

Justice at last

We take pride that process has commenced

THE long awaited process of justice has yielded its verdict against Abul Kalam Azad alias Bachchu Razakar. The court awarded him capital punishment under the International Crimes (Tribunals) Act 1973.

This is commendable because of the extraordinary nature of the crimes he committed. On the one hand, he stood against Liberation War and helped the enemy. And on the other, he has been found guilty of perpetrating crimes against humanity.

We also commend the government for its single-minded determination to start the process, persist with it, and bring about this first verdict.

By awarding capital punishment to the guilty, the International Tribunal-2 has done justice on two levels. First it has begun meting it out to those who eluded punishment all these years since 1971. It has also repaid debt to those who fell victim to his criminal designs.

As a member of a party that actively opposed and worked against the national war of liberation, he attacked and killed the sympathisers of the liberation war. In addition, he committed crimes against humanity by participating in the genocide of innocent people, particularly members of Hindu community.

The due process of law has been observed. The charges brought against him were established by evidences provided by the living witnesses including relations of the victims. The accused was provided with a defence lawyer to enable him to defend himself against the charges levelled against him by the prosecution. But his prosecutor could not come up with necessary defence as the accused has been absconding. His family members also did not extend any cooperation.

The question of any vengeance or political vendetta does not arise, nor can any political motive be imputed to the trial process.

By conducting the trial against the perpetrators of crimes against humanity in 1971, the nation has demonstrated to the world that in Bangladesh law works and even passage of long time does not make one immune from the application of law and justice. With this historic verdict, Bangladesh has come out of the culture of silence and vindicated itself through carrying forward a much needed trial process.

Taking law into one's own hands

Ominous sign for law enforcement

TWO separate incidents on January 21, one in Konabari and the other in Kaliakair of Gazipur district have resulted in mob beatings causing death to both. Going by newspaper reports, rumours have been circulating in these areas of child abduction and murders, both of which are denied by local law enforcement agency. Despite such reassurances, residents of these areas live in abject fear of seeing their children disappear without a trace. Parents keep their children close and the fear of the unknown has heightened tensions to a breaking point.

The manner in which 'punishment' was meted out was gruesome and barbaric. One victim was beaten to death, and the other's body was set afire after the killing. The law enforcers present remained spectators to this horrid spectacle. This is not normal behaviour. In the past, suspected criminals were roughed up and then handed over to the local police. The incidents highlight a departure from that past. We are witnessing the rise of a culture of vigilantism where mob justice reigns supreme.

The video recording on cell phones by witnesses indicates that both victims were probably mentally challenged and their erratic behaviour was misinterpreted as suspicious behaviour. And how does one interpret the dubious role of lawmen stationed on the spot? The claim that they failed to desist the crowd falls flat when confronted with eyewitness accounts to the contrary. This in itself is an extremely disturbing development. The sense of mass insecurity prevalent in society is manifesting itself through these violent acts.

As we have come to learn, both victims were innocent of any wrongdoing and yet they met their brutal deaths -- something which defies explanation. The silence of law enforcers, whether on the spot or in general to take steps to mitigate a general rise in crime has left people to deal with the situation as they see fit. It is up to the authorities to restore public faith in the system that is fast losing its

THIS DAY IN HISTORY

January 23

1937
In Moscow, 17 leading Communists go on trial accused of participating in a plot led by Leon Trotsky to overthrow Joseph Stalin's regime and assassinate its leaders.

1943
World War II: Troops of Montgomery's 8th Army capture Tripoli in Libya from the German-Italian Panzer Army.

1950
The Knesset passes a resolution that states Jerusalem is the capital of Israel.

1973
President Richard Nixon announces that a peace accord has been reached in Vietnam.

Why should we celebrate this verdict?

COMMENTARY

By MAHFUZ ANAM
(continuation from page 1)

to celebrate, the thanks for which must go to the prime minister personally, and to the Awami League government. We have said it before, and have no hesitation in repeating, that no other government would have done it. We commend both Sheikh Hasina and all those who have worked hard to make it happen.

Each of the crimes that Abul Kalam Azad (Bachchu) is accused, and has been found guilty of, are considered most serious crimes even under ordinary laws, applied in peacetime. All of them are punishable with the harshest of sentences. Murder, rape, torture and abduction are of the highest categories of criminal acts and punishment ranging from death sentences to long prison terms are handed out regularly in such cases.

A death sentence is only but natural for the crimes committed. As long as due process of law was followed, and the evidence as presented to the tribunal, which was widely reported in the free and independent media, constituted sufficient evidence the sentence is but a natural culmination. There is of course the appeal process but it can be only availed if the convict surrenders before the law and seeks redress. But such relief is not available to an absconder.

As freedom fighters, and there are hundreds and thousands of us, there is a very special reason to celebrate. There is an irrepressible sense of getting even, for many of our comrades in arms were mercilessly slaughtered by them -- personally. Many of us are witnesses to seeing innumerable bodies floating down a river, not all the handy work of Pakistani soldiers but of people like Bachchu. There are endless stories of

their murder, torture and betrayal. The cruellest ones were those where they pretended to help the women and then led them to the Pakistani soldiers quarters to be physically assaulted at will and for as long as they wished, which in many cases turned out to be till the end of the war.

What can be a greater example of their brutality than the killings of intellectuals, many from Dhaka University, just two days before their defeat? They knew that their game was up, yet they killed. This was the work of only collaborators and razakars symbolised by Bachchu, and their like.

Then there were the instigations to kill. I can recall hearing the voices of razakars and prominent collaborators, broadcasting over radio Pakistan, that all freedom fighters were Indian agents and as such traitors, deserving nothing better than death. We were supposed to have strayed away from the path of Islam, and "Hinduised", and like a bad "infection" should be eliminated before we "spoil" the rest. They were the early "ethnic cleansers" the fore-runners of those in Serbia and Herzegovina.

Everything about Bengali culture was supposed to be of Hindu origin and as such needed to be "purified" to bring us back to the right path. Exhortations resounded from their continuous haranguing over the radio to eliminate us the moment we could be seen. They even quoted from religious texts as to what an act of "true Muslim" it would be if they either handed us to the Pakistani butchers or killed us themselves. Bachchu did just that.

We celebrate the verdict because it starts a process of accountability that will eventually lead to a greater

understanding what our Liberation War stood for and the various types of forces we had to defeat to win our independence.

We celebrate the verdict because it helps to restore our ownership of history. (Though many of us have serious problems with Awami League's present version of it, which is over personalised, pays lip service to the role of ordinary freedom fighters, eliminates the contribution of local leaders, and all but ignores contribution of those who played seminal roles like Tajuddin Ahmed and other leaders of our government in exile. But still it is a far closer version to truth than that propagated by BNP).

We recall with shame, and it is our collective shame (that we allowed it to happen and also tolerated it for many years), that after the murder of Bangabandhu Sheikh Mujibur Rahman, a well planned state level effort was set afoot to distort our history. Just so that the contribution of the political leadership of the day, and that of Sheikh Mujib could be gradually eliminated from people's mind, the true significance and extent of our free struggle was systematically played down. We had the absurd period when we couldn't name the country and the army that perpetrated the genocide and had to refer to them as "Hanadar Bahini" (the marauding force).

The whole struggle from 1947 to 1971 was reduced to a few paragraphs of deprivation, never mentioning by whom, with the sudden crescendo of everybody joining the war after hearing Maj Zia's call to fight for independence. The cultural aspect of our struggle never occupied any thinking of the post-Bangabandhu regimes.

This all too brief narrative is

relevant because BNP's distortion of our history provided the opening for the re-entry of opponents of our freedom struggle into our political space, with the "salt" in our wound being provided by Khaleda Zia's last government awarding ministerial posts to those well known for their genocidal role during 1971. The BNP chief just didn't seem to care that there is a tremendous pent up resentment among the public against those who were well known for their role against our independence. It was truly "rubbing the nose on the ground" of those who took pride in their being freedom fighters.

We know politics makes strange bedfellows. However, to be so oblivious to the history of independence and to be so accommodative about those who opposed it required an arrogant dismissal of what our struggle stood for or meant to the rest of us. Khaleda Zia never seems to have truly internalised the sufferings, the sacrifice, the pain, the joy and most importantly the pride that the events of 1971 symbolised to the nation, though her husband was an integral part of it. The truth, however ironic, is that her husband himself started the process.

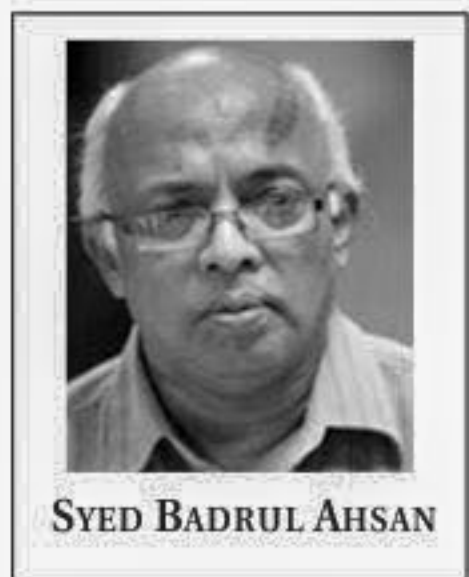
We celebrate the verdict because we love our freedom. We celebrate the verdict because we are proud to have an independent country. We celebrate the verdict because it correctly, irrevocably, legally and historically sets out the role of those who opposed our war, committed genocide against our people and crimes against humanity that not only we, the Bangladeshis, but the freedom loving and justice seeking world needs to recognise and applaud us for.

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GROUND REALITIES

The mystique of Netaji



SYED BADRUL AHSAN

A MONG the crowd filing past Jawaharlal Nehru's body as it lay in state in May 1964 was a middle-aged man, in spectacles and in the robes of a priest. He stood for a while observing the dead Nehru, even as others observed him with something of disbelief and a little of shock. For he bore an uncanny resemblance to the long-missing Subhas Chandra Bose. A day later, some newspapers carried that image, along with the question: was that Bose beside Nehru's remains? Of course, no one could answer the question. And whoever that individual was, he was never seen or heard of again.

A hundred and sixteen years after his birth and sixty eight years after his disappearance, Subhas Chandra Bose, Netaji to millions of people in his time as also in the period after 1945, remains an enigma. There are yet people, and among them are scholars, who have never accepted the theory that Netaji died in a plane crash on August 18, 1945 in Taipei. As evidence for this version of the Netaji story, mention is made of a reported government statement from Taiwan that is dismissive of any plane crash having taken place on the day. So what happened immediately after Netaji boarded the aircraft which took off with him for that one last time on August 17, 1945? Some of his ardent followers would have you know that he moved to the Soviet Union and lived out the rest of his life there. Some others have spread the story of Subhas Bose's having taken to the path of faith, to wait for the moment when India would call him to leadership.

In free India, none of the several commissions of inquiry constituted to investigate the disappearance of Subhas Bose have satisfied public curiosity about the end of the man who once played a pivotal role in the struggle against British colonialism in

India. He suffered terribly under the Raj, spending long periods in prison, to the point of seeing his health deteriorate to inconceivable lengths. He would brook no compromise with the foreign ruler; and he was uncomfortable with the methods which Gandhi employed in his dealings with the British.

But his differences with the Mahatma notwithstanding, Bose remained respectful to the famous voice of non-violence. The tragedy is that Gandhi did not quite reciprocate Bose's feelings. He was happy when Bose was elected president of the Indian National Congress in 1938, but when, despite his wishes to the contrary, Bose sought and won re-election to the presidency of the party in 1939, Gandhi was unable to accept the younger man's triumph in good grace. The defeat of Pattabhi Sitaramayya, the candidate Gandhi

Bose was a man driven by passion, as his relentless struggle against the British would demonstrate over and over again. You could spend hours debating his decision to travel to Berlin, in the expectation that the Nazis would help him run the British out of India.

would have liked to win, was for Gandhi his own defeat. None of the other senior leaders would, in 1939, agree to work under Bose.

In a way, Netaji was hounded out of office by men from whom he expected better. He wrote to Nehru in March 1939: "Since the presidential election, you have done more to lower me in the estimation of the public than all the twelve ex-members of the Working Committee put together. Of course if I am such a villain, it is not only your right but also your duty to expose me before the public."

There is a whiff of petulance, of sentimentality here. Bose was a man driven by passion, as his relentless

struggle against the British would demonstrate over and over again. You could spend hours debating his decision to travel to Berlin, in the expectation that the Nazis would help him run the British out of India. He met Ribbentrop, more than once. And his meeting with Adolph Hitler did not quite leave him with any favourable impression of the Fuhrer.

He certainly had greater success with Japan's Tojo, whose tangible assistance to Bose and his Azad Hind Foj, or Indian National Army, convinced Netaji that the British could indeed be driven from India. But then comes the question: had imperial Japan overrun Burma and then India, would its militaristic rulers permit Bose to provide unfettered leadership to Indians? Bose, towards the end, hitched his wagon to the Japanese star. When Japan collapsed, Bose simply had no way of leading a victorious INA into



Netaji Subhas Chandra Bose

India. The dream had gone sour.

Netaji, like many heroic men in our times, was weighed down by contradictions. His belief in secular democratic politics was never in question. While the Congress and the Muslim League argued over the nature of a post-British India, one that would likely be undermined by rising Muslim communalism, Bose consistently upheld his vision of a united, free India resting on the principle of nationalism and democracy. But then comes the question of why, in his revolutionary quest for a democratic India, he thought it prudent to solicit political and military assistance from such

repulsive regimes as Nazi Germany and imperial Japan. The answer to that question may never be arrived at. But what does come back to observers of Indian history is what Bose stated in Kabul, once he had arrived there after escaping internment in Calcutta in 1941. India, once the British were gone, would need to be ruled by an iron-handed dictator for twenty years. That was Bose. Did he foresee that role for himself, one of a benevolent dictator?

At this safe distance of so many decades, it is the inspirational Subhas Chandra Bose who remains an integral part of the popular imagination in the subcontinent. Not even Tagore failed to note the grandeur in the man. "As Bengal's poet, wrote the Bard to Netaji in 1939, "I acknowledge you today as the honoured leader of the people of Bengal." Bose worshipped Deshbandhu Chittaranjan Das. When he met Ireland's Eamonn de Valera, the two men shared sweeping views of the dangerous and challenging world they were part of. Netaji's passionate faith in freedom was reinforced through the formation of the Free India Government on October 21, 1943 in Singapore. His single-minded adherence to the cause of freedom did not allow for any complacency or half measures. "I am an extremist and my principle is -- all or none," said he.

It was this patriotic extremism, in that broad inspirational form, which led him into decreeing the nature of the flag that would after him become the symbol of independent India. It would have him inform Indians that "Jana gana mana" and "Saare jahan se achha" would be theirs to sing. It was principle steeped in conviction that sustained him, even as his campaign for liberty faced setbacks. "The roads to Delhi," said Netaji, "are many, like the roads to Rome. And along one of these many roads we shall travel and ultimately reach our destination, the metropolis of India."

(Netaji Subhas Chandra Bose was born on January 23, 1897 and went missing on August 18, 1945).

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