

The Daily Star

Founder-Editor : Late S.M. Ali

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One Step Closer to Justice

THE High Court has upheld the death verdict against ten out of a total number of 15 retired army officers who had been ordered executed by the Dhaka District and Sessions Judge's Court more than two years ago in the Bangabandhu murder case. It has passed a split judgement on the remainder five. In the essence though, it is the death reference which the HC Division has ruled upon in disposing of the appeal which is why the legal import of the latest verdict assumes such critical importance. Now the matter goes to the Chief Justice for a review.

On the other hand, with the penultimate stage in the legal process nearing completion the convicted will be left with an option to appeal before the Supreme Court Appellate Division. So the law will not only have taken its course, it will also have run its full cycle. However long-winded it may have been, it has eventually caught up with the accused topped by a sense of satisfaction as well that the latter were given facilities to be heard. It seems we are close to listing ourselves with those few countries where the rule of law has ultimately prevailed.

Since it is the normal procedures of law we had creditably settled for, instead of yielding to the temptations of a summary trial, let's go the whole hog to help prove the supremacy of law.

What a terrible burden of shame and guilt have we carried during the last three decades or so for our dismal failure to put the killers of Bangabandhu and most members of his family on trial.

Here was the case of the architect of our beloved Bangladesh and the principal figure of the freedom movement having been consigned to oblivion by successive governments for years on end. At long last, with the AL government inducted in power only four years ago, the wheels of justice started moving in late 1996. But the spanner in the works evidently was the Indemnity Ordinance which had been put in place by former president Mushtaque Ahmed and subsequently incorporated in the Constitution as an amendment by General Ziaur Rahman. It was the worst specimen of legal arbitrariness to be seen anywhere in the world reflect as did the horrendous criminality of purpose to debar the trail of the killers of Bangabandhu.

The AL government annulled the law to clear the deck for the trial whose final outcome in the shape of a vindication of the rule of law we await with a bated breath. On that note, we urge the government of countries where most of the convicted killers have taken refuge to extradite them to Bangladesh enabling her to implement the judicial verdict.

Friday Mailbox

Irfan Raja

Sir, A lot has been written and discussed about the derogatory remarks of the Pakistani diplomat Irfan Raja about our war of independence. But, surprisingly some of us are talking about forgetting the past. The recent article of Mr MM Rezaul Karim in *The Daily Star* on Dec 9 has reiterated the same by quoting Bangabandhu Sheikh Mujibur Rahman "Forget the past... and forgive". However, I do not remember Bangabandhu making any public comment about forgetting the past.

To forgive one does not have to forget. A nation builds its future on its past and present. So, urging us to forget the mistakes of the past and build the future is a futile and dangerous call. The Japanese have not forgotten the horrors of Hiroshima and Nagasaki, nor have the Jews of the Nazi holocaust.

A K Shamsuddin
Ontario, Canada

Sir, We, the common people of Bangladesh, are very much shocked at the derogatory and audacious remarks by Pakistan's errand diplomat Irfan Raja. The Pakistan government has already recalled the diplomat. But mere withdrawal is not enough for such a heinous crime. We have achieved our independence at the cost of millions of lives. Such remarks against our independence are very insulting and hurt our national pride. The Pakistan government as well as Irfan Raja should apologise formally to Bangladesh and its people for the highly derogatory remarks.

K M Kamruzzaman Selim
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Sir, This is in reference to the letter written by Shubha Rahman Khan, dated 5 December. I agree that the remarks made by Irfan Raja were totally uncalled for and being in such a position he should have known better. Pakistan saved itself and us in the process, by removing him from his post and from our country. But the fact of the matter is that we should not be so emotional and should think about the future and not hold on to the past. 1971 is a reality. But it is also a thing of the past. What will we achieve if Pakistan does apologise to us for the heinous crimes it has committed? Will it make us richer, as human beings or as a country?

I think this very attitude towards these things is what is holding us back from progress. We should be looking forward and not look back. When I say not to look back, I don't mean forget about the Liberation War or not to celebrate our Independence Day. In no way should we ever belittle our achievements of 1971. The fact remains that Irfan Raja has made such a comment and Pakistan has taken the appropriate steps. That should be the end of it. Speaking strictly from an economic point of view, we can't afford to damage our diplomatic ties with our neighbouring countries and yes, I would include Pakistan in that list.

Ariful Islam
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UK

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Are police mere bystanders?

Sir, In your editorial, dated December 5, you have posed a question as to are police mere bystanders? And I would like to reply to your question.

In fact organisational set-up, day to day administration and the total system of police-administration is such that one who is informed of the "inner-world realities of police, cannot and should not expect more than what police is delivering now. How one expect to control crime keeping a 'criminal' in charge of doing this? How one dare to expect that one, who himself is unhappy, is to make other happy? Is it possible for a police, whose social security is in danger, to provide security to others?

In Bangladesh police is led by bribe-hungry S.Ps. Thana level police personnel are beset with their own anxieties and agonies. They are busy to collect bribe for their superiors. They have no good payment, no social status, no vehicle, no scope of promotion, no peace, no rest, nothing. Thana level police personnel have to work as the private force of corrupt S.Ps. There is no standing rules and regulation regarding their transfer and posting. Is it appropriate to give so much authority to the hand of men like S.Ps who are totally destitute of ethics and morality? Lastly, as a sub-inspector of police and also as eye-witness of the "inner corruption" of our police force, I think the authority of transfer, posting, training, punishment of lower level police official should be given to an independent commission and there must be enough scope and opportunity of promotion even up to IGP for the lower level police officers.

A Sub-Inspector of Police
Dhaka

DU needs more buses

Sir, The number of students of Dhaka University at present is about twenty-seven thousand. A large number of student dwell at various areas of the city and these students need to go to the university campus regularly by the buses conducted by the university authority. But unfortunately, only twelve to thirteen buses ply through different routes of Dhaka. And the students face immense trouble on account of limited number of buses. The number of buses is too inadequate in comparison with the number of the students who have to use them. Almost all the buses always remain overcrowded, which run the risk of serious accidents.

The problem demands a quick/early solution. Students are now badly in need of more buses. Therefore, adequate number of buses should be introduced for DU students so that they can reach university campus safely.

It is high time that the concerned authority take necessary steps in this regard.

Zakia Sultana
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THE two events, one at the southern tip of the globe, the other in the Northern Hemisphere, were coincidental. But they are very much part of the same unfolding tragedy. The first, a flock of Antarctic penguins reaching the Brazilian shore in a state of confusion after being lost in their swim, brought home the distant rumblings of an approaching apocalypse. The other, failure in the UN Sponsored Summit at The Hague on global warming to fully comprehend the looming catastrophe and to get the acts together to stave it off highlighted the preponderance of national interests of a few countries over the global. Such dismal divergence of interests over issues of common concern to humanity is ironic. It does not bode well for the future of planet earth.

For many years the leaders of nations, North and South, have been warned by scientists and green movement activists alike, of the impending doom that awaits the people of the world from global warming. These attempts to link specific natural disasters to the greenhouse effect were at first either termed as hot-headed or as scientific bunk. The sceptics pointed out the inchoate stage of the science of climate change and imperfect climate modelling in support of their reservations. Even those who grudgingly accepted the phenomenon of global warming doubted the degree of man's contribution to it. There may not be a consensus on the issue but the balance of evidence now suggests that global warming is indeed happening and much of it has been man-made. The forthcoming report by the UN's Intergovernmental Panel on Climate Change, comprising the world's topmost climate scientists, has concluded that man's actions have largely contributed to the observed warming over the last 50 years.

Conjectures and projections about greenhouse effects or global warming are not new. A climatologist named Joseph Fourier guessed 150 years ago that the earth's atmosphere lets in sun's heat more quickly than it releases the same into space. The difference in the rate of absorption and release of solar heat is exacerbated by greenhouse gases. The key greenhouse gases have been water vapour and carbon dioxide (released when coal, oil and gas are burnt) and CFC (chlorofluorocarbons from industrial processes, use of aerosol, refrigerator and air-conditioners). The greater is the volume of the greenhouse gases in the atmosphere slower will be the release of sun's heat from earth's surface resulting in global warming. Depletion of ozone in the stratosphere by chlorofluorocarbons lets in more of sun's heat including ultra-violet ray while carbon dioxide and

With so many differences of views and conflict of interest it was a small wonder that the Hague Summit ended the way it did. It once again brought out the preference given by the Americans to their national interests overriding global ones. But there is a silver lining in the dark cloud. As harbingers of a new ice age about to freeze the north hemisphere because of global warming, the lost penguins of Antarctica may swim all the way to the North American shore. Faced with the signs of impending harsh winter of their own making, the Americans may relent at the end.

other greenhouse gases like methane and nitrogen oxide (released by agriculture), halocarbons (released by industries) trap sun's heat released from earth in the atmosphere. Recent studies have established that the earth's surface temperature has risen by about half a degree since 1975, the highest level in a thousand years. In the UN report the scientists have expanded the range of likely warming to 1.5 degree by 2100. Since the industrially developed countries discharged the bulk of the greenhouse gases they have been identified as the major source of causing global warming.

Increase in global warming has been linked by many to natural disasters through climate change. Frequent and unprecedented floods and storms in England, France, Australia, Mozambique and Central America recently have provided an empirical basis for relating these disasters to climate change as cause and effect. According to a recent study much of southern Europe would suffer severe water shortages, crop failures and even desertification because of climate change. Over time, mega-disasters and freakish weather in general may become more commonplace. Under faster climate change climatic zones could move towards the poles shifting entire ecosystems that will transform and even threaten the lifestyle of different living species. Scientists worry that the rising temperature leading to abrupt breakdown of the ocean circulation system in mid-Atlantic would bring harsher winters in Britain and in neighbouring countries. The

Lost Penguins

Magellanic penguins reaching the shore of Brazil following the trail of a newly developed cool current is the concrete evidence of such a breakdown of the ocean circulation system in mid-Atlantic. A bigger reason to worry about global warming is a rising sea level. A hotter earth means expansion of oceans through direct warming and through melting of glaciers and ice. A large swathe of humanity, whether lived in Mumbai or in low-lying countries like Maldives, Bangladesh and the Pacific Islands, is vulnerable to even a tiny rise in

1997. The Earth Summit's agenda was broader than the issue of global warming but it set a target for reduction of chlorofluorocarbons, particularly by the developed industrialised countries. Though a timeframe was fixed for such reduction very little progress has been made so far. In fact it is not being discussed at all as if the danger has passed. The Kyoto Summit ended with a Treaty that requires mandatory cuts in the emission of greenhouse gases by an average of five per cent below the level in 1990. All the 180 countries

countries accepted the obligation to curb global warming through reduction of greenhouse gas emissions and they agreed to do it before requiring the poor countries to comply. In case of difficulties in meeting the Kyoto target the treaty included provisions for the international trading of emission rights (bigger polluters buying rights from smaller polluters) and the use of forests "as carbon sinks." At the Hague Summit last fortnight, along with updating of data the mechanism for availing of the flexibility clauses (trading and carbon sink) were the main items in the agenda. It was on these flexible approaches that the Summit ultimately foundered and ended in a fiasco.

In a dramatic turn of events in the Summit at The Hague the European Union sans UK made common cause with the developing countries and the green movement activists while USA supported by the UK took a different stand. Though UK tried to smooth over the differences through a last minute compromise agreement the Summit failed to give teeth and put on flesh to the bare bones of Kyoto Treaty. As a result of the failure the targets fixed in Kyoto to reduce emission of greenhouse gases remain a pious wish without agreement on the mechanisms to reach the same. In the recently concluded Hague Summit America, worried about the impact of reducing greenhouse gas emissions on her present booming economy, sought to have unlimited credit for "trading" with countries that emit the gases at a much lower level. This would allow USA to go on emitting the same volume of gas or near

IN MY VIEW

Hasnat Abdul Hye



the sea-level. Even before sea level rises, it could cause rougher seas, more storms wearing down coastal protections and increased flooding. Such damages are more likely in countries that are poor and ill equipped to tackle the crisis. Ironically, they are least responsible for causing the disasters and damage. For example, Bangladesh has contributed almost nothing to accumulation of greenhouse gases in the atmosphere (trapping sun's heat) and CFCs in the atmosphere (thinning the ozone and letting in more of sun's heat) but it will be affected far more than developed countries like the USA.

It was these predilections of gloom and doom that led UN to convene the Earth Summit in Rio in 1993 and the Kyoto Summit in

attending the summit signed up to the Treaty and agreed to reach the target by 2012. Greens pointed out with great indignation that five per cent was an insignificant amount given the scale of the problem. Since the developed countries were most to blame for emitting greenhouse gases the green lobby wanted the countries to emit no more per person than the poor, an approach called "contraction and convergence." A number of scientists, including those in Britain's Royal Commission on Environmental Pollution, supported this idea. However, the proposal was considered as unpractical and unrealistic by some, particularly the developed countries.

The main significance of the Kyoto Summit was that rich

Why Doesn't Pakistan Want to Feel Decent?

Pakistan may not have arrived at their slot to take responsibility for the crimes of 1971, and we may not have arrived at our slot to get an apology from them. Meanwhile, we need to keep trying until we get the right attention. And Pakistan can do even better. It can take initiatives to heal what has been hurting us for all these years so that it can feel decent.

through that phase of history and conscience at once, looking back to the atrocities its soldiers committed in wartime Algeria. What has prompted the French to this guilt trip all of a sudden?

It started when a French newspaper carried interviews of an Algerian woman, who remembered the torture she endured in gruesome detail, and the French military doctor who had rescued her. The interviews led to county-wide controversies as a few

aberration, not really France, and let the issue throb in painful silence.

Hence, like all things in life, conscience has its time for fruition and forbearance. But no matter what and how late, it does eventually catch up with its qualms. The recurrent efforts to try the Chilean dictator, General Augusto Pinochet, first at Spanish request in Britain and now back home in Chile, are evidences that justice has no respite until

the admission of guilt couldn't be more honest and explicit. The ex-Communist countries used their secret police establishments to extract confession from their suspects. Germany, which used to kill people for trying to flee, has chosen a different course of confession. It has opened up archives to let people know the information, which were once classified and restricted. Again, in the Czech Republic, publishing secret records of government officials hasn't gone smoothly.

Despite the fact that different nations may choose different methods to deal with their past indiscretions, there is no escape from reckoning with it however long it may take for the survivors to face the old facts. The United States, which has not yet fully dealt with Vietnam and is only recently beginning to recover emotionally from the Civil War, still has slavery and the righteous liquidation of American Indians on its conscience.

All nations, therefore, show the urge to confess under the burden of conscience, which again is seeded in the urge to feel decent. In 1971, the Pakistan army butchered millions in Bangladesh and it has never bothered to show any sign of regret. Recently, a Pakistani diplomat in Bangladesh tried to deflect the course of history by playing monkey with its facts. Robert Sole, *Le Monde's* ombudsman, wrote that before France turned the page on the Algerian episode, it should first read that history.

That is the least Pakistan can do after all these years to understand the intensity of its guilt instead of hiding it in the hopes

that its memories would disappear. For as long as we celebrate Independence Day and Victory Day in Bangladesh, Pakistan will be remembered for that growing chapter of history, which stands like an unwieldy wedge between the two nations. The purpose of tribunals, confessions and apologies is to assuage the reflex of seeking revenge and prolonging hate, which keeps societies from healing. Why is Pakistan reluctant to take forward that healing process? Why does it hesitate to confess to its guilt and write off the hatred once for all?

We don't know what was the outcome of the meeting in Tokyo: how those women tackled the trial of a dead Emperor over a forgotten issue? But they surely succeeded in bringing alive the horror of atrocities, which would have otherwise slipped through the cracks of our memories. Even if they do not succeed in seeking retribution or recompense, they have already succeeded in winning our attention. It worked for the Algerian woman who got the attention of the French nation 40 years after its army had perpetrated crime against her people. Whereas hundreds of years later the senseless slaughter of the American Indians still hovers in the American psyche like a wind blowing in the prairies.

But then justice isn't like a boiling egg that can be timed. It rises through many layers of eventualities until history, like human destiny, arrives at its designated slot. Pakistan may not have arrived at their slot to take responsibility for the crimes of 1971, and we may not have arrived at our slot to get an apology from them. Meanwhile, we need to keep trying until we get the right attention. And Pakistan can do even better. It can take initiatives to heal what has been hurting us for all these years so that it can feel decent.

CROSSTALK

Mohammad Badrul Ahsan



veterans of the Algerian war spoke up and some generals, while trying to defend their policy, confirmed that the French army had used brutal tactics to put down the revolution in Algeria. *Le Monde*, the French newspaper, summarised the public opinion surrounding this issue, and many people expressed their indignation that atrocities were undertaken while the French public knew nothing about it.

For the French, of course, such a controversy was *deja vu*. Only a few years ago, the newly elected President Jacques Chirac publicly acknowledged France's responsibility for the wartime Vichy regime's eager contribution to the holocaust. Until then, leaders including the late President Francois Mitterand, had insisted that Vichy was only an

the guilt of crime is reconciled with its grimness. International tribunals to judge crimes against humanity in former Yugoslavia and in Rwanda are efforts to ensure and expedite that reconciliation so that the tension between guilt and shame emanating from particular crimes are resolved forever.

Often, such reconciliation leads to patching up of wounds without punishment. South Africa's Truth and Reconciliation Commission, headed by Archbishop Desmond Tutu, has sought social closure by offering amnesty in return for admission of crimes committed. It remains to be seen how successfully this approach will cleanse the society of its wounds. Yet nothing is expected to allay the guilt of crime better than confession because

OPINION

"Something is Rotten in the State ..."

IS someone trying to put us through some sort of test or what? Are we being grilled to see how we respond to certain instigation? There certainly seems some sort of pattern emerging over the last few months, as if we're being run through a litmus test to see how far our reputation for moderation stands. Are our reactions being recorded for some sort of future planning?

The blatantly supercilious comments made recently by Pakistan's Deputy High Commissioner Irfan Raja, about our struggle for liberation, are provocative to say the least, but they do not seem to be any isolated matter. The press has just been buzzing with the parody of the national anthem before the Pak envoy stole the headlines. Before that was the issue of the Pakistan flag being hoisted on August 15. And before that... yes, that definitely does smack of an emerging pattern. It's as if our reaction to each incident is being carefully tested, measured and recorded. Are we extremists, ready to react at the slightest instigation? Are we blasé, shrugging off any sort of incitement with a sense of ennui? Are we overly sensitive towards our Liberation War? Or are we level-headed moderates, not taking the bait of deliberate provocation?

Bangladeshis are a patriotic lot and the War of Liberation is living

proof of that. We guard our independence with vigilance, but it is not so brittle as to break at the slightest knock. We know that well. We don't give into provocation easily, but when the situation calls for it, we stand strong. We don't take any bullying and hold our ground with firm determination.

Bangladeshis are known not to be given to extremes, even in moments of strong provocation. There has been a multitude of attempts to label us with a conglomeration of tags, ranging from 'Indophiles' to 'fundamentalists', but none of them have stuck.

Not too far back in the past the Taslima Nasreen issue had slammed the 'fundamentalist' label on the forehead of the country. But with no sword-wielding bearded fiends lurking in every street corner and no *fajras* being reeled off from every local mosque, the label didn't stick long.

More recently, the bombs reportedly unearthed at the Kotlarpala site for the Prime Minister's public meeting, pointed to Talebans on the loose. Even the FBI was called in to verify the extreme danger of the bombs, but the FBI report was never made public and the matter fizzled out, dying a natural death.

Speaking about Talebans, during US President Clinton's visit to Bangladesh, he could not

Irtiza Nasim Ali venture beyond the city limits because of reported Taleban assassins furiously prowling around what CNN termed the dense forests' outside of the city on the way to Savar. Dense forests? Come on, we live here in Bangladesh. We don't need a new lesson in our terrain. That simply was not convincing.

However, one cannot shrug off these incidents too lightly. It causes people to lose faith in the institutions, in the system of things. It affects the very social fibre.

All that is coming to light is the vulnerability of Bangladesh's political state. The state of law and order can perhaps best be exemplified by the reported attempts on the Prime Minister's life, involving anything ranging from rocket launchers to mysterious Tamil women. Even the authorities have officially spoken of the total lack of security in the country. In this vulnerable state, anyone can put the situation to political use.

With the portrayal of such a precarious picture, how are the foreign investors to react? Will the lure of oil and gas be able to win over the risk factor? Who will take the risk of bringing in their coffers? Or will they too bring their own security personnel along with them *ala Clinton*?

Actually extremism does not go down well with Bengalis. We have

a palate for patriotism, not for force-feeding. If we respect Bangabandhu for his guiding the nation to freedom we want to do so on our own accord. We don't want to be compelled to utter his entire title every time we pronounce his name. Why, government officers are scared to mention the name Sheikh Mujibur Rahman without the tag attached to it? They are apprehensive of being labelled as anti-liberation *razakars* if they do so.

Speaking of anti-liberation *razakars*, one goes back to the big hullabaloo being made over the parody of the national anthem. The Editor and publisher of *Inqilab* are being slapped with charges of sedition for publishing this piece of parody. The fact that the *Jugantar* and other publications printed parodies of the national anthem have been conveniently been pushed into oblivion. And while no one can support the national anthem being parodied, in this day and age doesn't sedition charge for the deed-run to the extreme? This is the 21st century. Surely an innocuous lampoon isn't going to bring our independence crashing down around us. And since it is *Inqilab* that is the 'guilty' party here, one fears to express indignation against the charges for fear of being labelled oneself as a *razakar*, due to the paper's own leanings.

When a Pakistan flag flew from the roof top of politician Jahangir

Mohammed Adel's house, the public had little reaction. The incident did not reflect any nationwide loyalty to Pakistan, it merely provoked slight irritation and curiosity. The Kotlarpala 'Taleban' bombs were taken with a pinch of salt. The parody of the national anthem also provoked angry response from the same set of 'intellectuals' who see our independence as a very fragile object, very easily shattered at the slightest knock.

At the risk of having a sort of paranoia about an emerging conspiracy theory, it looks like a lot of strings are being pulled to put us through the acid test as I had mentioned. The Bangladeshis made one thing very clear we are a moderate people. We are for Bangladesh. With the law and order situation at such an extreme state of deterioration, glaring issues of economy and economic survival staring us in the face, surely we must deal with these matters which put our 'sovereignty' much more at risk than cheap parodies. Our *Sonar Bangla*, our Golden Bengal, cannot be besmirched with silly poems, but it can turn to ashes under the feet of degenerate politics. If someone from somewhere is indeed playing the tune, let's not dance to it. It takes two to tango, so let's not.

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