

DSA was indeed a political weapon

What guarantee is there that the CSA won't be similarly abused?

That around 60 percent of cases under the Digital Security Act (DSA) were filed by law enforcement agencies, government functionaries, and pro-government political parties is a clear indication of the fragile state of freedom of expression and the press in Bangladesh. According to a research paper by the Centre for Governance Studies (CGS), at least 4,520 people were charged in 1,436 cases filed between October 2018 and September 2023. Having tracked the identities of plaintiffs in 859 cases, the CGS found that ruling party activists filed 263 of them, whereas activists from other political parties filed nine, showing a clear imbalance in the use of the DSA as a political weapon.

CGS data also shows an increased number of politicians getting arrested under the DSA since August 2022, in the lead-up to the January 7 election. And the fact that not only ruling party members, but government agencies have also been filing so many DSA cases against the political opposition of the ruling party, as well as those viewed as its critics, shows just how much the law has been abused. This culture of silencing critics using state agencies illustrates the extent to which the latter have been politicised, which is another major concern.

Government officials claim that the Cyber Security Act (CSA), which has replaced the DSA, will not have many of these issues. Why, then, are DSA cases against political opponents and journalists still ongoing, particularly when it is clear from data that it was heavily misused? State officials had previously admitted that the DSA was "misused" on a number of occasions, so how can we believe their assurances that the CSA won't be similarly abused despite retaining most of DSA's controversial features?

Whatever changes were made to the CSA were purely cosmetic, and as such it remains every bit as dangerous as the DSA. As we saw with the DSA, at least 451 journalists were sued under it since its inception, and 255 of them were sued for their journalistic reports. The lengthy trial procedures in these cases also act as punishment for the victims. The fact that the Bangladesh Bank has recently barred journalists from entering its premises is a clear indicator as to how state agencies continue to view media freedom.

Under such circumstances, the fears that persisted under DSA are unlikely to go away, and the findings of the CGS further confirm that. Therefore, we strongly urge the authorities to grant bail to all arrested under the DSA or withdraw them—as the allegations against them should no longer be considered valid—and also repeal the draconian sections of the CSA.

A novel approach to waste management

Can DNCC's cash-for-waste initiative help tackle dengue?

The Dhaka North City Corporation (DNCC) under its current leadership has been known to approach civic issues with a degree of innovation sometimes, even though its impact hasn't been widely felt. Innovation is still necessary and should be encouraged with proper supervision given the magnitude of the problems facing the city. One of these is littering or improper waste disposal leading to pollution of water bodies, environmental degradation, diseases, etc. Against this backdrop, the recent initiative by the DNCC to purchase discarded items from residents as a means of combatting dengue deserves to be acknowledged.

The month-long campaign will encourage residents to collect and exchange these waste items for cash. According to officials, purchasing rates will vary from item to item: Tk 1 for each packet of chips, Tk 2 for each coconut shell, Tk 10 for each ice-cream packet, and Tk 50 per kilogramme for discarded polythene. Furthermore, containers made of clay, plastic, melamine, or ceramic will be purchased at Tk 3 each, abandoned tyres at Tk 50 each, and abandoned commodes and basins at Tk 100 each. These items and containers are potential breeding grounds for Aedes mosquitoes, and the DNCC aims to take them out before the monsoon season begins.

We have to admit that if done right and later scaled up to include a large number of residents, the project has the potential to help in our fight against the menace of plastics. But it is crucial to ensure transparency in the process as public funds are involved. More importantly, it is important that such initiatives are taken as part of a bigger plan to address our plastic problem of which a dengue outbreak is but a side-effect. Plastic pollution needs holistic interventions that not only incentivise waste collection but also ensure proper disposal and recycling of all plastic products.

We, therefore, urge the authorities to ensure that all such initiatives are properly planned, aligned and executed. The city corporations and municipalities also must ensure that their own waste management departments function properly to advance these goals.

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WORLD PRESS FREEDOM DAY

Has Bangladesh gained anything by a restrictive press?



THE THIRD VIEW

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Free press was once used to hold power to account. Nowadays, it is power that holds the press "accountable"—not, of course, in terms of exposing the truth, but more in terms of colouring it to justify the pervasive inequality and plundering of the poor.

As we observe World Press Freedom Day in Bangladesh today, we recall that there are nine laws in operation that directly or indirectly hamper the functioning of free press, and there are four others in advanced stages of preparation. It is interesting to point out that laws exist to prevent serious and society-disrupting crimes like murder, physical assault,



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Does the Bangladesh Bank have the right to prevent the media from covering this highly important public institution? Other than military institutions that deal with national security, no other institution can be kept above and beyond open public scrutiny.

the media, and the neglect for the necessary laws in other vital areas when the country needs them urgently, speak volumes as to our priority. What constitutes a greater danger to society, from an official perspective, couldn't be clearer.

In addition, new administrative fiat are being announced that curtail journalists' scope to serve the society. Take the latest example of Bangladesh Bank (BB). It has informally started a practice that prevents journalists from entering BB premises to search for and collect reports that are of public interest. Journalists can only enter to meet the spokesperson, and that also with a prior appointment.

Why has this practice been introduced? How will it serve public interest? Has journalists' work harmed BB's operation in any way? Has our reporting done any damage to our economy? We would be happy to hear the governor's complaints about journalists' work, behaviour, etiquette or ethics. We would be willing to sit with the relevant authority of BB and discuss how these functional problems can be ameliorated without hampering professional journalism.

On the face of it, and without BB explaining why, we consider this latest restriction on journalists to be anti-democratic, anti-free press and anti-public interest. This restriction may end up hiding corruption, covering up scams, preventing public knowledge of illegal and dangerous bank takeovers, preventing severe irregularities from coming out, and generally endangering the banking sector by preventing accountability.

Then again, does the Bangladesh Bank have the right to prevent the media from covering this highly important public institution? Other than military institutions that deal with national security, no other institution can be kept above and beyond open public scrutiny.

Take the following few cases as examples: 1. Hallmark scam at Sonali

paying business person, and they will express their grave concern about the state of our banking system. Just one single issue of non-performing loans (NPL) illustrates our point. Over many years, BB, instead of trying to restrain it, allowed this issue to reach its present mountain-high level. BB's role stood as a mockery of those who repair bank loans diligently.

In the absence of the parliament's "watchdog" role overseeing the executive branch's work, especially dealing with the economy and the banking sector, it has been only the media that has highlighted the negative impact of NPLs and decried BB's policies of surrendering to the greed-ridden and pernicious role of a section of businessmen.

Has Bangladesh gained by restricting the press over the years? Our answer is amply illustrated by the above example. To further answer that question, judged by the rise of corruption, total lack of accountability of the political class, absence of transparency in bureaucracy, the rise of unbridled power of police and other law enforcement agencies, and the overwhelming sense of disempowerment of the public in general, Bangladesh has suffered greatly by restricting the media.

Such a level of corruption could not have flourished if the media had the scope to reveal these activities through timely reporting. If the government allowed for a rise of quality journalism through enacting nurturing laws instead of preventive ones, the whole corruption scenario would have been dramatically different. The same would have been the case with abuse of power, nepotism, cronyism, tax evasion, and every other ill. Examples galore where laws that protect the media have been seen to contribute in most effective ways towards its development. Freedom, as Amartya Sen highlighted, is a vital element for development.

Instead, an antagonistic atmosphere was created in which the government and independent press were seen to belong to the opposite sides. It is our strong belief that a free and independent media is *sine qua non* for Bangladesh's future progress. There is no better way of bringing about accountability than allowing independent media to flourish. No government agency or party network can provide authentic information about the real situation as free media can. Nobody wants to bring the bad news to those in power. It will always be tempered by fear and coloured by self-interest. There is no surer way of preparing ourselves for our next stage of development than building a credible accountability structure, and a free media is the best bet.

How does the law support teachers in Bangladesh?

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As a nation, we have always been respectful to our teachers for their kindness, hard work, patience, dedication, and thoughtfulness that provide positive directions to their students. It is not possible to measure their contribution in educating children and shaping them into the future leaders of a nation. But the time has come to ask ourselves: why do we see teachers go on a hunger strike? Why do teachers come to the streets to claim their pay and allowances? Why are there so many individual initiatives, but no concerted efforts representing the teachers' voices? The list of questions may be long, but let's focus on only one issue in this column.

How does the law of Bangladesh

address the rights and protection of teachers? Perhaps addressing this single question will shed some light to the questions above. A little bit of background, however, is necessary.

We recently spoke to around 50 teachers and tutors from primary and high schools, both Bangla and English medium. We also looked at gender as well as rural and urban settings of the schools across the country while selecting the teachers. We wanted to know their experiences regarding health and safety issues as they taught online during or after Covid.

In our discussions, it came out that there was no policy or law to address the health safety of teachers, although most forms of work and workers in the country are covered by the Labour Act, 2006 or the labour ministry's recent draft on occupational safety and health (OSH). Reflecting on our study, we tried to delve into the factors behind the context of teachers' protection issue remaining outside of the law's purview. We found that teachers are not recognised as workers by the legal or policy protocols.

Our society constructed the identity of teachers as very honoured and dignified individuals, using glorified terminologies like "next to parents,"

"role models," "nation-builders," etc. But at the end of the day, they are one of the most vulnerable employee groups in terms of social protection and benefits. Although teachers of full government schools are secured in terms of salary and retirement benefits to some extent—which is a very small percentage—there is the bigger teachers' community who serve in the private or semi-government schools, such as private primary schools, kindergartens, schools with MPO status, English medium schools, and madrasa, where teachers have zero security from the government or the school authorities.

One may ask whether teachers have unions in Bangladesh. The answer is "yes," but, interestingly, they are divided into several factions in terms of political ideologies and/or their own agenda and interests. Teachers (and leaders) of these unions, based on our research findings, are able to hold various top positions in the government/different departments related to education administration. Hence, the teachers' community has nowhere to seek help when it comes to their rights and protection. Isn't it enough for the teachers to get frustrated?

So, what is the future of this

working population? According to the World Bank (2022), there are 359,095 primary school teachers in Bangladesh. According to Banbeis (2022), the number of regular secondary education teachers is 247,013 (excluding the English medium, madrasa and other streams). The uncertainty with the rights and protection of this huge number of teachers is exacerbated by the absence of their recognition in the labour law, which means they are not entitled with collective bargaining power.

We must note that the government has core constitutional obligations (Article 18) to provide education to children. The Primary Education Act, 1990 also makes it mandatory to provide education to children. If it does not happen, it will be a violation of a fundamental state policy. And you cannot provide education without teachers. Therefore, not just to continue proper delivery of education, but also to protect the rights of the teachers, the government should act now to ensure and protect teachers' rights. We cannot let the existing situation continue.

A longer version of this article is available on our website.