

## Jail Killing Case

Once again justice is delayed

It is with extreme disappointment that we receive the news that the verdict in the historic Jail Killing Case is to be deferred yet again. This is the second time in two weeks that the presiding judge has exercised his discretion to postpone the date of the verdict, and this time a date has not even been set for the pronouncement of the verdict, leaving unresolved the question of when this contentious and momentous case will finally be brought to a conclusion.

The endless dragging out of this case has us perplexed. Let us not forget that it was over twenty years before the case was even brought to trial. This was because the accused were protected from prosecution by the shameful Indemnity Ordinance that was enshrined in the Constitution, and no government before the AL government elected in 1996 saw fit to correct this blot on the nation's honour.

That the current government had no interest in bringing the killing of four respected national leaders to trial can be deduced by the fact that it never sought to overturn the Indemnity Ordinance in its first term in office, and the current foot-dragging with respect to the prosecution of the case lends credence to this inference.

That the judge, now that he has thankfully regained his health, would at this belated date agree to hear one last witness before passing judgement is unusual. We are at a loss to understand how the defence was apparently unable to present its case in full in the eight years that it has been pending, and that it would need to introduce new evidence (in the form of witness testimony) on the date the verdict was to be delivered.

To us, the last minute petition to depose witness Saifuddin Ahmed appears to be a transparent legal ruse to draw out the proceedings even longer, especially given the fact that Mr. Ahmed could have been deposed at any time in the past eight years.

The nation awaits this verdict with great anticipation. After twenty-nine years, the people, the victims, their families, and even the defendants, deserve justice, and justice is manifestly not served by the seemingly endless protraction of the case.

## Indonesians have spoken

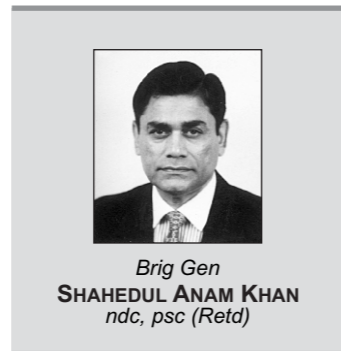
Democracy strengthened

THE convincing win by former general, Susilo Bambang Yudhyono in Indonesia's first ever direct presidential election can be termed as a milestone in consolidating democracy in the country. Naturally, supporters of Yudhyono are in a buoyant mood. But it's a triumph of the Indonesian people in that democracy has come out vindicated. We join in their celebrations on this victorious occasion and give the voters a well-deserved pat on the back. Their enthusiastic participation in the electoral process has proved that they consider democracy as key to establishing a stable and secure society.

We are also greatly relieved that the staggered polling ended so smoothly. Those responsible for holding the poll must be praised for such a peaceful and well-managed election. It shows that the nation has passed the crucial test of democracy with flying colours. Similarly, the dignity and graciousness displayed by the defeated leader, Meghawati Sukarnoputri in accepting the people's verdict deserve equal amount of praise. This is how democracy is supposed to function. We hope the political leaders of our country would take note of this.

We congratulate Yudhyono on his stunning win. His win has made democracy more meaningful, though it doesn't, in any way, undermine his predecessor Meghawati's contribution in ensuring direct election to choose a leader. She had probably realised that she was very likely to lose if there was a direct presidential election, but she went ahead with it, because she believed in democracy. We understand that the new president will have many public expectations to meet, and many problems to resolve, mainly internal terrorism causing serious security concern. We hope he will rise to the occasion with the help of a united front that has emerged through this election. On our part, we would like to take this opportunity of sending our greetings to Indonesia as one Muslim majority country to another, that we are proud of your success in upholding democracy and practising it correctly and fairly.

# The illegal war and 'march of democracy'



Brig Gen  
SHAHEDUL ANAM KHAN  
ndc, psc (Retd)

It has taken the UN Secretary General close to eighteen months to speak out his mind on the status of the intervention in Iraq led by the US and its coalition partners. Although he had used many parables, phrases, and metaphors in the past to describe the occupation of Iraq, the word "illegal" had neither been uttered nor found expression in any UN document in the aftermath of the US intervention in Iraq, an act that was clearly out of conformity with the UN Charter.

While his indictment of the intervention in Iraq has come eighteen months too late, Mr. Annan's prediction on the 2005 election in Iraq is even more foreboding. He sees a bleak prospect of a credible election under the current security situation in Iraq. No election will severely hurt

the occupation force's attempt to provide a semblance of legitimacy and justification of its invasion of Iraq, which a successful election would invest their action with.

Not unexpectedly, the Secretary General's remarks have raised many hackles and some very sensitive toes have been trodden upon. Not surprisingly either, those who feel most hard done by and aggrieved by Mr. Annan's remarks, are those that have to face their electorate through the ballot boxes

General's remarks reveal the abject lack of clout of the UN to prevent illegal acts of its member states. Great damage has been done to the world order that had so far relied primarily on sanity of thought and reason and not aggressive pursuit of parochial self-interest in conduct of international relations. In the event, a nation stands defiled, a country ravaged, a people immersed into the vortex of a phenomenon that it was not exposed to so far.

A particular situation demands? Although the Secretary General's remarks vindicate the position of those opposed to the war but had failed to prevent it, to the Iraqis it comes as very little comfort or provides them little reprieve from the atrocious and unbearable situation they find themselves in.

Value judgement on the Iraq invasion will serve no purpose, now that the damage has already been done. It is futile to blame the UN when it was actually a collective

morass they find themselves in. The despondency is noticeable in their attitude to the US forces in Iraq. While many of them had indeed welcomed the end of Saddam era, trading mayhem and death for a dictator was the last thing they had wanted.

The perception of the Iraqis as to the cause of their miseries is amply proved, when, after the horrendous bombing in Baghdad and other cities over the weekend, that took a heavy toll on the Iraqis, it was not the

Iraq. Unfortunately, time will see more and more bomb attacks in the principal towns and cities, directed primarily against people and institutions seen to be siding with the occupation forces.

More and more mayhem we see in Iraq, the more we feel inclined to believe Amr Moussa's description, "The gates of hell have opened up in Iraq" and less and less are we inclined to give credence to George Bush's claim, "Democracy is on the march in Iraq."

Mr. Bush has a great stake in Iraq's political development. He stands to be indicted if he fails in Iraq because that would mean his failure in the "war on terror." Having made the two synonymous, he has to see democracy established in Iraq.

But the march of democracy in Iraq may take a long time yet to complete, and the US will continue with its occupation, and the longer the occupation of Iraq, the longer will be its sufferings.

It is time the conscience of the world acted in unison to deliver the Iraqis from the miserable consequences of an illegal war, if for nothing else, then at least to atone for their failure to prevent it in the first place.

The author is Editor, Defence and Strategic Affairs, The Daily Star.

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in their countries shortly. The Secretary General's remarks could not have come at a worse time for them.

The protagonists of war continue to offer justifications for their illegal actions, as they had been doing in the past, that are at best puerile. Resolution 1441 is flaunted as a sanction to attack Iraq, overlooking the fact that it is only the UN that can authorise military action against a member state. It is the protagonists of war who continue to believe that the earth is not round, to appropriate Sen. Kerry's phrase.

Unfortunately, the Secretary

What one is inclined to ask is that, if the Secretary General considered the US action illegal, what prevented him from rallying the saner elements in the world body to prevent an illegal action? Was it impossible for him to array the member states to "fight" for peace against the US who had opted for an illegal war? Would it be presumptuous to suggest that there was an abdication of responsibility on the part of the UN and its secretary general, a responsibility reposed on him, to ensure that no body other than the UN dictates the course of action that

failure of the world community at large. Save for France and Germany, the European partners led by the UK fell in line with the Americans. South Asia was a case of expediency getting the better of principles. Except for India, which exhibited its gumption by adopting an anti-war resolution in its parliament, the reaction of the other nations was noticeable by the meekness of their response.

It is time for the world community, led by the UN, to act in a substantive and tangible manner to find a way out for the Iraqi people from the

insurgents they blamed. The objects of their wrath were Allawi and the Americans.

Regrettably, the conduct of the Iraq war is being motivated primarily by political considerations. Critics attribute the "peaceful" end to the Najaf standoff to the Republican National Convention at the end of August. The plans by the U.S. military to go after the insurgents at the end of the current year, waiting for the November elections to be over, smacks of pure political strategy. Clearly, the insurgent's strategy is to foil the January election in

# In search of a sceptical Muslim in a changing world

IYANATUL ISLAM

HERE seems to be a preoccupation with "Islamic fundamentalists" in popular Western discourse. "Bad" Muslims are waging a war against both a US-led West and "good" and "moderate" Muslims. In such a divisive "them" and "us" world, the very currency of the term "moderate" Muslims lacks legitimacy. It is a self-serving category devised by the Western powers. It is an epithet to denote someone who is happy to support a highly contentious global project to transform the Muslim world -- most notably the oil-rich Middle East -- into a US-friendly and pro-Israeli haven. The preoccupation to find a "moderate" Muslim has stunted the capacity of public commentary in the Western media to portray the multiple identities that form the basis of a "sceptical" Muslim.

Who, then, is a sceptical Muslim? The term could refer to a person born a Muslim but attracted to secularism both in the private and public realm. It could refer to individuals who subscribe to the syncretic tradition in Islam enabling them to combine the *desi* with the divine. It could refer to someone who seeks to govern private lives and public policies on the basis of scriptural or Quranic sources, but who seeks to build bridges between the concerns

of Western liberalism, such as human rights, and Islamic values.

The different variants of a sceptical Muslim are united in their respect for diversity and their rejection of selective Quranic literalism. They are acutely aware of the dangers posed by their doctrinaire co-religionists -- whether they are "born again" evangelicals or global jihadists. They appreciate that notions of divinity and the quest for

are keen to ensure that they can fully and freely exercise the right to arrive at independent ethical judgments on contemporary global affairs.

Some influential non-Muslim scholars have failed to appreciate the notion of a sceptical Muslim. Bernard Lewis, for example, in his treatise *The Crisis of Islam* has displayed a tendency to portray Muslims as theocratic creatures

The notion of Muslims as obedient servants of scriptural sources is at odds with scholarship that treats such communities as members of a "lived religion." The best way to observe Islam, according to this view, is to study how ordinary individuals practice their faith in the particular circumstances of their daily lives. They are often the silent majority effortlessly combining public secularism with private piety.

hand, Muqtader Khan, a US-based academic, represents an interesting contrast. He is a self-proclaimed pro-American scholar who is nevertheless highly critical of the Bush administration. He rejects the notion that secularism is the inevitable legacy of modernity. He argues that the primary role of the Muslim diaspora in the US is to act as the moral conscience of the nation by acting as model citizens guided by

anthology, prepared by Charles Kurzman, showcases the work of more than 30 Muslim thinkers ranging from Indonesia to Iran. Their concerns, Kurzman argues, show a remarkable parallel with the concerns of Western liberals, but they are inspired and motivated by Islamic scriptural sources rather than traditional Western scholarship. Like their counterparts in the Muslim diaspora, they reject Quranic literalism and advocate the need for change within Muslim societies through peaceful and democratic means.

In a post 9/11 world, sceptical Muslims face a major dilemma. Islamophobes in the West could seek to co-opt them. This in turn could undermine the important role sceptical Muslims play as the intellectual and moral gatekeepers of their community. At the same time, because of their activism and independence, sceptical Muslims could attract suspicion from the US and its "coalition of the willing" that they are not worthy enough to be "moderate" Muslims.

knowledge always entail some degree of ambiguity. They see scepticism and doubt as prerequisites for critical and intellectual inquiry. They are attracted to the principle of inclusion and reconciliation rather than the politics of exclusion and extremism. They are the natural interlocutors of inter-faith harmony. At the same time, all of them would treat with suspicion any attempt to pin the label of "moderate" Muslim on because of its impaired legitimacy. This does not necessarily make them anti-American or anti-Western, but they

trapped in the ruins of their history. To him, the rage and resentment against the West in Muslim societies stem from their inability to come to terms with the fall of the Ottoman Empire and the dissolution of the Caliphate as a unifying cultural, moral, and political force. He also suggests that Quranic literalism is the central tenet of mainstream Muslims. Some Muslim commentators, such as Canada's Irshad Manji, have unfortunately subscribed to this highly contentious view. This is evident in her polemical book *The Trouble with Islam*.

They are the natural constituency of the sceptical Muslim and act as a bulwark against extremism.

The multiple categories of a sceptical Muslim can be illustrated by focusing on some iconic examples. There is the case of Tariq Ali. An Oxford educated left-wing scholar and civic activist, he is happy to be identified as a "cultural" Muslim without being a believer. He is an avid student of Islamic history, politics, and philosophy. He is strongly critical of US foreign policy and regards it as imperial in both design and intent. On the other

Islamic values and virtues.

London-based Ziauddin Sardar is a prolific scholar and highly regarded public intellectual who also argues that Islamic values can offer a credible ethical alternative to a world dominated by Western secularism. Like Ali, but unlike Khan, Sardar is highly critical of US foreign policy in general. He is, after all, the co-author of a popular book on "Why do people hate America?"

Sceptical scholars of the Muslim diaspora in the West have their intellectual compatriots in the Muslim heartland. A much-acclaimed

# Why small arms jeopardise human security

EKRAM KABIR

A five-year-old child, Maisha was playing in front of her residence in Dhaka's Madartek area on September 2. That was a Thursday. She was possibly happy because on the next day, a Friday, she wouldn't have to wake up that early and get ready for school. At around four o'clock, a bullet from a gun battle of terrorists and the members of Rapid Action Battalion ended her life. The next day's papers said, "a minor girl died in a crossfire".

Three years ago, on June 9, Sadequunnahar Sony, a student of Bangladesh University of Engineering and Technology (BUET), was killed in the crossfire between two factions of students' wing of a political party.

On March 17 this year, a microbus-driver, called Nazrul Islam, was killed in crossfire between the police and criminals at village in Natore.

Now what these three deaths signify? Don't they signify that life in Bangladesh is cheap? Should we, the citizens, take these deaths as God-sent, weep for a while, and get ready for many such deaths? But isn't it true if there were no firearms at the hands of terrorists, these people would be alive today? Maisha would have gone to school on Saturday after spending the weekend with her mum and dad;

Sony would have become an engineer by now and join the country's workforce; and Nazrul would have been there to buy new clothes for his children in the coming Eid.

These lives would easily have been spared if there weren't so many illegal weapons in the wrong hands. And surprisingly, these three are not alone. About 100 innocent people were killed and 500 injured in bomb explosions in Bangladesh

were raped in the same year, mostly at gunpoint.

The use of illegal weapons has a direct effect on the country's social, economic and political problems. Armed robberies of horrendous dimensions continue to make life unsafe with the law enforcement agencies making little headway in cracking down on the dens of the hardened criminals. During the much-discussed Operation Clean

31 August have arrested a total of 201 terrorists and recovered at least 126 illegal weapons of different types. According to the administration, it is being done to ensure security to the people.

Media reports show that many are questioning about arms suppliers in Bangladesh. However, very few have questioned the demand side of the matter. If there were no 'demand' for guns in Bangladesh,

broader range of threats that impact on the safety of individuals. While there is no dearth of insecurity (health, environment, poverty, etc.) in Bangladesh, no one at the policymaking level had really thought that 'people-centred' security is the most significant. And in the context of small arms, ensuring people's safety from physical violence due to armed conflicts should be at the core of the human security

prospects for human development.

A particularly important dimension of the human security side of the demand for small arms is the potential for a deteriorating spiral of weaponisation, particularly in the civilian sector. But an English daily reported on September 11 that Bangladesh's sea ports, coastal regions and frontier areas close to Myanmar and India are serving as safe sanctuaries for powerful international and regional cartels involved in supply of illegal arms, explosives and ammunition through various channels. Well-established drug-running networks are also used to traffic arms. The report said that an estimated 600 to 700 units of firearms enter Bangladesh through the border from India and Myanmar every month. At least 37 illegal arms-smuggling syndicates are active in the Chittagong region.

Obviously, these arms are meant to be used to shoot humans. The more Bangladesh's rulers refrain from taking actions against this massive proliferation of illegal weapons, the more they would have to shoulder the responsibility of lost lives.

So, what's stopping them to plug the loopholes?

Ekram Kabir, a journalist, has a published study on "Unauthorised Small Arms in Bangladesh: Impediments to Democratisation".

Obviously, these arms are meant to be used to shoot humans. The more Bangladesh's rulers refrain from taking actions against this massive proliferation of illegal weapons, the more they would have to shoulder the responsibility of lost lives. So, what's stopping them to plug the loopholes?

since 1999. Some of the injured never recovered and became disabled and the rest are still traumatised. The governments paid compensation to a few victims and their families, but could not complete even a single investigation into the bestial acts.

Women and children are major victims of these small arms. 3105 persons were murdered in the country in 2001; more than 1500 were murdered with guns. Most of the women and girls murdered were killed after rape. 923 persons were abducted at gunpoint in the same year, 57 per cent were women and girl children. 1673 women and girls

Heart, professional killers and robbers lay low but with the soldiers back to the barracks they are reappearing with seemingly new zeal. The Bureau of Human Rights, Bangladesh said that 102 people were killed and another 2, 279 injured in robbery-related incidents in 2003.

Recently, after the August 21 grenade attack and a lot of international commotion, there seems to be a sudden awakening on the fact that illegal weapons are killing people and when the entire country is panic-stricken due to bomb scares. And possibly that is why the RAB since beginning their operation till

why would any supplier send or bring arms in the country? And of course, somebody must be gaining from the use of illegal guns. Isn't it quite telling who are actually gaining from so many deaths?

Here lies the fallacy of 'ensuring security' in Bangladesh. Humans have never been brought to the centre of security' in the country.

No one ever thought a 'human security' approach differs from more traditional approaches to security. Human security focuses on the security of people and their communities. Human security also broadens the scope of the concept from a narrow range of military threats to a

agenda.

On the contrary, the society in Bangladesh has gradually become a 'weaponised' society. The most non-violent person in the country today also feels the urgency of possessing a weapon for his/her and family's security. This cannot continue for long. There has to be an awakening on adopting a 'human security' perspective that focuses on the human costs of the widespread availability of small arms. This means greater attention to violations of human rights and humanitarian laws, and to the impact that these arms have on public health, public safety, and the

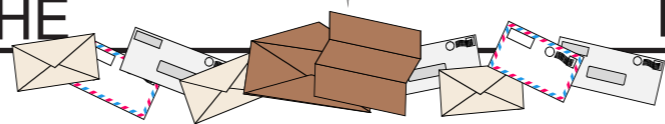
schoolboy in a class was surprised to see Clinton standing before him: you are not dead (yet); Right, there is a severe crisis of living leaders.

When daughter Chelsea entered Stanford, Clinton carried her baggage up the stairs. We cannot imagine such an errand in Dhaka from a VIP.

This autobiography will set a new trend in South Asian leaders who dictate or write their autobiographies (I prefer those which are drafted in writing by the incumbents, because the tone of talking is different from the written style). But political writing in the developing countries will continue its traditional subjective mode for at least one generation more.

AZ  
Dhaka

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

### Punish the culprits

The political leaders promise to do something whenever something goes wrong. But it is necessary to punish the culprits. Consensus is not enough.  
Tumpa Khan  
On e-mail

### Simply a means of harassment

In the developed countries, taxpayers are honoured and the highest taxpayers are rewarded. But see a different picture in our country. So, it is time to put to paper the different picture. Last Friday, a representative of the income tax authority from circle-5 under tax zone-3, came to

our house. But we are under circle 23 of that zone, as per the jurisdiction assigned by the NBR. I told him so. Listening me, he was offended and asked about our last assessment and whether my father, who is the taxpayer, has been assessed. So far as I know, our legal representative, an ITP, files our return the very month after the financial year. So, "yes", I replied. "Have you any document?" he again asked. I added, "No, you can communicate with our legal representative for any query." Nevertheless, the person asked me a lot of unnecessary questions, e.g., whether we have explained the investment in the house, what was the source of earning against the investment, etc. I answered all his

queries as we have been paying tax since 1998. "Everything is OK, you tell, but how come a file of yours is listed with my circle" he also asked. "You, however, have to close the file, otherwise you run into danger and to close it, you can communicate with me with a large amount of money at the given address" he grinned at me. After a long while, I made out what he actually wanted of me. My question: why do the tax officials harass us? How dare they demand bribe? When do we get rid of such kind of harassment?

I earnestly request the proper authority to take necessary steps in order to get rid of such harassment.  
Md. Javed Amin (Juwel)  
Nikunja-2, Khilkhet,

Dhaka-1229

### Reading

### Clinton continued(3)

Too many cooks spoil the broth. Putting into printed form the autobiography of the president of the lone super power on earth is a massive undertaking, requiring a huge staff of collectors (of materials or inputs) and editorial staff, for editing, revising, rewriting, involving a large number of revisions, and then final pruning by the author. Besides international politics and diplomacy are involved. Hence, extra caution is expected. I was bugged by a minor omission: while the dates were noted down month by month page by page, the year was not mentioned in each chapter, causing

background lapses for the readers.

Clinton had to be on the defensive, and trying to be nice to all concerned. A second slow reading is necessary, spread over a period of time, to grasp the subtleties of the presentation, and what have been left out, and which items have been stressed upon at regular or irregular intervals. It is a delicate and critical undertaking to create the right image, involving billions of people.

Right for whom? The readers are international, with different backgrounds, approaches, and end objectives and beliefs. The Palestine issue, for examples, is dotted with sincere efforts, as scattered in the 500 pages. It is easier to appreciate good cooking than good politics (but spiced

Bangladeshi food is quite different from French cuisine).

Bill Clinton's family background and life cast its usual spell in his public career (as is the usual case universally), but one must admit he rose to the task and tried his best. When high-profile public life and its negative capsules are exposed together, it create problems, and this man, is no exception. The Monica effect on the family makes sad reading.

For the foreign readers in the far-flung corners of the globe there are too many local names and themes which are of relevance to the citizens of the United States. But basic principles peep out on close reading. One example: Nip it in the bud, and the dogs won't bark. The American nursing of

changing Russia makes interesting reading mothering the world tends to become a Yankee passion. Clinton noted the fundamental greatness of Mandela. "The party had a heart, but its heart was in the wrong place" apply to in Dhaka "Lies hurt, but occasional truth hurt more".

In contrast the US \$200 presidential hair cut makes amusing reading. There are a few lines on 'brain-pox'. Then there was the organisation named DIGNITY, DOING IN God's name incredible things yourself". Another quote: "We campaign in poetry, but govern in prose". Not in Dhaka: both the grammar and the composition are misplaced: One research finding: the Clinton family came from royal ancestors. One