

Degrading punishment of a teacher

Rule of law or an MP's wrath?

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SHAKHAWAT LITON

THE public shaming of Shyamal Kanti Bhakta, a headmaster and also a teacher of Narayanganj, and inaction against those responsible for humiliating him has exposed the fragile state of rule of law in the country. This outrageous incident mocks people's fundamental rights guaranteed by the Constitution. It makes worthless the legal system and the country's commitment to international legal instrument.

Article 35 (5) of the Constitution unequivocally states: "No person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment."

This is one of the fundamental rights of every citizen of Bangladesh. It is a constitutional protection for every citizen including that of Shyamal Kanti Bhakta. But the constitutional guarantee remained only in paper when he was beaten up by a mob before he was made to do squats holding his ears in the presence of local Jatiya Party MP AKM Selim Osman on Friday. For a teacher, or anyone with self-respect, nothing can be more cruel, inhuman and degrading than this.

Those who decided to be the moral police to punish the teacher based on fabricated allegations against him cared little about the existing criminal law.

The state has enacted the Torture and Custodial Death (prevention) Act in 2013, criminalising such inhuman, cruel and degrading punishment or treatment to anybody. This law has been made to uphold the spirit of the Article 35 (5) of the Constitution and to meet the country's commitment to the United Nation's convention



Students show their solidarity with the humiliated headmaster.

PHOTO: STAR

against torture, cruel, inhuman and degrading punishment and treatment. Bangladesh became a signatory of the convention in 1984. According to Section 2 (1) and 4 of the Convention, Bangladesh is obliged to enact a law to criminalise cruel, inhuman and degrading punishment and treatment.

An individual may be convicted and sentenced to jail up to five years if he is found guilty of torturing anybody or behaving in an inhuman, cruel and degrading way with another person,

according to the Torture and Custodial Death (prevention) Act in 2013. A person may be sentenced to jail up to two years if he is found guilty of instigating or abetting in such torture. If punishing Shyamal Kanti Bhakta in an inhuman, cruel and degrading way is not a criminal and punishable offence then what it is?

The incident has shocked the entire nation. Everybody - students, teachers and cultural activists - are staging stormy protests against the heinous act,

and demanding action against the perpetrators. But the police have still taken no action as they have not been instructed by the government high ups to go for action.

Once again we are reminded that laws are often applied selectively, and for those who have power and influence, it may not apply at all. If the law ruled, law enforcement agencies would have taken immediate action after the incident took place in Narayanganj.

But things are moving in the opposite direction. The school managing committee has suspended Shyamal Kanti Bhakta, headmaster of Piyaar Sattar Latif High School. He received a letter of his suspension while lying at a hospital bed.

The letter said he was suspended because "he physically tortured students, received money in the name of teachers' appointment, made derogatory comments about Islam, remained absent without leave and used to be late at work". The crucial allegations of making disparaging comments about Islam and torturing students have already been proved false.

But he was not given any notice to defend himself before the school had taken action against him. This is completely against the country's existing laws and also against the norms of natural justice.

Supporters of the MP, who presided over "the trial" of Shyamal on Friday, are now trying to gag the voices of people and media in Narayanganj. They are trying to portray the MP as a "noble" man by spreading a claim that the MP has saved the teacher's life from the mob's anger by arranging such a "trial". If the teacher committed any wrong, he should have been handed over to the police, a case could have been filed against him. But what the MP has done was to enforce his own rule; it was not the rule of law. The so-called "trial" has degraded Shyamal's life and made a mockery of the country's Constitution and laws.

If the spirit of the rule of law is to be upheld, those who took part in this inhuman, degrading torture of a teacher, must be brought to book.

The writer is a Senior Reporter, The Daily Star.

Better lives for girls are coming, but we must speed up

ANNE-BIRGITTE ALBRECHTSEN

MAYA, a 16-year-old girl from Dolakha district in Nepal, is already a mother and a wife. Nepal has the second highest adolescent pregnancy rate in South Asia, and it is estimated that one in ten girls there will marry below the age of 15. A large proportion of them will drop out of school.

But Maya has been helped to go back to class, and attends an Adolescent Friendly Space for girls aged 12-18. Of the 22 girls in Maya's group, half are married; some are pregnant, while others are mothers already. At the end of March, Maya took her school leaving exams and hopes to continue on to higher education. She knows that will be harder as a young married woman with a child. But she is using her experience to raise the confidence of other younger girls: "As a girl, you already face many barriers. It is better to focus on your own goals and complete your studies."

Maya's story shows how to go beyond describing the tough reality, to changing it. We can be led by an optimistic realism, focused on the power of girls rather than their plight, and on enabling girls to learn, lead, decide and thrive.

It is understandable that we focus on the injustices faced by girls - in getting the education they need, or having their voices heard, or simply to be an adolescent without being forced into marriage and motherhood. We must repeatedly demonstrate that girls are denied their rights simply because of their gender. But if we do not give equal weight to the solutions, and to the progress we have made, we can quickly become trapped in a counsel of despair.

The world increasingly recognises the importance of securing the rights of girls, reflected



PHOTO: STAR

in the Sustainable Development Goals (SDGs) adopted last year by the UN. Now is the time to galvanise the movement for girls' rights that has emerged in recent years, to become ever more impatient for change. Better is possible.

The confidence to decide for themselves is not only critical to girls improving their own lives, but also to accelerating progress more widely. Gema is 17 years old, one of over 2,300 adolescents taking part in the 'Teenage Pregnancy-free Zone' project in Ecuador. It promotes empowerment, participation and self-esteem to lower the high rates of teenage pregnancy. She became involved when she was 14, struck by the number of classmates dropping out of school when they

became pregnant. With a few friends, she went door to door to speak to mothers and fathers to change minds little by little. Her determination took her to New York, at our invitation, to participate in the Annual Commission on the Status of Women at the United Nations; now Gema is going to university to study medicine.

So change is happening, but it is painfully slow. Imagine if our approach to child pregnancy was driven by the same urgency as the response to polio; if we saw the denial of girls' right to education with the same focus. How much nearer to our goals would we be?

We certainly can't keep on as before, and expect different outcomes. According to a 2011 UNESCO

report, a young girl in South Sudan is three times more likely to die in pregnancy or childbirth than to complete grade 8. If we cannot change social norms that deny girls access to comprehensive sexuality education, contraception and bodily integrity, how can we hope to address the goal of equalising access to education? We need larger scale solutions that bring transformation at a global level, building on the kinds of projects that helped Maya and Gema. It's about practical action, growing and strengthening the movement for girls' rights to create the space for bigger, better solutions to be developed, and equipping girls with the confidence and skills to make change themselves.

Progress remains stubbornly slow in part because we lack the numbers to track it. There are no reliable worldwide figures on the number of girls under 15 years who become pregnant each year. We do not adequately measure the number of girls who leave school due to marriage, pregnancy, or sexual violence, simply the number in school. Millions of girls are left invisible.

That's why we're launching a new partnership to fill the data gaps. Real data, relevant to girls, will enable us to see how fast progress is being made to end early and forced marriage, to achieve gender parity in secondary education, to abolish female genital mutilation and to ensure girls have the same job opportunities as boys.

We also need to see the reality of the lives of girls, so often overlooked. We need to hear the voice of girls like Gema and Maya: girls with insight into the barriers, with experience of overcoming them. Because the people who are really going to change things are girls themselves.

The writer is CEO of child rights organisation, Plan International.

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QUOTABLE Quote



ROSA PARKS

"Racism is still with us. But it is up to us to prepare our children for what they have to meet, and, hopefully, we shall overcome."

CROSSWORD BY THOMAS JOSEPH

ACROSS

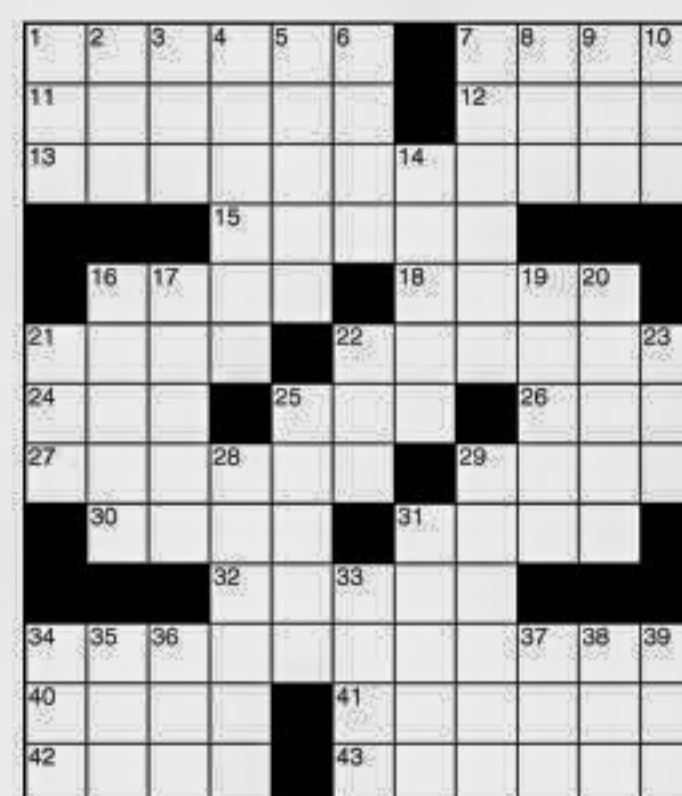
- 1 Creche part
- 7 Trampled
- 11 Artemis' twin
- 12 Valiant one
- 13 Breakfast table sight
- 15 Group of top players
- 16 Thin coin
- 18 Fill completely
- 21 Towel word
- 22 Accident
- 24 Gardner of "Mogambo"
- 25 Singer Damone
- 26 Sense of self
- 27 Water or wine
- 29 Dance move
- 30 Singer Jenny
- 31 Flag feature
- 32 Labor leader Chavez
- 34 Election day needs
- 40 Clarinet's cousin
- 41 Skiing variety
- 42 Implores
- 43 Next to

DOWN

- 1 Buddy
- 2 Gorilla, for one

3 Negative link

- 4 Sparkles
- 5 Gladden
- 6 Part to play
- 7 Inventor Edison
- 8 King, in Latin
- 9 Mine yield
- 10 Twice uno
- 14 Elementary
- 16 New Jersey player
- 17 Baghdad native
- 19 Letter before iota
- 20 Raring to go
- 21 "2001" computer
- 22 Central
- 23 Cork sound
- 25 Musical mini-movie
- 28 Dad's brothers
- 29 Barbershop needs
- 31 Dark fur
- 33 Wild guess
- 34 Hope of comedy
- 35 Homer's dad
- 36 Ship record
- 37 Noon, on a clock
- 38 Finale
- 39 Spot



YESTERDAY'S ANSWER

A	B	A	B	A	P	A	R	K	S		
V	A	L	E	T	A	D	I	E	U		
A	T	L	A	S	Y	O	D	E	L		
N					E	E	E				
V	E	R	B	A	T	I	M				
A	R	I	A	C	R	E	S	T	S		
T	I	T	L	E	T	A	H	O	E		
S	C	A	L	D	S	T	O	U	T		
S					W	A	B	B	E	R	S
R	A	W	A	G	R	A					
A	B	H	O	R	A	L	T	O	S		
P	L	E	A	D	K	L	I	N	E		
T	E	N	T	S	E	S	S	E	X		

