

## SUNDAY POUCH

## Ugly face of fascism

*We condemn attack on media and the hartal call*

**W**E find no word strong enough to condemn the premeditated attacks on electronic and print media journalists by Jamaat-Shibir and likeminded parties during their countrywide reign of terror on Friday.

They converged on mosque premises and carried out indiscriminate assaults on law enforcement personnel, citizens and the media persons with handmade bombs, guns and sticks. While 1000 people were injured, as many as 17 on-duty journalists in Dhaka, Chittagong and Khulna fell victim to the outrageous onslaughts.

This is a proof, if any proof were needed, how fanatics make a brazen faced display of their fascist character. This is an abuse of a religion that admits of no aggression and violence and stands for peace.

It is clear from Friday's rampage and mayhem that the zealots targeted journalists as part of the smear campaign against Shahbagh Chatter protestations spewing venom on media people. They were taking their wrath out on journalists and e-media. This is highly reprehensible and hideous and, therefore, must be decried in a full-throated manner.

Journalists have to go to cover events and incidents in all kinds of intimidating circumstances; the growing risks posed by their calling are disquieting, to say the least. Surprisingly, as far as journalists under attack were concerned, the police played a muted role, although otherwise they were seen actively fighting off the Jamaat-Shibir elements and their ilk. A police boss advised journalists to beware of being targeted. But isn't it part of state obligations to protect journalists from dangers in the line of duty?

Whilst the extremist elements' orchestrated attacks on the police, ordinary citizens and journalists underscore their fascist character, their call for *hartal* today after such a series of violence perpetrated by them needs to be rejected out of hand. Not only is it an imposition on the people's free will and destructive to economy, *hartal* generates violence which may tend to spiral. We have already had *hartals* in close succession; another one is certainly torturous.

## Defiling national symbols

*Another facet of bigotry*

**I**N another vicious manifestation of Jamaat-Shibir disloyalty to the country they have not only made light of the law and social discipline but also openly and brazenly tried to undermine some of the values and principles we hold dear in this sovereign country. The act of burning the national flag, we must state clearly, is a treasonable offence and proves once again that those indulging in it are yet to acknowledge the emergence of Bangladesh. All this goes to prove that they are yet to reconcile to the reality of Bangladesh.

Letting this crime go unpunished can only undermine the collective self-esteem of the Bengali nation. There are reports of these fanatics insulting the portrait of Bangabandhu Sheikh Mujibur Rahman, which again testifies to their sinister aim of taking Bangladesh back into a dark era from which it has re-emerged only recently. Let the authorities go into firm action against these peddlers of philistinism.

And now that these elements, spewing hatred against the people of Bangladesh and undermining the pure essence of Islam and the state, have had the audacity to vandalise Shaheed Minars across the country, the state must come down with a firm hand and punish them. By daring to attack the very symbol of the glorious Language Movement, these denizens of the dark have committed not just high crime but sin of the most diabolical kind. They must not be allowed to get away with impunity.

It is time for Bangladesh's people to come together in defence of the values of our Liberation War. For the machinery of the state, the time is one for firm, unrelenting action to be taken rather than platitudes being repeated. If we cannot neutralise these hooligans masquerading as political workers and activists, we will pay a

# Who owns history, Mr. Cameron?



ASHFAQUR RAHMAN

**L**AST WEEK, British Prime Minister David Cameron, during his official visit to India, made a disconcerting statement in Amritsar. He said his country would not return the 105 karat Kohinoor diamond, one of the largest in the world, which was taken in 1850 from South Asia as a "gift" to the British monarch Queen Victoria. He reiterated that the "diamond in the Royal Crown is ours." "I do not believe in returnism, as it were. I don't think it is sensible. The right answer is that the British Museum and other cultural institutions around the world should make sure that the things which we have and look after so well are properly shared with people around the world," he said.

The history of the Kohinoor diamond is a fascinating one. It was mined in the thirteenth century in Andhra Pradesh, and was initially in possession of King Prataparudra in that region. Kohinoor stayed with the Mughals for a long time. Emperor Shahjahan affixed it on his Peacock Throne to add glamour to the piece. The Kohinoor fell into difficult times when it was seized by Persian King Nadir Shah when he attacked Delhi. But Nadir Shah himself was soon deposed from his throne. So Durrani carried it with him to Lahore where, in return for the stone, he got help from Ranjit Singh, the king of Punjab, to get back his kingdom. Soon after, the British came to Punjab and raised their flag on the citadel of Lahore. According to the terms of the Treaty of Lahore Ranjit was asked to surrender the Kohinoor to the

British. In fact, the Maharaja of the Punjab was asked to "gift" it to the Queen of England. Kohinoor is said to be priceless. But according to an assessment made by the Royal family it is worth \$20 billion.

The question that begs an answer is, with the dissolution of the British Empire in South Asia can the British queen keep this stone since it was acquired under false pretence? It is only logical that it should have been gracefully returned by Her Majesty to the place of origin. India has already requested for the return of the diamond, but neither the queen nor her

throughout Europe and Russia. It plundered 427 museums and destroyed 1,670 orthodox churches in Russia alone. Elsewhere in Europe, Germany raided 237 Catholic churches and 532 synagogues. So at the end of the Second World War, the British, as one of the Allies, immediately went to work to return treasures taken by the Germans.

A working party chaired by Nicholas Serota, head of the British Tate Museum, laboured to help museums look through their collections for materials that dated to those events. An international Convention

them in the great museums of the world, like the British Museum. Another argument is that "history is history and modern museums should not be punished for past sins." Again, it is sometimes legitimate for countries like Britain to remove artifacts in order to preserve or save them. The Kohinoor and other valuable items need to remain with them for all these good reasons.

But Mr. Cameron should also consider other cogent points. First, display of the Kohinoor in the crown of a British monarch is an anachronism. This is based on a false notion that only western minds can appreciate these treasures. This is highly offensive. Second, most of these treasures were acquired illegally and unethically. The Kohinoor was already willed to a temple but was forcibly "gifted" to the British queen. There is therefore a moral imperative for their return to their place of origin. Thirdly, it may be true that developing countries in the past were not capable of looking after their heritage. But that fortunately has now changed. In fact, controversial upkeep in well-known western museums may have harmed many artifacts which they claim to protect.

Mr. Cameron is a young politician who is much in synch with his present generation. We are therefore surprised to learn that he does not hold progressive views on these matters. The world has changed dramatically since the days of Queen Victoria. South Asia cannot be denied of its rich heritage because of its colonial past. Britain with its present status does not own history nor is it capable of defending its history. In all fairness, let Britain understand its own limitations now.

The writer is a former Ambassador and a regular commentator on contemporary matters. E-mail: ashfaq303@gmail.com

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successive governments have responded positively so far.

The British have always been hypocritical when the sensitive matter of return of art and other treasures forcibly taken during conflict was mooted. First, during the Napoleonic wars, France had plundered many art pieces from Italy. The French justified the "large scale and systematic looting of Italy by seeing themselves as the political successors of Rome." The French forces also proffered the opinion that their sophisticated artistic tastes would allow them to appreciate the plundered art. Britain, which was the victor in the Napoleonic wars did not subscribe to this view. So when the Duke of Wellington finally defeated Napoleon in 1815 he took steps to repatriate art plundered by the French.

Second, during the Second World War, Germany appropriated art from public and private collections

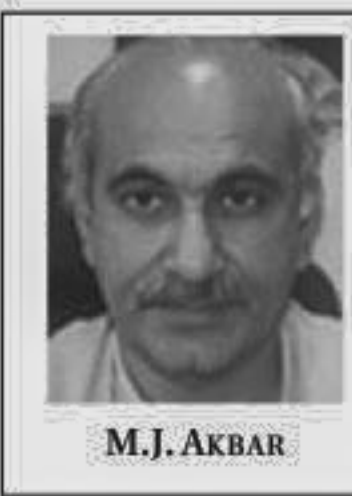
was crafted in the Hague in 1954, which was the first step taken to return art stolen by the Germans in the 2nd World War.

In spite of all the laudable steps, the British were reluctant to act when it was their turn to return valuable objects taken when they were the colonisers. Besides the Kohinoor diamond, the British have in their inventory the exquisite Elgin marbles from Greece, the Rossetta stone from Egypt and many more. In fact, there are also several valuable pieces of artifacts from Bangladesh which are housed in the South Asia section of the British Museum. These items are the heritage of our people. But they are unable to access them because of the prohibitive cost of travel to London to see them.

Britain's argument, which Mr. Cameron is parroting, is: treasures should be accessible to greatest number of people, which means retaining

## BYLINE

# Ghosts of past hover over gender justice



M.J. AKBAR

**A** Supreme Court judgement may be anchored in law, but it sails a long way through the mind of judges before it becomes a public

pronouncement. Law and justice are both human and therefore prone to frailty and error. But we respect the Supreme Court as the final authority because we trust its integrity enough to believe that even the occasional mistake is an honest one.

One means through which the legal system protects its credibility is the doctrine of "contempt of court." Dissent is not recommended, at least if you want to stay at home rather than in a cell. But surely their Lordships will permit some space for perplexity? There must be an ante room for discussion, particularly since a Supreme Court judgement is much more than the final word on the fate of an individual criminal. It is also the template by which all courts in the nation will shape their decisions in millions of cases in process of judgement, or in crimes of the future.

On February 5 newspapers reported that a bench of Justices P. Sathasivam and J.S. Khekar confirmed the death penalty on an adult who had kidnapped a seven-year-old boy and then killed him after failing to obtain ransom. The justices concluded that they saw no hope of reform in the criminal, that his perversion was inhuman, and the murder was cold and premeditated. All of this is absolutely true; the rationale

for their decision to confirm the dealt penalty is inarguable.

But there was a curious codicil in the justification, which their Lordships noted as aggravating circumstances. I quote: "The parents of the deceased had four children, three daughters and one son... Kidnapping the only male child was to induce maximum fear in the mind of his parents. Purposefully killing the sole male child has grave repercussions for the parents of the deceased..." The bench continued, "Agony for parents for the loss of their male child, who would have carried fur-

from another judgement, delivered just a week before, also involving an appeal against a death penalty. Justice Sathasivam was again on the bench, this time in the company of Justice F.M.I. Kalifulla. It is difficult to repeat their decision without a sense of horror at the double standards that the Supreme Court has applied. Before them was a man convicted by both the trial and high court. This savage murderer had raped his minor daughter, and been arrested after his wife complained to the police. When released on parole, he

and high courts do in future when a father who has raped and killed his minor daughter, and has axed his wife for being a mother, appears before them. Will they stop long short of a death sentence the next time, because of the precedent sent by Justices Sathasivam and Kalifulla? Is the life of a raped and murdered minor girl less than equal to the life of a kidnapped and murdered boy? Does a man who killed two women deserve clemency, while the man who killed one boy gets hanged?

Is this justice? The Honourable Supreme Court has the option of silence. We cannot push our questions beyond a limited point. Is silence the only answer that the court will choose?

If the Supreme Court, and Parliament, have the courage to do so they should abandon the death penalty. Then there will be no debate when governments delay the implementation of a death verdict on Afzal Guru for years, and finally act only when the president of India indicates that his patience is over. Our prisons can teem with rapists who have also killed minor daughters and wives. But as long as the law permits this ultimate weapon called the death sentence, that sword of justice must swing without conscious or unconscious prejudice.

Gender bias is dead. It is being buried in parts each day by modern India. Justice cannot be swayed by ghosts of a past age.

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*.

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ther the family lineage, and is expected to see them through their old age, is unfathomable."

The implications of such thinking are astonishing. It implies clearly that the parents' agony would have been less if one of the three daughters had been similarly kidnapped and murdered, for the girl would not continue family lineage or provide for her parents in old age. The judges stressed "sole male child" factor as bearer of "the family lineage" and sustenance provider.

Which world are the judges living in? We know the world they inhabit

axed both his wife and daughter to death.

This abominable, barbaric rapist and killer lives, thanks to their Lordships Sathasivam and Kalifulla.

One wonders: has the great ferment rising across India against rape and gender prejudice escaped the attention of the Supreme Court? Chief Justice Altamas Kabir has certainly heard the howl of anguish from women. He said that if it were possible he could have joined the protests in Delhi. Was the chief justice helpless while his brothers delivered such discordant pronouncements? What will trial courts

## THIS DAY IN HISTORY

February 24

- 1582** Pope Gregory XIII announces the Gregorian calendar.
- 1848** King Louis-Philippe of France abdicates the throne.
- 1881** China and Russia sign the Sino-Russian Ili Treaty.
- 1920** The Nazi Party is founded.
- 1945** Egyptian Premier Ahmed Maher Pasha is killed in Parliament after reading a decree.
- 1968** Vietnam War: The Tet Offensive is halted; South Vietnam recaptures Hue.
- 1976** Cuba: national Constitution is proclaimed.
- 2008** Fidel Castro retires as the President of Cuba after nearly fifty years.