

Apex court shows the way

M. ABDUL LATIF MONDAL

WHILE speaking as chief guest at a book launching ceremony at the Institute of Judicial Administration and Training in the capital on January 15, Chief Justice A.B.M. Khairul Haque said that a five-member committee comprised of senior judges of the High Court had been formed to identify corrupt people in the judiciary on the basis of the graft report of Transparency International Bangladesh (TIB).

The general people, who were not very comfortable with the Supreme Court's (SC) asking for the detailed papers on the TIB's survey on service sector corruption as well as with the "invitation" extended by the SC to the TIB's top management at the former's premises to seek clarification on the survey report, now feel happy to see that the TIB report and the clarification given by its top management could satisfy the CJ and his colleagues, and that the CJ has initiated steps to go after those who are involved in corruption and corrupt practices in the judiciary.

It may be mentioned that in order to ascertain the nature and rate of corruption at different government and non-government service institutions and sectors through the experience of households as well as to make appropriate recommendations for the prevention and control of corruption

and corrupt practices, TIB conducted a survey on 6,000 households (3,480 in rural areas and 2,520 in urban areas) between June 2009 and May 2010.

The positive approach of the judiciary towards the TIB report is a departure from the stance that has been taken by the executive branch.

The findings of the survey, titled "Service Sector Corruption: National Household Survey 2010," covering 13 service sectors, were released on December 23, 2010. The survey revealed that among the surveyed sectors, the judiciary was the most corrupt followed by law enforcement agencies, land administration, taxes and customs, electricity, agriculture, local governments, health, banking, education, NGOs and others.

The CJ's statement regarding formation of the judges' committee to identify corrupt people in the judiciary has been welcomed by the people and the media. The



ings as "untrue and misleading." State minister for Law, Qamrul Islam, has gone to the extent of terming the TIB report as "a ploy to indirectly hinder the trial of war criminals." High-ups in the police that occupied the second position in the corruption list have questioned the credibility of the TIB report and found "a motive" behind the report, although they did not explain what the "motive" was.

We have seen such attitude of the government in the past also. When Bangladesh was ranked as the most corrupt country in the world by the Berlin-based Transparency International (TI) for five consecutive years starting from 2001, the government, instead of taking necessary steps for combating corruption, rejected the TI reports almost every time questioning the appropriateness of the methodology of survey.

When Bangladesh was for the first time ranked as the most corrupt country in the world by the TI in 2001, the then Prime Minister Sheikh Hasina rejected the TI report. When Bangladesh was ranked as the most corrupt country for the third time in a row in 2003, the then BNP-led alliance government's Finance Minister Saifur Rahman rejected the TI report saying: "It was not correct to condemn a nation on the basis of some unproven allegations reported by newspapers and the general

impression of some people."

When Bangladesh topped the list of the corrupt countries for the fifth year in a row in 2005, the then Prime Minister Begum Khaleda Zia in a televised address rejected criticism from the opposition parties that her government did nothing to combat the problem of corruption, adding that "the level of corruption had come down, but progress was not so visible because of a media campaign and deliberate rumours."

The apex court deserves thanks for its decision to go hard against the corrupt elements in the judiciary based primarily on the recent graft report of TIB. It is high time that the government, instead of questioning the appropriateness of the methodology of survey reports of TIB and other relevant agencies, follows the example set by the highest court to initiate actions against the departments and organisations identified as corrupt.

Here the Anti-Corruption Commission (ACC), that has been created to prevent corruption in the country, has a big role to play. The ACC must make strides against institutional and non-institutional/personal corruption to reduce it to the minimum level so that Bangladesh can stand with her head high as one of the least corrupt countries in the world.

M. ABDUL LATIF MONDAL IS A FORMER SECRETARY.

| The New York Times EXCLUSIVE

ADAM HOCHSCHILD

ON January 17, millions of people on another continent observed the 50th anniversary of an event few Americans remember, the assassination of Patrice Lumumba. A slight, goateed man with black, half-framed glasses, the 35-year-old Lumumba was the first democratically chosen leader of the vast country, nearly as large as the United States east of the Mississippi, now known as the Democratic Republic of Congo.

This treasure house of natural resources had been a colony of Belgium, which for decades had made no plans for independence. But after clashes with Congolese nationalists, the Belgians hastily arranged the first national election in 1960, and in June of that year King Baudouin arrived to formally give the territory its freedom. "It is now up to you, gentlemen," he arrogantly told Congolese dignitaries, "to show that you are worthy of our confidence."

The Belgians, and their European and American fellow investors, expected to continue collecting profits from Congo's factories, plantations and lucrative mines, which produced diamonds, gold, uranium, copper and more. But they had not planned on Lumumba.

A dramatic, angry speech he gave in reply to Baudouin brought Congolese legislators to their feet cheering, left the king startled and frowning and caught the world's attention. Lumumba spoke forcefully of the violence and humiliations of colonialism, from the ruthless theft of African land to the way that French-speaking colonists talked to Africans as adults do to children, using the familiar "tu" instead of the formal "vous." Political independence was not enough, he said; Africans had to also benefit from the great wealth in their soil.

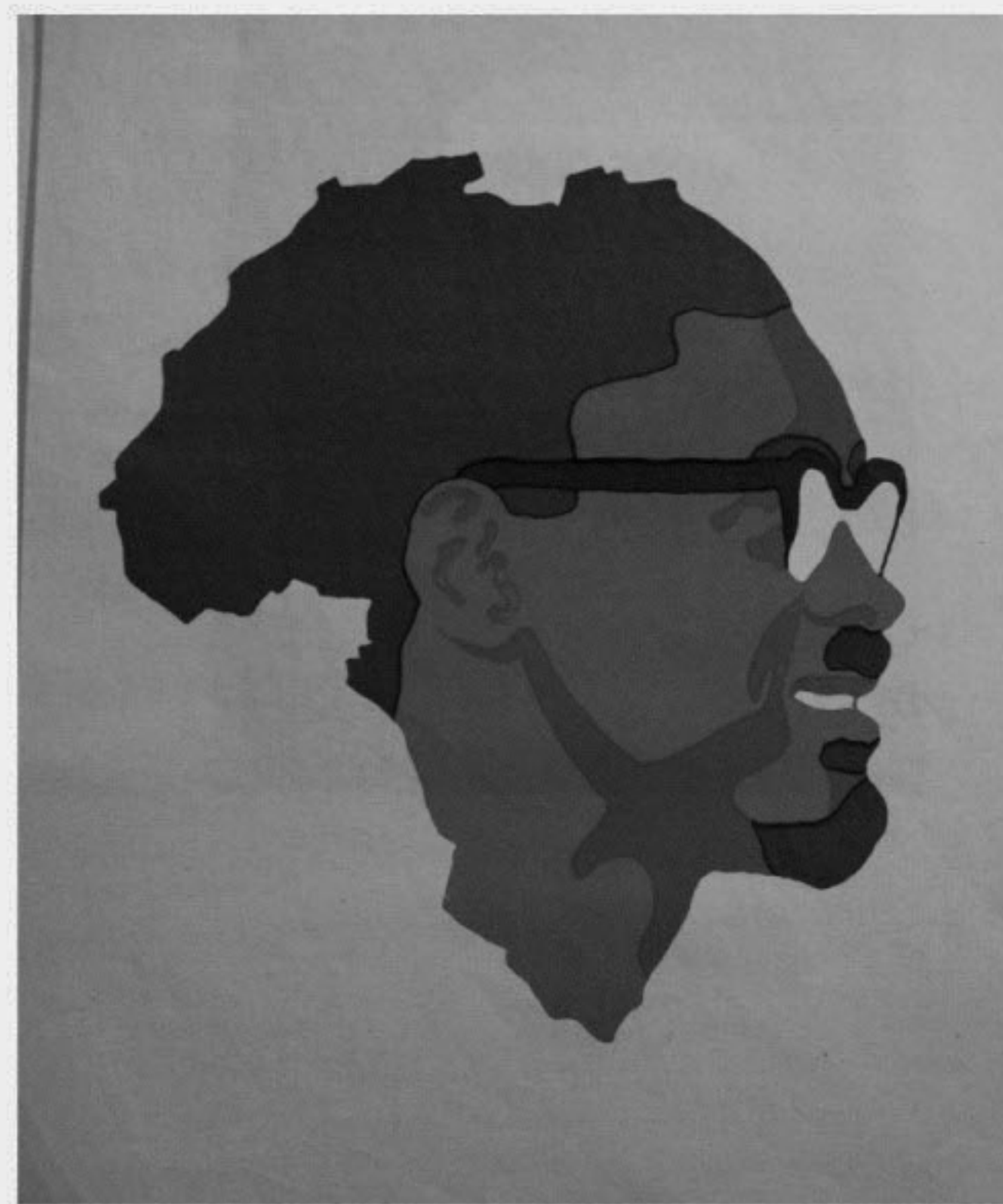
With no experience of self-rule and an empty treasury, his huge country was soon in turmoil. After failing to get aid from the United States, Lumumba declared that he would turn to the Soviet Union. Thousands of Belgian officials who lingered on did their best to sabotage things: Their code word for Lumumba in military radio transmissions was "Satan."

Shortly after he took office as prime minister, the CIA, with White House approval, ordered his assassination and dispatched an undercover agent with poison. The would-be poisoners could not get close enough to Lumumba to do the job, so instead the United States and Belgium covertly funneled cash and aid to rival politicians who seized power and arrested the prime minister.

Fearful of revolt by Lumumba's supporters if he died in their hands, the new Congolese leaders ordered him flown to the copper-rich Katanga region in the

An assassination's long shadow

Both ordering the murders of apparent enemies and then embracing their enemies as "valued friends" come with profound, long-term consequences -- a lesson worth pondering on this anniversary.



PATRICE LUMUMBA

country's south, whose secession Belgium had just helped orchestrate. There, on January 17, 1961, after being beaten and tortured, he was shot. It was a chilling moment that set off street demonstrations in many countries.

As a college student traveling through Africa on summer break, I was in Leopoldville (today's Kinshasa), Congo's capital, for a few days some six months after Lumumba's murder. There was an air of tension and gloom in the city, jeeps full of soldiers were on patrol, and the streets quickly emptied at night. Above all, I remember the triumphant, macho satisfaction with which two young U.S. embassy officials -- much later identified as CIA men -- talked with me over drinks about the death of someone they regarded not as an elected leader but as an upstart enemy of the United States.

Some weeks before his death, Lumumba had briefly escaped from house arrest and, with a small group of supporters, tried to flee to the eastern Congo, where a counter-government of his sympathisers had

formed. The travelers had to traverse the Sankuru River, after which friendly territory began. Lumumba and several companions crossed the river in a dugout canoe to commandeer a ferry to go back and fetch the rest of the group, including his wife and son.

But by the time they returned to the other bank, government troops pursuing them had arrived. According to one survivor, Lumumba's famous eloquence almost persuaded the soldiers to let them go. Events like this are often burnished in retrospect, but however the encounter happened, Lumumba seems to have risked his life to try to rescue the others, and the episode has found its way into film and fiction.

His legend has only become deeper because there is painful newsreel footage of him in captivity, soon after this moment, bound tightly with rope and trying to retain his dignity while being roughed up by his guards.

Patrice Lumumba had only a few short months in office and we have no way of

knowing what would have happened had he lived. Would he have stuck to his ideals or, like too many African independence leaders, abandoned them for the temptations of wealth and power?

In any event, leading his nation to the full economic autonomy he dreamed of would have been an almost impossible task. The Western governments and corporations arrayed against him were too powerful, and the resources in his control too weak: At independence his new country had fewer than three dozen university graduates among a black population of more than 15 million, and only three of about 5,000 senior positions in the civil service were filled by Congolese.

A half-century later, we should surely look back on the death of Lumumba with shame, for we helped install the men who deposed and killed him. In the scholarly journal *Intelligence and National Security*, Stephen R. Weissman, a former staff director of the House Subcommittee on Africa, recently pointed out that Lumumba's violent end foreshadowed today's American

practice of "extraordinary rendition."

The Congolese politicians who planned Lumumba's murder checked all their major moves with their Belgian and American backers, and the local CIA station chief made no objection when they told him they were going to turn Lumumba over -- render him, in today's parlance -- to the breakaway government of Katanga, which, everyone knew, could be counted on to kill him.

Still more fateful was what was to come. Four years later, one of Lumumba's captors, an army officer named Joseph Mobutu, again with enthusiastic U.S. support, staged a coup and began a disastrous 32-year dictatorship.

Just as geopolitics and a thirst for oil have today brought us unsavory allies like Saudi Arabia, so the Cold War and a similar lust for natural resources did then. Mobutu was showered with more than \$1 billion in American aid and enthusiastically welcomed to the White House by a succession of presidents; George H.W. Bush called him "one of our most valued friends."

This valued friend bled his country dry, amassed a fortune estimated at \$4 billion, jettied the world by rented Concorde and bought himself an array of grand villas in Europe and multiple palaces and a yacht at home. He let public services shrivel to nothing and roads and railways be swallowed by the rain forest. By 1997, when he was overthrown and died, his country was in a state of wreckage from which it has not yet recovered.

Since that time the fatal combination of enormous natural riches and the dysfunctional government Mobutu left has ignited a long, multisided war that has killed huge numbers of Congolese or forced them from their homes. Many factors cause a war, of course, especially one as bewilderingly complex as this one. But when visiting eastern Congo some months ago, I could not help but think that one thread leading to the human suffering I saw begins with the assassination of Lumumba.

We will never know the full death toll of the current conflict, but many believe it to be in the millions. Some of that blood is on our hands. Both ordering the murders of apparent enemies and then embracing their enemies as "valued friends" come with profound, long-term consequences -- a lesson worth pondering on this anniversary.

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