

Freedom of expression could be the first victim

Parliament should not adopt the amended ICT bill

THE first case lodged under the Cyber Crimes Tribunal finds some 37 teachers of a private school standing accused of tarnishing the reputation of an assistant headmistress. From media reports we understand that the accused are being charged with defamation under the new law; in that they are accused of posting demeaning pictures of the headmistress on social networks. The whole episode took a different turn when teachers took their complaint online.

While we fully comprehend the need for cyber laws, especially in the backdrop of what happened with burning of temples in Ramu, the fact remains that there are other laws to combat defamation and related crimes. That a judge has taken the case is surprising. It is surprising since the amended Information and Communication Technology (ICT) law gives law enforcers sweeping powers to arrest anyone who has broken the ICT law without seeking a warrant. Those found guilty of breaking the law may be incarcerated for up to 14 years. The amended bill, we believe, can be used to violate human rights and the right to express freely on the internet.

The matter should have been left to the education ministry to deal with. Instead, we are now at the mercy of law enforcers who may act with impunity in bringing to book anyone deemed a threat and act without judicial oversight. All this is an ominous signal of things to come where the first casualty will be the freedom to express thoughts – a right of every individual living in a democratic country.

Rural community clinics

Much room for improvement

WHILE the prime minister claimed just over two months ago that Bangladesh's community health clinic services have become a role model around the world, the findings of a nine-month survey (June 2012-February 2013) conducted by the Health Network of Bangladesh (HNB), a platform of nine non-government organisations (NGO), beg to differ.

True, the initiative to establish clinics in remote areas in order to provide health services to the hardest to reach, was commendable. The services have contributed to developments in health education, detection of diseases such as EPI, malaria, pneumonia and influenza, and, most notably, to maternal health and family planning, resulting in a laudable drop in maternal mortality.

As the survey has shown, however, there is much room for improvement. One-fourth of the clinics are not fully staffed, and even those that are, while aiming to provide healthcare primarily to women and children, are staffed largely by male employees, thus discouraging the main target group from availing services. One-third of the clinics do not maintain an operational schedule while a majority of them do not advise follow-ups to patients. Many of the clinics have a bare minimum of equipment and supplies.

It is essential that the establishment of community clinics is followed through with close monitoring and proper maintenance. While the basic foundation exists for the provision of health care to millions of people in rural areas, it must be built upon to ensure regular, efficient and quality service.

Workers or slaves?

S.A. MANSOOR

A news report on Bangladeshi agricultural workers employed in Malaysia revealed a shameful and horrifying example of uncivilised exploitation! We must get a detailed clarification on the matter and, if needed, send an investigation team to go into the depth of such cruel labour malpractices! We must also involve the ILO, which issues the guidelines on working hours for all workers.

As far as I know, as per Bangladesh Labor Law and Standing Orders Act, normal working hours is 8 hours per day and six days a week, both in the public sector and in private industries. Beyond this, workers have to be paid overtime at twice the basic wages for all extra hours worked, calculated per hour on 45 hours per week basis. If the worker is employed on his day off, or after six continuous working days, he is entitled both to overtime plus a day's paid rest, in lieu of the rest day worked! Also the worker has the right to refuse working beyond 56 hours a week (including overtime), and no disciplinary action can be valid for such refusal!

Is there no one in our embassy in Malaysia to look after these matters, and take up these cases with the Malaysian government authorities? Is Malaysia not a signatory to or member of the ILO? Our foreign office must strongly take up the matter and publish a public feedback on this important issue related to workers rights! Can the people also be told if there is any labour law or 'Working Hours' and 'Overtime' rules as in our Standing Orders Act, and what are its provisions? A prompt and urgent response and clarification from our authorities is needed on these matters.

Imagine a person working 12 hours a day plus 2 hours on overtime, which totals 14X6=86 hours a week! Therefore, the worker should get (86-48=38) hours overtime; whereas he is only being paid 6X2=12 hours (as reported) of overtime! The rich plantation owners are depriving the hard worked workers of 36-12=24 hours of overtime wages!

Our concerned ministry must take up the matter, early and seriously, in overall workers' interest, so that they are not cheated by the overseas employers. Malaysian authorities must be made aware that such cheating and highhandedness are not acceptable!

The writer is a retired engineer.

The ominous challenge

STRAIGHT LINE


 MUHAMMAD
NURUL HUDA

attacks, Jamaat activists and vandalised and set fire to their vehicles during their countrywide dawn-to-dusk *hartals*. They have even dared to attack police stations. In Chittagong, a police constable was shot and seriously wounded in the chest by Jamaat activists who attacked a police camp.

Responsible quarters are worried at the unleashing of a reign of terror by the Jamaat and its student wing during the last 48 hours throughout the country. Demands have been made for tougher action by law enforcers who are expected to firmly rein-in the violence mongers and ensure safety of common people

In our context, one has to admit that the intensely confrontational politics that we see now has been significantly responsible for the opposition's strategy of targeting the police with a view to shattering public confidence in the principal law enforcement organ of the state. This is an unexpected development in the supposedly constitutional protest scenario. These are clear instances of terrorism and subversion as opposed to the usual political violence.

Under the circumstances, while one could take issue with the alleged deficiencies in the operational procedures of police, one has to remember that a predominantly civil force is not expected normally to operate in combat formation. If they do so not only would normal law and order functions be largely prejudiced, it would also in the process alienate the outfit from the general population whose support and cooperation are continually required for its service delivery.

In the present charged atmosphere it might appear inappropriate to delve into the subject of norms of modern policing. However, it needs to be emphasised that the police force are a body of citizens in uniform exercising their lawful rights. At the same time, the assumption is that the majority of the citizens would obey the majority of laws for the majority of the time. Our reality is vastly different and thus our police are charged with accomplishing an incredibly complicated task.

The intensity of the attacks on the police and the manner in which they are being carried out should convince us

GOING by media reports one would find that attacks on the police by Jamaat-Shibir activists have been well planned and deliberate since war crimes convict Delwar Hossain Saydee was given capital punishment on February 28 this year. Since then, eight policemen have been killed and 267 injured, 37 critically, in clashes with Jamaat-Shibir protesters across the country.

From September 2012 Jamaat-Shibir activists launched a new strategy to attack the law enforcers. In hit-and-run hurled several bombs at police and set fire to their vehicles during their



that the present situation cannot be approached as an exclusively law and order issue. Therefore, one needs to know who are inciting people against the police by projecting the latter as anti-Islam forces. One also needs to know why such misdeeds are not politically countered in the affected area. This does not, however, preclude the inputs of critical intelligence that the agencies are supposed to provide in time.

The political terrorist may be a separate category to be dealt with. However unpalatable, it is becoming clear that religious zealotry has been a major source of terror. Such terrorists are targeting police and citizens with the express political purpose of coercing others into actions they would not otherwise undertake, or refrain from actions they desired to take.

The security of the state shall always be important but what is more significant is to ascertain as to which actor is exceeding the limits of legitimacy and indulging in unacceptable levels of violence in the present situation. Is the state becoming both a provider and predator of security? Similarly, are dangerously inflamed and violent protesters deliberately taking on the state apparatus with sinister schemers in the background stoking the fires?

The necessity of holding an executive enquiry, followed by judicial enquiry wherever applicable, into each incident of police firing live ammunitions should be acknowledged. It is also imperative to ensure that the state agencies do not go beyond the purview of legal boundaries. At the same time, the right of private defence of a person as enshrined in law should be seen to be applicable in equal measure for members of the law enforcement body.

The assault on police needs to be looked at in the backdrop of the wider political canvas. While targeting lawmen could not be a mode of political protest, it needs to be seen whether a situation is, willy-nilly, emerging wherein violence becomes the sole alternative. If that be so, it would be extremely difficult to manage public safety through police actions. In the meantime, the state should take actions that would substantially reduce human casualties on all sides.

Coming to specifics, we have to know if there are quarters that seek a political statement in acts of straightforward terror. We cannot countenance a situation where all the human rights are reserved for the practitioners of violence, while the government dealing with the menace is arraigned day and night on grounds of violation of human rights. What is needed is delineation of the parameters that harmonise the defence of political and democratic integrity with the respect for human rights.

When the protector is attacked the signal is one of governance deficit. While law enforcement managers will have to firmly and appropriately deal with the emerging menace, those in the business of politics have to ensure that a public agency maintained by public exchequer is not thrust into an adversarial role vis-a-vis the members of public. Affairs of the state demand pragmatic attention.

The writer is a columnist for The Daily Star.

The 'immorality' of chemical weapons

ANDY HO

IN August last year, United States President Barack Obama declared that if Syrian President Bashar al-Assad should ever use chemical weapons against rebels, he would consider a "red line" crossed.

On August 21 this year, when Syria crossed that red line amid reports of chemical weapons use, Obama threatened air strikes, saying: "I didn't set a red line. The world set a red line," under the Chemical Weapons Convention (CWC). Currently 189 states, including Singapore, are party to the CWC, which came into force in 1997. But only the United Nations Security Council can authorise the use of force against a state that resorts to chemical weapons.

Non-member Syria now says it will sign the CWC and hand its chemical weapons over to international control for destruction. This plan has helped it avert US air strikes for now, but Obama said force remains an option if Syria should go back on its word.

Some 110,000 people have perished in the Syrian conflict that began in April 2011. The nerve gas attack in Damascus on August 21 killed "only" 355, according to the medical charity Medecins Sans Frontieres. Yet, US Secretary of State John Kerry called the attack "immoral." Why is this comparatively tiny number of deaths considered so morally repugnant that it justifies US military intervention?

Now that Syria says it will give up its gas weapons, it will presumably be allowed to continue killing its citizens with impunity so long as it uses only conventional arms.

Why are chemical weapons morally more abhorrent than conventional ones?

Jonathan Tucker, author of *War Of Nerves* (2006), claims that there is a taboo "deeply rooted in the human psyche"

against chemical weapons. As early as 431 BC, the Spartans lobbed burning pitch-and-sulphur mixtures into inhabited areas, where the resulting sulphur dioxide smoke caused asphyxiation.

In the Middle Ages, Genghis Khan's forces used the same tactic. In the 1904-1905 Russo-Japanese War, Japanese soldiers stuck burning arsenic-soaked rags in the trenches where Russian soldiers were hunkered down.

But large-scale chemical warfare was really a World War I development. This happened on the back of the birth of an industrial sector that could produce a lot of chemicals quickly.

The Germans were the first to deploy poison gas on a wide scale in war. On April 22, 1915, near the strategic town of Ypres in Belgium, they released 150 tonnes of chlorine from gas cylinders, killing 5,000 Allied troops. Then, in 1917, they introduced mustard gas, which causes burns and blisters in the skin, eyes, and breathing passages while killing slowly.

In World War I, chemical weapons, primarily mustard gas launched by artillery shells, were estimated to have

caused 100,000 deaths. It is the imagery of WWI trenches with soldiers choking in a fog of yellow mustard gas that is seared in the public's imagination. Perhaps this is the origin of the taboo against chemical warfare, if one really exists. It could also be linked to the gas chamber and Hitler's final solution. Such fears were stoked in 1988 by news that Iraqi dictator Saddam Hussein had gassed a village called Halabja, killing 5,000 Kurds living there.

Perhaps chemical warfare is viewed as immoral because those under attack in conventional warfare can surrender and escape further harm. No one has that opportunity in a chemical attack. The gas might also be colourless and odourless, so victims may not even know what hit them. They may just gasp, develop fits, froth at the mouth and die. But why is being blown to smithereens by a smart bomb less likely to attract international opprobrium?

Perhaps chemical weapons are viewed as morally abhorrent because they are weapons of mass destruction (WMD), so the killing is indiscriminate? But conventional explosives in Bali or Baghdad can kill indiscriminately too.

Or, it might be the long-term impact of chemical residues after an attack that catapults it into a more reprehensible category. This could lead to genetic mutations in survivors and their offspring. In Halabja, long after Saddam's attack, a study found a raised incidence of childhood leukemia and lymphomas.

But nuclear WMDs would have the same effect and more.

It might well be here that the truth lies: Western powers have a competitive advantage in nuclear and biological WMDs, as well as high-tech conventional arms. Chemical weapons are the poor man's WMD. As Edward Spiers' book *A History Of Chemical And Biological Weapons* (2010) noted, some industrial chemicals have dual uses. Take thiodiglycol, used in ballpoint pen ink. It is also an ingredient in mustard gas. So a poor country with a ballpoint pen factory could potentially make mustard gas that is easily weaponised in a low-tech lab.

Is this why the West demonises chemical warfare without also demonising high-tech nuclear, biological and conventional bombs and rockets? In fact, the US employed non-lethal chemical weapons in Vietnam widely.

Authorised by successive US presidents, from John F. Kennedy to Richard M. Nixon, 20 million gallons (76 million litres) of the defoliant Agent Orange were used in Vietnam from 1962 to 1971. This saw 400,000 Vietnamese killed and 500,000 born with congenital defects.

Chemical weapons appear to be no worse morally than conventional weapons. Used against defenceless civilians especially, they are equally abhorrent.

Intervene in Syria if you must, but chemistry offers you no moral high ground to justify it.

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LETTERS TO THE EDITOR

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The vicious circle

Five years ago this weekend, the Wall Street giant Lehman Brothers collapsed, triggering the worst financial crisis since the Great Depression. Today, the divide between the 1 percent and the 99 percent is as great as ever. According to one recent study, the top 1 percent has captured about 95 percent of the income gains since the recession ended.

So those who were worried about recession or who wanted to keep money aside for a rainy day are reassured. It has only rained for a short time and the sun has come out again, brighter than ever, and it is a beautiful day. So, little by little, the skeptics are won over to invest their funds, to take a chance on making more money, for the rebounds are relatively quick and they do not feel too much pain.

And there is a rebound, for there are still people to be convinced that things will keep going up — indeed, must keep going up. They too must be won over and convinced to overextend themselves little by little. It is a gradual process of boom, then downturn, then bigger boom, then another downturn. And one day, the downturn will become a recession, the recession will become a depression, and the depression will become the crash.

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Save the Sundarbans

The Sundarbans is the world's largest mangrove forest and a world heritage site. I read a report in TDS published on 14th September which revealed how this precious forest is gradually disappearing. I would like to urge the government to take the following measures to protect the Sundarbans:

- 1) Ban shrimp cultivation in the adjacent areas of the Sundarbans.
- 2) Stop leasing out 'Khas' lands adjacent to the Sundarbans.
- 3) Punish those engaged in the destruction of the forest by building settlements deep into the forest and cutting down trees illegally.
- 5) And finally, find and punish the corrupt forest officials who are patronising all these illegal works.

M.A. Kashem
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Fewer believers in Britain

According to the latest British Society Attitude survey revealed on 10th September, 52 percent of British people said they belong to a religion, down from 68 percent in 1983. Rapid scientific achievements and development of rational thinking might have contributed to this. Britain has been one of the leading nations in the world during the last two hundred years. A number of world's best universities and research centres are located in the country. People have the highest possible intellect. Morality and ethics are also of highest standards. Compared to this, countries with deep religious conviction, particularly the less developed countries, have the lowest standards in all respects. Honesty, integrity, truthfulness, and other human qualities are at the lowest ebb. Only secular, progressive and science based education can improve the situation when the motto would be, "Be good for goodness' sake."

Ahmed Shah
Dhanmondi 13, Dhaka

Comments on news report, "GALLOWS now for MOLLAH," published on September 18, 2013

WS

Bravo to SC for their decision in this matter. This verdict from SC is final and it needs to be executed very swiftly. Dragging it out will allow the foot soldiers of Jamaat to cause further destruction of Bangladesh.

Zman7

Unnecessary wait or delay after the final verdict of the Supreme Court may create or invite unnecessary violence, threat to lives and more political instability in the country.

Nasirullah Mridha, USA

Execution of Mollah during this AL tenure is obligatory. Otherwise, people will think that AL will drag this issue till the next time when they will be re-elected.

TruthnLie

Criminals do not have colours as they are chameleons. There are many criminals hiding amongst us and they are in disguise with the blessings of people in power or in opposition. Let us stop supporting them.

truthprevails53

He should be hanged a million times...

"School kids 'forced to attend' rally" (September 18, 2013)

Nds

This is an incurable disease from which none of the persons having state power in this country is immune.

Abul Kashem

No matter who is in power or who is in opposition, none should be abusing power.

Shahinur

This is a kind of stunt that Awami League always uses.