

## GROUND REALITIES

## ICC warrant against Gaddafi

### Stalemate deepens in Libya

THE warrants of arrest issued against Col. Muammar Gaddafi, his son and his intelligence chief by the International Criminal Court raise two very important concerns. In the first place, how does the ICC follow through on its move since the Libyan leader is yet in charge in Tripoli and predictably will not give himself up? In the second, the ICC warrant creates a condition from which there is now a point of no return, either for Gaddafi or his pursuers. The stalemate which has lately seized Libya will now be prolonged, with a desperate regime ferociously trying to cling to power.

There is little question that Gaddafi and his associates are guilty of presiding over the widespread violence that has claimed the lives of thousands of Libyans in these past few months. Gaddafi, whose loyalists have been defecting in droves, ought to have followed the course taken by Tunisia's Zine el-Abidine Ben Ali and Egypt's Hosni Mubarak. He did not. That complicated the situation, which was then made worse by NATO's move to bomb Libya in support of anti-Gaddafi forces. In a sense, both Gaddafi's desperation and NATO's increasing involvement in Libya have created a civil war-like situation, if not exactly a civil war. Sorties by NATO jets have left unarmed civilians dead. At the same time, with the rebels in control of Benghazi and Gaddafi forces holding on to Tripoli, it is in effect a fractured Libya the world faces today. Nothing could be worse for a people whose simple demand is for a decent change in politics.

The question now is whether the ICC can carry out the job of actually arresting Gaddafi. Its previous warrant against Sudan's Omar el Bashir failed to nab Khartoum's dictator. Given the new situation vis-à-vis Libya, one wonders if the African Union, in the formation of which the Libyan leader played a prominent part, can now have a role in defusing the crisis by persuading Gaddafi to relinquish power. Obviously, Gaddafi's refusal to go will leave his country battered beyond imagination. The regional as also global repercussions of the situation can easily be surmised.

## Local poll violence

### Sporadic, yet why?

THE country is approaching the final phase of local polls. People with hopes and aspirations are casting ballots in various unions of the country to choose their representatives. While we take pride in the election processes at the grassroots, we can't help feel sad about the violence that has marred these elections in certain pockets.

So far 19 people have been killed and scores injured at various places since the second phase of polling started on May 31. On an average, everyday fifty persons are wounded in poll related clashes. Violence mainly takes place after the polls are held or when the vote counting is on.

Usually local government polls are given to a degree of violence because of clash of interests between localized groups. But clearly the level of violence is already a matter of concern and must be addressed with due seriousness.

In most of the places, generally Awami League backed candidates who are defeated in the polls allegedly resort to violence. Curiously, one person has died following a clash between two losing AL backed candidates.

The perturbing part is, the nature and intensity of violence is getting bigger. From stray incidents these are fairly spread out now. The incidents are put down to lack of vigil and control of the local law enforcing agencies.

It is time, the Elections Commission, local administration and law enforcing agencies; devise effective methods to prevent violence occurring by timely intervention. The most important part however would have to be played by the political parties to discourage violence by the candidates they support.

We must try and guard against violence in the forth-



SYED BADRUL AHSAN

WHEN Ratk o Mladic was nabbed in Serbia recently and flown to The Hague to face charges of war crimes and crimes against

humanity, it was one more sign of justice drawing a little closer for the families of those he and his forces murdered in the mid 1990s. There is always that sense of satisfaction when criminality, localised or global, is hunted down and those who have destroyed the lives of innocent men, women and children eventually have their comeuppance.

It is just too bad that Slobodan Milosevic died before judgement could be delivered on his role in the Balkan wars. But that Mladic and Radovan Karadzic are in the net reinforces the argument somewhat that men who cause misery to other men have in the end really nowhere to hide, that civilised men always have a way of bringing them to justice.

Even so, you could well argue, that is not always the truth. Consider the bizarre case of the Israelis, generation upon generation, riding roughshod over legitimate Palestinian rights. Binyamin Netanyahu's arrogance is outrageous. And there have been his predecessors who have with little shame pounded away at unarmed civilians.

Their targeted assassinations of Palestinian figures are clear crimes that require to be answered before an international court. By any definition of international law, a whole range of Israeli political and military leaders qualifies for trial on charges of crimes against humanity. And yet these are the very elements who have been

received with much fanfare in the corridors of power in the West. Barack Obama's call for peace in the Middle East has fallen flat. Netanyahu was recently given a standing ovation by American lawmakers as many as twenty six times!

There are other men, besides Israel's leading politicians, who ought to have been behind bars upon conviction for war crimes. When you go through the painstaking process of watching the murderous figures of the Khmer Rouge answer for their genocidal activities between the mid and end-1970s, you are left somewhat

satisfied that these old, doddering men are finally paying for their sins. Pol Pot, Ieng Sary,

Nuon Chea and Khieu Samphan once tried to exterminate civilization in Cambodia. In a larger sense, war criminals are war criminals because they tend to believe, and reinforce that belief as they move on, that theirs is a duty to restructure society to their specifications. They end up leaving a pile of rubble where once there was a stable, perhaps a trifle flawed, social order.

Yes, the Khmer Rouge men have been rubbing their noses in the dirt. And yet there are all the others who have strutted around on the stage of the world despite all the murders they have committed, despite all the rape of women they have indulged in. The proper course for the new state of Bangladesh, in the early 1970s, should have been to bring to trial all the

Pakistani army officers and lower ranking soldiers for the genocide of Bengalis they carried out between March and December 1971. Bangabandhu's government, faced as it was with multi-faceted pressure on the international front, finally zeroed in on a hundred and ninety five Pakistani officers who would stand trial in Bangladesh.

That move too fizzled out, thanks to the tripartite deal involving Bangladesh, India and Pakistan on an exchange of Pakistani prisoners of war and Bengalis stranded in Pakistan.

The Islamabad authorities, to assuage Bengali feelings, promised to bring the criminal officers to justice in Pakistan itself. No one believed them. That apprehension was not misplaced.

Pakistan did not try its murderous military officers because of the simple reason that it did not and would not believe that its soldiers

had been killing Bengalis. They were merely engaged in defending Pakistan's territorial integrity in the face of external aggression! Recall, now, how the war criminals of 1971 were rehabilitated in Pakistani society.

General Tikka Khan, who left 'East Pakistan' in September 1971 -- by which time more than two million Bengalis had been murdered -- was appointed chief of staff of the Pakistan army by Zulfikar Ali Bhutto. Upon retirement, Tikka joined the Pakistan People's Party and at one point became its secretary general. Under Benazir Bhutto, he served as

governor of Punjab.

General Rao Farman Ali served happily as a minister in General Ziaul Haq's regime. General A.A.K. Niazi, for all the opprobrium brought on him through his surrender in Dhaka, went into politics and remained there till his death. Siddiq Salik, author of Witness to Surrender and the man who intimidated the media in occupied Bangladesh into toeing the Pakistani line in 1971, served as media advisor to Ziaul Haq before crashing to death along with the dictator in 1988.

General Yahya Khan lived in house arrest till 1980 without being punished for his crimes. General Omar became a frequent talk show host on Pakistani television, perennially proclaiming his innocence about 1971.

Justice, then, is always a tenuous, tentative affair. You are happy that Augustin Bizimungu has been punished in Rwanda, that Mladic and Karadzic will die in prison. The happiness turns sour when you remember that no one has brought Ariel Sharon before an international tribunal; that those Pakistanis have evaded justice; that George W. Bush and Tony Blair, having committed war crimes through destroying Iraq, go around parading their self-serving memoirs.

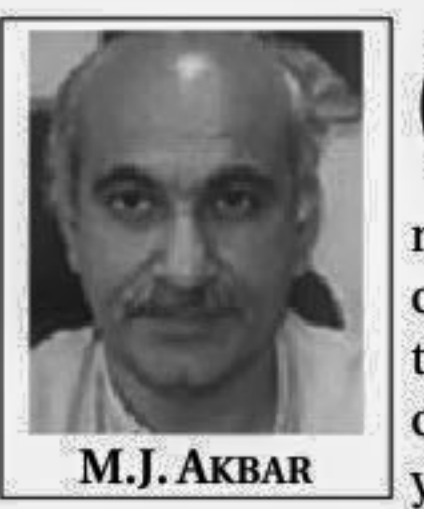
Many years ago, Japan's Admiral Tojo was hanged for war crimes. The good men in the West, forever defending the rule of law and justice, have not explained why Harry Truman was never prosecuted for sending tens of thousands of Japanese to death in Hiroshima and Nagasaki.

You ponder all this. And you wait to know if some men in Sri Lanka will answer for their own crimes committed in the course of the war against the Tamil Tigers.

The writer is Editor, Current Affairs, The Daily Star. E-mail: bahsantareq@yahoo.co.uk

## BYLINE

# The chewing gum war



M.J. AKBAR

COLLATERAL damage is surely the most unhappy consequence of this tragic business called war. There you are, quietly preparing the day's propaganda sheet in yet another existentialist confrontation between George Bush and Saddam Hussein, or Barack Obama and Mullah Omar, or Pranab Mukherjee and P. Chidambaram, and wham! From out of the night-blue a Drone demolishes your ego so completely that you cannot recognise your self-esteem from the debris of your self-respect.

Spare a thought, friends, for the Congress spokespersons who were ordered last week to keep quiet at the peak of the raging civil war between the home minister and finance minister of India. There is little more devastating to the pride of a spokesperson than being told not to speak, particularly when heavy artillery and napalm are cascading through the battlefields of media.

The serious historian will, doubtless, record the range of emotions and arguments that have coursed through the war of the chewing gum. This is perhaps not the most serious conflict of 2011, but it is pepping up to become its most hilarious.

There is enough bathos to daunt the muse of that poet-prince of satire, Alexander Pope. But jollity should not blind us to the serious questions that must be answered in the cause of national security as well

as prestige.

What, for instance, is Pakistan's preeminent security establishment, ISI, thinking of Indian capabilities now that they are sure that the mightiest of all surveillance battles is being fought through that most useless invention in the history of mankind, that device of teenage mastication, chewing gum?

We belong to an age in which superpowers can pick, with heavy-weight computers, any conversation that travels through the world's airwaves, and then transcribe and decode it before breakfast. Even at the low end of the market, a ruth-

done while the building is being constructed. Since the walls of India's finance ministry were built before Lord Irwin became Viceroy in 1930, that was clearly not a feasible option. Temporary, or opportunist, bugs can be scattered into the enemy quarters through the help of a fifth columnist, who then removes them after the requirement is over.

Some clever chap thought little blobs of something that "looked like chewing gum" would suffice to deceive the finance minister of India and his most trusted civil servants.

The only thing more amusing than this Pink Panther-style spy story is

as deliberate a step as placing his complaint on the record with a letter to Prime Minister Manmohan Singh, he did so after the most careful consideration.

He had his office swept by technicians hired by the Central Board of Direct Taxes, which reports to him, rather than the Intelligence Bureau, which reports to Chidambaram. His letter went ten months ago. It is unsurprising that the prime minister's office chose silence as its first and last line of defence.

The Congress, when it was forced to utter a word or two, went into its default position, which is treating everything unpleasant as an RSS conspiracy. The one exception was senior Congress leader Digvijay Singh, who believes that a formal probe has become essential.

Digvijay Singh is right. This government is coming apart at the seams. Individual ambition is tearing apart the fabric of governance. The voter can see what Delhi can't, that the emperors have no clothes.

There comes a point where a joke refuses to amuse. We are near that tipping point. Manmohan Singh, himself a bit ragged now, has one last visit left to the tailors: the Cabinet reshuffle he has long promised but never quite delivered. He can no longer afford to stitch a few buttons; he needs a whole new wardrobe -- and one which can survive the acidic wear and tear of whatever time is left in his political destiny.

The writer is editor of The Sunday Guardian, published from Delhi, India on Sunday, published from London and Editorial Director, India Today and Headlines Today.

## THIS DAY IN HISTORY

June 29

1613

The Globe Theatre in London, England burns to the ground.

1659

At the Battle of Konotop the Ukrainian armies of Ivan Vyhovsky defeat the Russians led by Prince Trubetskoy.

1874

Greek politician Charilaos Trikoupis publishes a manifesto in the Athens daily Kairoi entitled "Who's to Blame?" in which he lays out his complaints against King George. He is elected Prime Minister of Greece the next year.

1880

France annexes Tahiti.

1974

Isabel Perón is sworn in as the first female President of Argentina.

1976

The Seychelles become independent from the United Kingdom.

2002

Naval clashes between South Korea and North Korea lead to the death of six South Korean sailors and sinking of a North Korean vessel.

2006

Hamdan v. Rumsfeld: The U.S. Supreme Court rules that President George W. Bush's plan to try Guantanamo Bay detainees in military tribunals violates U.S. and international law.