

## GROUND REALITIES

# When murderers must feel safe . . .

## Overseas recruitment procedure being streamlined

*Deal in the offing with Malaysian government*

WITH repeat scandals rocking the recruitment process of Bangladeshi workers destined to work for overseas labour markets, it is welcome news to learn that a memorandum of understanding between the Bangladeshi and Malaysian governments (MoU) is about to be signed. The MoU, once inked, could open up a new era in regularising the employment process for our workers to Malaysia, one of the most important international labour markets for Bangladeshi workers. It would bring transparency in financial transactions, where intended jobseekers would have to deposit fees via banks and more importantly, these workers would be registered online.

With the recruitment process overseen by Bureau of Manpower and Training, a government body under the ministry of labour, some of the worst excesses committed over the years by a largely unregulated private recruiting sector in terms of both financial fraud and human trafficking, could hopefully be contained. Such malpractices led Malaysia to halt recruiting Bangladeshis in 2009. Now that recruitment in one of the most important markets will be a State-to-State affair, the cost to potential overseas workers should be reduced drastically. Media reports have exposed the fleecing mentality of some private recruiting agency operators charging as high Tk200,000 for a job in Malaysia, whereas recruitment under government patronage should see that cost reduce to Tk84,000.

The MoU will only be effective if the government is able to introduce a computerised database which will house all relevant information on potential candidates and one that will be used by both countries as a selection tool for recruiting workers. Having access to information in digital format significantly cuts down processing time and such a system has been used successfully by South Korea to recruit workers from Bangladesh. Needless to say, the cutting off of the private recruiting agencies in both countries from this lucrative multi-billion Taka annual trade in overseas labour has not gone down well. It is perhaps one of the reasons why it took Bangladesh nearly four years to come to the point where it is in a position to take proactive measures to regulate in part, the second largest foreign exchange earning segment of the economy.

## Mind-boggling mayhem at DU campus

*A new low touched in student rivalry*

SOME activists of JCD, opposition BNP's student wing, while going to meet the Vice Chancellor (VC) by appointment, were roughed up on Monday by workers of BCL, ruling AL's student body. Denying their involvement, DU BCL would have people believe that it was the result of JCD's factional feud.

The point to note is that, being asked by DU authorities, some newly elected leaders of the central and DU units of JCD were on their way to pay a courtesy call on the VC. Apparently the brawl was designed to foil the meeting. Why was it so?

Sadly, neither the university authorities, nor the police on the campus intervened to ward off the violence.

All this is a clear demonstration of how volatile the DU campus has remained that it can enflame passions at the slightest pretext.

Apparently, the fracas took place not as a sequel to any previous campus-related quarrel or clash between these two student groups in the recent past. Then what prompted the BCL activists to carry out an assault on the JCD? Are then the BCL activists trying to demonstrate afresh that the campus is their own turf?

What message is the pro-ruling party student body trying to put across? Can they not reconcile with the fact that all the students of the university with their respective ideologies have an equal right of access to university authorities and its facilities?

Can any student pursuing higher learning behave in the manner some of them did, denigrating the higher seat of learning? DU authorities should look into the matter and, for the sake of restoring a congenial environment for study and other legitimate pursuits, take appropriate action against the unruly elements to stop recurrence of



SYED BADRUL AHSAN

**M**ICH AEL Prue is a Canadian politician. He has just concluded a trip to Bangladesh. On Sunday he made it clear to newsmen here

that the laws of his country did not allow extraditing Noor Chowdhury, a former army officer convicted of assassinating Bangabandhu Sheikh Mujibur Rahman in 1975, to Bangladesh. But, of course, if the Bangladesh authorities came up with a guarantee that this assassin would not be executed, Ottawa would send him back to Dhaka.

It is a typical, almost hypocritical Western response to our Eastern values. In the West, more and more people are coming round to the notion that capital punishment is wrong. In our part of the world, we still have not given up the idea that comeuppance, in that strictly legal and moral sense, for one guilty of having committed a crime is in order. This difference between their world and ours will remain, for a very long time yet.

But then comes this question of the rule of law, a truism nations in the West are forever reminding us of. We understand why the rule of law is necessary, why an enforcement of it is a vital ingredient in a strengthening of democracy. But what do you do about another question, the one which asks under what law an assassin like Noor was given shelter by Canada and then, as we have been informed, given its citizenship? The Canadians might now tell us that this man became their citizen long before his conviction, in absentia, by a Bangladesh court nearly three years ago. But that argu-

ment is spurious.

And here's how. The people of Bangladesh as well as governments around the world knew, once the murders of August 1975 had been committed, of the identity of those involved in the crime. Any western government which wishes to inform us that they did not know who played what role in the overthrow of Sheikh Mujibur Rahman's government is not enlightening us with the truth. Everyone has known since August 15, 1975 that Noor is one of the gang of soldiers who committed the blood-

refused to share a platform with a visiting Tony Blair because of his belief, shared by millions around the world, that the former British leader is a war criminal. Tutu thinks -- and we agree with him -- that if Africa's fallen leaders can be hauled away to The Hague for war crimes related trials, the same ought to be done in the case of Tony Blair and George W. Bush. But Western hypocrisy gets in the way. Charles Taylor will be put away for life; Blair and Bush, despite destroying a country and pushing tens of thousands to death, will earn millions on

You do not blur the distinction between the two. And let us not be told that China, Japan, Hong Kong, Zimbabwe and Kenya did not know of the background of these men.

Men like Shariful Haq Dalim and Khondokar Abdur Rashid have led charmed lives in Pakistan and Libya. The immorality with which the Pakistanis and the Libyans -- they were thrilled at Bangabandhu's murder -- have offered their services to Mujib's assassins has been appalling. It is behaviour you do not expect from governments in modern times. But then, Zulfikar Ali Bhutto, Ziaul Haq, Muammar Gaddafi and people like them lead warped lives in times they cannot believe are not medieval any more. And those men of power in Canada and the United States? They try to educate us in values, in matters of an aesthetic kind. And yet they have little compunction in giving refuge and even citizenship to murderers from abroad.

In recent times, hundreds of rendition flights have transported Islamic militants, all abducted by American forces, with a grinning Blair by their side, to Guantanamo. No law was at work, and the degrading treatment of those caught and placed in custody at Guantanamo commenced in utter disregard of the law. Rule of law, did you say?

The logic that murderers must feel safe, must not have the law catch up with them, indeed must live in honour as citizens of countries giving them refuge, is perverse. It is an insult to the societies these men once humiliated in macabre fashion. It is an abomination, for it gives short shrift to the ethical principles upon which life enriches itself.

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bath in that long-ago year. And yet the Canadian authorities, as we understand it, not only gave Noor asylum but also made him happy with citizenship. Rule of law, you say?

There are quite a few countries around the world which have demonstrated absolutely double standards in the matter of dealing with Bangabandhu's assassins. Rashed Chowdhury, we have it on good authority, is leading a happy life in the United States. The Americans were prompt in sending Iraq's Saddam Hussein to the gallows without giving him a fair trial. They found and swiftly pumped bullets into Osama bin Laden and then threw his body into the sea. Justice stayed suspended in a state of disbelief. Rule of law, is it?

Last week Bishop Desmond Tutu demonstrated before the world the moral responsibilities of anyone who wins the Nobel Prize for Peace. He

the lecture circuit.

Which is when you realise that men like Noor Chowdhury and Rashed Chowdhury could, until they die natural deaths, lead peaceful lives in Canada and America, thanks to the questionable concept of the rule of law operating in those two countries. Morality does not have a chance, and not just in Ottawa and Washington. Some of the killers of the Father of the Nation were sent off to Bangladesh's diplomatic missions in Beijing, Hong Kong, Tokyo, Harare and Nairobi by our first military dictator, General Ziaur Rahman. While you understand why Zia did that nasty thing (he was out to rewrite history in perfectly embarrassing ways), you are stupefied at the manner in which those foreign governments agreed to accept these killers in their countries. Diplomatic immunity? There is a clear line between diplomacy and criminality.

## BETWEEN THE LINES

# A verdict in Gujarat, silence over Delhi



KULDEEP NAYAR

**E**VERY time there is a conviction in Gujarat riots case, I begin to hope that the day is not far when the real culprit, state

Chief Minister Narendra Modi, will be brought to book. The 28-year-long sentence awarded to Maya Kodnani, who organised the massacre at Naroda-Patya in Ahmedabad, makes me confident that justice can be delayed -- the riots took place in 2002 -- but not denied. Modi lauded her role on the riots so much that he made her a minister. But the Supreme Court's Special Investigation Team (SIT) caught up with her crime even after the exoneration by the police which did its best to see that Kodnani's "involvement does not come on the books."

The question which nags me all the time is how to punish a chief minister who plans and executes the killing of his own people because they belong to a different religion. Some 2,000 Muslims were killed, 95 at Naroda-Patya alone. A similar point confronted me when after the assassination of Mrs. Indira Gandhi in 1984, more than 3,000 Sikhs were killed in the national capital, New Delhi. Then Prime Minister Rajiv Gandhi was responsible for blessing all that was plotted to kill the innocent. His infamous remark still haunts me: When a big tree falls, the earth is bound to shake.

Both in Gujarat and Delhi, the pattern of killing and looting was the

same. The public was instigated, the police was instructed to look the other way and the army's induction was intentionally delayed. Had there been the institution of Lokpal (ombudsman) in position, it would have probably stepped in to name the culprits including Modi and Rajiv Gandhi. In the absence of any such remedy what do people, especially the victims, do to get justice? When the protector turns into a killer there is no remedy for the protected.

In fact, both Gujarat and Delhi have raised a general question about the independence of law and order machinery. The police is at the beck and call of rulers and it does not function independently. The police reforms recommended by the Dharamvira Committee as back as 1980 could have retrieved the situation to some extent. It would have meant transferring control of police to a committee including the opposition leader. But no state has been willing to implement the recommendations. In reality, there is a case for a federal police on the lines of America to pursue cases which transcend states' borders or those which fall under the category of segregation, discrimination and such other crimes. There is the famous case of Mississippi in America where the federal police broke the alliance between the local administration and politicians to bring the guilty to justice.

Since the states jealously guard their sway over the law and order machinery, it is difficult to imagine that they would agree to any federal force when New Delhi itself has got politicised. Coming to the minorities, the experience of Muslims in Gujarat

and of Sikhs in Delhi bring out the truth that the rulers go to any extent to save their party members. They have different names but in real terms they are the party's roughnecks who have over the years become an instrument of tyranny in the hands of political masters.

The real disturbing aspect is that more and more Hindus are getting contaminated by the RSS and its parivar. It is heartening to find that one member of the Bajrag Dal, the militant wing of RSS, has been given life sentence in the Naroda-Patya case. Still the bigger tragedy is that the majority community looks like turning its back on secularism which it should realise can undo India.

The BJP which expects to win at the 2014 election does not feel its responsibility in keeping the country safe from parochialism. True, the other national party, the Congress, has become a carbon copy of the BJP, but it still supports the secular ethos. The party's stand is mostly opportunistic but it draws inspiration from Mahatma Gandhi and Jawaharlal Nehru, not Guru Gowkar. This may be the reason why the Congress, at times, takes a secular stand and confronts the forces which spew communalism.

I was, however, disappointed when the Congress government neither acted against the Shiv Sena, particularly Raj Thakre when he instigated the crowd at Mumbai in the name of national chauvinism. Nor did the government move against the Muslim fundamentalists who indulged in violence at Azad Maidan and killed two persons. I am told that the person who goaded the mob at the Maidan is a local Congress Muslim leader.

Regretfully, both the Congress and the BJP have come to believe that they would get more votes if they talked in terms of caste and community.

Had the Supreme Court not selected the nine cases of fake encounters out of many, no Maya Kodnani would have been punished. But there was no Supreme Court to intervene in the case of Sikhs' killings because the Rajiv Gandhi administration had cleaned the stains from the plate. No proof was left behind and the records were fudged. The entire massacre was orchestrated by the ruling Congress and executed according to a pre-prepared plan.

Thanks to young lawyer H.S. Phoolka, who made a formidable case from the affidavits of victims. Even then his experience and those of the others who have tried to get justice is that even now the Congress government is creating impediment at every step to block any persecution further. The conviction in Gujarat is an exception. At least there were still some records which helped the SIT to rebuild the case. But in Delhi, the Congress government has effaced all evidence lest the guilty of 1984 massacre could be traced.

There is yet another case of government's suppression. I am referring to the killing of 22 Muslim boys at Hashimpura in UP in 1987. The case has not moved from the lower court. The rioting in Assam too has been anti-Muslim. The lesson to be learnt from all these happenings is that the rule of law by itself does not mean anything unless the government is willing to follow it without fear or favour.

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## THIS DAY IN HISTORY

September 12

**1948** Invasion of the State of Hyderabad by the Indian Army on the day after the Pakistani leader Jinnah's death.

**1974** Emperor Haile Selassie of Ethiopia, 'Messiah' of the Rastafari movement, is deposed following a military coup by the Derg, ending a reign of 58 years.

**1980** Military coup in Turkey.

**1990** The two German states and the Four Powers sign the Treaty on the Final Settlement With Respect to Germany in Moscow, paving the way for German re-unification.