

# The Daily Star

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## Road Transport Bill, 2018 falls short

### Will not deter reckless driving

THE cabinet has given final approval to the proposed Road Transport Bill, 2018. There are some good measures in the proposed act like minimum educational qualification (Grade 8) and minimum age (18 years) to get a professional driver license, and introduction of a 12-point system which would lead to ultimately cancellation of license for violation of law. But looked in totality, the proposed bill fails to meet the expectations of all the stakeholders.

The draft bill has drawn flak from road safety experts to activists for good reasons. Although maximum punishment for causing death due to reckless driving has been increased from three years to five, it falls far short of the 10 years that campaigners had been demanding. The rationale for fixing a five-year jail term defeats our comprehension. Similar or lesser offences than "death by reckless driving" carry greater punishment. For example, robbery on highways at night carries a maximum 14 years and defamation on social media a minimum of seven years—as if one's life is less important than one's reputation. Even the High Court's verdict in 2014, that seven years' jail term was "insufficient" for a driver causing death by reckless driving, has been ignored.

The purpose of a law and the punishment therein for breach of that is to make citizens' life comfortable and safe and deter transgression of the law. We are afraid the proposed law would fail to do that. By going easy on reckless driving, the whole purpose of introducing a strict regime will be defeated. We had been waiting for long for a law that would bring some semblance of order in the transport sector by imposing strictest punishment for death due to careless and irresponsible driving. The proposed road transport bill dismisses us.

## Why are universities under attack?

### Uphold the sanctity of the places of education

WE deplore the heavy-handed police actions on Monday on the students of several private universities who were protesting against attacks on their peers. Why did police, supplemented by armed goons, fire rubber bullets and tear gas into campuses filled with students leaving scores injured? Can anyone not exercise his or her constitutional right to protest?

The students of several private universities were protesting inside or around their campuses. They clearly did not pose any threat to public safety. We understand the police were not called in by the authorities of those universities either. In fact, one university opened its gate for everyone under attack to take refuge. We, therefore, wonder why such heavy police presence was warranted in a sacrosanct place like a university campus in the first place. What's more disturbing is the fact that police, reportedly, had sought "assistance" from a pro-ruling party youth organisation to deal with the protests.

We believe the rights to protest and expression are an integral part of democracy. We cannot claim to be a democratic country when citizens are denied a minimum space for expressing their dissent. By handling almost every youth movement, regardless of its legitimacy and rationality, in a ham-fisted manner, the government runs the risk of alienating our young generation.

# When children see what we don't

THE OVERTON WINDOW



ERESH OMAR JAMAL

British journalist yesterday, I realised just how uncommon it was for such a large-scale movement to be initiated and led by high school and school-aged children, at any point in history, anywhere in the world—which is primarily what has captured the imagination of some sections of the international media that has been covering it.

But covering it has not been an easy task because of the targeting of journalists allegedly by activists opposing the movement. As this newspaper reported on Sunday, four journalists of *The Daily Star* were harassed and assaulted the day before simply for doing their job—covering what at the time was the biggest news story in the country. And they were not the only ones either as numerous other news outlets reported. One TV journalist, in fact, was beaten up so bad in front of other journalists including some from this newspaper, that he was literally struggling to move his neck afterwards.

Yet, what was most egregious about it was that the attack had happened right in front of law enforcers who refused to raise a finger to defend him or others—in other words, who refused to do their duty as per their mandate.

The next day sadly saw no improvement, as alleged ruling party men attacked journalists for a second day, injuring about a dozen photojournalists and reporters at different places in the capital.

And while I myself travelled from one place to another where altercations had, or were taking place, it became increasingly obvious that the police were not taking any action whatsoever against those goons carrying all kinds of deadly weapons in their hands, wearing biker helmets on their heads, no matter who they were targeting. In the meantime, statements denying that the attackers had any affiliation with the ruling party kept coming from government high-ups and others to the utter shock of everyone who had witnessed first-hand the violence that had raged across the city.

But even if for the sake of argument, we accept that these were not ruling party supporters, the question remains—"who were they?" And "why

only were members of the police and other government offices found driving (or travelling in cars with drivers) without licences or proper documents of their vehicles, but many in fact had the audacity to claim that "the police don't need driving licences" to drive around—how those with such understanding of the law were allowed to become law enforcers is anyone's guess (if one is to accept that they actually believed what they were saying).

But the fact is, that, when the law is so trivialised to the point where it can be changed simply at the whim of someone, it stops being the law and thus stops serving its purpose. And this is what is at the heart of the lawlessness that we see—whether it be the total disregard for the law on the roads that

acknowledge what is at the root of the problem is so concerning is, as many have previously pointed out, that globally it has been seen, "The more corrupt a society, the more numerous its laws." Which is exactly what we are currently seeing. While on the one hand the government keeps churning out one law after another, on the other it keeps failing to implement and enforce any of them—all the while government officials themselves continue breaking them at record speed.

And the fact that school-going children had to take to the streets to point that out, really is, unprecedented, for anywhere in the world. And which, no matter how you look at it, is a matter of great shame—given the world that we live in,



PHOTO: RAJIB RATHAN

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were the police not even attempting to stop them from physically harming students, journalists or others?" Moreover, "why is it that no investigation is currently underway to try to identify and bring them to justice?" It is because, as this entire episode has made clear, our legal system has broken down.

And this was what the protesting school children were trying to point out in the first place—the total lawlessness on the streets, or rather the failure of the government to enforce the laws.

As was demonstrated during the first phase of the student protest (before violence broke out), the traffic police themselves in a number of cases were some of the worst lawbreakers. Not

the students were protesting, or the violence perpetrated against protestors, journalists, etc.

However, instead of trying to understand and recognise this problem, the government's response was to hurriedly approve a draft law proposing a "maximum" punishment of five years' imprisonment for causing death to a person by reckless driving, whereas defamation on social media laughably carries a "minimum" punishment of seven years in prison. Again, just from looking at this, one can easily ask, "is the life of a citizen less important to the state than the reputation of a person?"

That aside, the reason why this failure by the government to

now, in the 21st Century.

Considering all these, this should be a time of great reflection for us as a nation. As the world turns, and as societies and nations surge ahead towards a better and brighter future, can we not even succeed in enforcing the social contract that binds us together as a nation? Before you answer that question to yourself, know that the children who took to the streets to ensure the safety of others, believed that we could.

Indeed, they even stood on the roads for hours through rain and shine, to actually try and ensure that we did.

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# Why do we need an acceptable election?

STRAIGHT LINE



MUHAMMAD NURUL HUDA

examinations. It so happened that after the farcical election of 1988, characterised by massive election engineering, students chanted slogans like "election hoiche jemne, porikkha hoibo shemne", meaning that examination would be held in the same fashion as the

by adopting unfair means. Beyond the educational arena, if we venture to study the ill effects of unfair election on the broader social canvas, we will come across a distressingly all-pervasive corrosion sapping the vitality of a nation. Thus, if a tainted regional or national election can somehow acquire the seal of legitimacy, then elections to numerous other entities like professional bodies including those of physicians, engineers, lawyers, agriculturists, labour organisations, educational institutions and financial institutions would be similarly affected. Needless to say, the impact would be devastating. Only at our own peril can we allow the decay of the corrective institutions.

The above observations have been

If we look back, we will find that the historic election of 1946 in British-ruled India, the elections of 1954 and 1970-71 in the then East Pakistan were an eloquent verdict of the people's will. It thus follows that the election of representatives of various elective bodies by the people of Bangladesh who are eligible to vote is one of the basic requirements of democracy. Our constitution stipulates that "effective participation by the people through their elected representatives in administration at all levels shall be ensured."

In fact, it is the people, the electorate, that confers the power to govern and calls the government to account. For the people to enjoy true equality in constitutional participation, the voting

*For the people to enjoy true equality in constitutional participation, the voting system has to be such that it can produce both a legislative body representative of the electorate and a government with sufficient democratic support.*

Let us remember that when a republic comes to birth, it is the leaders who produce the institutions. Later, it is the institutions that produce the leaders. So the nation-building institutions need to be nurtured. We need to note that the timing of a political breakdown principally depends upon the strength of political institutions. There is wisdom in the belief that an economic failure cannot overtake a country where the political institutions have acquired durability through age and tradition.

As a nation, our problem may appear to be largely economic and may show themselves through price hikes, shortages and industrial disputes. However, underlying the symptoms is a disease which has destroyed democracies in the past and the causes of that disease are not economic. They are moral, political and constitutional, and in order to cure the disease, we must recognise them as such.

In the end, it may be worthwhile to remember the wise words of John Stuart Mill: "The worth of a State, in the long run, is the worth of individuals composing it. A State which dwarfs its men in order that they may be more docile instruments in its hands even for beneficial purposes—will find that with small men no great thing can really be accomplished and that the perfection of machinery to which it has sacrificed everything will, in the end, avail it nothing."

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## LETTERS TO THE EDITOR

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### Implement students' demands

Not a day goes by without a news report about some fatal road accident somewhere in the country. Road accidents are spreading like a disease. And when something such as this happens so frequently, it makes you wonder whether there is something fundamentally wrong with our transport sector. So when two college students were killed by a speeding bus recently, the students were forced to respond in the best way they could. They took to the streets demanding road safety, and paralysed the city and replaced the traffic police. They checked driving licenses. In some areas, they also created an emergency lane for ambulances and vehicles of other emergency services—something unseen in our country.

Now the government claims to have accepted their demands, but implementing them will not be easy. We urge the government to be sincere in its efforts to enforce strict measures to combat the menace of reckless driving.  
Abdus Salam, Barisal

### Shantinagar needs an underpass or footbridge

A number of schools and colleges are situated near Shantinagar. Every day, hundreds of schoolchildren cross the intersection. However, there is no underpass or footbridge near it, which means the students remain exposed to a constant risk of accidents.

Children often become afraid of unruly vehicles. Many kids break into tears as they feel unsafe to cross the road. I would like to request the authorities concerned to construct an underpass or a footbridge at a suitable point of this area.

Md Momenur Rahaman Mondol, Shantinagar



Security personnel carrying ballots in Gazipur.

PHOTO: STAR

election was. It does not require much sense to trace the evil-doer behind such foul utterances. However, a proper introspection would also reveal that the unfair means the students were adopting actually questioned the propriety of the elected representatives who resorted to fraudulent methods to assume the mantle of leadership. In effect, they were saying that if someone can become a legislator, thus the guardian of the polity through unfair means, then the students also have the right to pass examination

made because complaints about serious irregularities committed during the recently held mayoral elections are giving rise to premonitions about the holding of a credible national election, scheduled to be held later this year or early next year. In a democracy, election is the only acceptable method for selecting political leaders and governments throughout the world. Election is also a political process through which the people choose their representatives for the political institutions.

system has to be such that it can produce both a legislative body representative of the electorate and a government with sufficient democratic support to be able to govern effectively. The electoral process requires that the conduct of election campaigns is regulated to ensure legality and fairness.

To state the obvious, unless legality and fairness is firmly ensured, the rulers in a democracy shall not be able to wield the moral authority so essential to govern effectively and constitutionally.