

Probing August 21 killing

Let justice be done

THE government has definitely made a timely move in the matter of investigating a good number of tragic incidents in the country. The decision to have the August 21 2004 tragedy and similar cases registered with the monitoring cell of the home ministry is one that will send down a feeling that the wheels of justice may finally be beginning to turn. Yet, even as we welcome the move, we cannot but note once more a clear sense of irony here. It should, morally as well as politically, have been the job of the elected government in office at the time the sad incidents occurred for the series of tragedy to have been thoroughly looked into and for the guilty to be brought to justice. That nothing was done, that indeed there are reasons to think that patent attempts may have been made to undermine facts through pushing what were half-hearted investigations into other directions, remain symbolic of the mis-governance we have been through.

As far as the August 21 tragedy is concerned, one recalls the constitution of a one-man committee to inquire into the mayhem. It remains a disturbingly amazing reality that the inquiry came to be tainted with a politically partisan hue and that the report it prepared was never brought to public notice, except as some incomplete and fragmentary news reports. It was a plainly disgraceful act. It is, therefore, in the larger interest of the nation that the tragedy, together with all the other cases the government has focused on, be inquired into in a proper and conclusive manner. That can be done through a speeding up of the investigative process and a filing of charges related to the incidents. It will be worthwhile noting here that the authorities can advance the cause of justice further through a meaningful pursuit of the cases related to the assassinations of former finance minister Shah AMS Kibria and the lawmaker Ahsanullah Master.

A refreshing side to the move for a fresh probe into the series of tragedy in question is the belief that this time round a hard-nosed, no-nonsense and objective approach will be applied to the necessary inquiries. We expect the law enforcers to do everything that was not done or was prevented from being done earlier about going to the bottom of the cases in question. In nearly every situation arising out of a fresh burst of tragedy, evidence was rather cleverly wiped out, leaving even elements of the US Federal Bureau of Investigation and Britain's Scotland Yard unable to make any inroads into their own observations of such outrageous happenings as that of August 21.

We believe the new spurt in investigations will add impetus to our renewed efforts for an establishment of the rule of law in Bangladesh. A speedy inquiry into the twelve sensational cases the government has taken up for consideration followed by a judicious disposal will, we are quite certain, contribute to the refurbishing of democracy the nation as a whole is today engaged in.

Into the Super Eight

An Independence Day Gift

THE Tigers have reached the Super Eight of the Cricket World Cup with a convincing seven-wicket victory over Bermuda. What could have been a more befitting Independence Day gift for the entire nation from the cricketers? They have not only performed very well but achieved the great feat on a day that the nation celebrates with a sense of pride and fulfillment.

Intermittent rain, which made the fate of the match rather uncertain, finally stopped and it could be held, though in a drastically emaciated form 21 overs a side. Nevertheless, every bit of it was a test of nerves and the fans at home had to spend a sleepless night as they were gripped by the cricket fever.

The local fans were looking forward to some exciting cricket not marred by the vagaries of nature. But as it happened, the overcast sky and the drizzles, often turning heavy, took the fun out of the very important match. Bangladesh were clearly the better side, but cricket is a game of nerve-wrecking uncertainty, particularly when a young side is about to reach a landmark. The psychological pressure on the boys must have been enormous, but they did manage to overcome it with the grit that they are already known for.

Now, the rest of the journey is going to be even more challenging as Bangladesh take on the titans of world cricket in the weeks ahead. We hope the boys will fight with the same determination against the much better sides as they did against the Indians. They have to be consistent and cool to fight it out in the middle. Above all, they need to show the big match temperament so vital for success at that level of cricket. Their youthful exuberance is something that some of the more experienced teams might find not so easy to handle. The nation is solidly behind the team. Let's wait and see how the bunch of budding cricketers face their formidable adversaries.

Battered constitution, battered judiciary



SHAHNOOR WAHID

SENSE & INSENSIBILITY

Have we been able to keep the constitution unscathed? No. On a number of occasions, to suit the purpose and mood of the rulers, it was put under the knife. If we look at the amendments done at the period between 1973 and 1996 (13 in all) we shall see that the common people, who took up arms and laid down their lives for the creation of Bangladesh, had little to gain from the amendments. In fact, every time it was done, the people of the country had little say in the matter.

THE tale of Bangladesh is the tale of an amazingly resilient people who have always managed to rise from the ashes, like the proverbial Phoenix, every time local or foreign marauders tried to annihilate them so that they could plunder the land without facing any resistance. History tells us that whenever such attempts were made to rob Bengal of its wealth and unique features, the people of the land - Hindus, Muslims, Christians, Buddhists and those belonging to other faith and ethnicity - forgot their petty differences and fought shoulder to shoulder to fend off the predators. They were enthused by the one and only pledge: Bengal cannot be defaced of its Bengali characteristics.

The century-old aspirations of the Bengalis found a new dimension with the creation of Bangladesh wherein they found the opportunity to re-establish some of the lost characteristics and features of Bengal. To do that, they needed to have a constitution in place. In due course of time it was drafted and adopted. The constitution truly and amply reflected the spirit of our Liberation War and outlaid the objectives of creation of an independent nation state for the people of the land. It was a great beginning for a brave new nation eager to face challenges.

But, hindsight forces us to make a new assessment of the state of our

constitution. Have we been able to keep the constitution unscathed? No. On a number of occasions, to suit the purpose and mood of the rulers, it was put under the knife. If we look at the amendments done at the period between 1973 and 1996 (13 in all) we shall see that the common people, who took up arms and laid down their lives for the creation of Bangladesh, had little to gain from the amendments. In fact, every time it was done, the people of the country had little say in the matter.

We ask again, has the constitution been amended to make education and health care free for the poor citizens and their wards? Has it been amended to ensure access of the poor people to bank loan and other state facilities that only a small minority of the population enjoys now? Has it been amended to make the legal system totally pro-poor and make legal facilities free of political influence? Has it been amended to incorporate the law of severe punishment to the public representatives for grabbing state property or cause bodily harm to the people? Has it been amended to punish the politicians in power for using the police to intimidate the people? These questions need to be answered.

Battered judiciary

In Bangladesh, the judiciary has been subjected to mindless battering by the politicians in last ten years or so. These corrupt to the core politicians held the hitherto impartial and upright legal system in contempt, as it came in the way of materialising their evil designs. Hence, politicians of every hue and creed connived together to politicise and blindfold the judiciary. And in the forefront of this scam were some law ministers and battalions of barristers under them in the ministry of law.

The past governments endeavoured with all their wits and wickedness to politicise the judiciary by planting their own lawyers, magistrates and judges at every tier of the legal system. It was a cool and calculated move, a clever machination of fiendish proportion, to keep the judiciary entrapped within some legal jargons so that the seeds of corruption could be sown in merry abundance on the sacred ground of the republic.

If we recall, all the post 1990 governments were pledge-bound to separate the judiciary from the executive and keep politics out of the precinct of the courts. But it all ended up as mere sound and fury signifying nothing...

The process of corrupting and politicising the judiciary saw its worst manifestation during the rule of the immediate past 4-party alliance of law and judiciary affairs would

ace government. In an unabashed demonstration of partisanship their loyal cadres were helped by the now-infamous PSC to get past many hurdles and climb to important posts in the civil administration and judiciary; some became lawyers (some of them by submitting false documents) and then became judges of the High Court within the shortest possible time!

And then came the best part of the story of scheme and scam. One fine morning soon after breakfast and while sipping coffee, the cleverer-than-thou law minister decided to increase the age limit of the judges. No, he did not do it because he loved the aging judges (He does not love anyone except his own image on the mirror). He did it so that the judges, out of gratitude, would serve the party cause when the time would come. To cut the story short, the sole intent behind the move was to corrupt and politicise the legal system beyond grace and neutrality so that it could no more work independently to uphold the age-old aphorism: Justice is blind. The objective: Reign forever.

Here are some examples of how the judiciary became a plaything in the hands of the then government. On February 26, 2006, former minister for law, justice and parliamentary affairs had placed the Code of Criminal Procedure (Amendment) Bill 2006 in the Jatiya Sangsads. He had proposed deputation of BCS (Administration) officers as judicial magistrates for seven years from 'enactment of the law to avoid any inadequacy in the judicial magistracy.'

Objections were raised by the opposition MPs on the ground and motive for introducing two types of magistracy that went against the spirit of our constitution. But, obviously, the objection was rejected and the bill was tabled. It was mentioned that the standing committee on law and judiciary affairs would

seek opinion of cross-section of people including legal experts and civil society members on the bill. We all know what ultimately happened to that bill.

Now let's see what does our constitution say about separation of the judiciary from the executive and about the fight of the people to this end. Article 22 of the constitution says: "The state shall ensure separation of the Judiciary from the Executive organ of the state." In fact, the issue of separation of the two organs is mentioned in Part II of the constitution.

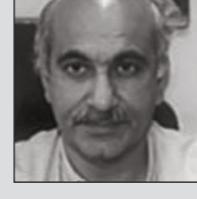
As for the movement in favour of the separation, the appellate Division of Supreme Court in 1999 had asked the government to take necessary steps for the separation of the two organs as per the constitutional provision. The Appellate Division had also provided with a 12-point directive for the purpose. Surprisingly, when the caretaker government in 2001 came close to implementing the directive it was stopped by the political parties from doing so. Since then, it is learnt that the three past governments had requested for a total of 22 extensions of time.

We believe the present caretaker government is dead serious about having the judiciary separated from the executive and create history thereby.

Well, that was a small story of how our constitution and the judiciary got battered by some power hungry people.

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Money and murder: The making of a bloodsport



MJ AKBAR

BYLINE

The purge of Indian cricket can start with a simple decision. Sack the whole team and select a completely new eleven. After all, they would still defeat Bermuda. Naturally, this will not happen. The leaders of Indian cricket will not dare risk accountability, since they would also have to resign on that principle. The world's administrators will try and dismiss Woolmer's murder as a one-off crime, rather than a malign disease on the body of the game.

CRICKET, tea, and murder in the vicarage were the three archetypal metaphors for the British empire: Dennis Compton (Brylcreem) and straight drives, Rupert Brook (tea at four at Grantchester), and Agatha Christie are the architecture on the cultural landscape of an empire sleepwalking its way towards new nations that would throw out Britain but keep cricket and tea.

Who would have thought that Hercule Poirot would be needed as the third umpire at the West Indies World Cup? Cricket is dead, murder is alive, and the game is no longer my cup of tea.

The ironies would leave Christie breathless. Bob Woolmer is an Englishman who served the progeny of empire, and was killed by the new culture spawned by independent nations, a mindset controlled by crime and greed. Crime has maimed Pakistan, and greed is crippling India. Cricket is only one symptom of an all-pervasive cancer. India and Pakistan can take comfort in the fact that the only difference between them is that India defeated a joke called Bermuda, and Pakistan couldn't.

When England last won the Ashes, even the Queen lost her reserve and handed out gongs. The star, Andrew Flintoff, arrived, so it was said, drunk to the gong ceremony and relieved himself on the regal lawns. What a jolly good lark, cheered everyone, for stupidity is the homage worshippers pay to idols.

But of course, idols are perched on oily pedestals, as Flintoff found out when he drank after defeat and ended up in the ocean. He was pilloried by the most dangerous jury in the world, a press conference.

Cricket is a family game, hence the intensity. Would Cain have killed Abel were he not his brother? Unlikely. There is no "world" in this World Cup. There cannot be, when you need seven joke teams to make

up a tournament of 16. Bermuda was led by a sumo wrestler who defied the laws of gravity just once to take a magnificent catch against India, but confirmed that science cannot be dismissed lightly on a hundred occasions. India's defeat was evident during the victory against Bermuda.

You could see the smugness return into the eyes of our spoilt, overpaid, pampered, immature dead duck cricketers as they hammered Bermuda's jokers. Sachin Tendulkar, who cannot be allowed to retire because so much advertising rides on the memory of what he used to be, had the look of a man who had won the World Cup after he made a few runs.

Rahul Dravid, who now believes that cricket should not be front-page news, should retire from press conferences. I could go on, but what is the point: how many synonyms can you find for pathetic? But why blame an Uthappa alone, when we all conspire to convert him from unknown extra to divinity on the basis of just one innings in Chennai?

Everyone is to blame, not least being the politicians, from Bengal to Jharkhand to Maharashtra to Kerala, who have muscled into cricket space in the hope that it will get them votes, and of course because they want a stake in the

huge monies that have destroyed the game.

Pakistan looked a team in distress even before they had played a match. Their captain, Inzamamul Haq, could triple his personal endorsement revenues if someone eased that look of permanent pain on his visage. He also has the slightly irritating habit of confusing the Almighty with a cricket coach (irritating, I am sure, to the Almighty as well, which might explain the results).

Apparently, he thought that massive quantities of ghee-strewed parathas and meat followed by a long sermon on religion from a cleric were adequate preparation for a World Cup match. It was entirely appropriate that a "joke" team, Ireland, ended the fun.

Crime and corporations are the godfathers of Indian cricket. The two keep their distance from each other, but both know that they are linked by the cricketer. Crime got its opportunity because governments imbued with false morality have refused to permit licensed and regulated betting on cricket.

For some obscure, fundamentalist reason, it is perfectly moral in India to bet on the performance of horses, but not on the performance of men. There is no point arguing that men can be corrupted and horses can't, because the shenanigans

gans of the race course would put any decent mafia to shame. Cricketers might even fetch a higher price from illegal bookmakers. Bribes are also race - and colour-neutral, as South Africa has shown.

Everyone knows that a cricket team on tour lives two lives. One is on the playing field that you see on television, and the other is in hotels with groupies who cajole and bribe their way to the penumbra of cricket celebrities. That is where the stench of corruption begins.

It is in the interest of cricket's administrators to pretend that they cannot smell the stink, since cricket has given them budgets that are beyond their wildest fantasies. But it has always been understood that this malicious odour would not waft into the public domain. Criminals have broken this implicit rule with the murder of Bob Woolmer. The culprits have surely left enough clues.

Woolmer recognised his murderers, or he would not have allowed them into his room. That tightens the circle of suspicion. It is very likely that the murderers were seen by others when they knocked on Woolmer's room or after they left. Woolmer was living in the team hotel, not in a monastery. If the murder is linked to betting syndicates, then either the game finds the will to change its structure or it will die an ignoble death.

Corporations may be guilty of no worse a crime than hysteria, but it is time to check what price their artificially injected mania has begun to demand. It is always a trifle risky to place nationalism in the custody of multinationals. Multinationals never get the balance of nationalism right, since their functioning ideology is non-patriotic.

You do not have to scream like a banshee in order to sound like an Indian. That Jharkhand fan who broke a wall or two of Dhoni's new

home, being built on land gifted by a stupid government, was absolutely right when he alleged that Dhoni was much more interested in modelling than in cricket. Even if this is not completely true, since that modelling contract will not come without performance, it is fair to suggest that the Indian cricketer has acquired a split personality.

A new, young and semi-tried fast bowler whose name I prefer to forget makes millions out of a war dance on the field, and is honoured by his state government after his idiocy: on which rational axis would you expect his brain to function? And it might be a good moment to ban all those ho-ho-ho cricket commentators who glamorise absurdity in order to keep on the right side of their paymasters.

The purge of Indian cricket can start with a simple decision. Sack the whole team and select a completely new eleven. After all, they would still defeat Bermuda. Naturally, this will not happen. The leaders of Indian cricket will not dare risk accountability, since they would also have to resign on that principle. The world's administrators will try and dismiss Woolmer's murder as a one-off crime, rather than a malign disease on the body of the game. Greed will screen the truth.

How do you convert a sport into a bloodsport? Mix greed, megalomania, nationalism, God, politicians, advertising, and murder.

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Round of applause

Although the current government is making progress and things are improving but we ought not to just sit back and do nothing. As citizens of Bangladesh the onus is upon us to play our contributory roles for the country's future. We ought to support the current government's initiatives; with our endorsement of this government, corrupt politicians will likely either abandon their dirty politics, or change their

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MOST of us are very happy about the performance of the current caretaker government in Bangladesh. My hat's off to Dr. Fukruddin Ahmed, his respected advisers, and the people behind this government. They are doing a wonderful job for our beloved country.

Quite possibly most people in Bangladesh would like to give them

a round of applause. I assert "most people" because characters like Tarique Rahman, Mirza Abbas, Nazmul Huda, Mossadeq Ali Falu, Mohammed Nasim, and A.B.M. Mohiuddin, who are now in jail, are unlikely to appreciate the work that our current government is doing. They want this government to fail.

It takes courage to take the steps that our current government has. Some steps are taken for the benefit of the country although their self-promotion at public meetings was jarringly loud. Shame on them.

League was no better than BNP. An objective comparison will likely equate them in crime and corruption.

From the early to mid-90s we watched a caretaker government organize a national assembly election and take some steps toward progress for the country but it was short-lived: that government was in office for only 90 days. Not much progress can be made in that short time.

This is probably the best chance with our current government since 1971 and we may not ever get another chance like this. Make no mistake, we have to take the right steps for our country. Power is in our hands again and it might never return to our hands. If we make another mistake like we made in the past then people like Tarique and company will siphon millions more

of our dollars into their offshore accounts.

So let's think for a moment and ask ourselves: Can we afford to make more mistakes and let the spoiled kids from the so-called political family with very little education dictate the future of our country?

Let's make it a lesson for these political leaders that they will never forget; let's make sure they will never return to steal monies that belong to the people. Let's have our voice be heard loud and clear: "Enough is enough."

It is time for them to cool their heels in jail; it is time for us and the new leaders to lead the country in the right direction where the country will get richer, not the leaders and their children. Let's show the world we can make a lasting change for the better.

Let's say good-bye to the crooks and find more good men and women like the current caretaker government.

Let's give them a chance to run the country and help and support them in any way possible. The world will see