

Landmark ruling on arbitrary arrests

Guidelines must be implemented

WE welcome the Supreme Court's (SC) verdict on the issue of arbitrary arrests on suspicion and torture of arrestees on remand. The 19-point guideline for police, magistrates and judges is a huge step forward to ensure people's basic human rights. Under the new guidelines, law enforcers must identify themselves during arrest and arrestees will be allowed to meet relatives and consult with lawyers. Though 13 years in the making, it is hoped that incidents of arbitrary arrest and the dreaded torture and death in custody will come down significantly.

For too many years, Section 54 and other provisions of the Criminal Procedure Code have been wilfully used to detain anyone on suspicion under the Special Powers Act. For over a decade since the High Court ruling in 2003, successive governments have continued to use this hangover from the days of the British Raj that allowed the police to arrest and detain any individual deemed a threat to the establishment. It has paved the way for serious violation of human rights as law enforcement agencies have operated with impunity, taking into custody individuals and many came back suffering brutality or worse, as corpses.

The efficacy of the directives lies with the Executive in the full implementation of the directive by the judiciary. We hope that the government does not take the SC's decision as a move to curb its power. Rather, embracing the measures and putting in checks and balances on the various institutions responsible for law and order will help free our people from the clutches of injustice. We hope the government will break with the past and put into effect the guidelines to ensure good governance and ensure justice for the citizenry.

38 schools unfit for use

Nationalising them brings no relief

THE horrid condition of 38 primary schools in Nilphamari is a travesty against the curious young minds that attend these schools in the hope of broadening their horizons and receiving a proper education. A survey conducted on the physical condition of the primary schools there says it all. 38 schools have such poor facilities that it is discouraging students to the point where they are either forced to enrol in other schools, or give up on receiving a formal education altogether.

Classrooms walls in some of these schools have all but disappeared which allows cows and goats grazing nearby to enter the classrooms, filling them with cow dung and animal urine. In the midst of animal excretion, how is it possible for young children to concentrate on their studies? Moreover, because of leaks in the tin-roofs, rainwater during the monsoon season and intense sunshine during the summer makes life impossible for students.

And the worst part of it all is that these schools were all nationalised under the government's nationalisation programme three years ago. Thus, the horrendous condition of these schools even after all this time shows nothing other than the apathy on part of the authorities towards the education of young children and their ordeal.

The government has now promised to construct new buildings for these vulnerable schools. But then, why hasn't it done so over the past three years? Instead of repeating past failures, the authorities should provide the necessary facilities to these schools without any delay.

LETTERS TO THE EDITOR

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Queuing with the commoners

My family and I had a good experience standing in a long queue to collect the newly introduced Smart National ID Card from a school premise in the Dhaka cantonment area. This included my 82 year-old mother-in-law. However, while we stood like law abiding citizens, we witnessed a good number of people taking shortcuts to the booths right under the eyes of the security stationed at the venue. They were VIPs. We had to wait for about two hours, but felt the satisfaction of having done the right thing.

When will we come out of his culture of VIPs and IPs? What do we lose if we stand in a queue with the common people?
 Showkat
 On email

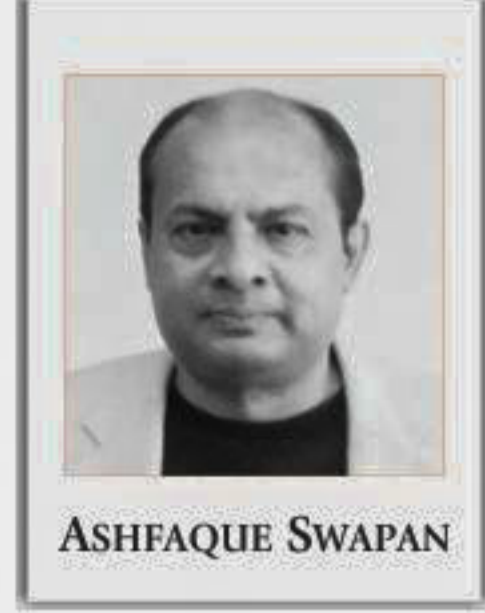
Faraaz's courage

I was extremely happy to read about India's Harmony Foundation naming Faraaz Ayaaz Hossain for this year's Mother Teresa Memorial International Award for Social Justice. I pay homage to the memory of this valiant son of the soil who refused to leave the Holy Artisan Bakery without friends at the clutch of terrorists. Not only has his sacrifice proved the strength of his character, but also portrayed the image of our country very positively in the global community.

It's impossible to imagine the pain Faraaz's family has gone through. Faraaz has taught us how to uphold the prestige, dignity and honour of our motherland. I pray for the salvation of his departed soul. The nation should learn from his sacrifice.
 Nahida Farhana
 Student, University of Dhaka

TRUMP'S VICTORY

The morning after the shock



ASHFAQUE SWAPAN

"I don't worry about our losing republican government in the United States because I'm afraid of a foreign invasion... What I worry about is that when problems are not addressed, people will not know who is responsible. And when the problems get bad enough... some one person will come forward and say, 'Give me total power and I will solve this problem.'"

"That is how the Roman republic fell. Augustus became emperor, not because he arrested the Roman Senate. He became emperor because he promised that he would solve problems that were not being solved. That is the way democracy dies. And if something is not done to improve the level of civic knowledge, that is what you should worry about at night."
 — Former Supreme Court Associate Justice David Souter, in a prescient 2012 interview in New Hampshire.

I stuck my neck out, and Donald Trump chewed it off. I predicted his opponent Hillary Clinton's victory. Here's my mea culpa. I was dead wrong, so apologies to you, dear readers, and *The Daily Star*. (Note, however, that Hillary most probably will win the popular vote when the final tally is in.) History moves in strange ways. "The path that this country has taken has never been a straight line," U.S. President Barack Obama said after Trump's victory. "We zig and zag..."

Eight years after the glorious moment when the United States elected the nation's first African American president, it has elected a president approved by the Ku Klux Klan, America's notorious racist vigilante group with a history of lynching blacks.

A livid David Remnick, editor of *The New Yorker*, called Trump's election a triumph "of nativism, authoritarianism, misogyny, and racism."

"Trump's... ascension to the Presidency is a sickening event in the history of the United States," Remnick wrote. "On January 20, 2017, we will bid farewell to the first African-American President—a man of integrity, dignity, and generous spirit—and witness the inauguration of a con who did little to spurn endorsement by forces of xenophobia and white supremacy. It is impossible to react to this moment with anything less than revulsion and

profound anxiety." The harsh reality is that we failed to realise how deeply Trump's message resonated with the disaffected. Nobel laureate economist Paul Krugman spoke for me and many millions when he lamented: "People like me... truly didn't understand the country we live in. We thought that our fellow citizens would not, in the end, vote for a candidate so manifestly unqualified for high office, so temperamentally

analysts and pundits dismissed him. His fight to win the Republican nomination was considered a joke until he topped all the big guys. Hillary Clinton had huge amounts of money and a massive organisation. Trump triumphed with rallies and free media. Analysts scoffed at his claim that he would bring in disaffected working class voters to the polls. He had the last laugh. However, there is the disquieting sense that his message alone, such as it

"Our core voters aren't dying off; they are growing. Arizona, Georgia, Texas are the future. The Rust Belt is... waning," he wrote in post-election post. "But Trump tapped into something visceral, and whites responded. 'America is changing because of those people, and I don't like it!' "There's no way to sugarcoat this... It's going to be awful. "...For now, let's take a moment to grieve, because America isn't what we



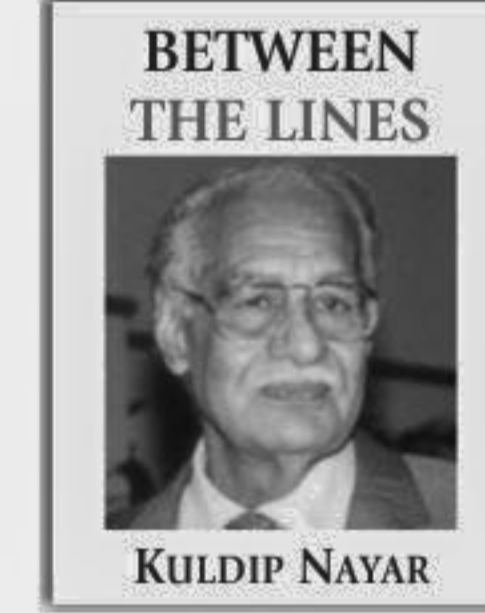
US President Barack Obama meets with President-elect Donald Trump to update him on transition planning in the Oval Office at the White House on November 10, 2016 in Washington, DC. PHOTO: AFP/JIM WATSON

unsound, so scary yet ludicrous... "We were wrong... A huge number of people – white people, living mainly in rural areas – ... don't share at all our idea of what America is about. For them, it is about blood and soil, about traditional patriarchy and racial hierarchy... "Is America a failed state and society? It looks truly possible... This has been a night of terrible revelations, and I don't think it's self-indulgent to feel quite a lot of despair." Give the devil its due. The Donald kept telling us he could feel the pulse of the American people but pollsters,

was, was not what ensured his victory. Was a section of Americans tired of the growing influence of people not like them (read black and brown people, women, LGBTQ)? Was the ugly animus against Hillary propelled only by legitimate issues of a lack of transparency? Or did unspoken abhorrence for a powerful woman play an unstated role? This is a truly difficult time. I take heart from Markos Moulitsas, whose online activist website DailyKos.com has revolutionised left-liberal political activism in the U.S. Moulitsas believes the future still belongs to Democrats.

thought it was. "And then, we start fighting. And we'll need a general. So...Bernie Sanders for DNC chair. "Who is aboard?" Sanders is the squeaky-clean, principled 75-year-old Vermont senator who spoke truth to power and won the hearts of millions of America's young people. Count me in. I'm already feeling the Bern. The writer is a contributing editor for *Silliconeer*, a monthly periodical for South Asians in the United States. He has been writing for U.S.-based South Asian media for over 25 years.

America turns right



KULDIP NAYAR

WHEN the country's mood is the right, you cannot expect it to vote for Hillary Clinton who represents the left-of-the-centre if not the left.

Donald Trump's victory is an assertion of the white who constitute nearly 63 percent and still have the phobia of being a minority. It is an unfortunate thinking but one cannot write it off because that is what America is today.

Once again, the thesis of isolation is coming to the fore. There have been a substantial number of people in America who believe that they should go it alone and not bother about what the rest of the world feels about them. But this thought has not captured America at the White House. The outgoing President, Barack Obama, had two terms although he represented the non-whites.

The policy of isolation has been tried before in the country but the people have come back to a secular policy, which has recognised the constitution more than the minority or the majority. President Abraham Lincoln was a Republican but he has gone down in the history as the most acceptable personality by the minority as well.

Donald Trump has, no doubt, outlandish views on Muslims but he is bound to be influenced by the realities of the world. America cannot afford to have an anti-Muslim policy and still expect trade with the middle-east and other Muslim countries. The realities of economics are bound to guide the person at the White House.

In a country where unemployment is the main problem, the promise to give jobs has an appeal. The young voters have been very much influenced by this call because they are in the market to seek job. They have heeded to Donald Trump because he, compared to Hillary Clinton, represents that sentiment.

She is seen to support continuity. If Hillary Clinton had won and had to deal with a Republican Congress, she would have moved towards the middle as her husband did after the Republican Revolution of 1994. Hillary is regarded

as more liberal than Bill Clinton on economic issues. On foreign policy, it is likely that a Democratic victory would have led to more international cooperation than a Republican victory. Democrats are generally more interested in promoting multilateral solutions and diplomacy than Republicans, illustrated by the Obama Administration's agreement with Iran, which the Republican candidates denounce.

But in more ways than one, the presidential election of 2016 was a referendum on the eight years of President Obama. When he launched his campaign in 2007, Obama was an untried candidate who hoped to be a transformative president the way Franklin Roosevelt and Ronald Reagan had been, arguably the two most significant presidents of the 1900s.

However, there are diverging views on his achievement, particularly after his final State of the Union Address.

Widespread anger at the federal government is another key factor that helps explain Trump's support. Trump generally receives a lot of support because he is an outsider who is not a politician.

President Obama tried arguing why his presidency had been successful. He pointed out that 14 million new jobs were created during his presidency. These included 900,000 jobs in manufacturing that have been added during the last six years. The budget deficit was reduced by three-fourths, according to a transcript of his speech. No doubt, Obama had helped turn the economy around by regulating the financial sector in order to help prevent a new financial crisis.

However, the major disappointment of his regime was his own admission of not succeeding in bridging the divide between the parties. He had hoped to be the person to unite the country, but the nation had ended up even more divided



Trump supporters applaud his make America great again message. PHOTO: REUTERS/MIKE SEGAR

than under President George W. Bush. In addition, the economic inequality had remained a major challenge.

A president is both a head of state and cabinet leader. President Obama can point to significant legislative success and economic progress as a cabinet leader, but not everyone sees him as a great head of state. As for Hillary Clinton, their view was more or less similar because she was bound to pursue her predecessor's policy. On the other hand, many voters saw Trump as a patriotic person with gravitas who could be a great head of state, in spite of his arrogant behaviour at times and big ego.

Widespread anger at the federal government is another key factor that helps explain Trump's support. Trump generally receives a lot of support because he is an outsider who is not a politician. For instance, the entrance polls showed that a majority were angry and dissatisfied with Democrats. Trump is sceptical of free trade and China's currency manipulation, and he wants to bring jobs back to America. Trump is a fighter and a successful businessman who understands the economy, many voters feel.

Trump, a billionaire, gets credit for using his own money instead of relying on rich donors to private political action committees formed to back presidential candidates. Many people like that Trump is not

beholden to anyone and that the Trump campaign has not spent large amounts of money on negative advertisements.

In an incisive and persuasive *New York Times* commentary, Steve Inskeep compares the New York real estate magnate to President Andrew Jackson of the 1820s and 1830s. Trump attracts a particularly large group of supporters in the disadvantaged Appalachia region, as Jackson did. Jackson was a populist who did well among a diverse group of people and was tough on Indians the way Trump wants to punish illegal immigrants.

However, the unfortunate fallout is that America would cease to have active interest in what happens in the world. For example, the complete withdrawal of US troops from Afghanistan would give a free run to the ISIS which represents a radical form of Islam. Even the Taliban are not relevant. Pakistan's Prime Minister Nawaz Sharif is conscious of this but he has to move according to the wishes of the army which believes that the Taliban are required to fight the radicals.

This is probably the time when both India and Pakistan can have a joint front to fight for the people in the region. This would be good for the two countries and also for the world. The writer is an eminent Indian columnist.