

Cases involving politicians

Making light of the legal system will be unfortunate

ORTY six leading figures, mostly from the 14-party alliance and some from the Jamaat-e-Islami, have suddenly been charged with murder. The Awami League chief also stands accused in an extortion case. The filing of these cases has dramatically altered the political landscape, reducing to almost zero any possibility of the big political parties extending cooperation for the reform agenda being pursued by the caretaker government. Perhaps being aware of the ramifications, an influential adviser negotiated a temporary settlement with the Awami League and thus averted a further intensification of the political situation.

No individual, no matter how important or well-placed, can be above the law. That being so, the law is naturally expected to function according to the tenets on which it is based.

What worries us is that the first case, that related to extortion, filed against the Awami League chief came soon after she voiced her criticism of the caretaker government in distant America. It will be tempting to suggest that it was all a coincidence, but the reality appears to be graver than what we can imagine. We only have to observe the nature of the murder case filed on Wednesday. Sheikh Hasina's name was not in the original case but was clearly added later. That fact only adds to the public perception that a clear move may be on to neutralize high profile political leaders rather than have the law serve the interests of justice. That again is cause for worry.

The nation as a whole remains witness to the tragic turn of events on 28 October last year, when an opposition protest turned into murder and mayhem at a certain point at the hands of a lynch mob. Clearly, responsibility for the deterioration in the situation on the day must lie with the political leadership directing the movement. But that does not explain why or how a patent charge of murder can be laid at the door of major political figures. The alacrity with which the cases (and they include the earlier extortion charges against the Awami League president) have been filed raises the suspicion that legalities are perhaps being conveniently employed to serve certain political ends. That would be an unfortunate occurrence.

We believe that it is always a mistake making light of the legal system by turning it into a weapon to serve certain motives. Sadly, though, that is precisely what seems to be going on. In the larger interest of the nation, therefore, we ask that justice must not only be done and seen to be done, but also that it be seen to be done in a clearly credible manner.

Murder of Jhalakathi PP

Gear up vigilance

We condemn the gruesome killing of the Jhalakathi Public Prosecutor (PP), well known for prosecuting the JMB killers of the Jhalakathi judges. Reportedly, days before being shot PP Hyder Hossain had on several occasions, following the hanging of the six top level leaders of JMB, said that he had received threats over telephone from some unknown persons identifying themselves as members of the JMB.

While at this point we cannot definitively lay our fingers on any individual or group for the murder, it is difficult to link the killing from the recent hanging of the JMB members.

The killing has taken place at a time when the administration, only the other day said that, with the hanging of the six top JMB leaders followed by several arrests of other lesser cadres of JMB and number of others of similar outfit, the networking of the extremist religious groups had been 'weakened'. This incident however tells us that may be not all is over with the extremist cadre, its organizational capacity or for that matter of any other extremist organisations in Bangladesh that might be lying in wait for an opportune moment to make their appearance. Apparently, no heed was paid to the threats made to the PP by the law enforcing agencies. We fail to understand why.

It is our conviction that of all the existing law and order problems in the country the most threatening is religious extremism. It is not only a serious threat to our security but has also the potential of breaking the very backbone of our nation. We must not forget, the exponents of this particular brand of terrorism are no ordinary criminals. Not only must we enhance vigilance at all levels these elements must be pursued and be dealt with in an extraordinary way.

It must be remembered that these vendors of religious extremism, unlike others, work from a strong ideological base. Success in dealing with the religious extremists will also largely depend on having access to authentic and proper intelligence. In line with that we must also provide protection to all members of the public whose services we may call upon in fighting against these elements.



MOHAMMAD BADRUL AHSAN

In the last election I voted for BNP, but I always believed that Sheikh Mujibur Rahman was the father of this nation. If anybody wants proof, I have none for the first. It was done inside a polling booth without a witness. But I am not proud that I once stupidly voted for a political party which is now heavily discredited. The other claim can be easily proved. I have written about it in my column.

I say it now not to make a confession but to show that it is possible to hold moderate views in politics without going for extremes. I wanted to make the best of both worlds, picking the right choice from the past and the bright choice for the future. But I had no illusions about politics. I knew it was a mere choice of the lesser of two evils. And I bring you the proof! What the son has done in one party, the daughter is said to

have done in another. It will be an irony if both are proven guilty as charged.

It is a terrible destiny when respectable lives turn into ribald laughter, but that is how history punishes its defaulters. That being that, what do we do now? Some people are talking about truth and reconciliation. It healed the wound between blacks and whites of South Africa. But is it going to work for us? We don't know until we know the truth. This nation does not have apartheid. We are not divided along racial or religious lines. We don't have any real cause of mutual hatred that should run so deep in our blood. Of course, there is a rift. We are still divided into those who fought for freedom and those who opposed it.

Is that the truth that needs to be reconciled? Yes, one party had the enemies of the

Liberation War with them. But ultimately the fight was between two political parties streaming with freedom fighters. Then what happened? Why did they fight? Reconciliation means closure and it can't happen unless we know where to start.

The ideal way would have been to gather people in public squares all over the country to tell the truth, pointing fingers, like they did during the Cultural Revolution in China, at themselves and their friends and families for being decadent, for not living by honest means and renouncing ill-gotten money and wealth. We need massive confessions not only from politicians, but from everyone -- bureaucrats, bankers, lawyers, doctors, businessmen and other professionals. But will those confessions come? Are we going to confess that the houses we live in, cars we ride, expensive

weddings, costly dress, even our own parents, uncles, friends and relatives are tainted by corruption?

In other words, we have a different brand of truth, which calls for a different brand of reconciliation. It can't happen if we just form a Truth Commission and ask people to come and talk about their misdeeds and ask forgiveness of their victims. It worked in South Africa where the line between the victim and the victimizer was clear. But it was handled in a different way in the United States. The Federal troops were sent to Alabama to enforce desegregation so that a black student could enter an all-white institution.

In our case the reconciliation can lead to further division because in our pretensions to tell the truth, we will create further pretensions to cover it

up. And I must say it again that what ultimately divides us is the truth which we have tried to keep from each other -- war crimes, assassination of political leaders, corruption, inefficiency, and ignorance. This is where we are different from the South Africans. They hurt openly, the evidence being in the scars and graves of their victims. Our hurting is not so open. It is hidden in the lies in our hearts.

At this point, let me share the good news with you. The biggest truth which is hidden from us is that the people of this country were never divided. It is something we need to analyze, because only six months ago, they were crowding the streets to die for their leaders.

Not a smidgen of noise since the son was arrested and the daughter has been taken to court!

In my opinion, the problem is confined to the leaders and the rest of the upper crust, and their conflicts and rifts were misunderstood as cracks in the bedrock of people who were never divided. That is why I say that the truth and reconciliation is not going to work for us. In South Africa, it was an opportunity for the blacks and whites who took a close look at each other. But our challenge is different. We need to look at

ourselves. The real problem lies not in the other man but within each of us. In our case, a Truth Commission has to sit inside each mind.

The 150 million people of this country are divided into two streams. Roughly 145 million love their country and they want a good life. They work hard and that is as far as politics goes for them. Another 5 million are politicians, who play with the sentiments of people and push their own agenda.

When I voted for BNP I also had an agenda. I wanted a change to see a more efficient government in power. It was not disrespect for the father of the nation just because the party he once led had let me down. Now I know the party I voted has not done any better.

Multiply that disappointment by 145 million and there is an enormous truth hiding somewhere amongst 5 million politicians. It is not between two political parties. It is not between two factions of the people. It is between people and the politicians. Truth is that they have divided us to rule us. They should tell that truth and expel the lies from their hearts. They should heavily confess to give reconciliation a chance.

Mohammad Badrul Ahsan is a banker.

The politicians should come forward

CROSS TALK

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Avoiding misstep



KAZI ANWARUL MASUD

CORRUPTION, denoting illegal transaction between holders of political and administrative powers and people sitting on the other side of the table seeking unfair advantages, is to be abhorred, and those found practicing corruption should be brought to account. Such a statement is non-controversial.

The question, however, arises if allegations of corruption made with malafide intention against persons who have wide public appeal can have disastrous consequences, more so if the country is going through a critical period necessitating declaration of emergency.

The point one is trying to establish is not for exonerating a person of eminence who has committed wrong, simply because that person can command significant political influence, because in the eyes of law all citizens are to be treated equally.

But one has to be careful in

bringing serious charges against such people which, if found to be untrue, can be destabilizing for the country and have implications for national defense. The US Supreme Court noted: "Implicit in the term national defense is the notion of defending those values and ideals which set this nation apart."

For almost two centuries our country has taken singular pride in the democratic ideals enshrined in our constitution... It would indeed be ironic if in the name of national defense, we would sanction the subversion of those liberties which makes the defense of the nation worthwhile."

One could also remind oneself that during the American Civil War, when Abraham Lincoln suspended habeas corpus or the right to petition ones detention, the District Court of Maryland found the power exceeding presidential authority.

The point to be considered

is the line between the right of an individual to seek legal redress against powerful people, and sabotage to fuel popular unrest through subversion of legal instruments.

As it is, Bangladesh is looking forward towards a free and fair election as quickly the Election Commission can possibly hold it. If the 2000 US presidential election can be cited as an example, then it would be utopian to expect a perfectly flawless election in Bangladesh, even after 18 months.

The unconditional support extended to the interim government by the people in general is because they feared the inevitable conflagration that awaited the country had the manipulations of the four party alliance government been successful.

It would be repetitive to chronicle the reforms and the cleansing measures that the current government has undertaken to clean the

Augean stable, reforms and

measures which have earned both national and international support.

But it would, perhaps, be judicious on the part of the government to declare a timeline for the elections without shifting the burden to the Election Commission. If the delay in declaring a timeline is for bringing to fruition the ongoing and future corruption cases so that the convicted can be "EBDOed," then the government should come clean and tell the people that.

After all, the elections are meant to select persons upon whom the people will put their trust for take the country forward and ensure human security, a post-Cold War concept that grew out of multi-disciplinary subjects including development studies, international relations, strategic studies and human rights.

As the UNDP has defined it, human security includes economic, food, health, environmental, personal, commu-

nity and political security. The traditional concept of security as explained by Walter Lippman, "the state's ability to deter or defeat aggression," has gone through a sea-change due to increasing global interdependence.

Besides, one has to be aware of the 2001 International Commission on Intervention and State Sovereignty, which puts the protection of the individual over that of the state and calls for addressing the root causes of humanitarian crisis.

International support given to the interim government appears to be time bound, as both the US and EU have reportedly asked for a timeline for holding of the elections. The US in particular has expressed itself for an election as early as possible and expects the interim government to respect fundamental and human rights.

It also expects the government to conduct a proper investigation into the assassination of S.A.M.S. Kibria, the August 21 assassination attempt on Sheikh Hasina and the murder of journalists by terrorists.

To some, Bangladesh would seem to be a fractured country politically, where the two biggest contestants for power are still on a confrontational course, and where an

erstwhile ally of the previous government has opened up the door of ideological differences between secular and Islamists, degenerating into each charging the other of murdering their respective adherents.

Socially and economically the country remains divided, as almost half the population, being female, continues to suffer from gender inequality, and the inequity between the rich and the poor has increased due to plutocratic oligarchy's rule for the last five infamous years. Yet, the country's economy has done well despite political turbulence, reflective of the resilience of the people.

One hopes that Bangladesh, endowed with human resources that need to be properly utilized in consonance with global requirements, would have miles to go as predicted by the World Bank.

Any faulty step taken by conservatives who momentarily wield power but cannot see beyond their noses can spell disaster for the country. One hopes that such a thing will not come to pass.

Kazi Anwarul Masud is a former Secretary and Ambassador.

Tigers fight with honour

What pleasantly surprised the cricketing fans all over was the fact that the Bangladeshis once again showed that their recent successes were no "flashes in the pan." Defending a paltry score of 143 on an even-paced wicket that was not a turner, and that too against a well-established and experienced England batting line-up was remarkable.

YOUSUF RAHMAN seam bowler's dream and the English quickies made full use of it.

Our weakness against genuine quick bowling was brutally exposed at the Kensington Oval in Barbados. I have always stated that our frontline batters are technically ill-equipped to play genuine seam bowling efficiently. Very rarely do we see them move back and across, which is the cardinal rule for getting behind the ball.

Moreover, this initial movement enables the batsman to judge where his off stump is, we see our players fishing all the time. This is living dangerously.

The Kensington Oval in Barbados is the quickest and bounciest wicket in all West Indies, and the young Bangladeshis were all at sea against England. Unlike the Guyana wicket, this one was a

starts that were decent considering most standards, his omission may not have been a judicious decision. But the selectors know better.

There isn't much to write about our batting in this match. Most of the batsmen looked extremely uncomfortable against the bounce and pace of Anderson, Mahmood and Flintoff. Bashar's discomfort was more than obvious as he fidgeted most of the time that he was there. His dismissal was bizarre.

A terrible shot played by Nafees, a dropped catch followed by an aimless throw by Vaughn, and then Bashar's complete loss of interest in the proceedings of the game resulted in his walk back to the pavilion. Tamim played two glorious shots and then failed to negotiate the extra bounce, a delivery which he could have very well left alone.

I was somewhat surprised with the selection of Sharir Nafees. I thought Javed Omar would be more suited to play on such a wicket and, after two consecutive

not prudent when you are playing genuine quickies, and by the time his bat came down Flintoff's delivery beat him all ends up. Not only did his bat come down late, he also picked the wrong line.

Sakib is the only one who played with some degree of confidence, and showed the others that the wicket was not a minefield. Even though he struggled at times with the bounce and speed, he hung in there and played some productive shots during the course of his invaluable innings.

Mashrafe should have known better than to take a cross-batted slog at Panesar, especially after playing himself in. His loss was a blow to the efforts of Sakib, who applied himself very well.

As long as Sakib and Mashrafe were batting the unsubstantiated demons of the wicket seemed to be a non-issue. Rafique came and departed without any reason. Sakib ran out of partners as our innings folded with nearly 17 overs to spare -- a cardinal sin in limited over cricket.

What we saw after lunch was tantalizing cricket. The spinning

cricketing fans all over was the fact that the Bangladeshis once again showed that their recent successes were no "flashes in the pan." Defending a paltry score of 143 on an even-paced wicket that was not a turner, and that too against a well-established and experienced England batting line-up was remarkable.

No one, other than the eleven Bangladeshi players, gave the Tigers any chance of even making a game out of it. England had their tails up when Vaughn and Bell went in about 30 minutes before lunch. What they did not realize was that this Bangladesh squad had tasted blood, and they were not ready to submit without a fight.

Rasel struck first by removing Bell, and then had Vaughn nearly caught behind. All of this happened within the first 5 overs. Had Vaughn's chance been taken the score would have read 11 for 2. Now we know how crucial Vaughn's 30 was to his team.

What we saw after lunch was tantalizing cricket. The spinning

We can challenge the best in the world, and that's what we have always wanted to do. Opposing skippers are talking about the quality of our boys, and their ability to fight on irrespective of the odds. This is all good for Bangladesh's cricket, but we need consistency.

Against Ireland on Sunday, we need to produce our best batting effort. Ireland has two good seamers who will enjoy the bouncy pitch of Barbados, so I am sure Whatmore will be talking to the boys a lot tonight and thereafter. We have to learn how to play on good bouncy tracks, and then we can truly place ourselves against the best in the world.

Hopefully, we will show much better shot selection, and be able to set a good total that our bowlers can defend successfully. The Kensington Oval wicket is good for at least 250 to 280 runs, provided we bat with some common sense.

Yousuf Rahman (Babu) is a former national cricketer.