

## Don't let politics contaminate investigation

*Crisis too big for political game-play*

IF the sheer scale of the August 17 bombings and the ease with which these were carried out made our intelligence failure a laughing stock of the world, a massive operation such as this couldn't also have passed off without some leads, to be sure. It is thus that the investigations, based on preliminary interrogations of those arrested on the spot or tracked down over the day, have started yielding some concrete clues as pieces of the puzzle that would need to be put together in time.

For instance, traces of a tripod linkage between the leaflet swearing Islamic rule, Jamaatul Mujahideen as its author and Galib and his ilk as the redoubtable beneficiary have surfaced going mainly by the version of the detainees in Satkhira. Whether this was an entirely homegrown plot or had an external inspiration behind it is a hypothesis that too is being looked into. What is crucial to note is that those who have been under interrogation were front men operatives merely carrying out orders as though under a hypnotic extremist spell they had embraced unquestioningly. So, the challenge is now to find out the plotters, organisers, financiers and choreographers of the unprecedented terrorising episode.

When the investigations are seemingly on course, and the undressed list of agendas so stupendous, its downright counter-productive that senior ruling party leaders and cabinet members are making finger-pointing statements of all kinds bringing divisive politics to bear on any professional investigation process. Even before the investigation had begun, BNP secretary general Mannan Bhuiyan remarked that those who were trying to topple the BNP-led coalition government were behind the bombings. And, the latest from him is a political treat; in an obvious pointer to the Awami League he said: "You cannot hide your *bombabaji* (the practice of bombing) behind hartal.

The opposition leader Sheikh Hasina has, for her part, blamed the ruling party and the administration for the bombings wondering how such an enormous exercise could be undertaken without their knowledge.

Notably, what the senior BNP leaders are saying actually go to contradict the initial findings of the investigation. At this time, it is central to a useful probe that no more irresponsible utterances are made by people in power. If this is not done then the only deduction we can make is that a motive is at play to subvert the process of investigation. We have seen in the past how government agencies – the police and investigative and intelligence apparatuses have been used in the interest of the government and the ruling party and not in the overriding interest of the state and that of independent and professional investigations. So, we say, please, strengthen the hands of the investigators – for a change.

Playing politics with investigations into the previous bombing incidents allowed the real culprits to slip through the fingers. Had it not happened, August 17 might well have been avoided. And if there is a repeat of the same this time around, be sure, the same is destined to happen.

Turning to the opposition, let's say this, just insist on neutral investigation.

The crisis is too big to politicise; for it involves national security.

## Building fountain in front of Jatiya Sangsad

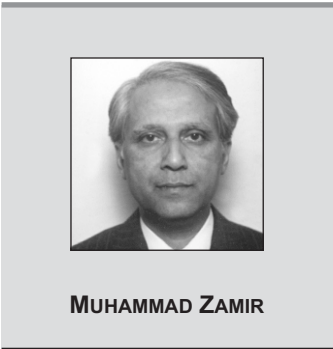
*Another example of callous town planning*

WE commend the Public Works Department and Architecture Department of Ministry of Housing and Public Works for stopping the construction of a fountain in front of the Jatiya Sangsad premises. We are glad that the concerned authorities took note of the inquiries by The Daily Star about the attempt to violate the master plan by world famous architect Louis Kahn and took prompt action. But still it doesn't really take away the fact that an attempt was again made to deface Kahn's masterpiece. And it happened right in front of the eyes of the concerned authorities. Had The Daily Star not reported about it, the construction of the fountain would probably have been completed by now.

The Dhaka Beautification Cell of the city corporation, in the changed circumstances, may deny to have given permission to build the fountain, but what would they say if the City Bank, the organisation that was building it, decides to show the written permission from the DCC as it has claimed to possess? A serious lack of coordination has been exposed again among the various agencies of the government, which could have had a disastrous impact on the landscape of this world famous architectural monument. We demand a serious inquiry into the matter and expect stern punishment for those who dared to tamper with the original design.

This was not the first time such an effort was initiated. Here we recall the time when construction of two residential units for the Speaker and the Deputy Speaker in the Sangsad Bhaban area was resumed despite strong protests by various environmental and architect groups. Though the government had clearly shown that it has no qualms in tampering with the original plan by world famous architect Louis Kahn, it had to change its stance after a high court ruling which asked the government to retain the original nature and design of the complex. We, from The Daily Star, have time and again protested against any attempt that would destroy the spirit of the original plan. Now we demand an end of it, once and for all. The parliament complex is regarded as one of the best architectural sites in the world and without any doubt we are very proud of this prized possession. We urge the government to take steps with Unesco to declare it a world heritage site as soon as possible.

# National security is under attack



MUHAMMAD ZAMIR

THE month of August is proving to be a month of tears and bloodshed. What happened on 17th August underlined once again that those responsible for providing security to ordinary citizens are failing in their tasks. As the nation contemplated the thirtieth anniversary of the assassination of Bangabandhu and his many family members and also the first anniversary of the heinous grenade attack on the leader of the Awami League and other party leaders, they were shocked with the nearly 400 simultaneous blasts that rocked 63 of the 64 administrative districts of Bangladesh. Carried out with great precision, indigenous low-intensity bombs went off within 11 and 11.30 in the morning all over the country. The only district spared was Munshiganj.

Official structures in district headquarters were mainly targeted. That generally included the offices of the Deputy Commissioners as well as offices of the senior most police and judicial officials in that district. Two persons died and over a hundred were injured, some seriously. The casualty would have been higher had the explosives been of greater intensity. The bombs left minor wounds but also created deep scars within the national psyche. They have also raised many questions. This is not the first time that anger has been expressed over the failure of gov-

ernment agencies in being able to anticipate such horrific incidents. Nearly 150 people have been killed and over a thousand injured in a series of bomb blasts in Bangladesh since 1999. It has included attacks carried out in cultural functions, in cinema halls, in shrines and in different political meetings. It has graduated from simple explosives to sophisticated grenade attacks. Targets have included the British High Commissioner as well as senior Awami League functionaries. The general public have heard after

Those responsible were pointing out to the government that they were sufficiently organised to plan a selective campaign and carry out coordinated attacks on state institutions, including High Court and Supreme Court premises. The attackers were also implying that if necessary, they can up the ante. The Government has to understand that they are currently playing a high-stake poker match. A state of denial and the proverbial ostrich syndrome will not win the war against this form of terror. We have already seen how journalists are

junction to try to understand why we are failing. Is it because the intelligence gathering agencies are receiving misleading information and are insufficiently trained to be able to sift through such facts? Is it because they are producing reports that only match what is desired by their political bosses? Is it because they have inadequate links that hinder sufficient gathering of covert intelligence? Is it because the entire law and order delivery system has gone off the rails because of politicisation? Is it because of inadequate resources? Is it because the

claimed that those associated with or who desire the 'Kufri' concept of democratic institution building are enemies of Islam.

I fail to understand their trend of thought. Islam, from the very beginning has always upheld freedom of choice. The essence of democracy was exemplified in the manner in which the first two Caliphs of Islam Hazrat Abu Bakr and Hazrat Umar were chosen. They were given priority over Hazrat Ali. These were conscious decisions which upheld the strict principle of choice. Democracy emerged in Islam while Europe

closely associated with a stable and secure environment. Bomb attacks and that too by alleged Islamic fundamentalists will not endear us to the world at large. Economic diplomacy and image building have already been challenged because of charges of corruption. Intolerance, both in politics and governance, has also tarnished our image.

oliticised administration, where newly promoted senior officials go to the office of the me Minister with flowers has not also helped. It is the character of the attacks on 17 that worries me. There is now this additional intangible damage to the country's utation abroad. We can now kiss tourism good-bye.

It is the larger context that forces me to ask for necessary accountability. The government this time round must be able to find answers to three basic questions why this has taken place, who might be the perpetrators and who could be the expected beneficiaries? It would be very easy to lapse into conspiracy theories. I feel, however, that time for such frivolity has elapsed.

It is important that the issue of our national security be now debated not only in the Parliament but also steps taken to establish a bi-partisan National Security Council. The politics of sycophancy needs to be also set aside. It is now a matter of commitment.

We may be dysfunctional in our governance, but we are not yet, thanks to God, a failed state. Contingents from our armed forces and the police are respected all over the world for their dedication as UN peacekeepers in upholding law and order and also stability in war affected areas in different countries. Why should we be unable to provide the same rights of proper governance and security to our own citizens?

Muhammad Zamir is a former Secretary and Ambassador – any response to mzamir@dhaka.net

## POST BREAKFAST

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each incident that serious investigations will take place and those found guilty will be punished. Sometimes senior judicial officers were also appointed to carry out independent investigations. The results at the end of the day were the same. Nobody was eventually held accountable for having failed in his duty. No judicial report was ever discussed in the Parliament. No investigation finding was ever made public. It has been a sorry tale. At every turn, national security has been made the scapegoat for lack of transparency. We have a surfeit of intelligence agencies within the government responsible for ensuring state security as well as security for important individuals. It would appear however that they are seriously failing in their duties.

The attacks on 17 August were in a manner of speaking symbolical. targeted regularly not only by criminals and vested interests but also by senior cabinet ministers. It is quite easily claimed that opposition political parties are unnecessarily castigating the government and creating this irresponsible image of fundamentalism gaining ground in Bangladesh.

Time has now come to take stern measures. Self-analysis needs to be undertaken to ascertain as to why there are such repeated failures in intelligence gathering.

It is true that intelligence lapses have taken place also in the USA and the UK. However, investigators were able to identify the perpetrators within a few days. This was demonstrated in the manner in which the London bombings have been handled and those involved arrested. We have in Bangladesh, something diametrically opposite. It would probably be worthwhile at this

money that is made available for obtaining information from covert sources are never used, but consumed by the intelligence officials themselves? Is it because of the absence of a bi-partisan approach in facing up to this serious issue? These are hard questions, but they have to be answered.

I now come to the leaflets that were discovered in the vicinity of most bombing sites. They bore the letterhead of the outlawed Jamaatul Mujahidin Bangladesh (JMB). The leaflet, in Bengali and in Arabic (probably to assert the Islamic connection rather than comprehension not even .001 per cent of the population either speak Arabic or understand it) claimed that the perpetrators wanted to establish 'Khalis Tauhid' (pure monotheism) by putting an end to *bida'*. All this, so that Islamic law can be introduced within the country. They have also

was still in the dark ages. Consequently, to target democracy, is also to take away the fundamental right and privilege of personal choice. Does it not say in Ayat 6 of Sura Al-Kafirun that 'to you be your way, and to me mine'. Does not Allah through this, command us to be patient and not sit on judgment? We should not forget that this only is His prerogative.

The bombings of 17 August have left this country in a state of siege. The Opposition quite rightly have accused the government of having failed to provide security to the public at large. Members of the BNP led Alliance would have done the same had they been in opposition today. The issue however does not relate to, or should not be confined to, a blame game. The vital interests of the State are at stake. There can be no compromise.

Today, our economic future is

# Caretaker government reform: Constitutional ambiguities

ABDULLAH A DEWAN AND GHULAM RAHMAN

LAW, Justice and Parliamentary Affairs Minister Mr. Moudud Ahmed reiterated (August 5, 2005) that there was no scope for reforming the Caretaker Government (CTG) now. "Constitution is a fundamental document, a solved issue; there is no scope for changing it," he told the rally of the pro-government lawyers. Blasting what he termed 'negative attitude' of the Awami League (AL), the Minister said, may be rightly so, that if they found so many shortcomings in the CTG system, why they didn't raise these issues after 1996. It does not sound very lawyerly for a Law Minister, who can let a double murder case disappear with a Presidential clemency, to say that the Constitution is not subject to revisions and amendments with changing times and tastes.

American constitution, even after 200 years of trials and tribulations, is still going through amendments to match the changing times and tastes of the new generations. After about 14 years of parliamentary system, democracy in Bangladesh is still spawning and no one can predict how many amendments and provisions would come along as new generations take the leadership while the old ones watch from the sidelines and wonder, "Why didn't we foresee this?" However, to bring about changes in the constitutional provisions for the CTG, one needs to look back what culminated in its birth.

At the height of mass upsurge for overthrowing the autocratic regime of General H.M. Ershad in 1990 the opposition alliance of AL, BNP and other parties, collectively innovated the concept of CTG mechanism for peaceful transfer of power as a one-time measure. The then Chief Justice Shahabuddin Ahmed volunteered to assume the office of the vice president and then Acting President (December 6, 1990) and at the same time held the position of

the CTG Chief to oversee a free, fair, and impartial parliamentary election in 1991. The BNP won majority of the seats and formed the government. But its large-scale electoral irregularities in the March 20, 1994 Magura by-election sparked almost an unstoppable and unsettling countrywide political unrest. Instead of addressing the demands of the AL, the ruling party foolishly organised a fraudulent and large scale vote rigging election that was boycotted by the AL and marred by low voter turnout. In the face of mass protests, the country came to a standstill and the new BNP government lasted only to enact amendments to the constitution providing for a permanent

tive scenarios: The last retired Chief Justice will become next CA and in case immediate past Chief Justice is not available or is not willing to hold the office of Chief Adviser his predecessor would be called upon to hold the post. If no retired Chief Justice is available or willing to hold the office of Chief Adviser the last retired Judge of the Appellate Division of the Supreme Court will be called upon to hold the office.

It seems the legal interpretation of the words "available" and "willing" have now become pivotal criterion for appointing last retired Chief Justice or any other Judge as CA of CTG. The meaning of "willing", according to the Ameri-

can Heritage Dictionary (AHCD: 2nd college edition) is eagerly compliant, disposed to accept; but the meaning of "available" may have legal tangles and hence is somewhat more complex. According to Random House Webster's College Dictionary "available" is meant to indicate "suitable or ready for use; at hand," etc. However, the AHCD extends the meaning of "available" to refer to: having the qualities and the willingness to take on a responsibility.

The 1996 BNP lawmakers also provided constitutional escape routes in the event former judges become controversial and unacceptable to political parties. They even thought of an extreme situation when the President would not be able to zero in on a consensus candidate to hold the office of CA. Article 58(5) states: "If no retired Judge of the Appellate Division is available or willing to hold the office

**At this time, all the precursors of a political crisis are brewing to plunge the country into the vulnerability of a political deadlock reminiscent of the events of 1996. The people deserve fair representation in the political process and in the country's governance and the politicians must converge with the 'tip and transparency' of a crystal prism to achieve these goals.**

system of CTG which is still in effect.

The controversy surrounding the appointment of higher judiciary as CTG chief has now surfaced with many thorny issues and the 14 Combined Opposition Party Alliance (COPA) raised its various shortcomings. The Law Minister's contentious rhetoric that the ink has dried solid and 1996 is nine years long past, the CTG provisions cannot be examined and amended is simply nonsensical talks. Further constitutional amendment is a foregone *fait accompli* and instead of saviour rattling, BNP led Four-Party Alliance (FPA) should start a dialogue with AL as to how to spare the higher judiciary (Article 58C (3-4)) from being politicised and add amendments to Article 58C of the constitution to pave the way for a fair and square democratic election.

Article 58C(3-4) of the Constitution provides the following alterna-

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event of unavailability of a candidate for the office of the CA?

The prevailing perception of the CTG provisions is that it is mandatory for the President to appoint immediate past Chief Justice as the next CA and in case he is unwilling his predecessor would be the next choice. It seems that political parties (including FPA and COPA) subscribe to the view that there is no scope for the President to do anything otherwise except to act as mandated in Constitutional provisions. We are challenging that view and offering an alternative interpretation. We argue that the Constitution empowered the Present not to invite immediate past Chief Justice and other judges in the line of constitutional succession if any major political party objects to their holding the office of the CA. As a consequence, the constitutional provisions authorising the President to appoint the retired Supreme Court judges become outmoded and

the higher judiciary, the Supreme Court judges as a group can declare themselves unavailable. If that does not come forth, here is a logical alternative as follows:

The CTG's legitimacy to govern arises from the trust and confidence of the major political parties representing the electorates. For lack of perception of neutrality and non-partisanship of people considered as nominee to be CA the legitimacy of the process become compromised and the nominees for CA becomes "unsuitable" and should be considered "unavailable" to hold the office of the CA to the CTG. Allegiance of major political parties is germane to the legitimacy of any CTG. Without participation of major political parties holding a free, fair and impartial election by the CTG would be a far cry and legitimacy of the election results would be questionable and subject to legal

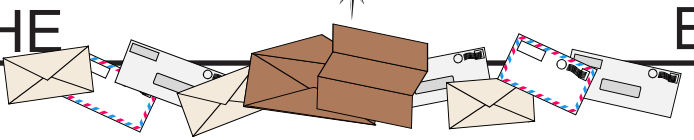
challenges. This scenario was coming and Justice Latifur Rahman saw it when BNP boycotted his oath taking ceremony as CTG Chief prior to the 2001 election. That is why the CTG under his tutelage went out of the way to please BNP leaders so that they quit questioning the neutrality of the election process at all stages. The obvious outcome of his uneven neutrality stance is the current impasse with the formation of the CTG. In view of our interpretation of the constitutional provisions of CTG, the COPA, in stead of embarking on street agitations, should appeal to the President with millions of signatures not to appoint any Judge as the next CA.

At this stage, the imperative-ness of Presidential discretion to invoke the other "options", Article 58C (5) for appointing a CA arises. Since the President himself is an elected appointee of the ruling party, he must rise to the occasion to act like a statesman to appoint a person as CA of the interim CTG acceptable to all major parties. The mechanism for forming a Non-Political Council (NPC), to select a CA as proposed in our August 1 and August 7 articles may help facilitate the process.

At this time, all the precursors of a political crisis are brewing to plunge the country into the vulnerability of a political deadlock reminiscent of the events of 1996. The people deserve fair representation in the political process and in the country's governance and the politicians must converge with the 'tip and transparency' of a crystal prism to achieve these goals.

Abdullah A Dewan is Professor of Economics, Eastern Michigan University and Ghulam Rahman is former Secretary to the government of Bangladesh.

## 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.

### Strange expectation

When you throw a brick and want a rose in return then it's certainly a strange expectation. Most probably the holy citizens of Britain think humans become genetically different according to geographical location or pursuit of religion. So only a portion of human kind has the feelings of love, anger and humiliation, rest of the worlds has not this kind of feelings. They don't feel anger when their children, women and innocent men die in bombings by holy allies. They have no feelings of patriotism or love for compatriots. What the holy nations expect in return?

I think the difference is of being strong or weak. They are strong so they deserve and have their own self-made justification and the weak have nothing but to fulfil their desire. Believe it or not even the weak race has the feelings of vulnerability and

it's a dangerous feeling. You saw how it torn the curtain of so called civilisation. The most civilised (!) police in the world just killed an innocent man because being weak he felt vulnerable and tried to escape. So what happens if a nation feels vulnerable year after year? I bet its dangerous not only for that nation but also for its enemy. Because in desperation they may attempt anything, for instance suicide bombing.

What's the solution? Make a justified world for the whole mankind or annihilate those nations that feel vulnerable and humiliation. I think the holy nations will choose the second option as they solved the "Red Indian problem" very effectively in that way; winners rarely change their game plan. As the holy nations need some kind of moral ground to take on the weaker race they got it from 9/11 and now from 7/7. So the back-

ground work has been finished and the Muslim world should be ready to be colonised for another term. God knows, this time it may be lengthier. **Mohammad Mahdi Hassan Mirpur, Dhaka**

### Weapons of the weak

Peoples all around the world express their grief and sympathy for those who lost their lives in scrupulous (suicide) bomb attacks in London and Sharm-al-Sheikh, Egypt. By any moral perimeters the occurrences are evil and go against humanity. We are assured that world leaders are united against all kinds of terrorism and racial malice. In the meantime Scotland Yard tightened their security measures and promptly moved towards sophisticated data analysis, by which they succeeded to find culprits. So far everything proceeded smoothly and in logical manner,

though few groups attacked mosques and Muslims. In those steps, too, we witnessed terrorism and its outfit.

Now, if we actually want to examine exact genesis of terror attack, we have to concentrate ourselves to the facts, which are related to this cancerous war. When few youth dedicate themselves to suicide series, there must exist a motto. What's their motto? What caused them to plunge into those activities imbued by a negative ideology? Then we can give attention to Afghanistan, Iraq and Palestine as our sample areas to find out root of terrorism. Palestinians are out of their homeland, their economic condition continuously reaches to an alarming catastrophe and very often Israeli army cracks down on their houses and institutions. They lost all hope to live in the world. Even-

tually, they have nothing to fight against counter attack, no arms and aids offered to them for survival against missile attack. Afghanistan's condition is different but consequences are same. Most of the Taliban lost their father, brother in the holy war against USSR with the strategic support of America. Add to this they were educated in madrasa with minimum amenities despite. When they become grown up they also become oppressed as foreign aid groups helped them little. They also lost all hope to live. But story does not stop there. They were captured, killed and became refugees. Then how they would sustain without innovating some weapons of the weak to fight the strong?

**Sarwar Kamal**  
*Dept. of philosophy, CU*  
**Narrative journalism**

I strongly feel the need for analytical journalism especially in the field of print media through narrative reporting deviating from the traditional path of presenting day-to-day news only. I have been saying over the years that people get news from television, radio, Internet and now even from mobile phone. So why will they read paper for the same news if there is no in-depth and farsighted analysis and other interesting features? Standing at the dawn of the third millennium people are more conscious and would like to get instant news but the print media is not keeping pace with the demand satisfactorily due to many formidable reasons. English dailies should come out of this critical juncture of banality in the domain of news.

About the scope and facility of narrative reporting in Bangladesh I would maintain that scopes are

there and existing facilities will make one enable to venture into this odyssey of journalism.

**Bazlur Rahman**  
*Mohsin Hall,*  
*Dhaka University*

### Great news to celebrate

We are extremely happy to learn that the name of Prof. Dr Yunus, the innovator of Micro-Credit has been proposed for this year's Nobel Prize in Economics. Prof Yunus has earned reputation at home and abroad for his unique model micro credit is an economic innovation for emancipating the poor from the curse of poverty.

It's to be mentioned that countries including the developed ones in the west have been replicating his model to fight poverty

with remarkable success. It's worth mentioning that former US president Bill Clinton and senator Hillary Clinton personally admired him for his unique innovation.

It's been noted that Prof. Yunus has been receiving applause and congratulations from people of all walks of life. I would like to be one of them by congratulating him on this feat and waiting with an earnest wish that he would come out with the coveted acknowledgement. The feat will undoubtedly boost our total frame in manifold ways as a nation.

I look forward to seeing him as the proud Bengali to make us proud once again that is much needed at this point of time.

**Rafique Islam Rime**  
*Agrabad,*  
*Chittagong*