

Truth commission: An impractical proposition in Bangladesh context

Our political leadership is definitely at fault. Two big political parties have brought the businessmen into politics to cling on to power. They deprived the real political leaders and workers and nominated the wealthy businessmen to come to politics for their money. Political leaders are responsible for this because the businessmen have been used as their political weapons. Will all of them be set free by the truth commission?

HUSSAIN MUHAMMAD ERSHAD

TRUTH commission has now become a great controversial issue in our national politics. This term originated in South Africa, fathered by Nelson Mandela. Under what circumstances he set up the Truth and Reconciliation Commission may be reviewed.

Later, a few other countries implemented it in different forms. These countries include El Salvador, Chad, Chile, Ghana, Guatemala, Serbia, Sierra Leone, South Korea, Sri Lanka, Uganda, Uruguay, Panama, Peru, Bolivia and Nigeria. It has to be understood that the situation in those countries is not the same as in Bangladesh. Problems existed in those countries for which UN peace-keeping forces had to be deployed in most of those countries. Truth commission was not constituted to protect the corrupt people.

South Africa is a country of Christian majority. In their daily life

and even in state administration, the Christian religion plays an important role. In addition, they have the colour problem. Black leader Nelson Mandela was in jail for much of his life. Following continued protests, he was released and became the president of the country through a national election.

Having coming to power, Nelson Mandela formed a Truth and Reconciliation Commission based on the principle and ethics of Christianity. Catholic Christians who so desire go to church on Sunday and confess their sins to the priest, wanting to be forgiven. The priest advises them to follow the path of truth, shun acts of sin, and lead a good life. Nelson Mandela was imbued by the principles of religion when he formed the TRC.

Having coming to power, he did not choose to retaliate, and instead forgave the white minority who had inhumanly oppressed the blacks. Nelson Mandela proved his greatness as a political leader by forgiving the white minority. He realised that

if the whites were brought to trial for murders and inhuman torture against the blacks, South Africa would descend into a serious riot between the blacks and the whites and peace could not be established.

In order to root out racial conflicts and forge national unity, he decided to forgive the culprits in exchange for an apology by the whites. Nobody was subjected to trial for any criminal act. The blacks also took it in the spirit that if Lord Jesus can forgive sins on admission, why they could not do. This led to the end of apartheid in South Africa and peace was established. The above realisation is totally absent in our country, hence the present state of affairs.

I come back to the issue of the truth commission. Such a situation arose soon after achievement of our independence. General amnesty was declared but the culprits were not required to ask for any forgiveness. That was a blunder for which the country is suffering till now. Bangabandhu declared general

amnesty for the war criminals and the agents of the Pakistani junta and for that they neither had to ask for forgiveness nor face any trial. As a result, they have no repentance.

For that matter, the question of war criminals against liberation is coming up again and again. If Bangabandhu had insisted that the criminals ask for forgiveness and then declared the general amnesty, things would have been different today. Since formation of a truth commission was not done then, why should it be done now?

Moreover, we are not in the same situation as truth commissions set up in other countries. I have many times said that one government or a faction may fail but not the whole nation, a particular group may be corrupt but not the nation, a particular class may take to terrorism but the whole nation does not support it. That the business community after admitting their fault will be absolved of all guilt cannot be an acceptable proposition. That some will suffer in prison for corruption and some will merely ask for forgiveness and go scot-free cannot be a principle of rule of law.

Businessmen who will appear before the truth commission with folded hands and admit their guilt will perhaps be forgiven. Who will be these businessmen who fall in this category to be forgiven? All

politicians are presumed guilty. Some businessmen have turned into politicians and some politicians are engaged in business. How can they be separated to face the truth commission?

Even some terrorists have their businesses. Some terrorists have become commissioners or elected representatives of the people and are doing business. Will they appear before the truth commission, ask for forgiveness, and get away with all their misdeeds? Is it acceptable? Another question may arise to what extent a businessman will be eligible for forgiveness by the truth commission. Some of them may evade taxation, be a smuggler, bank defaulter, illegal user of power and gas, usurper of other's land and property, be a godfather of terrorists, a murderer of his business rival, a hoarder of consumer goods, or an adulterer. Will all these categories be set free by the truth commission?

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truth commission?

Politics, democracy and election system have all been polluted by some wealthy businessmen. Without having any eligibility or political experience they have made their place in politics by strength of their money and have become public representatives. They have lavishly spent their black money in the election and created cadres of miscreants and terrorists. It has made the election a matter of muscle and money. Then these public representatives have been very active in recovering the huge expenditure they incurred in the election. They have used their political power in their personal business.

Of those who have been taken to custody are under trial or convicted since 1/11, the proportion of politician turned businessmen form the majority. Therefore, the political leadership who brought the businessmen to politics has done great harm. The businessmen have elbowed out the genuine politicians by using their strength of money and have also used political power in their business. They have indulged in corruption. They will go free and others will be punished -- there cannot be two standards of law in the same country.

It also will be a violation of the country's constitution which guarantees equal rights to all citizens.

All businessmen are not corrupt. Majority of them want to do honest business. There are some who look for profit-mongering in illegal ways. Formation of a truth commission only for the businessmen is not correct. It is disrespectful when people know that a particular corrupt businessman asked for forgiveness before the truth commission and has been set free. Some claim that formation of the truth commission is right. I feel condition for formation of truth commission does not prevail in Bangladesh. Those who commit any crime can be tried under existing law of the land. If a person has done no wrong but complaints are made against him from some quarter and he faces the commission and walks free: is it honourable for him?

Let me explain my bitter experience. After I handed over power, BNP filed all sorts of cases against me. I have recently been acquitted of all charges in the "gold smuggling" case. The charges were that I was involved in gold smuggling at Dhaka Airport when I was the president of the country. Trial was held and the accused persons were punished. Then BNP made me an accused by a supplementary charge sheet. The investigation officer told the court that I had no involvement in that case. The IO informed the court that he gave the supplement-

tary charge sheet under pressure to save his job. I got unconditional release. But I was harassed in the case for more than a decade and I had to appear before the court for innumerable times.

Who will make good my personal sufferings? After each trial date the newspaper head lines said: "Ershad gold smuggling case continues for date shifted." How embarrassing and dishonourable it was for me! The world was astonished that Bangladesh is a country where the president is involved in smuggling. Involvement of the president of a country in smuggling -- is it honourable for any nation? The post of the president has been undermined. It is disgraceful that the president of an independent country can himself be a smuggler. What has been the impression for the outside world?

If all are given the opportunity to appear before the truth commission and some people desiring to avoid harassment want to be forgiven -- it will be a disgrace for the innocent. Hence, I strongly feel that formation of a truth commission is impractical, unnecessarily controversial, and, above all, unconstitutional. Rather, the country needs a free judiciary, quick trial, and justice without harassment or victimisation.

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Eyes wide shut

REAZ AHMAD

AS people got addicted to drugs and various narcotic substances, gradually they lose control over their conscious, their own life. Soon enough they surrender their natural wisdom to the whims of addictions. They rip up their family economy to meet up their ever-rising narcotic budget. What begins as an escape from personal torment ends up as a family trauma, a social burden.

No matter how much angst and despair the cases of addicts bring for their family and society as a whole, there are elements in our society who are making their fortunes out of a brisk narcotic trade. They are importing phensidyl from across the border, bottling and maintaining the supply chain, making sure those are made available at designated marketing points in Dhaka as well as in every nook and cranny in the countryside.

Over the years it has been reported in the media how phensidyl, illegally manufactured in India, has gripped Bangladesh's narcotic bazaar and is spoiling the lives of many otherwise bright young people. It's not following the general rule of economics --

it's not a demand-driven supply; rather, the drug cartels supply the phensidyl and create the demand -- and more youths (mentally and socially disturbed for various grievances) are dragged into addiction.

But no longer can we afford keeping our eyes wide shut. It may cost us a generation. That would be too high a price for Bangladesh, a young country passing through a trying time for nation building. If a brilliant piece of news reporting put on the air just recently by a private television is anything to go by, we must say: it is high time the administration takes a tough task in hand to curtail the phensidyl cartel.

Media report says that phensidyl bottles are being smuggled into Bangladesh through Akhaura border in their thousands each day and being channelled to all selling points across the country. On camera, the TV reporter quoted a Bangladesh border force officer as alleging its Indian counterpart BSF of patronising the cartel members in Tripura in getting their illegal consignments of phensidyl through to Bangladesh. People in the bordering township of Akhaura lamented how the small-time traders across the border had built luxurious

houses in Agaortola and other Tripura neighbourhoods and made crores of rupees just by bringing tons of phensidyl into Bangladesh.

Over the past years, administration did take some serious efforts in spotting a few phensidyl selling points and unearthing clandestine phensidyl stockpiles. It literally dug down beneath the surface to discover and destroy a huge cache of phensidyl in the city's then notorious TT Para area. Now also we see occasional reports in newspapers of seizing a few hundred bottles of phensidyl and nabbing of a few miscreant traders here and there. But, it is not enough.

Time has come for taking up the whole issue of burgeoning illegal narcotic trade in general and the phensidyl menace in particular in a far more serious way. Steps need to be taken -- not at the level of inland supply-route and selling points -- rather, at the entry-level -- the border points. If things are better controlled at its source, there is no reason why the deadly drug should be available all over Bangladesh.

Just the other day newspapers had wide coverage of how law enforcers succeeded in nabbing a yaba gang

that used to maraud city points riding in BMWs and Porsches to hook youths as young as O-level students to sell their deadly yaba tablets. One of the gangsters was caught years before, too, but things did not improve much as far as the fight against yaba is concerned. Because, the main supply line -- Teknaf border with Myanmar -- still remains outside the dragnet.

If the administration wishes to win the fight against the burgeoning drugnet, its high time it expand the dragnet up to Teknaf (for yaba) and Akhaura (for phensidyl). We are no critic of Bangladesh's para-military border force BDR's value-addition job of selling our daily life essentials at fair prices through designated outlets across the country, but would like to see them also accomplishing the job of securing the nation's borders from illegal entries of narcotic substances.

While people of lower-income bracket, already paying through the nose for almost every essential item, heaved a sigh of relief after finding groceries at relatively lower prices at alternate BDR outlets, they do also expect the authorities to get rid of the phensidyl and yaba menaces as well.

It is high time the administration provides a policy directive and other logistic supports to the BDR jawans -- our border sentinel -- to halt all sorts of illegal entry of products, specially phensidyl, into our territory from the Indian side. Otherwise, a future generation will be at risk of a narcotised deep sleep, like the one opium-addiction had caused to Chinese population not so very long ago.

The "no-entry" drive against phensidyl and yaba at the border points has to be imbued with a spirit of nationalistic zeal. The message has to be made clear to the rank and file of BDR that Bangladeshis youths' parents' pockets should not be ripped open to make some dishonest drug cartel cohorts across the border millionaires.

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STRYKER MCGUIRE

WHERE'S Tony? The search for former British prime minister Tony Blair hasn't been enshrined in a children's book or computer game yet, but don't rule it out. Seldom has a world-class politician seemed to disappear so swiftly and without a trace.

Since he resigned from office in June after 10 glittering and controversial years in power, the leader once hailed as one of Britain's most influential postwar prime ministers has become a non-person.

"Tony who?" was the headline over a recent column in The Guardian by Simon Hoggart, who compared Blair's fate to that of a disgraced Politburo member airbrushed out of a May Day parade photo by the Kremlin in Soviet times. "Now," Hoggart wrote, "Mr. Blair is either in Mexico with an ice pick through his skull, or worse, trying to bring peace to the Middle East."

The correct answer is the latter (as a special international envoy on behalf of the United Nations, the European Union, the United States and Russia). But don't let the Blair jokes fool you. It's true that at the Conservatives' annual conference last week the words "heir to Blair" no longer passed the lips of those who once upon a time hopefully compared their young, dynamic leader, David Cameron, to the ex prime minister.

It's true, too, that Blair seemed to have been erased from the memory banks of Labour delegates at their conference the week before; Brown made a single, fleeting reference to you-know-who in his big speech. Nonetheless, the idea that Blair has been consigned to the dustbin of history is misleading. Whisper it: Blair is dead, but Blairism -- the political ideology with which he ruled his party and his country -- lives on.

Indeed, Blair's politics live on

most vividly in Brown himself. It's uncanny the way the new prime minister has both killed Blair and shamelessly assumed his mantle. He's amassed impressive popular support as the anti-Blair with a serious, non-flashy style that sets him apart from Blair, whose presidential pizzazz came to be deplored as spin by an electorate that turned angry after the invasion of Iraq. And yet, like Blair before him, he's continued to develop hard-line policies on such issues as immigration and crime. He's proposed locking up for five years anybody in illegal possession of a gun, for example.

Such measures help to tighten Labour's hold on the political center ground that was so key to the party's Blair-led landslide in 1997. "It's very clear that [Brown is] determined to continue being a New Labour politician," says Blair's erstwhile ideologist-in-chief, the sociologist Anthony Giddens, former director of the London School of Economics. "You've got to grasp the centre ground, and his strategy is to squeeze the Tories out toward the edges."

This should not come as a surprise, even to those who suspect Brown is a closet socialist. Brown and Blair, despite the Cain-and-Abel-like rivalry that damned their personal relationship, were co-architects of New Labour. If on the one hand Brown sometimes seems more egalitarian in his policies than Blair, he has, on the other hand, pushed a tougher, more populist agenda, using nativist-sounding language ("British jobs for British people") that Blair in his later days would not have gotten away with.

Blair's role in the Iraq War cost him the support of large chunks of his party, making it harder for him to drive through controversial policies. Brown, however, still basks in the honeymoon of his



leadership, granting him a de facto mandate to do what would otherwise be politically risky. Even on the war in Iraq -- Blair's undoing -- there is less difference between the former and current prime ministers than meets the eye. When Brown last week announced withdrawals that would reduce the British presence in Iraq to 4,500 troops by the end of the year, the move was warmly received -- but Blair was on course to do the same thing had he remained in office.

If Blair seems to have vanished, it's partly because Britons weary of a war they see as a failure were hugely relieved to see him go. But it's also because so many politicians have converged on the Blairite center ground that Blair is simply

crowded out. In the political mainstream, the lunge to the center is universal. Blair once embraced Margaret Thatcher's market reforms to move his party rightward. Ditto Brown, who recently invited to tea the very same Iron Lady he once derided for her "far-right, far-fetched, far-out dogma." The same goes for Cameron, who seeks to prod his party to the left by embracing a green agenda. Among electable politicians these days, it sometimes seems everybody is everybody else's heir, and some of the credit for that must go to one Anthony Charles Lynton Blair, wherever he may be.

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Good governance: Does it or did it ever exist in Bangladesh?

AMINUDDIN CHOWDHURY

THE definition of good governance is simple. Government measures aimed at smoothly and effectively managing the state machinery, including its ability to eradicate crimes and corruption, the establishing of order and discipline in all spheres of public and private life to ensure security of life and property of all citizens, the guarantee of freedom of expression and unfettered movement of people for rightful purposes, the dispensation of justice without fear or favour, and establishing rule of law are the essential constituents of good governance.

But whether it ever did, or does, exist in Bangladesh now is a big question that hovers in the mind of all the people whom the national government is supposed to serve. If we speak about the objective functions of local government,

performance is despairingly sad. Not to speak of electricity, water and others, the government has been a failure in city administration itself. In the fifties, it was inconceivable that we would be able to ride a bicycle without a light at night. So was the case with all rickshaws and van carts, etc.

But with the emergence of Bangladesh as an independent country, this light-system in the above modes of transport withered away for reasons unknown. All the non-mechanised vehicles which ply on the city streets at night now are without lights, causing hazard to themselves, pedestrians, and other commuters. The traffic-policemen often raise their hands during a green signal to stop vehicles and allow others during a red signal, adding to the chaos and traffic jam. There is no one, neither the Dhaka City Corporation (DCC) nor the Dhaka Metropolitan Police (DMP) to take care of these issues.

We must let electronic signals guide the vehicles on the roads, and must insist that all vehicles have lights at night.

Again, on another issue, it is the primary task of the city corporation to keep the city clean and save the environment from pollution. But performance in this regard is zero. Rubbish and litter are found scattered or dumped here and there on the road-side, spreading bad odour which the poor pedestrians and others are forced to inhale.

Does the honourable mayor even venture out to see the condition of his vast city, the condition of sanitation and the environmental situation? Frequent visits by him or his officers might cure these ills to a large extent. Every year during the monsoon, water-logging on the city streets causes untold hardship to city dwellers. Plans to control water-logging by modernising the drainage system are taken up, and a lot of money is spent on this head

every year, but hardly with any result. It seems that solving the water-logging problem is beyond the powers of the Bangladesh government. In fact, lack of will, wisdom, and determination of the government are responsible for such failures in city administration. The DCC, so to say, is ill-governed.

Almost half a century ago, when the percentage of literacy in Pakistan was hardly 35%, the law minister, Mr. A. K. Brohi, declared: "Democracy without education is hypocrisy without limitation." This, of course, is not the whole truth, particularly in respect of Bangladesh. The literacy rate in Bangladesh, although not double that of the nineteen-fifties, is certainly significantly higher. But the quality of governance in Bangladesh has deteriorated, not improved. Governance in those days was rather better than it is now.

Political leadership today in

most cases is more crooked and corrupt than it was then. What is more deplorable is that one political party is intolerant of another in present-day democracy in Bangladesh. For that example, during the reign of BNP-Jamaat coalition from October 2001, we saw one fine morning that the criminal cases against the then home minister, which were initiated during the preceding Awami League rule for illegal use of government aircraft for his personal purposes (the records are there in the logbooks of the aircraft concerned), were withdrawn by the government before trial of the same could take place.

The Awami League government also did the same thing when they were in power earlier, and had withdrawn all cases against their leaders brought by previous BNP government. This is a violation of the rule of law. It generates hatred and animosity among political

parties and people. Criminal cases once started against political leaders should have a fair trial as nobody is above the law. Rampant institution of cases against political foes during one regime and their withdrawal during another is a very dirty interference in the process of law. This should go.

In British times, or even in the early days of the Pakistan regime, corrupt practices by a minister, not to speak of the prime minister or the president, was generally unheard of. But in Bangladesh, corruption of not only a minister but also of PM or the president is an important topic around almost everybody's breakfast table, and the top subject of discussion of the citizens in places of public gathering or in the hotels and restaurants in all towns, cities and even remote villages.

Of course, we have not heard of corrupt practices by any president of Bangladesh except, allegedly,

President H.M. Ershad. Corruption in Bangladesh reached its zenith during his rule. Successor governments also followed suit. This is a shame for us as a sovereign nation.

The caretaker government has already done a good job in restraining to a large extent the demon of corruption, and restoring law and order in the society. In the process, opposition leader Sheikh Hasina was arrested, and has been detained in sub-jail since July 16 on charges of extortion of money, alleged to have happened 8 years back, instituted by police on complaints from two private individuals.

The bailable offence has been made non-bailable by invoking the Emergency Power Rules. The aforesaid two individuals reportedly gave money to Sheikh Hasina. If it indeed is so, in the eyes of the law, they are also guilty and punishable. But they are yet untouched.

Begum Khaleida Zia, the chief of the BNP-Jamaat coalition that

masterminded the ruin of the national economy by engaging in colossal corruption, looting, and other misdeeds during 2001-2006, was arrested on September 3 and sent to jail for corruption. Now, let the law take its own course, unhindered by the government.

What is more perplexing to note is the emergence of Firdaus Qureshi in the political arena during the period of emergency. The ban on politics did not apparently apply to him. He held indoor meetings, floated a new political party, and held motorcycle processions here and there without any hindrance.

We are optimistic that the caretaker government will rise above all parochial considerations and steer the ship of the state without looking back, right or left, and usher in an era of good governance very soon in Bangladesh.

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