

## SQ Chy verdict

### Justice at last

THE International Crimes Tribunal (ICT) on Tuesday sentenced Salahuddin Quader Chowdhury, a lawmaker and member of opposition BNP's standing committee, to death for his crimes against humanity during the War of Independence in 1971.

The verdict reflects the overall sentiment of the people in that justice that was long overdue has finally been done. It is a step forward in holding to account those who collaborated with Pakistan army and played a sinister role during the war. Worse still, the convict in question showed no remorse for the dreadful crimes he had committed.

So we look at the verdict not as an expression of vengeance, nor as an agenda of any particular party, but of Bangladesh as a whole.

As a kingpin of anti-liberation forces in Chittagong, the Fazlul Quader-Salahuddin father and son duo was notorious for their role in the liberation war.

We lend our moral support to the verdict. The legal process has not yet been exhausted as appeal remains, but at this stage we look upon it as a vindication of the moral justice against those who stood against the nation's struggle for freedom.

We cannot but note that lawmaker and BNP leader Khandker Mahbub Hossain told the press after the verdict that once his party takes power those involved in, what he said, this 'farical trial,' would be made to face trial.

BNP has been ambivalent towards the war crimes trial. But instead of pointing out flaws, if any, and coming up with suggestions to perfect the process of trial, one of its leaders is intimidating the judges and questioning the trial itself! This is simply unacceptable and reprehensible.

## Corruption at 12 per cent

### Obstacle to quality education

A new study by Transparency International Bangladesh (TIB) has revealed that the level of corruption in the education sector stands at an estimated 12 per cent. While it is certainly much better than countries in the neighbourhood, with India's 48 per cent and lower than the global average of 17 per cent, there is indeed scope for improvement. According to the report published based on data from 'Global Corruption Barometer-2012', the country has lost over Tk.700 million (US\$9 million) in the form of petty corruption in one year.

Though we have done better than many countries in limiting corruption in education, the fact remains that such graft adversely affects the quality of education our children are receiving. Given the complexities involved in the education administration and the lack of proper monitoring and evaluation in the system, there exist ample loopholes for graft to take place. Such gaps allow for the collection of undue monies and bribery for placement in educational institutions. Though the well off segment of society may be able to afford such extra payment, the poor and disadvantaged certainly cannot.

Corruption in education also means nepotism in appointment of teachers, money changing hands for gaining admission in institutions, etc. – all of which deprive deserving candidates from entry into the education system. Such practices, we believe are in direct conflict with the rules of fair play and assurance of quality in the field of education.



## Thaw in US, Iran relations

EDITORIAL

US President Barack Obama must be applauded for his courage and diplomatic initiative when he made that famous phone call to Iranian President Hassan Rohani to break the 39-year freeze between the two nations.

It must be said that the much anticipated Obama-Rohani meeting, which did not take place, had overshadowed the Syrian crisis at the annual session of the UN General Assembly but if the overtures from both the sides were any indicator, it was clear that the two leaders had decided to make a new beginning.

President Rohani, who since assuming the power, has given a new tone and texture to the Iranian foreign policy. Unlike his predecessor, Rohani has launched a charm offensive, which was evident at the United Nations.

Both leaders, despite facing tremendous internal and external pressures, know the significance of good relations between the two nations.

President Rohani is aware how the UN-imposed sanctions, targeting its oil and financial sectors, have hurt the economy and could further isolate the country. Before leaving for UN, he had made it clear that he wanted talks with major powers on Iran's nuclear programme to yield results in a short time.

The US is also aware of the influence Iran wields in the Middle East and can play a major role in the Syrian crisis. Secondly, Iran also shares border with Afghanistan, where it will be one of the major factors after the US drawdown in 2014. It's incumbent on both the nations, given their own considerations, that they develop bilateral relationship and increase contacts.

Of course, the breaking of ice after the freeze of 39 years is a big step forward but to consolidate the new beginning, both nations need to take more substantive measures.

And the best way forward is overcoming the deep mistrust of years and starting anew.

# Good governance: Role of public servants

MR. MATIUL ISLAM, CHAIRMAN

GOOD governance is now a much talked about topic. UNDP, the World Bank, or other bilateral and multilateral donors, are concerned about lack of good governance in Bangladesh and have suggested measures for its improvement. There are also institutions which offer course studies in good governance. These facilities were not there during our time. I got the first lesson on good governance from my father when I went to Barisal to meet him to take his blessings before joining the Civil Service in 1952. While traveling in a rickshaw to the Barisal Steamer Ghat, he told me: "You are entering into a new phase of your life and you should always remember that honesty is the best policy. Never compromise on honesty."

This is the cardinal principle of good governance. A dishonest civil servant is a serious impediment to good governance. The second lesson on good governance was from Chief Justice Shahabuddin, who was the Chief Justice of the High Court of East Pakistan in 1954. I and a few colleagues were under settlement training in Sylhet when Justice Shahabuddin went on a visit there and met us in his railway saloon. He said: "During the course of your career, you will hold positions where you will find that the laws, rules and regulations have given you enormous power and authority. But please always remember that this power and authority given to you are not for 'glorifying' you or to make you 'self-important,' but to enable you to discharge your responsibility and obligation to the society in a responsible and just manner."

It is difficult to find an all-inclusive definition of good governance. In a recent article published in The Daily Star, the writer defined good governance as a cross-cutting issue. To him it meant effective parliamentary process, sound law and order, improved legal and judicial system, pro-people

public service and a corruption-free society. The last two ingredients of good governance directly apply to the civil servants. Each one of us is an agent of good governance and each one of us can make enormous contribution to good governance by remaining incorruptible and maintaining a pro-people approach in the discharge of our duties and responsibilities. This will not cost us or the exchequer anything but would bring laurels both for us as well as for the government we serve.

Way back in 1952, when I decided to sit for the Central Superior Service of Pakistan, I had to deposit Rs.50 into the government exchequer as the examination fee. I was in Chittagong where the treasury was located on the top of the hill and the Imperial Bank

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of India where the money had to be deposited was at the bottom. I had to go up and down the hill at least twice to get the chalan approved, deposit the money and get a receipt. Since I was young I did not mind this trouble but I wondered how an old man would be able to perform this feat only to deposit Rs.50 in to the government treasury.

In 1963, I was appointed Joint Secretary, Finance, and one of my responsibilities was to look after the treasury work. This I considered an opportunity to probe into the procedure prescribed for depositing money into the government exchequer. Mr. Hafizur Rahman was the finance minister and I requested him to accompany me to Dhaka Treasury located in the old city. He readily

agreed. On way to the treasury, I explained to the minister the purpose of the visit, which was to see first hand whether the elaborate steps prescribed for depositing money into government treasury could be shortened and, if so, take an on the spot decision. As far as I remember, we could eliminate at least one of the stages which did not at all affect the proper accounting of the deposit.

While I was a student, I was suffering from a rare eye disease which needed immediate surgery. The procedure for getting admitted as an indoor patient in the Dhaka Medical College Hospital was quite elaborate. I started with a doctor in the 'outdoor' and it took me about one week to reach 'indoor' of the hospital and meet the professor of ophthalmology who finally operated on my eye. Even at that time it appeared to me that the procedure was much too cumbersome and caused unnecessary harassment to the patients. It so happened that in 1966, I became the Secretary Department of Health and I took time to visit the Dhaka Medical College Hospital and, accompanied by the superintendent, a colonel from the army, went through the procedure for admission step by step.

The point I am trying to emphasise is that in these two instances, as well as in a few other similar cases, my objective was to reduce the hardship and harassment to the public at the hands of government functionaries. This I feel should be the motto of every government servant. We should remember that we are all public servants and that all our decisions and actions should be directed to serve public interest only. If each one of us can emulate this principle and strictly follow this code of conduct, we will be making our solid contribution to good governance and to the building up of a prosperous Bangladesh.

The writer is the first Finance Secretary of Bangladesh.

# Freedom of expression and contempt of court

MOZAMMEL H. KHAN

THE much-awaited verdict against Salauddin Quader Chowdhury has been pronounced by the International Crimes Tribunal (ICT) and, as was widely expected, he has been awarded death penalty for committing crimes against humanity and genocide during the country's Liberation War in 1971. The son of a former top ranking Muslim League leader, and a BNP lawmaker since 1991, he was found guilty on 9 of the 23 charges brought against him. The International Crimes Tribunal-1 awarded him death penalty on four charges -- foremost of which was his involvement in two acts of genocide. Pronouncing the verdict, ICT-1 Chairman Justice A.T.M. Fazle Kabir said: "We are of the unanimous view that the accused deserves the highest punishment as provided under law for committing such gravest crimes that tremble the collective conscience of mankind."

Albeit, not for the purpose of comparison, it could be stated that his death penalty verdict could very well be qualified as the most popular one among all such verdicts pronounced so far. Except for those who hate AL or the current PM, for some reason or the other, every Bangladeshi citizen, living at home or abroad, is jubilant about the verdict. Social media was bustling with the news of his death penalty verdict. And I would like to believe that a bulk of the BNP supporters, except for the leaders who want to be in the good book of the party's supreme boss, would express their joy at the verdict in any secret ballot.

The convict, better known for his antics, vulgarism and unprecedented notoriety, has never expressed his remorse for his nationally-known crimes. Quite to the contrary, for instance, he termed The Daily Star as 'Delhi Star,' and in the language of DS reporters his "crooked smile always ran on his face. Legal procedure seemed nothing to him, so he violated the court decorum willfully and laughed at the judges and lawyers. He was confident of getting released with the change of government, and he threatened to bring the prosecutors to book." On January 1, 2013, he threatened the state counsels, saying if he got out of jail they would know the consequences of their actions. "Let me get out of jail. You will see."

Incidentally, identical views were expressed by at least one BNP lawyer

in a hurriedly called press conference in the Supreme Court following the verdict. The party chairperson's adviser, Khandker Mahbub Hossain, went outside the standard party line of 'maintaining international standards' and said that if voted to power "BNP would try those involved in the war crimes trials. The verdict against Salauddin is politically motivated and farcical." This is the most categorical statement from a BNP leader about BNP's stance, not about the fate of the accused or the convicts, but 'those involved in the war crimes trials' itself.

Khandker Mahbub, who incidentally was a prosecution lawyer of ICT in 1973, is now a defense lawyer and also wears two other hats: an adviser to BNP chairperson, which, in fact, comes secondary to his position as the vice chairman of the country's Bar Council, especially in matters pertain-

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ing to the laws of the land. His statement goes far beyond his right to freedom of expression as a citizen of a democratic Republic. In fact, it is not only contempt of court and of the International Crimes Act, but is also tantamount to direct threat to the presiding judges of the ICT, the prosecutors, the witnesses, the leaders of the incumbent government and indirect intimidation of millions of justice-hungry citizens who hold memories of our 3 million martyrs and the values and virtues of our glorious War of Liberation dear to their hearts and whose hunger for justice has brought these auspicious moments to reality after a wait of 42 long years.

The BNP leader and Bar Council chief, aside from challenging the long-felt aspirations of millions, has stepped into no-no territory. The ICT, through its power of suo motu should be dealing with the comments, which by all standards are contemptuous of

the highest order, to say the least. The Bangladesh Constitution in Article 108 states: "The Supreme Court shall be a court of record and shall have all the powers of such a court including the power, subject to law, to make an order for the investigation of or punishment for any contempt of itself." The constitution guaranteed the freedom of press in Article 19 subject to any reasonable restrictions as noted in Article 39 (2) that includes, among others, "contempt of court."

In their judgment on contempt of court against Arundhati Roy, the famous Indian writer, two justices of the Indian Supreme Court said that they had no option but to convict her because she had committed the offence of criminal contempt of the Court by "scandalising its authority with malafide intentions" and, further, had not shown "any repentance or remorse." Instead, they said, she had persistently and consistently tried to justify her action which, prima facie, was contemptuous of the Court.

In the words of the legendary former Canadian chief justice Brain Dickson: "Any act of expression calculated to bring a court or a judge of the court into contempt, or to lower his authority, is a contempt of court." In a contempt ruling against Edmonton Sun, Justice M.A. Binder of Alberta Court of Queen's Bench in 2000 observed: "Freedom of expression and of the press will yield to safeguard the integrity of the course of justice."

The categorical statement of contempt by the Bar Council chief has aroused grave reactions among the members of Bangladeshi community in the social media as well. This is a serious constitutional matter and the nation's constitutional experts and its highest court should deal with it urgently. Or else the hawkish politicians in jurists' guise will be encouraged to perpetrate, in the name freedom of expression, whatever it takes to damage the institution of the judiciary and thereby weaken the faith of the public. If such an attempt is not prevented, disastrous consequences are likely to follow, resulting in a break in the nation's arduous journey towards establishing rule of law, the expected norm of any civilised society.

The writer is the Convenor of the Canadian Committee for Human Rights and Democracy in Bangladesh.

## LETTERS TO THE EDITOR

letters@thedailystar.net

### A ray of hope

Without any doubt, this is the best news of the year that Obama and Rouhani were finding a common link of shared politeness over the phone. All of us around the world can now heave a sigh of relief. Hopefully, from this small beginning, good political relationship between USA and Iran will blossom. May the ray of optimism shine on our world with no bitterness between the two nations and all across the globe!

Engr. S. A. Mansoor  
Dhaka

### Stalemate halts admission in JU

Jahangirnagar University has long been facing a deep crisis over the resignation of the VC. A large section of teachers have been protesting demanding the VC's resignation for the last few months. The upcoming admission test for the session 2013-14, due to be held in November, is now uncertain due to the teachers' movement. The central admission test conduct committee could not take any decision about admission tests in the last five meetings due to the absence of most of the deans and chairmen. The applicants are going to suffer advance session jam before taking admission. The confrontational situation between the VC and the agitating teachers has brought the academic activities to a halt. We, the JU family, want a permanent solution to the ongoing crisis.

Kamran Siddiqui  
President

Jahangirnagar University Journalists' Association

### Throw the book at home aid tormentors

It was difficult to hold back tears when I was watching the shocking story of Aduri on television. Special measures should be taken to stop this type of crime. In most of the cases, the accused housewife is arrested and sent to court. The learned court gives punishment after trial. In the mean time, people forget the incident. Some people think that new law should be enacted to give exemplary punishment to the perpetrator within a short specified time. This will stop domestic violence to some degree. The media can play a significant role in building social awareness against domestic violence.

Md Moniruzzaman

PhD candidate

University of Birmingham, UK

### Tutorials on Internet

Tofazzal Hossain deserves special thanks for introducing us to the Khan Academy through his letter dated 18.9.13. I have visited this site on YouTube and found the lectures extremely interesting and informative which is a boon to most school and college students all over the world. It is mentioned in the introduction that India has the largest number of users after the US which is not surprising as most Indian students are quite proficient in English. However, the situation is very different in this country. Except for English medium students, the site will be of little or no use to the vast majority of Bangla medium students of the present generation as they would be unable to follow and understand the instructions of the tutorials given in English.

S. Ahmed

Gulshan, Dhaka

### Comments on news report, "Tailbacks, thanks to PM's reception," published on October 1, 2013

#### Spiderman

It doesn't matter that common people had to wait for hours and millions of dollars worth precious fuel was wasted and over-polluted Dhaka got more polluted. Forget those because madam has won a prize. People are lucky that she didn't win a Nobel like Dr. Yunus did, or else entire Bangladesh would be at a standstill.

#### Saleh Tanveer

It seems from their attitude that they are the only rightful owners of this land.

#### MH Khan

We should get rid of this culture. These types of receptions are childish and irresponsible.

#### S. M. Iftekhar Ahmed

It seems as if the two so-called leading ladies are in a competition as to who can make the common people suffer the most. Only the Almighty knows why people of this country still feel that the ladies are irreplaceable and continue to vote for them.

#### deepjelejai

More than 40 years have passed after the Liberation War. Undoubtedly, it is a gloomy picture of a country where the unscrupulous politicians still love flattering and are too foolish to see through the praising words of the advantage seeking people surrounding them.

#### Shahin Huq

This warm reception of Sheikh Hasina is from her ministers, not from the people of Bangladesh. We have suffered enough because of her continuous falsehood and misrule. She has no regard for the city dwellers who faced this ordeal to come back home after the whole day of work. Such irresponsible attitude goes very well with Sheikh Hasina.

#### truthprevails53

So Khaleda Zia doesn't create tailbacks when she goes to Bogra?

#### SM

They are both alike -- don't care about anything except themselves.