

## At last, justice has been done

*It is an opportunity to reassert our values*

**N**EARLY thirty-five years after the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman, and his family, save the PM and her sister, were gunned down, thereby pushing the nation to an extremity of uncertainty, justice has been done to five of the men behind the monstrous deed. The execution of these men, brought about after a lengthy process of trial lasting as many as thirteen years, ought not to be a reason for a feeling of retribution to arise in anyone. It was for the great nation, simply and very logically, a return to the great idea that rule of law matters, that justice is all, that anyone who commits a crime should not expect to get away with it. Indeed, now that the legal process has ensured a restoration of the principle of justice, it is time for all citizens, irrespective of political belief or party affiliation, to reflect on the dark shadows that for long impeded our march to a better and an egalitarian future.

The carrying out of the judicial judgement against the convicted killers of Bangabandhu has at long last lifted a huge moral burden from our shoulders. That we have waited this long for the rule of law to assert itself, that for more than two decades the assassins were protected by an infamous Indemnity Ordinance, that their trial, once it had begun, was subsequently suspended for a good number of years are matters that should give us pause. Beyond that, these thoughts should lead to others -- that never again must such gross injustice descend on our lives, that never again should conspiracy and its purveyors find it possible to overturn the constitutional scheme of things and push the country into the region of darkness. There can be no question that the assassinations of 1975 drilled huge holes in our politics and were instrumental in forcing the country away from the ideals and principles that led it to the War of Liberation in 1971. These assassinations and the subsequent reluctance of successive governments to bring their perpetrators to book systematically undermined our social and political values. The inability or the reluctance to prosecute Bangabandhu's killers led to a devaluation of politics and a conscious stripping away of the historical truths on which we based our nationhood all through the course of our struggle for freedom.

Truth and justice have finally prevailed. And yet we cannot forget that six other assassins of the Father of the Nation need to be tracked down and made to face the process of justice. We expect the authorities to expend their energies on bringing those fugitives home through purposeful linking up with the governments of the countries where they have been hiding.

The execution of Bangabandhu's killers offers Bangladesh's citizens a chance to proclaim to the world that they have finally redeemed themselves, that henceforth no one in this land can flout the law and civilised behaviour with impunity. It is an opportunity for all citizens to ensure that no sinister forces in future will again rise to put our democracy at risk through assassination and through an extra-constitutional overthrow of elected government.

## Earthquake preparedness strategy

*We are yet to evolve one*

**I**F the occurrence of tsunami or earthquake in littoral states of the Indian ocean or the Pacific rim jolted us into looking inward for assessing our vulnerability to seismic disasters then it has only been reinforced by the catastrophe in Haiti. Nearer home, we have had our own minor versions. But through it all what comes to fresh light is the formation of high-powered Inter-ministerial Earthquake Preparedness and Awareness Committee following a High Court order of July 27, 2009.

That geologically and historically Bangladesh is known to be earthquake-prone is an accepted fact. Only that while we have been aware of the dangers all the time, our preparedness, even in rudimentary terms, for minimising severe quake effects has not graduated out of the talking phase. Potently, what up-scales our vulnerability is a whole range of manmade and demographic factors such as unplanned urbanisation, thickening density of population leaving scarcely any open space and, above all, fragile constructions that are largely non-compliant with standard building codes.

Hair-raising predictions of losses in terms of property, housing, livelihood and human life continue being made by experts in the event of seismic disaster of 7 on the Richter scale with epicentre at Madhupur faultline, about 65 kilometers away from Dhaka.

In this context, the decision of the inter-ministerial earthquake preparedness and awareness committee led by disaster preparedness ministry to check on the sustainability of buildings capable of withstanding a major earthquake is welcome. But it should be a time-bound survey meaning business with a clear term of reference including determination of sustainability on a scale of 10, establishing cut-off safety-point and setting numbers to buildings that are repairable and that which need to be thoroughly overhauled.

After the survey, comes the question of supervised operations to strengthen the buildings or redoing them with technological improvisations where possible.

That done, the expert insistence on procuring search and rescue equipment will have to be fully acted upon. We believe only a tiny step has been taken by the ministry concerned to import trucks, concrete cutters, cranes, cameras worth Tk 69 crore. Whilst these have been handed over to the Fire Service and Civil Defence Directorate and the Armed Forces Division, the requirement of these nodal agencies will have to be fully assessed and catered for.

Two more imperatives are: civil defence training at the public level and keeping in readiness volunteer groups. To our understanding, institutional preparations are key towards mitigating effects of any severe earthquake. Furthermore, the Haiti disaster is an eye opener to the fact that we will be better off having a home-grown earthquake preparedness strategy.

## Light of day

This is a day of reaffirmation. Today we reaffirm our belief in justice and the rule of law, and we reaffirm the debt of gratitude this nation owes the man without whom we would still be a province of Pakistan.

ZAFAR SOBHAN

**O**UR long national nightmare is finally over. Not entirely over, of course: there are still six killers absconding beyond the reach of the law, and there remain, and perhaps always will remain, unanswered questions about that dark night in Bangladeshi history and its aftermath.

But with the execution of five of the condemned killers of the man who led the nation to independence and was our first president, a bloody and tragic chapter in our nation's history has come to a close.

The execution of the verdict has reaffirmed the rule of law in a country where impunity has too often protected the powerful and shielded them from justice.

But more than the injustice, which has cast a cloud over the country since the Indemnity Ordinance was passed into law by Khandaker Mushtaque Ahmed and enshrined in the constitution by Lt Gen Ziaur Rahman, the impunity enjoyed by the killers told the Bangladeshi people two things.

The first was that those who were behind the killings remained close to power and enjoyed the de facto protection of the state. It was a constant grim reminder for those who felt that the country had taken a decisive and debilitating step backwards with the killings of August 15, 1975 that the beliefs and ideologies and powers behind the assassination remained in the ascendant.

Now, for the first time, since 1975, we can feel that the country is truly back on the right track. Now we can look to the future with confidence, secure in the knowledge that some of the country's demons will forever remain in the past and that we need not fear their resurgence again. If the killers can be bought to justice, this means that the pendulum



The execution of the verdict has reaffirmed the rule of law in a country where impunity has too often protected the powerful.

might just finally be swinging back the right way.

The second thing that the killers' impunity told the nation was that nothing was as it seemed and that we lived in a country where real power was wielded by those in the shadows. Where even the country's founding president and independence leader could be brutally massacred together with his family without consequences or accountability. Small wonder that a sense of powerlessness and hopelessness was part of our resulting national inheritance.

I don't know if we have ever really

examined the corrosive impact this phenomenon has had on our society. Like the failure to hold war crimes trials, these missteps have warped and disfigured our national consciousness. The psychological damage has been massive, the burden crippling.

For the younger generations, espe-

debt of gratitude this nation owes the man without whom we would still be a province of Pakistan.

No nation can survive without its heroes. It has been one of the shameful inheritances of the past 35 years that we have built a nation that does not honour its heroes. No nation that does not hon-

cially, the execution of the verdict has had the principal benefit of allowing us to begin to close this divisive chapter in our history and turn our faces to the future. As long as we continued to fight the battles of yesterday and as long as these battles remain unresolved and were left to fester, how could we ever move forward as a nation.

This isn't a day of celebration. But as a nation we can take satisfaction in the fact that today we have seen justice done. This is a day of reaffirmation. Today we reaffirm our belief in justice and the rule of law, and we reaffirm the

our its greatest can hope to take its place as a proud and self-respecting nation in the world community.

Bangabandhu Sheikh Mujibur Rahman was the indispensable man of Bangladeshi history, the man without whom we would not be independent and without whose leadership we could not have forged a nation. He deserves his due in our history and an integral part of that process is bringing his killers to justice.

Zafar Sobhan is Editor, Editorial & Op-Ed, The Daily Star.

## The people behind the plot

In that case, the conspiracy to kill Sheikh Mujib was organised in a theater-style setting. Those who fired the guns sat at the front. Behind them were those who approved of it and collaborated.

MOHAMMAD BADRUL AHSAN

**B**ACK in 2003, the History Channel in the United States aired a 9-part documentary titled *The Men Who Killed Kennedy*. When the documentary directly implicated former U.S. President Lyndon B. Johnson in its last episode, it stirred an outcry in the political circuit. The Channel apologised to its viewers and to Mrs. Johnson and her family for airing the show. The moral of the story is that conspiracy theories are like a minefield. Even the most cautious step can land on a pressure plate, exploding in outrage.

Although no such explosion has happened yet, a former general is being prodded for his role as the army chief when Sheikh Mujibur Rahman was killed thirty-four years ago. Fingers are being pointed at him for his mysterious inaction even after he knew that the life of his commander-in-chief was under mortal threat. What the general has said in his defense so far failed to clear the smoke.

That, however, doesn't mean the general is guilty as accused. Some people lie through their teeth; others can't tell

truth with a straight face. A retired army heavyweight recently defended the general when he claimed that the failure wasn't the general's alone; all of us were to blame for it. It resonates the title of Arundhati Roy's article published in 2005 in *Outlook Magazine*: "Who Pulled The Trigger...Didn't We All?"

In that case, the conspiracy to kill Sheikh Mujib was organised in a theater-style setting. Those who fired the guns sat at the front. Behind them were those who approved of it and collaborated. How could Shafayat Jamil stay in bed when the tanks rolled behind his house in Dhaka Cantonment! Colonel Faruq, who commandeered those tanks, was a nephew of Brigadier Khaled Musharraf!

Now we hear that others sat in the rear stall. They neither had a hand in the killing, nor did they do anything to stop it. Then comes the balcony where sat the people. They were the quiet observers, who didn't feel empowered to do anything.

Between committing, collaborating, compromising and condoning, the motif of the killing comes in four different varieties: retribution, ambition, convenience and indifference. Some of the

killers wanted revenge. There were masterminds who harboured ambition. All others condoned and stayed indifferent.

The general, of course, falls under collaboration and convenience. He proved it again and again through his concern for safety and penchant for comfort. The contrast is Colonel Jamil, military secretary to the president, who was pulled by his *semper fidelis*, which means "always faithful." When the president told him on the phone that his house was under attack, he went alone and died in the line of duty.

What did our man the general do when he got the news? Late Lieutenant Colonel M.A. Hamid, who was the station commander in Dhaka Cantonment, gives an account of that crucial moment in his memoirs published in 1993. DGDFI Brigadier Rauf briefed the general on the situation between 2:00 and 3:00am. The general's first reflex was to rush with his family and take cover under a mango tree behind his residence.

Hamid vows he never had reason to believe that the general played any role in the plot to kill Mujib. But he was confused as to why the general didn't take action when he knew hours in advance that his president was in danger. Shafayat Jamil's 46 Brigade was located only 500 yards from the general's residence. Hamid wonders why the general didn't bother to go there and mobilise troops.

By now it's a foregone conclusion. On August 15, 1975, the general wasn't a hero. He worried more about his own safety than anything else. Then he left the country and worked under the killers because, as he said in an interview, he had no choice. Choices don't make a hero. A hero makes his own choice.

A piece of advice to the general. He should stop digging when he is already in a hole. The more he tries to defend his position, the more poignant becomes his failure. He may not have conspired to kill his boss, but he didn't fight to save him either. Yes, that could be considered a dereliction of duty. Not an honourable thing at all.

Khaled Musharraf lay dead in front of the CMH morgue and soldiers spit on his body. Khondoker Mushtaq died in bed, but his remains a hated name. Ziaur Rahman was killed in a coup, his memory racked by controversy. Lucky for the general, he still lives to tell the tale.

And, he must tell exactly what he should have told in his defense if Mujib were to survive that day. Time has changed, but Mujib still lives in the hearts of millions. For the general's information, if leader is convinced, it will convince them.

Mohammad Badrul Ahsan is a columnist for The Daily Star. Email: badrul151@yahoo.com.

This piece was first printed in The Daily Star, September 4, 2009.

## Who killed Bangabandhu?

The usual response to the question that we have gotten used to hearing is the assassination was carried out by a group of misguided army officers. But the answer is not quite as simple.

SHAHEDUL ANAM KHAN

**T**HE usual response to the question that we have gotten used to hearing is the assassination was carried out by a group of misguided army officers. But the answer is not quite as simple.

We have a very canny knack to explain away such acts as being the work of wayward groups, as being a spontaneous outburst of some pent-up grudge. We have done it for August 15, 1975 and very recently tried to characterise the BDR killings in the same vein. But the fact that the president was alerted several months before August 15 by more than one country, if not our intelligence agencies, negates the claim that the plan was spontaneous and nobody had any wind of it.

The question that is being asked of those at the helm of affairs in the army at that time, of whom, regrettably only the

CAS is alive, is whether the killings could have been anticipated and whether or not the alleged inaction to prevent August 15 amounts to being complicit in the matter.

It seems that the suddenness of the violence caused the AHQ to suffer a shock that infused total inertia in the leadership, and which in turn allowed a handful of army officers to perpetrate the most heinous act the country has ever witnessed, without any resistance whatsoever, either before or after the tragic incident.

Although the timing may not be right, but can we fault anyone, particularly one that has suffered personal loss in that tragic incident, for demanding to know why a handful of army officers and men went unchallenged, what actually went wrong and why, and that too when the mutineers' tanks were without the main gun ammunition? One realises that revisiting the issue might expose many bitter truths. But we should be able to face it.

While for now within the space available we will address only the issue of "who" in Bangabandhu's killing, perhaps an equally important question, and one that our historians will have to address is "why" he was killed.

Was it his supreme self confidence that no Bengali would ever do what the Pakistanis did not dare, or was it his too nationalistic an attitude that caused him to meet the same fate as Allende's? Or may be his internal policies and political philosophy that did not meet with the approval of some; or was it an attempt to reverse the result of the Liberation War? These will require dispassionate study.

The then CAS has been put in the dock for his failure to get pre-warning of the impending action of the mutineers and to put down the mutiny with the forces available to him. On the contrary, the mutiny passed off as a "successful revolution" and all the rest that followed is in front of us. It is a matter of conjecture as to what might have happened if the mutineers were resisted, but they were not.

It is a fact that the mere shock caused by the tragic event had pulverised the military leadership, but are we not trained to

absorb shocks and keep our wits about us? Then again, does inaction mean complicity in the matter? In hindsight perhaps we can come out with many theories. But on ground the reality was that appropriate orders from the AHQ did not issue on time nor did the units respond to command timely. There was a wait and see attitude, which might have given the impression that there was acquiescence to what had happened? It is true also that some in the chain of command wanted to put down the rebellion and restore command in the army, but failed to do so for whatever reason.

The long and short of it is that the army failed to respond, due to failure of the channel of command, when the country's president, along with his family, was being killed by some of its errant members. This is a collective guilt we must shoulder and which cannot be washed away. And it is futile to hide behind any excuse whatsoever. So, to the question that who killed Bangabandhu, the answer is simple and bitter -- we all did.

Brig Gen Shahedul Anam Khan ndc, psc, (Retd) is Editor, Defence & Strategic Affairs, The Daily Star.

This piece was first printed in The Daily Star, September 3, 2009.