

Martyred Intellectuals' Day

They died, for us to live in freedom and dignity

THE nation observes Martyred Intellectuals' Day today even as it stands at a crossroads of history. For the people of Bangladesh, no sacrifice can be greater in dimension and more profound in substance than the dignified manner in which some of our best men and women were huddled to their death on the eve of the liberation of the country in December 1971. Indeed, the three million Bengalis who died at the hands of the Pakistan occupation army and its local collaborators in the nine months of a do or die war of liberation have left behind an uplifting message for those of us who survived, and for our children and their children: that freedom which comes at a huge price is freedom that needs constant sustenance and succour for it to continue playing its due role in the welfare of those who mean to benefit from it.

The brilliant men and women who were picked up by gangs of al-Badr and al-Shams, all willing murder squads in the service of the occupation forces, were individuals who, had they lived, made invaluable contributions to the cause of a sovereign Bangladesh. It was precisely such possibilities that the murderers sought to forestall through picking them up and then picking them off in cowardly manner. The aim of the killers was simple and chilling: they were out on a mission to maim Bangladesh intellectually at the very moment of its birth as a free country. But what these collaborators of the Pakistan occupation forces missed out was a crucial lesson from history, which is that a nation can only emerge reinforced through the valour and sacrifices of its patriotic souls. This morning, it is just such a reinforcement of freedom and the principles underpinning it that we recall and mean to uphold.

And yet we have arrived at a point where the old enemies of freedom and their new adherents have with audacity questioned our historic achievements as a nation. Our response to such brazen assaults on our political traditions has been swift and natural. We believe, together with the rest of the nation, that the time has come for the government to have the process of a trial of the old war criminals get underway. It is absolutely necessary that the dark elements, which have of late questioned the spirit of the war of liberation and have thereby insulted the millions who have sacrificed their lives in the cause of the country, be put through the law and dealt with in terms of justice.

And only when that task is accomplished will we be keeping faith with our martyred intellectuals, with all the millions who died in 1971 so that the rest of us could live in freedom and dignity.

Ringing indictment on constitutional violation

The lesson should never be lost in future

IN this country where the most obvious, sensible and expected gets overridden by governmental expediency, without a blink of an eye, it is the high judiciary that comes to overturn the aberration as a breath of fresh air. It is in this light that we welcome the High Court verdict declaring 'illegal' the appointment of Justice MA Aziz as Chief Election Commissioner while he was an incumbent justice of the Supreme Court Appellate Division. That nobody could concurrently hold two constitutional posts was never in doubt and that is why controversy stalked Justice MA Aziz from the first day of his assumption of office as CEC bringing down credibility of the EC with it. The pertinent question is he being himself a serving judge with vast experience how could he accept the offer from the government of the day to be the Chief Election Commissioner?

From May 23, 2005 when he assumed charge of CEC to January 21, 2007 when he resigned in the face of mounting political pressure, his two-year stint is blighted by a controversy over preparing a fresh voter list ignoring a High Court directive. He also misspent money on the project. With the en masse appointment of upazila election officers of allegedly partisan credentials he seemed to confirm the public impression of serving the agenda of his benefactor.

Nevertheless, the responsibility lay with the BNP-led four-party alliance government for inducting him as the Chief Election Commissioner knowing the impropriety of allowing a single person to hold two constitutional posts simultaneously. Who advised them to do so? Did they seek legal advice from constitutional experts, or the Attorney General for that matter? They could also refer the matter to Supreme Court for its opinion.

The government was hell-bent on appointing him by way of politicising a statutory body like the EC which undermined not only the EC but also impinged on the freedom and dignity of the judiciary. The message should not be lost on future governments.

Cometh the hour



ZAFAR SOBHAN

STRAIGHT TALK

So this is my plea to the interim government on this December 14: show the nation that that you are on our side. Silence the doubters and the nay-sayers. The time has come. Demonstrate to the people that you are true patriots and that you mean business. Cometh the hour, cometh the man.

ANOTHER year, another December 14. Once again, we mourn the loss of the intellectuals butchered on that day as well as the hundreds of others who were hunted down, tortured, and killed during the course of the nine months long liberation war. And once again, once December 14 is safely behind us, we conveniently forget the martyred intellectuals for another year, and go back to our everyday lives.

December 16 will be no different, though the mood will be more festive and celebratory than somber and solemn. We will all fly Bangladeshi flags and lay wreaths and attend functions and watch television programs extolling the bravery of all those who fought and gave their lives for our freedom.

We will honour their memory and patriotism and pride will stir in our hearts, and then we will return to the actual living reality that is Bangladesh today. The living, breathing reality, which neither honours nor respects our martyrs or our heroes or anyone or anything else that should be precious and sacred to our hearts.

It has been written before, by writers far better than I could ever hope to be, but it bears repeating again and again, that so much we have done and continue to do, from our failure to try the war criminals and collaborators, to their rehabilitation, to permitting them to enter politics, to actually tolerating them in our government -- is an insult to the memory all those who fought and died in 1971.

Enough ink has been spilled and enough tears have been shed over this travesty. Perhaps it is simply time to accept the awful truth about ourselves: that we are a country that doesn't respect our past or honour our history. It is a shame, and I do not want to believe it, but perhaps the time has come to look into the mirror and admit that this is who we are.

Or perhaps it is who we have been for the past thirty-six years. But that doesn't mean it is who we have to be forever. Though if we do not act now, I fear that we will be, and that our failure here will continue to be what defines us and our destinies.

But there are glimmers of hope on the horizon. Of late, at long last, there has been much talk of finally, once and for all,

trying the war criminals and collaborators, to ban anti-liberation elements from politics. The Liberation War sector commanders have united behind this demand, and the people are with them. For whatever reason, no political government ever did what needed to be done, but maybe, just maybe, the current interim government will.

The interim government has had a mixed record in the eleven months it has been in power. It has done some things well, others not so well. It has presided over incredibly difficult times, flood, cyclone, global rice in food prices, global rise in oil prices, and the times are not going to get any better any time soon.

As such, the government needs all the support that it can get.

One of the reasons it has not had as much support as it might have been due to some of the actions it has taken (or not taken), and the consequent perception that it is showing partiality, and, most importantly, that it remains soft on the pseudo-Islamic elements within the polity.

The problem is not simply, for instance, its heavy-handed

treatment of the DU and RU teachers and students, which met with almost universal criticism. That would be bad enough for the government.

But this is compounded by the fact that the government has seemingly given pseudo-Islamic protesters a free pass when they have taken to the streets in violation of the state of emergency. Eminent DU Professor Anisuzzaman was absolutely right when he stated earlier this week: "We have seen the protesters against the daily Prothom Alo. None of them was arrested or convicted."

The current government will continue to have problems. It will continue to face difficult situations which would test any government. It will continue to face opposition from AL and BNP hard-liners. It will continue to face opposition from the left. It will continue to face opposition from civil libertarians and democrats of every shade and stripe, and not all of them will be merely opportunistic shills; honest, conscientious, thoughtful, committed men and women will also oppose them.

The government thus needs all the help it can get. It needs to shore up its support, and, more importantly, it needs to shore up the

its credibility.

The best way, as I have been arguing myself blue in the face for the past 11 months, is to show that it is on the side of the people. Pro-people policies will go a long way to easing public anxiety.

The government should also ease up on civil liberties and understand that to do so will help it, not hurt it. Loosening up on the media and permitting at least some level of political activity will actually do far more good for the government's image than any possible damage it might suffer as a consequence.

But another important thing for this government to do, which is past overdue, would be to demonstrate boldly and forthrightly that it is not a front for reactionary forces. This means not giving the Jamaat a pass when it comes to the anti-corruption crackdown. This means not giving Hizbul Tahrik a pass when it holds street demonstrations in open defiance of the emergency. This means taking a strong stand against war criminals and anti-liberation elements.

When the government refuses to pursue the Jamaat with the vigour that it has gone after the other parties, people begin to wonder.

When the government permits pseudo-Islamics to protest in the streets and threaten violence with impunity, people begin to wonder.

When the government high-handedly dismisses the possibility of action against war criminals, people begin to wonder.

The government does not need to make any more people wonder about it or to doubt its good intentions. Taking concrete measures to bring war criminals to book and to ban them from politics would be a superb way to show to all the doubters that the government is on the side of the people.

With a single stroke, the government has a golden opportunity to renew the people's faith in its good intentions. With a single stroke, by doing something no elected government ever did, the government could fully justify its continued tenure and demonstrate its commitment to the Bangladeshi people.

If this government does it, then the men and women who comprise it will go down in history and will be honoured forevermore. Of everything else they do or do not do, this will be remembered and this will be appreciated by generations of Bangladeshis to come.

And the credibility the government will gain thereby will help it immeasurably in achieving all its other goals. I simply do not understand why it would not take this single step. It is the right thing to do -- and it is the smart thing to do.

So this is my plea to the interim government on this December 14: show the nation that that you are on our side. Silence the doubters and the nay-sayers. The time has come. Demonstrate to the people that you are true patriots and that you mean business. Cometh the hour, cometh the man.

Zafar Sobhan is Assistant Editor, The Daily Star.

The conspiracy of silence



MOHAMMAD BADRUL AHSEN

CROSS TALK

In our case, the alleged war criminals aren't respecting the silence. They appear on television to quip about how many people were killed or raped in 1971 and to undermine the sacrifice of our freedom fighters! They still refuse to confess that they were wrong in 1971. That is the irony of it. We are a proud nation which is bringing back the remains of our martyrs. We are also a clumsy nation which can't get rid of the remains of its traitors.

A freedom fighter went to court to bring sedition charges against three men. His lawyer prepared the brief and the judge accepted the case. Then the law minister threw a cold blanket on the entire thing. He rightly pointed out that all along it was flawed by a procedural mistake.

Sedition by definition is resistance to the legal authority to disturb the peace or disrupt the government. So, the government alone has the locus standi to incriminate its rebellious citizens. Once again, we have let our conviction for the trial of the war criminals of 1971 slide into confusion.

But a citizen can always ask the government to bring sedition charges against another citizen or a group of them. In April, 2006 the Christian Action Network had sent a legal letter to the US Justice Department demanding Al Gore be investigated for sedition charges against the United States. The

former US vice-president had delivered a speech in Saudi Arabia accusing the United States and President George Bush of committing "terrible abuses" against Arabs in America.

The million dollar question is why our governments haven't done anything to try the killers and collaborators of 1971? Even when, the "pro-liberation" party, as Awami League has always claimed itself, ruled the country for five years, it didn't lift a finger to touch any of them. Moral authority works like a license. It expires on the date one doesn't practice what one preaches.

The crux of the problem is what can the citizens do if the government is impervious to their sentiments? In democracy, they can wait until the election to replace it with another government. What happens if government after government does nothing about it? Then it's time to take a

hint. May be what the citizens would like the government to do is veiled under a conspiracy of silence.

History is not exactly rife with such hints, but the example of France comes to mind. The trial of the Vichy traitors, the Frenchmen who had collaborated with the Germans after the occupation of France, still pricks many French minds. Some of those men were brought to trial, but only those who were caught early paid the price. All over the country, women had their heads shaved in shame because of their horizontal collaboration.

One thing never happened. There was not a fundamental indictment of the Vichy regime. Nobody questioned why key institutions had served the Nazi occupiers. Soon the judges and jailers, police and upper classes from the old regime were restored. Some of it was political calculations by the Gaullists to swell their ranks joined by the followers of Marshal Pétain.

What has happened in our case is an obvious obfuscation. Whether it is political exigency or influence of powers that may be, the trial of the war criminals has been always pushed back. If the war criminals are crawling out of their hideouts after all these years to scorn the Liberation War, it's because they have been nourished in

It was decided to be discreet about the wartime history. The schoolbooks taught more about the Battle of Britain or Pearl Harbor than about Pétain, Vichy, and collaboration.

The conspiracy of this silence was countenanced by governments of all political complexions. It went so far that François Mitterrand, who was a member of the Resistance, laid wreath on Pétain's tomb year after year to celebrate the anniversary of Verdun. It was as if a freedom fighter elected president of Bangladesh were to take flowers to the grave of Golam Azam after his death.

What has happened in our case is an obvious obfuscation. Whether it is political exigency or influence of powers that may be, the trial of the war criminals has been always pushed back. If the war criminals are crawling out of their hideouts after all these years to scorn the Liberation War, it's because they have been nourished in

the dark and damp corners of our conscience where the martyrs' blood has been categorically usurped by narrow interests.

That usurpation has taken many forms. The war criminals have been restored to power through political alliance. And we have also deviated from the ideals of freedom. Just think about the audacity of a government minister who named the "Liberation Square" in his constituency after his late father, who was also a minister once. Who proposed it? Who opposed it? The answers are

blowing in the wind, the wind that sways the sign of that name, which is still hanging in its place.

That explains why those three men tried to expound new hypotheses about our freedom fighters and the Liberation War. That also explains why, thirty-six years later, we make procedural mistakes when going after the war criminals. If one of those three men was arguing that what had happened in 1971 were a freedom struggle and a civil war at the same time, it's because he was mixed up in his mind. But that doesn't spare the rest of us. It's the same sandstorm that blinds them which is also blinding us.

How? If they don't recognise the Liberation War, we don't

recognise the civil war. That puts us in the same blind spot where we are still fighting each other. It's amazing to watch how the line between these two kinds of wars has been blurring over the years. The line almost disappeared last October when battles were pitched on the street, when one side was shouting instructions to attack and the other side was ruthlessly beating a man to his death as if they killed a deadly viper.

There is, however, one difference between France and us. Even though a certain segment of the French society isn't happy about it, everyone tries to put it behind them. They have learned to respect the silence, remembering to forget and forgetting to remember.

In our case, the alleged war criminals aren't respecting the silence. They appear on television to quip about how many people were killed or raped in 1971 and to undermine the sacrifice of our freedom fighters. They still refuse to confess that they were wrong in 1971.

That is the irony of it. We are a proud nation which is bringing back the remains of our martyrs. We are also a clumsy nation which can't get rid of the remains of its traitors.

Mohammad Badrul Ahsan is a banker.

A tribute to Bir Shrestho Munshi Abdur Rauf

At this time, beyond the call of duty, to the peril of his life, Sepoy Munshi Abdur Rauf, who was operating a light machine gun, volunteered to stay. Fully knowing that he would not be able to withdraw, he provided covering fire while Khalikuzzaman could withdraw our troops from the precarious situation. He continued to fire on the approaching enemy and kept them from getting a foothold on our position till such time that he received a direct hit of a mortar shell.

LT. GEN. (RETD) MIR SHAWKAT ALI, BU

KEEPING Enemy options in mind, I asked Capt. Aftab Qader to put more stress of his defences on the khal. Qader agreed with me and said that he would do so, first thing in the morning. I asked Khalikuzzaman to coordinate with Qader to ensure blocking of the river totally. Thirdly, I was completely ignorant regarding the vast areas across the river on to the dakhngal.

The night wore on. Save for the howling of some animals, it was all quiet throughout the night. On the morning of April 17, I was awakened by a soldier who informed me of the sound of gun shots coming from the

direction of Rangamati. I quickly got up and stood on the bank of the river from where I would be able to hear more clearly.

Soon it was obvious that a battle was raging on either in Khalikuzzaman's or Qader's position near the river. A little later, I was informed that a launch with around 20 enemy soldiers had approached Mafuz's position who was also on the far side of the river. As soon as they were within range, our troops had opened fire to draw fire from our position to confirm our disposition. Cleverly there was no reaction from our troops till the launch was almost on our defences. At that point our troops had opened up with rifles and light machine guns. The enemy quickly turned away and disembarked at a little distance on the far side. They had 3-inch mortars with them and they started shelling on Khalikuzzaman's position, basing on their assumptions from the previous skirmishes. After the shell-

ing, they started advancing in major strength towards our position. Along with the mortar shelling, they employed machine guns and intense small arms fire on our position. It became very difficult for our troops to hold on to their defences. However, it was also not possible to withdraw from the position unless the position was denied to the enemy for long enough to get time to cross through water-logged area for the next position.

At this time, beyond the call of duty, to the peril of his life, Sepoy Munshi Abdur Rauf, who was operating a light machine gun, volunteered to stay. Fully knowing that he would not be able to withdraw, he provided covering fire while Khalikuzzaman could withdraw our troops from the precarious situation. Thus while our troops could withdraw safely, Munshia had to sacrifice his life for his motherland.

He continued to fire on the approaching enemy and kept them from getting a foothold on our position till such time that he received a direct hit of a mortar shell. However

this time the enemy succeeded in neutralising their objective with some casualties on both sides. But Munshi's self sacrifice for his comrades allowed us to hold onto Mahalchari for some more time and kill more enemy. I wrote the citation of Munshi's bravery and sent it to General Osmany. After liberation, Sepoy Munshi Abdur Rauf was awarded the highest gallantry award "Bir Shrestho" posthumously for his act of bravery above and beyond the call of duty, which saved the lives of his comrades and consequently demoralised the enemy by his example of courage and patriotism.

On April 20, M