet).

On April 11, Pohl granted Nashiri's motion for unshackled visits without taking testimony, so he sidestepped, for now, a decision on the standard that will govern requests to close proceedings at the Guantanamo

trials. But the issue will undoubtedly return, and the military's commitment to openness will again be tested.

In recent weeks the lead prosecutor for the military commissions, Brig. Gen. Mark S. Martins, has made the case that military tribunals are uniquely suited for the prosecution of a narrow class of terrorism suspects and that the use of these tribunals should be recognised as consistent with commitment to the rule of law. But the world will never accept the Guantanamo verdicts if significant testimony is closed for fear of embarrassment over detainee mistreatment.

The thought of a Guantanamo defendant taking the stand to testify about his treatment, in his own words, may not be appealing for many reasons. But we must be prepared to lay out all the facts, wherever they lead, if we are to demonstrate to the world that the verdicts ultimately rendered at Guantanamo are justifiable, however they turn out.

As Chief Justice Warren E. Burger observed in 1980, on the importance of the Constitution's protection of public access to the courts: "People in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are prohibited from observing."

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