

Law enforcers personally liable for extra-judicial deaths

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No one shall be deprived of life or personal liberty, except according to the procedures established by law. Even a person under death sentence has human rights which are non-negotiable, and even a dangerous prisoner standing trial has basic liberties which cannot be compromised in any way. Under the law, no one, including the police, has an unqualified right to take the life of another person. Even convicts, under-trials, detainees, and other prisoners in custody cannot be denied this right.

On the other hand, death of a person at the hands of law enforcers amounts to culpable homicide not amounting to murder, unless it is established that the causing of death is not an offence in the eye of law.

Painful methods of execution for severe crimes, against the verdict of courts, were taken for granted as part of justice until the development of Humanism in the 17th-century. Many countries have banned death penalty, and right groups are campaigning for elimination of death penalty for any crime whatsoever.

Though torture is absolutely prohibited now, it had often been used as a method of political re-education, interrogation, coercion and punishment throughout history

Adoption of the Universal Declaration of Human Rights in 1948 marks the recognition, at least nominally, of a general ban on torture by all United Nations member states. Nowadays, the prohibition of torture has been recognised as a peremptory norm of international law, and a number of international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law. Some other legally binding international treaties -- like Geneva Convention and International Covenant on Civil and Political Rights, to which Bangladesh is a state party -- prohibit torture.

Despite such constitutional and judicial denunciation of torture, it has been routinely practiced by law enforcement officials and security forces for a long time in Bangladesh.

Enforced disappearance is abduction or kidnapping, in which the victim "disappears," carried out by state agents or organised groups and individuals who act with state support or tolerance. The authorities neither accept responsibility for the death, nor account for the whereabouts of the victim. The international community considers involuntary disappearance as a specific human rights violation and a crime against humanity. This culminated in the international convention for the protection of all persons from enforced disappearance.

If a law enforcer kills someone in an encounter, s/he must prove that the death was caused either in the legitimate exercise of the right of self-defense, or in the use of force proportional to the resistance offered while arresting a person accused of an offence punishable with death or life imprisonment. The cases are a representation of (a) illegal arrest and detention (b) torture (c) deaths and (d) disappearances. Bangladesh is now a land of extrajudicial killings (termed "crossfire" and "encounter") and enforced disappearances, with incidents of detention without trial, torture and death in police or jail custody being reported too.

The "United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" asserts that each state shall make legislation criminalising torture, and cruel, inhuman and degrading punishment and treatment. Bangladesh acceded to it in 1998.

Member of Parliament Mr. Saber Hossain Chowdhury introduced the "Torture and Custodial Death (Prohibition) Bill, 2009" as private member bill in the 9th Parliament. The act establishes that justice to all citizens is one of the responsibilities of the state according to Article 27 of the Constitution, and that all citizens are entitled to equal rights before the law, and also ensures that "no person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment."

The Parliament passed the Torture and Custodial Death (Prohibition) Act, 2013 at the fag end of its tenure. It has defined custodial death as "the death of a person in the custody

of a public officer." Death of any person during illegal detention or at the time of arrest by any law-enforcing agency, or while being questioned, shall also be termed as "custodial death," irrespective of whether the person is a witness in a case or not.

It has provision for accusations by third parties before a Court, suggesting that a person is being or has been subjected to torture by another person. The Court shall record its own observations about the person making the allegation and shall take appropriate measures to ensure his/her safety. The law gives a timeframe for investigation of 90 working days from the date of recording of the first complaint, despite the linear provision in the Code of Criminal Procedure.

The law limits the provision of immunity for any action constituting an offence under this Act. That the offence was committed at a time when there was a state of war, threat of war, internal political instability or any public emergency; or on an order of a superior officer or a public authority, shall be unacceptable as an excuse. The offence includes (a) attempts to commit (b) assist or provoke or (c) conspire in committing, and means that all involved in any of those shall face the consequences.

It is surprising that the Torture and Custodial Death (Prohibition) Act, 2013 was passed by the 9th Parliament, but the law enforcers are still punishing the offenders before trial in the name of crossfire, etc.

According to the new law, in case of any harm caused to a complainant on account of negligence or carelessness by a public officer or a person acting on behalf of a public officer, the accused shall be personally liable to prove that the said harm has not been caused due to negligence or carelessness by him/her or the person acting on his/her behalf. The law categorically criminalises the harmful actions of law enforcers, and says that they are personally liable for death in custody.

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America's proclivity for acronyms

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THE following motley collection of acronyms could very easily have been a headline in an American newspaper: "The POTUS delivered his SOTU last Tuesday with the FLOTUS leading the cheers." Decoding the three acronyms commonly used by the media, the sentence would read: The President of the United States (POTUS), Barack Obama delivered his State of the Union (SOTU) address last Tuesday, with the First Lady of the United States (FLOTUS), Michelle Obama, leading the cheers!

One manifestation of America's fast life is its impatience with long names and phrases, and its propensity to cut those down to smaller sizes with acronyms whenever possible. Less mass equals greater speed. Therefore, President Franklin Delano Roosevelt has been chopped down to FDR; John Fitzgerald Kennedy to JFK; and Lyndon Baines Johnson to LBJ.

Even more than politics, the field of sports is littered with acronyms. America's professional sport leagues are always referred to by their acronyms: NFL (National Football League), MLB (Major League Baseball), NBA (National Basketball Association), and NHL (National Hockey League).

The most coveted season-ending accolade in any sport is the MVP (Most Valuable Player). In baseball, the batter with the most RBIs (Runs Batted In) is always a candidate for the MVP. A pitcher with a low ERA (Earned Run Average) and high number of Ws (Wins) is a candidate for the highest honour (Cy Young Award).

In football, the team scoring more TDs (Touchdowns) and FGs (Field Goals) is the winner. Likewise, in basketball, the team scoring more FGs (Field Goals) and FTs (Free throws) wins. A dominating centre who grabs many RPG (Rebounds Per Game) is an asset, whereas a sloppy guard who gives up TOs (Turnovers) is a liability.

Many American institutions and organisations are almost exclusively referred to by their acronyms: ACLU (American Civil Liberties Union), FAA (Federal Aviation Administration), GOP (Grand Old Party or the Republican Party), NAACP (National Association for the Advancement of the Colored People), NCAA (National Collegiate Athletic Association), NRA (National Rifle Association), IRS (Internal Revenue Service), PAC (Public Affairs Committee), USDA (US Department of Agriculture), CDC (Center for Disease Control) and NASA (National Aeronautics and Space Administration).

American television networks are simply ABC (American Broadcasting Company), CBS (Columbia Broadcasting System), NBC (National Broadcasting Company), CNN (Cable News Network) and ESPN (Entertainment and Sport Programming Network). Talking of networks, these days one needs WWW (World Wide Web) to access the Internet. If the boss wants something in a hurry, he will write down ASAP (As Soon As Possible).

Most people are familiar with scientific acronyms like DNA, TNT and PPM (Parts Per Million). However, many are not aware that RADAR is also an acronym for "Radio Detection And Ranging." There is a story that in the early 1960s, a precocious child bragged to her teacher that "Laser" was an acronym. The teacher replied, "I don't think so. Laser was invented by Mr. Laser!" "LASER" actually is an acronym for "Light Amplification by Stimulated Emission of Radiation."

Not all acronyms are innocent. I never use the acronym "snafu" because when fully expanded, it is guilty of embedding a certain vulgar word in it.

The youth today speaks an altogether different language. Their text messages and tweets are loaded with acronyms: BTW (By The Way), IMHO (In My Humble Opinion), LOL (Laughing Out Loud), OMG (Oh My God), RIP (Rest In Peace), TLC (Tender Loving Care -- also a Michael Jackson song), G2G (Got to Go), JK (Just Kidding), HAND (Have A Nice Day), LYLAS (Love You Like A Sister), PHAT (Pretty Hot And Tempting), ROTFL (Rolling On The Floor Laughing), B4N (Bye For Now), PIR (Parents In Room), TTYL (Talk To You Later), YOLO (You Only Live Once) and HAK (Hugs And Kisses).

I have a feeling that the English language is about to undergo a massive overhaul. And that the transformation will be triggered by the youths' hunger for acronyms.

P.S.: BTW, IMHO, Dr. Kamal Hossain should be included among the MIBs (Most Influential Bangladeshis).

The writer is a Rhodes Scholar.

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Plight of Hindu women in Bangladesh

A BANGLADESH HINDU WOMAN

I am a university educated Hindu woman and got a prestigious scholarship on my own merit to do Ph.D. in a foreign university in 2008. I also had the opportunity to visit many countries in Europe and North America between 2009-2013. I take this opportunity to tell readers about my life before I could come out of Bangladeshi Hindu society. I did my MA in 2000 and taught at a university college in Dhaka. I was married after my BA Honours and got a baby too, thanks to my monster husband with whom I was married under pressure from my family and relatives. He was a Ph.D., that attracted them most, but my first contact with him was a nightmare that haunts me even today.

Yes, I had no choice but to live with this man for long 5 years and every day of it was hell for me. He had other women and it was normal for him to beat me without any rhyme or reason. We never made love and he regularly raped me. Soon I started hating men deeply because of the behaviour of this man. When I was pregnant one day he punched me on my backbone and I fainted to wake up in a hospital bed. On examination, the doctors found that my spinal cord was damaged and said that the injury may never be healed. Quite surprisingly, my husband did not regret what he did and continued his brutal behaviour.

Finally, with my father's help I gained some courage and divorced him against uproar and protest from my relatives, many of them with university degrees. Without my father's support and a job at the university college I could never have had the guts to divorce the brute. I felt highly relieved after divorcing the monster and moving in with my parents. But my problems were not really over. I was regularly lectured by my so-called educated relatives who constantly asked me to return to my husband knowing well how brutish he was and how unfaithful he had been. Most of them boy-cotted me and I was never invited to any social and religious gathering.

Once I wanted to visit my grandparents but they told on my face that I would be welcomed only with my "Thakhur," otherwise not. My ex-husband was married by then but still I was asked to go back to him by most of my relatives. I wonder what I would do if I had no education, a job and, most importantly, my saintly

father's support against great pressure from my relatives. I wrote about the injury my ex-husband inflicted on me. I am still suffering from it. I have undergone treatment in foreign countries and the doctors concluded that I shall never be cured and have to live with it for the rest of my life.

With the growth of Western education in Bengal and social movement that was started by Ram Mohan Roy and Iswar Chandra Bidyasagar, Bengali Hindu women progressed greatly. Gone were the days of Sati Dahan (widow burning), Gouri Dhan (marriage by 6-9 years), forbidden widow marriage, unlimited polygamy and what not. But are they really gone for good from Bangladesh? Bangladeshi Hindus don't have Sati Dahan but the rest of the barbaric Hindu cultures are fully intact with hidden but strong support from the so-called Hindu intellectuals. We hear every day how Muslim women are suppressed but how many know to what magnitude the Hindu women are oppressed and live like sub-humans in Bangladesh?

Hindus lived under full repression during Pakistani period. But in independent Bangladesh they may not have full rights as citizens that the constitution of the country promises but no doubt they have made remarkable progress in educational, economic and political arenas by their own efforts and hard work. But what about social progress so far as Hindu women are concerned? It is very disgraceful and deplorable, to say the truth.

Hindus don't register their marriages, and divorce is not allowed legally. Widow marriage is still not a Hindu social norm in Bangladesh. Polygamy is an open secret among Bangladeshi Hindus. Muslims may have 4 wives by religious culture but Hindus have no number limitation. Adultery is a common fact among Hindu men and it is a hush-hush matter. Hindu Bengali widows in Bangladesh still live in utter disgrace and face inhuman treatment and discrimination. Hindu widows are not allowed in social gathering such as weddings; they are not supposed to eat fish and meat and must wear simple white clothes only. In some cases they are not even allowed to wear shoes.

Centuries-old Hindu tradition does not allow a widow to remarry and the question of divorce does not arise at all. A widow or a divorced woman is a curse to a family and the society at large. Most of the Bangladeshi Hindus

consider seeing widow or a divorcee's face as an evil omen and bad luck and that is why they don't invite them to any auspicious occasions. Caste and dowry system are other two most inhuman Hindu cultures and traditions that dominantly prevail in Bangladesh as in the Indian Hindu society.

All these I write from my personal experience and I wish I were wrong. Western press talk about oppression on Muslim women, as Hindu media cheerfully and gleefully nods. But nobody writes about us, the unfortunate Hindu women in Bangladesh. We silently accept our pathetic social condition and tolerate all sorts of suppression and oppression that Hindu men inflict on us.

We have "Bangladesh Hindu Bouddha Christian Oikyo Parishod" to fight for political rights for minority communities in Bangladesh, but did they ever give any attention to the centuries-old evils that prevail in Bangladeshi Hindu society? They foiled the Bangladesh government's move to make Hindu marriage registration mandatory. The bill (Hindu Marriage Registration Bill-2012) aimed at providing legal and social protection to Hindu women. The objective was to safeguard women from marriage-related cheating by their husbands, to ensure the rights of the Hindu married daughters who are deprived of most of their rights, including their equal rights or inheritance to the parental as well as husband's property, and making polygamy a punishable offence.

This bill was vehemently opposed by a large section of Bangladeshi Hindu leadership. Hiren Biswas, the president of the Samaj Sangskar Parishad group, passed the most obnoxious comment on these issues saying: "We don't mind optional registration because Hindu couples sometimes need the marriage certificate when they travel, but we won't accept mandatory registration, or divorce and inheritance rights to women because our scriptures and customs don't allow them." What silly reasons he had for his objection! How long do he and other Hindus want to oppress their mothers, sister and daughters? I ask this question to all Hindu men of Bangladesh and plead to our government to come forward with legal framework to protect us.

Name withheld by request.

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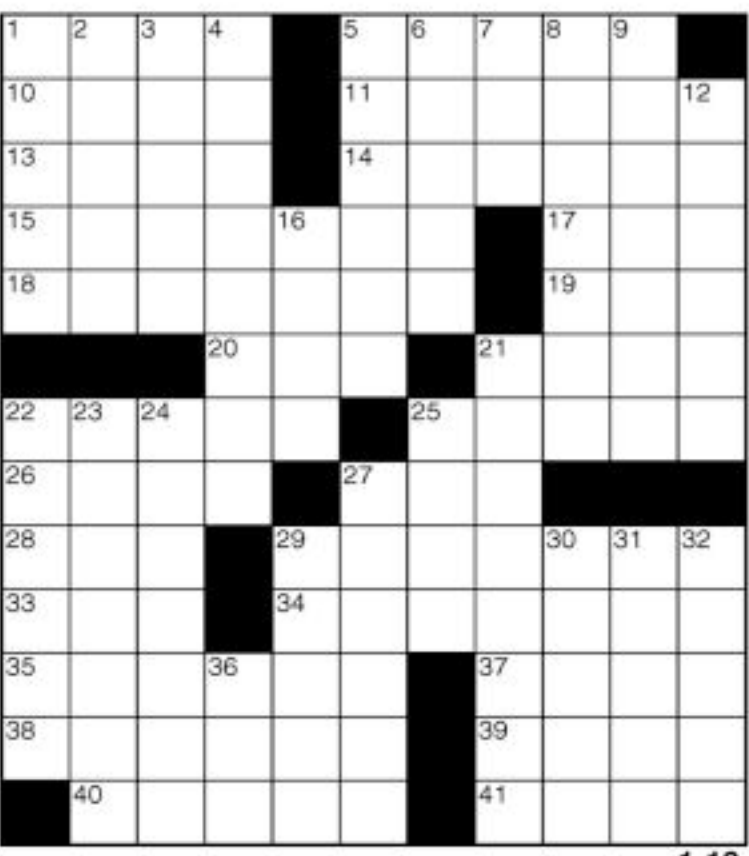
CROSSWORD by Thomas Joseph

ACROSS

- Chilly
- Compete in a bee
- Lotion ingredient
- Succeed
- Latvia's capital
- Bring about
- Plain to see
- Mystery author Stout
- Breaks away
- Memorable period
- Volleyball need
- Ivy League school
- Putting site
- Pluto's realm
- Give for a time
- Collection
- Play part
- Mooring sites
- Grass moisture
- Glowing
- Newspaper worker
- Toast topper
- Capitol group
- Time in office
- Sides in an ongoing battle
- Halt

DOWN

- Gives a hoot
- Martini garnish
- Spock specialty
- Made numb
- Small piano
- Suit part
- Halt
- "Walk on the Wild Side" singer
- Swiss city
- Lone Star State natives
- Serpent's spot
- New England team
- Forest clearings
- Ebbs
- Twist together
- Noggin
- Stock units
- Authored
- Man's man-servant
- Start of the Spanish year
- Jazz dance
- Price addition



CRYPTOQUOTE

DEUL EOD LEC QDDZDQ WLD IDS - AMYI
GDEY WLD NVWDCW WVZD NMY
NDCWEJ ULDDY.

- SEJWDY CUMWW

Yesterday's CRYPTOQUOTE:

First you take a drink, then the drink takes a drink, then the drink takes you.

- F. Scott Fitzgerald

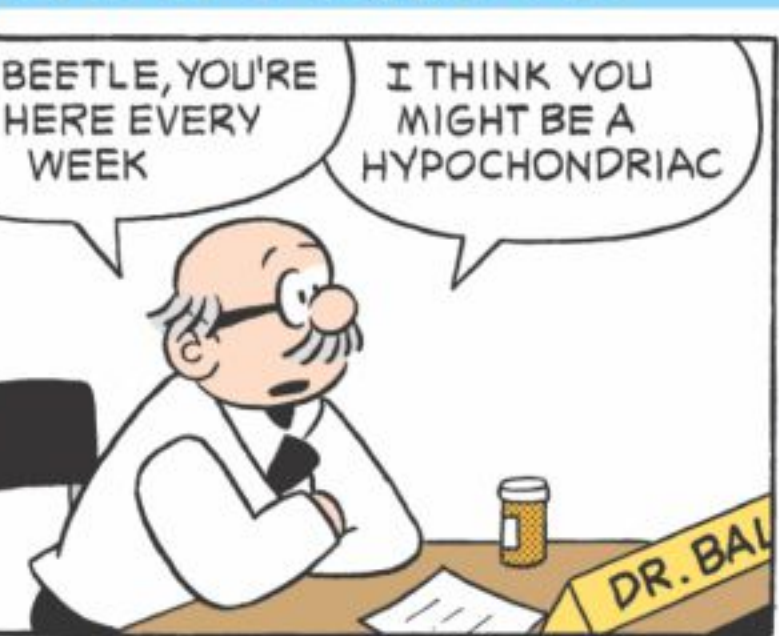
Yesterday's answer



A XYDLBAAXR IS LONGFELLOW

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

BEETLE BAILEY

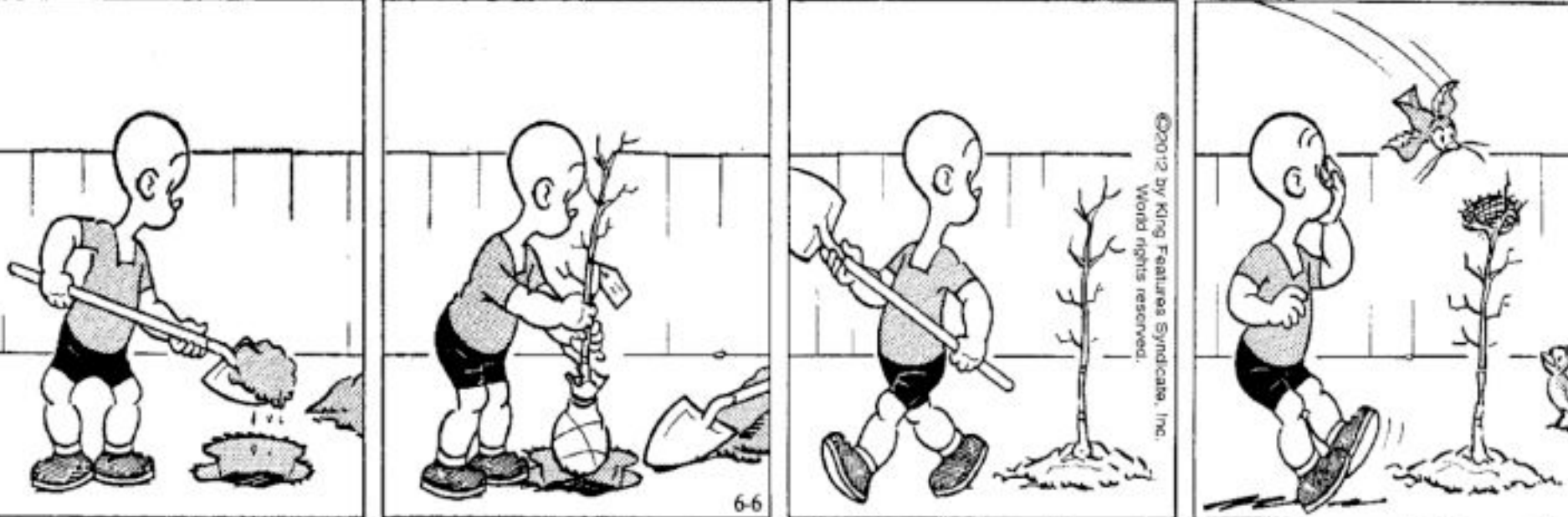


by Mort Walker



HENRY

by Don Trachte



QUOTABLE Quote

No man will make a great leader who wants to do it all himself or get all the credit for doing it.

Andrew Carnegie