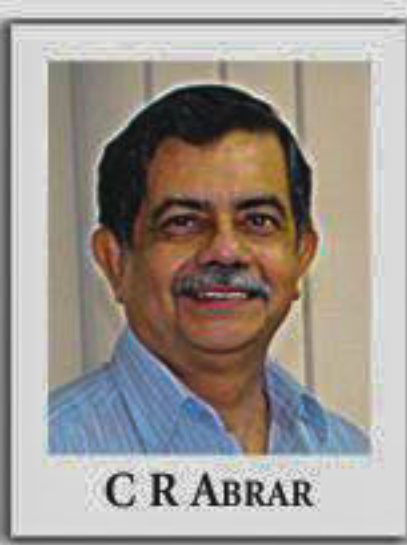


The Verdict and the Vindication



C R ABRAR

THE trial court has delivered its verdict. The charge sheet and confessional statements revealed that the accused RAB functionaries killed seven persons in Naryanganj in April 2014 by injecting a numbing substance into their bodies and then suffocating them with plastic bags. Their disemboweled bodies were filled up with bricks before being thrown in the confluence of river Meghna. Within days their floating bodies were discovered. All those indicted in the gruesome killings and attempts to hide the dastardly acts have been found guilty and handed down severe sentences. This verdict will surely stand out in the annals of the criminal justice system of the country.

what is generally dubbed as the elite force, the Rapid Action Battalion. They were on secondment to RAB 11 from the army (11), navy (2), BGB (3) police (7) and Ansar (2).
The verdict has been hailed and welcomed by the members of the victims' families and relatives, the friends and colleagues of the deceased, and the people of Narayanganj who acted in unison in condemning the brutality. Powerful ministers have also greeted the ruling. The Home Minister stated that rule of law has been upheld by the verdict that vindicated that no one is outside the purview of the law. The Law Minister observed that it would allay fear that prevailed in the public mind. The Awami League Secretary and the Transport and Communications Minister noted justice has prevailed. He declared, "no one ... involved in crime, would be spared".
So, what led to the successful conviction in this sensational murder case? The resolute and uncompromising

stand for justice of the members of the victims' families, putting aside partisan interests, the united effort of the members of the Narayanganj bar, mobilisation of public opinion across the nation by civic groups, the close and intense scrutiny of media, and the timely and decisive move of the higher judiciary have all converged and contributed in securing justice.
There is every reason to celebrate this landmark verdict. For a nation used to the grim reality of law enforcement agencies refusing to entertain complaints of disappearances and extra-judicial killings, let alone launching proper investigations, this case has been a vindication that such incidents indeed do occur. It is also a proof for those in charge of administering the law enforcement agencies to acknowledge that unlawful acts, including contract killing by errant members of the agencies, is a fact to reckon with. Instead of treating the Narayanganj murders as a stray event,

the political establishment will better serve the nation by conceding that there is a need for review of the quick-fix approach to law enforcement as embodied in the agency such as the RAB. It is worth recalling that BNP, which launched the infamous 'Operation Clean Heart' and took credit for establishing the RAB "for eliminating crime", faced with its excesses was subsequently forced to reassess its position.
The family members of the Narayanganj victims have expressed their satisfaction for securing justice. This was the very least they could expect from the State. Time has come for the State to own up to the activities of the members of its law enforcement agencies. Over the years, across political regimes, demands for reining in errant members of the security agencies have fallen on deaf ears. Such refusal to acknowledge the reality, often on the flimsy ground that the "disappearance does not exist in our legal lexicon", has

created grounds for breeding a culture of impunity. Abusing authority became almost systemic. Thus, instead of blaming "a group of derailed officers", it is time for the political establishment to take cue from the Narayanganj verdict and institute judicial inquiry into each and every claim of disappearance and extra-judicial killing. It is also appropriate to demand financial compensation to the families for the sufferings inflicted by illegal acts of the State functionaries.
The trial court judgment is an important first step in the legal process. It has imbued people's confidence in the lower judiciary. In the past, original judgments endured reversals on appeal in higher courts and from the President. One hopes that the higher judiciary and the President's office will uphold the verdict.

There are hundreds of other families of victims of disappearances and extra-judicial killings. Like the families of the seven murder victims, those families have also pointed fingers at the members of law enforcement agencies and have the right to secure justice. Their suspicions are reinforced as the police refuse to entertain their complaints and properly investigate the cases in the same stride as they did in the Narayanganj case. Instead of dismissing their claims for 'tarnishing the image of security forces', proper investigations should be launched. Citing the Narayanganj judgment, the ministers have made elated claims that "rule of law have prevailed" and "justice ensured". If they really mean what they claim then let this verdict be a catalyst to end the culture of impunity.

The writer teaches International Relations at the University of Dhaka.

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Prime accused of Narayanganj-7 murder case, Nur Hossain, is being taken out from Narayanganj court building on January 16, 2017.

PHOTO: STAR

Forestalling extrajudicial killings

STRAIGHT LINE



MUHAMMAD NURUL HUDA

A report in this newspaper on January 11 tends to give the impression that the non-disposal of three rules by the honourable High Court

questioning the legality of extrajudicial killings have stood in the way of protecting the people in custody. The said report comments: "Had the HC delivered a judgment on the rules there might have been directives for the authorities to ensure protection of the accused in law enforcers custody, some legal experts say."

By reading the above report, the not-so-informed members of the public may be led to believe that directives from the court is the principal if not the only deterrent to hold the errant law enforcers in check.

While the court's statutory mandate to supervise law enforcers' functions is welcome, the inertia of law enforcement executives and their supervisors in this connection is often lost sight of. This is so because the origin of the scourge of extrajudicial killings is primarily rooted in the indiscipline of the law enforcement officials. So the real solution lies in preventing the malaise by advance action.

The incentive for actions such as extra-judicial killings comes from the fact that our judicial system is slow, cumbersome and full of scope for misuse and as such fails to bring quick relief to people seeking justice.

The dilemma is that while those wishing to see the effective writ of the rule of law refuse to accept extra-judicial deaths as an acceptable response, there is no dearth of supporters of such apparently abominable method. Random eliciting of opinions by newspapers has shown that a large majority of

people believe that the slide in crimes can gradually be stalled by resorting to extra-judicial killings.

It is time, therefore, to do some serious introspection. If extra-judicial killings succeed in even implicitly acquiring the seal of approval then there remains no justification for maintaining a justice system at public expense. The question is how low shall we stoop and offend the democratic sensibilities?

It appears that as a society we are finding it difficult to get out of the extra-judicial mode that has set in since quite some time. While there is realization that extra-judicial deaths are a slap on the rule of law and are condemnable yet the efforts to put things on the right track have been distressingly slow. It is, therefore, once again necessary to go into the causes of the aberration and deliberate on the remedial measures.

Corrective actions to deter patently illegal acts like deaths in custody or extra-judicial killings have come late. The belated actions, caused principally by the outcry in the media and vehement protests of the civil society, should prompt us to question what contributed to the building of a lamentable extra-judicial mindset.

Why do lawmen resort to short-cut and extra-legal methods in their statutory functions? Is it ambiguous legislation, vulnerability to legal sanctions, occupational culture and pressure to produce quick results? Does the malfunctioning of the criminal justice system push people to expect, nay demand, of the police to take laws in their own hands, especially when dealing with the dreaded terrorists and hard-core criminals?

It is not uncommon to hear demands for ruthless counter measures irrespective of the price that has to be paid in terms of human rights. Thus, abuses of authority in such situations can flourish not only due to official negligence or

acquiescence but because, rightly or wrongly, broad sections of people consider that in spite of their excesses the police are carrying out an important and unpleasant task for the preservation of society and State.

There are also occasions when situations of grave emergency demand that "order" override "liberty". Some say that the safety of the people is the highest law and, as such, in grave situations, special emergency measures have to be adopted curtailing rights of the people. The issue is whether our political leaders realize that even in times of emergency there are certain non-derogable rights to life and liberty, freedom from torture, etc.

Experience shows that a lawful police officer succeeds in displaying substantial results in the long-run but most people are interested in short-term, spectacular results even though they may be illusory. In fact, our expectations, compatible with the rule of law, of the police are at total variance with our actual expectations compatible with the rule of order. This double standard makes one believe that police's chief value lies in efficient enforcement of the prohibitive norms of substantive criminal law.

The urgent need for police modernisation becomes relevant when we witness our lawmen indulging in third degree methods. Such methods would seldom, if ever, have been used by our traditional police force. Like the defense services, our police should also be equipped with modern equipment and staffed with well-trained people. How long shall we put up with an outfit that appears largely unaffected by the developments in science and technology in the law enforcement field?

It needs to be impressed once again that the practice of breaking the law in the name of law enforcement is totally unacceptable and intolerable and has no place in a society governed by the rule of

law. It is objectionable because it is arbitrary as a process and random in its effects. A democratic polity venturing to maintain order by repression and criminality is actually creating ultimate disorder because in so doing it creates a link between social order and atrocities.

We have to remember that law enforcement is a field of activity in which interaction between the world of

the powerful and the world of the powerless are manifested. Hence, it has to be ensured that law enforcement emphasizes principles of purpose and principles of values. We must come out of the degrading thought that those who cannot be taken care of within the ambit of law have to be dealt beyond the law.

The writer is a former IGP and a columnist of The Daily Star.

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Government of the People's Republic of Bangladesh

Office of the Executive Engineer, RHD

Road Division, Bagerhat

☎ 0468-62485

☎ 0468-63224

E-mail: eebeg@rhd.gov.bd

Reference No: 104

Date: 15-01-2017

e-Tender Notice

e-Tender is invited in the National e-GP System Portal (www.eprocure.gov.bd) for the procurement of:

Sl No.	Package description	Last selling date & time	Closing date & time	Opening date & time
01.	Seal coat work including repair of potholes & undulations from Ch: 5+780m to 6+220m, 10+930m to 11+370m & 11+800m to 12+840m (Total = 1920.00m) of Nowapara-Bagerhat-Pirojpur Road (R-770) under Road Division Bagerhat during the year 2016-2017. 17/e-GP/BRD/2016-2017 (ID No-80767).	29-01-2017 5:00pm	30-01-2017 12:30pm	30-01-2017 1:00pm
01.	Seal coat work including Repair of Potholes and Undulation at 35th Km (P), 36th Km (P) & Protective Work by Bullah Palisiding at 35th (P), 36th (P) & 37th (P) Kilometer of Pirojpur-Nazirpur-Matibhanga-Patgati-Gonapara Road (Z-7704) under Road Division Bagerhat during the year 2016-2017. 18/e-GP/BRD/2016-2017 (ID No-79254).	29-01-2017 5:00pm	30-01-2017 12:30pm	30-01-2017 1:30pm

This is an online tender, where only e-Tender will be accepted in the National e-GP Portal and no offline/hard copies will be accepted.

To submit e-Tender, registration required in the National e-GP System Portal (www.eprocure.gov.bd).

The fees for downloading the e-Tender document from the National e-GP System Portal have to be deposited online through any registered bank branches up to 29 January, 2017 at 5:00pm.

Further information and guidelines are available in the National e-GP System Portal and from e-GP help desk (helpdesk@eprocure.gov.bd).

Md. Anisuzzaman Masud

ID No-601952

Executive Engineer, RHD (C.C)

Road Division, Bagerhat

GD-147

A WORD

A DAY



DIAPHANOUS

adjective

light, delicate, and translucent (especially of fabric)

CROSSWORD BY THOMAS JOSEPH

ACROSS

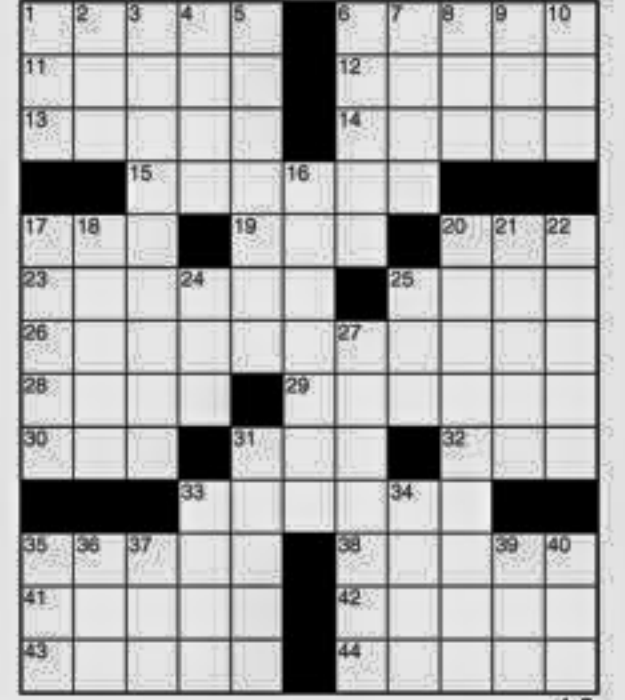
- Deep singer
- Winter quaff
- Writer Sinclair
- Pandora's Box held them
- Digging tool
- Top roles
- Corporate shark
- Back muscle, briefly
- Sphere
- Rick's pianist
- Consider comparable
- Words from Caesar
- NHL team
- Theater award
- Sweetheart
- Catch some z's
- Kayo count
- Misbehaving
- Riviera nation
- Ready to swing
- BLT base
- Bandage material
- Media icon from Chicago
- Made a choice
- "I Am Woman" singer

DOWN

- City vehicle

2 Phone download

- Another name for the mariposa lily
- Fizzy drink
- The least bit
- Luminary
- Finished
- Espionage org.
- Hackneyed
- Farm animal
- City of Saxony
- Enticed
- Seaport Jordan
- Right at sea
- Skylit lobbies
- Pondered
- Brewed beverage
- H lookalike
- Capitol bigwig
- Lugged
- Rat's test
- Make do
- In past years
- Keg attachment
- Except
- Blue
- Belonging to thee



YESTERDAY'S ANSWER

