

Gone too soon

Shayera Moula, who had been with *The Daily Star* since the age of 15, passed away on May 29. Her coworkers pay their final tribute to this vibrant and intelligent young woman who died at the age of 29. Rest in peace, Shayera.

GOODBYE, PRETTY FACE

The first time I saw Shayera I couldn't help but think how pretty she was and how much she looked like Emma Watson as Hermione Granger in Harry Potter. I told her and she laughed: "Yes, yes, I get that a lot". Although I cannot claim to be very close to her, I often interacted with her at the office. She wrote occasionally for the *Star* magazine and I was a little taken aback by the serious issues she liked to write about: domestic violence, security of women, parenting, art... It surprised me because she appeared to me to be this cheerful, happy-go-lucky young woman, with a tongue-in-cheek remark ready to burst forth at any time. Initially, our interactions were mostly regarding articles she wrote or wanted to pass on from Editorial, where she worked. Over the years we developed a friendly rapport. When I congratulated her on her marriage she smiled shyly - I could tell how in love she was and how happy. When she got her scholarship to go to the Netherlands soon after, she admitted that it would be hard for her to be away from her husband Hasan but that they were trying to work out regular visits. We were in touch on Facebook and her posts were often about how much she missed Bangladesh. And then all of a sudden she was back - same smile, same pretty face, only an added sparkle that I attributed to her finally being able to start her life with Hasan. Here I share my last email from her:

Dear Aasha apa,

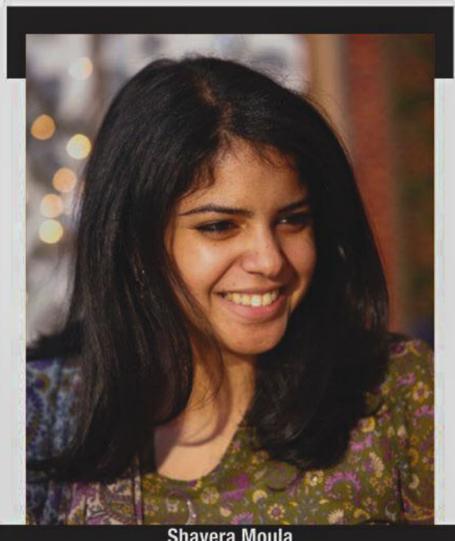
How are you? It is such a strange feeling to realise that only about 6-7 months ago, I was still very much a part of DS and a little unclear about the future in life. Of course, I am still unclear but the best part of being in academia is that you don't think until you have completed it. :D

How is *Daily Star* and everyone there? New members? In all honesty, I wish a little more was done in tweeting or facebooking all the articles/ reports published in DS. Is it possible to have someone in the magazine section tweet out what to expect in upcoming issues, or ask fans about the kind of stories they want to read, you know - have a more citizen interactive approach? It is amazing how the internet has taken over the next generation - how they socialise, how they strategise their thoughts, opinions, selfies! Time to bring them on board, no?

Anyway, just giving me two cents since I am not really there and I simply miss the place! Hope all is going well at your end and I hope to see you in summer :)

hugs,
Shayera

Aasha Mehreen Amin, Deputy Editor of Editorial and Op-ed, *The Daily Star*.



Shayera Moula

FOR SHAYERA: HIGH-FIVE FOREVER

Shayera wrote an article on 'bottoms'. She played it without offending the astute sensibilities of people not accustomed to potty humour. It was a writing challenge thrown at her about 15 years ago, something we regularly did then to push the limits of our team's creativity. The piece was a riot of youthful wit and silliness.

She began in *The Daily Star* as a freelance writer for the youth publication *Rising Stars* where I was the in-charge. We were both students trying to combat the complexities of impending grown up life using humour.

Later, we went off to work in other places and we met again coincidentally in *The Daily Star*. I had come back to join the editorial department and she was still the loud voiced, bubbly personality I worked with earlier. We reconnected over the bottom article much to her disdain, an article her husband and I would often poke fun at her for. That and her intense dislike for high-fives. We would high five above her head as if the 80's were back in fashion.

She was always the bubbly, happy personality. And despite working in the often lamented seriousness of the editorial department, she could still take as well as dish out a joke. I am still going to continue sharing that article of hers. I

can imagine she will still fake her disapproval. But the high fives unfortunately will have to wait.

E R Ronny, Editor of *Shift/Bytes/Next Step*, *The Daily Star*.

FOREVER AND FOR ALWAYS

Shayera Moula, in the simplest words, was an extraordinary human being. She was intelligent, courageous and kind, all at once. I met Shayera at *The Daily Star* office and within a short span of time, we had gotten very close. We had become even closer when she was getting married and built most of our memories during that time. Since then, even when she was out of the country, she kept in touch and made me feel just as important and cared for. She had the power to make anyone she spoke to feel special. The last time I met her, she came to the office to visit us after she came back from pursuing her Master's degree. And she said, "I can't believe how much you've grown already and how you've made such a wonderful path for yourself in your life. I can't wait to see you grow up to be an even more amazing person!" I will never forget these words, or any word she had said to me because they have always left a lasting impact. She was always there to motivate me and push me further in my endeavours. I promised her I would become something big and I intend to keep that promise. I just cannot believe that she won't be there to see the future she helped me imagine. My love will always be with Shayera, and I know hers will always be with me. I will miss her forever. We all will. May her soul rest in eternal peace.

Naziba Basher, *Star Weekend*, *The Daily Star*.

IN LOVE WITH LIFE

My last correspondence with Shayera almost two years ago, a few weeks after my baby was born and Shayera got married, I wished her "a long and happy married life"... She wrote back (and I'm only posting this because of the... life... that just sprung out at me as I was just reading it):

Hey Kajalie apu,
First of all, CONGRATS on the beautiful baby!!
Masha'Allah! I am so happy for you!
As for my end, hahaha it is all just happening so fast...but it feels great!!! Hasan is a great guy, he is very sweet and loving and so so supportive of me!
Please pray for us as we start this new journey together! Lots of love and warm hugs to you and your family!! adoooo!

Shayera

Kajalie Shehreen Islam, former Editor of *Forum*, *The Daily Star*.

Of 'generally immoral' character

SHAKHAWAT LITON

CHIEF Justice Surendra Kumar Sinha deserves kudos for his timely remarks against a draconian provision of the Evidence Act of 1872, which permits a man accused of rape to question the character of the victim to defend himself during trial.

The chief justice, who said this at a book launching programme on Tuesday, also spoke for change of Section 155 (4) of the Act which says, "... when a man is prosecuted for rape or an attempt to ravish, it may be shown that the prosecutrix [the girl or the woman who has been raped] was of generally immoral character."

How long will it take to get rid of the draconian provision?

The British had enacted this Act over 143 years ago. This Act that was a common or judgement law enabled accused rapists to raise the complainant's previous sexual experience as evidence in rape trials. The accused could exploit this law to discredit and demean the complainant's claim. Even after a century, the Act continues to taint rape trials.

In the face of growing demand for a change in the system, the first attempt was made in 1976 to curb the use of sexual history evidence when the government enacted the Sexual Offences (Amendment) Act. This legislation restricted the accused from providing

evidence and cross-examining the complainant about any "sexual experience" with a person other than the defendant.

While the Sexual Offences (Amendment) Act 1976 was the first attempt to regulate sexual history evidence in England and Wales, research revealed that the "intention of the legislature was rapidly undermined". Therefore reforms were introduced again in 1999 when the government introduced the Youth Justice and Criminal Evidence Act. This act was amended to prevent the accused from presenting evidence of the victim's alleged past behaviour before a jury in England and Wales unless it was relevant to the case.

After partition in 1947, India also followed the Evidence Act 1872 though some amendments were made to the Act from time to time. The same draconian provision, however, continued to exist in the act. In 2003, provision was deleted by Indian courts in a move toward providing protection to rape victims.

But none of the successive governments in independent Bangladesh has made any move to change the provision, even though all of them have spoken about empowering women and 'upholding their dignity'. It is unfortunate that all the successive parliaments formed after the country's independence have also failed to make any move to change the draconian provision of the Evidence Act, despite the

fact that the Constitution empowers parliamentary bodies to review the enforcement of laws and make suggestions to improve them.

The Law Commission has however made a move to draft proposals for the enactment of a new Evidence Act. Justice ABM Khairul Haque, chief of the Commission, has said that they have dropped the draconian provision of the Evidence Act of 1872 in their proposals.

It may take a long time for the Law Commission to complete the process. The government, meanwhile, should take immediate steps to free the country from this heinous provision that allows the accused and their lawyers to point fingers at the victims while the criminal remains unpunished. On advice of the prime minister, the president can promulgate an ordinance to scrap the provision right now. Blaming the British for introducing this provision in 1872 can no longer be justified.

Law that limits an accused's ability to introduce evidence or cross-examine complainants about their past sexual behaviour is known as a rape shield law. The term also refers to a law that prohibits the publication of the identity of an alleged rape victim. Some other countries have also introduced the rape shield laws.

Different states of the US began to protect victims of sex crimes in the late 1970s. They understood that these survivors often experience a

sense of humiliation and embarrassment when they reported the crimes committed against them, as they felt like they were being judged instead of the criminals who committed the crime. These states recognised that the character, morality and sexual history of a victim are largely irrelevant to a sex crime trial.

In the late 1970s and early 1980s, almost every jurisdiction in the US adopted some form of rape shield statute. The laws in each state differ in the scope of the sexual behaviour and time limit of the shield. Many states do not permit any evidence relating to past sexual behaviour of the victim. This encompasses evidence of specific instances of the victim's prior or subsequent sexual conduct including opinion based evidence or evidence based on 'reputation'. The Violence Against Women Act of 1994 created a federal rape shield law.

In Australia, all states and mainland territories have rape shield laws that protect rape victims. The principal aim of these laws is to prohibit the acceptance of evidence of a complainant's sexual reputation and to prevent the use of sexual history evidence to establish the complainant as a 'type' of person who is more likely to consent to sexual activity.

When will our government enact such a law to protect rape victims?

The writer is a Senior Reporter at *The Daily Star*.

Education first

This should be a priority for this year's budget

FAARIA TASIN

MORE children are going to primary schools now than ever in Bangladesh. Primary enrolment rate (net) has increased from 87.2 percent in 2005 to 97.3 percent in 2013. In addition, the enrolment rate for girls is higher than boys. Though this gives a big boost to the Millennium Development Goal no. 2, which targets the achievement of universal primary education, we have to know if we have crossed the biggest hurdles in the path to education.

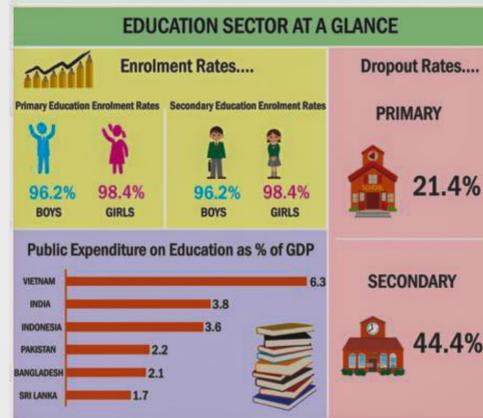
In the sphere of the education sector, one major concern is the dropout rates. Dropout rate in primary education is 21.4 percent which means that out of every 1000 students, 214 have dropped out by the end of the five-year primary cycle. Such rates in the secondary education sector are even more concerning: a 44.4 percent dropout rate translates into 444 in every 1000 students dropping out of school by the end of the secondary cycle. High dropout rates depict a huge waste of resources for the government as public money is being spent for educating these students.

With the upcoming government budget being revealed soon, we want to do a brief analysis of the past budgets for education and point to the particular areas that deserve more attention.

Over the last 10 years, education sector has received 11-16 percent of the total government budget. In fiscal year 2015, education and technology has received the biggest share of the government budget after public administration.

Many may think that the education sector is getting adequate attention as the size of the education budget has

Government expenditure on education as a proportion of GDP has been hovering around two percent for the last few years in Bangladesh. This is lower than countries like India, Vietnam, Malaysia and Thailand.



increased by 25 percent last fiscal year. However, it is also necessary to strip away the effects of inflation to deduce actually how much the education budget has increased; for instance, after removing inflation, we can see that the education budget has increased by 18 percent as opposed to 25 percent.

Moreover, it is also important to see how the education sector is doing compared to other countries. Government expenditure on education as a proportion of GDP has been hovering around two percent for the last few years in Bangladesh. This is lower than countries like India (3.8 percent), Vietnam (6.3 percent), Malaysia (5.9 percent) and Thailand (7.6 percent).

A more precise way of analysis is by looking at government's revenue expenditure on each student as a proportion of GDP per capita. As a rule of thumb, this should be in order of 10 percent for primary education and 20 percent for secondary education. But according to 2013 data, we can deduce that this was about 5 percent for primary and 9 percent for upper secondary. In addition, government recurrent expenditure per student has declined for primary and secondary according to BANBEIS data.

Education is a vital component for human development in a country. Research has shown that higher investment in education can have a positive effect on the growth rate of the economy. It is important for Bangladesh to increase its education expenditure. As the benefits of education can accompany a time lag, it is essential to increase investments on education immediately.

The writer is the head of research at *The Daily Star* and can be reached at faaria.ts@gmail.com

QUOTABLE Quote

"SHOWING GRATITUDE IS ONE OF THE SIMPLEST YET MOST POWERFUL THINGS HUMANS CAN DO FOR EACH OTHER."

RANDY PAUSCH, *The Last Lecture*

CROSSWORD BY THOMAS JOSEPH

ACROSS

- One of a bear trio
- Fanatic
- Border on
- Like some messages
- Tarzan transport
- Touched lightly
- Catchall abbr.
- Loafers
- Grayish brown
- O'Hare sight
- Ticket remnants
- George W.'s wife
- Tortoise's rival
- Scissors sound
- Skating spins
- Candle parts
- USO attendees
- Knight work
- Melody
- D.C. setting
- Michener book
- Humorist Lebowitz
- Check number
- Spring period
- Uneven
- Avails oneself of

DOWN

- Make roads
- Somewhat
- Tire problems
- Finished off
- Close, as a jacket
- Tooth layer
- Does something
- Parking place
- Keats poem
- Sluggo Williams
- Tour carrier
- Early shepherd
- Critical points
- Composer Satie
- Lights-out song
- Uneven hairdo
- Curbside call
- Tag sale words
- React to bright light
- Lilliputian
- Togetherness
- Lacking slack
- Rational
- Crumb carriers
- Possesses
- Band blaster
- Court
- Winterbug

Yesterday's answer

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MEIR DEEDS
OCCUR ALDEN
THEGOODLIFE
HOC SPA SEA
SEANCE POCK
SPOON ANTS
DESKS
CEDE UNSER
RUES PEELED
ACT PTA NEE
THEGOODWIFE
ERRED SANER
RESTS GORE
    
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BEETLE BAILEY by Mort Walker

ONE FOR THE ROAD! HEAR! HEAR!

THOSE GUYS ARE ALWAYS LOOKING FOR SOMETHING TO TOAST

HENRY by Don Trachte