

The Daily Star

FOUNDER EDITOR
LATE S. M. ALI

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Harassed for being good Samaritans

Many such innocents may be languishing in jail

OVER the last week we have witnessed two instances betraying major discrepancies in police's handling of cases. In the first example, the police failed to arrest an under-aged driver who had rammed the SUV he was driving, into two rickshaws grievously injuring four people, even though there was no ambiguity regarding his culpability. In the second example, the police arrested four members of a registered NGO, on charges of child trafficking. Despite statements to the contrary from the children who had been allegedly 'kidnapped', the police did not bother to crosscheck the information given to them. If they had they would have found that these four individuals were actually selflessly helping these street children, feeding them, providing them with security and basic education and giving them hope for a better life.

The police probe has found no proof to justify the allegations of human trafficking and has recommended that the four be cleared of all charges. The four individuals, who ran the shelter and school for homeless children, with their own funds, were granted bail on Monday but not before spending more than a month in jail, for a crime they did not commit.

The worrisome aspect of all this is that we don't know how many people, under similar circumstances, are languishing in jail. We urge the Home Minister to make an immediate inquiry to investigate into instances of people who may be suffering the same fate as these unfortunate four. It is not uncommon to see criminals get away with murder in our country, which is bad in itself. But worse is when the innocent, even those who serve the society, are victimised by the system.

City park a dumping ground

Where is the city corporation?

THE Chittagong city corporation is regularly dumping garbage and mud into Jatisangha Park in the port city's Panchlaih area, ostensibly for levelling it. There was a time when this was a place rich in greenery, with benches and walkways for people to relax and get in touch with nature. Those days are long gone now. Not only has it become a dumping ground for rubbish, there is virtually no maintenance. Walkways are too slippery to walk on, benches are broken and it currently looks more like a landfill than an area for recreation for local residents.

Why this lack of care? Going by what has been reported in this newspaper, the park is supposed to be maintained by the city corporation. If there is a lack of funding for the proper maintenance of this public space then that should be forthcoming, because like the capital city, the port city too is suffering from the steady grabbing of public spaces by unscrupulous real estate agents.

Rapid urbanisation is a reality in Bangladesh and very few parks are found in any city, and Chittagong is not an exception. Given that city residents have very little by way of a breathing space, it is imperative that city officials make proper financial allocations to restore the park to its original state quickly, replete with playground equipment for children and proper facilities for adults. A little bit of heaven in an ever-expanding concrete jungle will be a welcome reprieve for the residents of the area.

"THE LAW IS KING"!

STRATEGICALLY SPEAKING



Brig Gen SHAHEEDUL ANAM KHAN ndc, psc (Retd)

show you the crime.' But before proceeding further it may be worthwhile to distill some wise thoughts on a matter which should generally motivate the behaviour of governments and societies that claim to be civilised and enlightened enough to be guided by the rule of law.

Aristotle had said, "The rule of law is better than that of any individual" which found expression in the Magna Carta, whose 800th year of signing was celebrated this year. In its famous thirty-ninth clause, King John promised to his barons that, "No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land. And the next clause, which says, "To no one will we sell, to no one deny or delay right or justice," is even more relevant in our context. Thomas Paine encapsulated the essence of the matter when he said, "...that so far as we approve of monarchy, that in America THE LAW IS KING. For as in absolute governments the King is law, so in free countries the law ought to be king; and there ought to be no other."

Our constitution also pledges in its preamble, "It shall be fundamental aim of the state to realise through the democratic process a socialist society, free from exploitation - a society in which the rule of law, fundamental human rights and freedom, equality and justice, political economic and social, will be secured for all citizens." And it goes even further in Articles 27 and 31 guarantying not only equality before, but protection of, law.

But the stark contrast in handling of two cases by the police in very recent times shows the blatant flouting of the principles of justice not to say the breaching of the provisions of our constitution. These two cases are fairly representative of the way law is applied, in certain instances selectively, and in certain others, not at all, depending on how well one is connected with the 'right'

person(s) in this country. In the first example a minor was allowed to go scot-free after committing a cognisable offence. He took the control of an SUV and managed to injure four persons, one very seriously. It was on a busy street, and, since he happened to be a nephew of an erstwhile MP of the ruling party, was not only not proceeded against but rather helped by the police to be delivered to his parents who I reckon should be held equally guilty for the action of their spoilt progeny. And all sorts of excuses were offered by the police to see that the boy escaped the law. Reportedly, the young offender has managed, one

in jail for a month having been denied bail previously. In the process, one of them had to miss the university intake exams. These four were involved in saving lives and future of young people, street children they were, by providing them with shelter and education, with their own money unlike the former, whose recklessness had the potential to destroy the lives of many with the money of his father. And this case reeks of that of unfortunate Limon who lost a leg due to a case of mistaken identity. The unfortunate part of his case was that Rab went all the way to prove Limon guilty but ultimately failed. In the case of the unfortunate four, the police

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hopes only temporarily, to escape the hands of the law, and is now, according to the grapevine, happily ensconced in a foreign country. What happened to the right of the police to take suo moto cognizance of an offence?

In another instance four young persons, all students with good academic achievements, who have involved themselves with a humanitarian venture, were taken in custody, arrested on charges under the Human Trafficking Act, based on the complaints of a single person. They have been given bail and the police have recommended clearing them of the charges but not before they were made to languish

demonstrated enough discretion to realise that withdrawing the case was the best option. And for that they have our thanks.

The first principle, on which the guiding doctrine of a people are based, is the rule of law, which for some to abide by can be very inconvenient, but unless there is rule of law there will not be true freedom. As a modern day philosopher has said, "True freedom requires the rule of law and justice, and a judicial system in which the rights of some are not secured by the denial of rights to others."

The writer is Associate Editor, The Daily Star.

PROJECT SYNDICATE

A Clash of Western Civilisations

WORLDLY PHILOSOPHERS



DIANA PINTO

The result has been a surge of commentary about the "two Europes" - one welcoming, one forbidding. The truth is that disagreements over whether countries should take in refugees are hardly unique to Europe. The contrast on display is symptomatic of a deep rift within the Western world.

The divide cuts across the United States, the European Union, and Israel - and, equally important, across Jewish and Christian communities. On one side are politicians like German Chancellor Angela Merkel, European Commission President Jean-Claude Juncker, US President Barack Obama, former Israeli Welfare and Social Services Minister Isaac Herzog, and religious figures like Pope Francis. On the other are Hungarian Prime Minister Victor Orbán, French nationalist politician Marine Le Pen, US Republican Presidential candidate Donald Trump, Israeli Prime Minister Benjamin Netanyahu, the Cardinal of Hungary, Péter Erdo, and legions of other Eastern European clergy.

Each of the camps shares a fundamental outlook on the role refugees play in society. The first group

consists of those who consider democratic values to be more important than ethnic or national identities. In their view, anyone who abides by a country's laws can become a full-fledged citizen and contribute to the vitality of his or her adopted country.

According to this view, inclusion of "the other" - people from different countries and cultures - does not destroy national identity; it enriches it with new ideas and behaviours. Proponents of such cross-fertilisation point to outsiders or their descendants who have attained high positions in their adopted countries: a Latino member of the US Supreme Court,

international law and ethical, moral, and religious principles.

Christians and Jews in this camp stress that welcoming strangers and people in need lies at the very heart of their respective faiths. Taking in the needy is an ethical imperative, not a politically conditioned choice. Despite the fact that most refugees come from Arab lands known for their anti-Semitism and anti-Israel stance, Jewish intellectuals in this camp have been unanimous in welcoming them with open arms. Meanwhile, Pope Francis has been clear that Christian values include caring for refugees.

how to build their fences.

Members of this camp do not believe that dynamic civil societies can integrate people of different origins within open democratic settings, or that their countries can benefit from welcoming them. The risk of a few bad apples (Mexican drug dealers, Islamic terrorists, economic migrants, or those wishing to cash in on welfare systems) outweighs any benefits that the vast majority of young and determined newcomers could bring.

Nor does this camp believe in international conventions on the rights of asylum-seekers or the duty of signatory countries to take them in. Any appeal to human rights is derided as dangerous naiveté, as are references to moral or religious imperatives. Instead, the emphasis is on protecting the "nation" against foreign viruses. These views are promoted not only by politicians, but also by leading religious authorities, including the evangelical right in the US, Catholic prelates in Eastern Europe, and Israel's nationalist rabbis.

This clash of Western civilisations could not be more important. Those who shut doors and build walls do not belong to the same family as those who welcome the needy in the name of higher values. The foundational principles of our democratic traditions are at stake - principles that are being weakened by the clash itself.

The writer is a historian and writer. Her latest book is Israel Has Moved. Copyright: Project Syndicate, 2015. www.project-syndicate.org (Exclusive to The Daily Star)

On the other side of the divide are those who fear the other as a threat to national identity. Their gut-level response is to build fences and walls, as long and as tall as possible.

German constitutional lawyers of Turkish origin, French prefects whose parents and grandparents arrived from North Africa, British lords and baronesses with roots in Africa and the Caribbean, and Italian writers of Indian descent.

Accordingly, advocates of this worldview regard fences and walls as insults to humanity, proof that those who build and maintain them have no trust in their countries' vibrancy and strength. Above all, they adhere to a universal discourse based on

On the other side of the divide are those who fear the other as a threat to national identity. Their gut-level response is to build fences and walls, as long and as tall as possible, whether on the border between Mexico and the US, on Israel's border with Egypt, or on Hungary's border with Serbia (or even with fellow EU member Croatia). It is no coincidence that Hungarian and Bulgarian policymakers have turned to Israeli companies to seek technical advice on

COMMENTS

"Annisul Huq pledges 'Clean Dhaka, Green Dhaka' within four years" (October 18, 2015)

Ruma Iqbal

The real solution lies in decentralisation.

Ochena Lena

Yes, decentralisation and population control-- both are very important.

Firoz Ahmed

Number one priority should be increasing the number of public transports and improving the traffic control system. The second priority should be to clean Dhaka. Garbage disposal and sewerage system need an overhaul.

Salim Uddin

This happens due to huge number of people living in a small area. Shift some factories like garments and tanneries to other cities. I am really worried that real estate companies are encroaching upon all the open spaces and playgrounds.

"Hi-tech cheating in DU tests" (October 17, 2015)

Nahfie Hasan Sourav

It seems like if you can't get admitted in DU, your life is over.

Kazi Zehad

Innovative but cowardly.

LETTERS TO THE EDITOR

letters@thedailystar.net

Arrested childhood

We often complain that children nowadays prefer to be on mobiles, computers or Facebook rather than playing with other children. But do we ever consider what alternatives they have? We have very few playgrounds in this city. As a result, children do not know anymore how it feels to touch the soil or how refreshing it is to walk on a cold morning. They can't feel

the freedom of running. They are busy gathering information, memorising and competing with classmates. Even if we engage them in extra-curricular activities, they are always driven to win. Yes, some of us have given them the comforts of modern life but we have taken the childhood out of their lives. Someday, we are going to have to pay a heavy price for it. Rubaiyet On e-mail

Save the Northbrook Hall Library

It is very disheartening to see the Northbrook Hall Library in a dilapidated state. The library has provided service to the community for a long period of time. Now books are decaying in rain water and by worms. Both the building and the books should be preserved at all costs. We want urgent measures from the relevant authority in this regard. Thanks to The Daily Star for drawing our attention to this issue. Aeman T Rasul Virginia USA