

ANONYMOUS PEOPLE

and the insidious logic of petrol bomb terror

NAZMUL SULTAN

POLITICAL violence is as old as the memory of our nationhood stretches back. Between the rise and fall of regimes, what appears again and again is the cycle of political violence. Given this habitual co-existence with violence, it is all too easy for us to take the recent petrol bomb phenomenon as a continuous chapter in the rather darkly illustrated history of political violence. Such a generalisation, however justified, glosses over the insidious logic of this petrol bomb phenomenon. The logic of the petrol bomb terror, as I will try to show below, registers a qualitative break from the previous forms of political violence.

There is something extraordinary about the widespread attacks on public transportation across the country. With the risk of simplifying it, it could be argued that the ordinary forms of political violence have a palpable object -- they erupt over evident contests over interests. In quotidian life, the clash among political factions and parties over the control of institutions subjects ordinary citizens to violence and suffering. Granted, the terror involved in, say, taking siege of residential halls or forcefully extracting money from businessmen, result in obvious cases of political violence. However, while the victims of such politically-grounded violence suffer in multiple ways, the logic behind ordinary political violence revolves around the questions of interests and power. In other words, these forms of commonplace political violence are primarily a result of the clash over power and material interests, while the mass public is the necessary collateral damage of such violent processes. In contrast, the public is no longer the collateral damage, but the very target of the petrol bomb attacks. The anonymous people, to put it simply, are chosen as victims precisely because of their identity as the public. Most political violence in our recent history happened on the basis of group-identity. Curiously enough, the targets of petrol bombs are neither singled out because of their specific socio-cultural identity nor are they chosen on the basis of their political affiliation. Their identity, as it were, is the very absence of any specific identity. The other name of this apparently nameless entity is the people,

or what we call *janata* in Bangla.

The choice of public transportation is significant both for practical and symbolic reasons. In a city like Dhaka where public space is quickly dwindling, streets and public transportations are the crucial spaces that bring together strangers and generate images of 'publicness.' It is no exaggeration to say that streets and public transportation symbolise the very idea of the public. Not surprisingly, public transportations on the streets have been a site of political intervention for quite some time. *Hartal*, for example, is a political strategy that seeks to mount pressure on the authority by way of keeping the vehicles off the streets (forcefully or not). During *hartal*, the political activists often choose to vandalise vehicles with the aim of reinforcing the strike. Yet, despite this formal similarity, it would be mistaken to compare *hartal*-related violence with the petrol bomb attacks. Vandalism associated with *hartal* generally targets vehicles, not the passengers inside them. In addition, *hartal* violence is often for the sake of forcefully reinforcing strike -- it is not necessarily violence for the sake of violence. On the contrary, petrol bombs are directly aimed at the helpless passengers called the people. To an extent, the petrol bomb attacks are violence for the sake of it.

Historically, streets are at the forefront of all sorts of politics in Bangladesh. Whether it is a mass movement or an inter-political-party contest, the contention inevitably spills over to the street. And this is understandable. Given the weak nature of our political institutions, streets are the most significant sites of political mobilisation and pressure-generation. The politics of occupying streets often gets violent, resulting in forceful intimidation of the public. Even in 2006, when the political order faced a problem akin to the contemporary one, the then-opposition party, Awami League, attempted to force the government to accept their demands by way of occupying the streets, however forcefully. The BNP and other oppositional parties -- perhaps owing both to the authoritarian grip of the present government and their failure to effectively mobilise activists so as to take control of the streets -- are failing to provide any semblance of popular legitimacy to their protest. The resultant vacuum has taken an insidious

trajectory. Instead of building the oppositional movement on and around the street, the oppositional elements have chosen to attack the street and the public who occupy them. This development is as anti-democratic as it can get. I conclude with such a bold statement for two reasons.

Firstly, this petrol bomb strategy is seeking to destabilise the ruling order not by confronting the regime itself, but by way of attacking the mass public with terroristic means. Secondly, this strategy amounts to nothing but a desire to destroy the political agency that the people hold. The underlying strategy that informs the petrol bomb phenomenon is not difficult to discern. The petrol bomb violence, and the fearful environment it is giving birth to, is expected to produce a situation that facilitates interventions from extra-political actors. This underlying direction registers a profound distrust not so much in the ruling regime, but rather in the people themselves. This is the most terrifying flame of the disastrous petrol bomb fire. The images of the burnt bodies of the victims are haunting enough. But the anti-people logic of the petrol bomb phenomenon is going to leave an even deeper scar in our already disfigured democratic body.

Mired in this intricate situation, the government is taking recourse to the brute forces that can never address the political crisis at the heart of the problem. Mirroring the opposition party, the government is effectively failing to garner any political legitimacy from the people who themselves have become the new target of terror. Nothing can be more shameful for a democratic polity than the act of appealing to a higher authority that is not the people. Worse still, the petrol bomb phenomenon is making room for the extra-political authorities by attacking the people themselves. This is a grim instance in our political history. The law enforcement forces are not going to rescue us from this political nightmare. What is needed is the subversion of the inherent political logic of the petrol bomb phenomenon, a task that can only be accomplished in the very name of the nameless targets of petrol bombs.

The writer is a PhD student in Political Theory at the University of Chicago.

CHIEF JUSTICE

Mustafa Kamal

Iconic legal giant of bygone age

MANZOOR HASAN

CHIEF Justice Mustafa Kamal was one of those rare academic-minded lawyers who never lost his zeal for judicial activism despite the elevation of age or status. I haven't had the privilege of appearing before him as a practicing barrister but my encounters happened as the founding executive director of TIB. As TIB was advocating for improved governance, Justice Mustafa Kamal was exercising his judicial mind to call for an independent lower judiciary or redefining the limits of *locus standi* in relation to writ applications. Justice Mustafa Kamal's famous cases, such as, *Masdar Hossain* and *Dr. Mohiuddin Farooque*, among many others, will remain as rich testimony to his judicial activism.

In the case of *Masdar Hossain*, Justice Mustafa Kamal laid out a clear roadmap for the separation of the lower judiciary from the executive. The boldly delivered landmark decision of *Secretary, Ministry of Finance v Masdar Hossain* (1999) became the rallying call for various civil society organisations and media houses to pursue the objective of an independent and accountable lower judiciary in Bangladesh.

Justice Mustafa Kamal had to determine the position of the judiciary vis-à-vis both the executive and the legislature when in 1995 a group of judicial officers brought before the court the following constitutional issue -- to what extent the Constitution of the Republic of Bangladesh has ensured the separation of judiciary from the executive organs of the State.

Justice Mustafa Kamal delivered his historic judgment with 12 directive points on May 7, 1997 (reported in 18 BLD 558). The government appealed and the Appellate Division upheld the decision of the High Court Division but with some modification. The judgment was delivered on December 2, 1999 (reported in 52 DLR 82), and the government was given clear directions in order to complete the process of separation of the lower judiciary from the executive by undertaking steps, such as, a separate Judicial Service Pay Commission, amendment of the criminal procedure and the new rules for the selection and discipline of members of the lower judiciary.

The fact that Justice Mustafa Kamal didn't choose to become a private man, secluded from the challenges and controversies of everyday life, is manifested by his active participation in various conferences, seminars and roundtables. Dhaka is famous for its '*adda*' culture and lately the talkative Bengalis have formalised this into regular roundtable meetings of the 'usual suspects.' Justice Mustafa Kamal didn't shy away from these gatherings just because he once occupied the rarified benches of the Supreme Court of Bangladesh but selectively attended them and expressed his opinions with judicious balance and objectivity.

I recall with great satisfaction Justice Mustafa Kamal's consent to attend the 9th International Anti-Corruption Conference (October 10 to 15, 1999), which was held in Durban, South Africa. Chief Justice (as he then was) Mustafa Kamal became the de facto leader of a rather large contingent from Bangladesh on the invitation of Transparency International. Justice Mustafa Kamal was invited to address a plenary session, and at the end of the speech he received a standing ovation! He delivered a powerful speech, 'Ethics, Accountability and Good Governance' Let me cite a few paragraphs: "...if corruption is to be combated, it would have to be addressed both by way of a change of heart and a change of consequences.

Good governance, ladies and gentlemen, is an extension of the principle of the rule of law. A society is well governed when there is a rule of law, not a rule of man or woman.

A democratically elected government is not necessarily a democratic and open government. It has often been found in history that a democratically elected government can also be despotic and autocratic in practice.

On his retirement in 1999 Justice Mustafa Kamal took on alternative dispute resolution, popularly known as ADR, as his *cause celebre*. He travelled extensively up and down the country to raise awareness and conducted training on ADR. Given the fact that there are millions of pending cases in the courts, Justice Mustafa Kamal rightly believed that one of the most effective ways of dealing with this perennial and pernicious cause of misery to citizens, particularly the poor, was to formalise a citizen-friendly mechanism to resolve minor disputes of mainly civil nature outside the realm of the formal justice sector. His effort was subsequently vindicated when the government of Bangladesh enacted a new law, which has made the use of mediation and conciliation mandatory before resorting to courts and lawyers.

Justice Mustafa Kamal's intellectual honesty and integrity has opened our 'eyes' to the real weakness of the judiciary and the legal profession. Rather than delivering justice to the citizens of Bangladesh the long delays and lowering of ethical standards have brought much frustration among the public, and it is high time that we come up with alternatives.

Justice Mustafa Kamal and what he embodies is fast disappearing from our society, a sad but incontrovertible observation.

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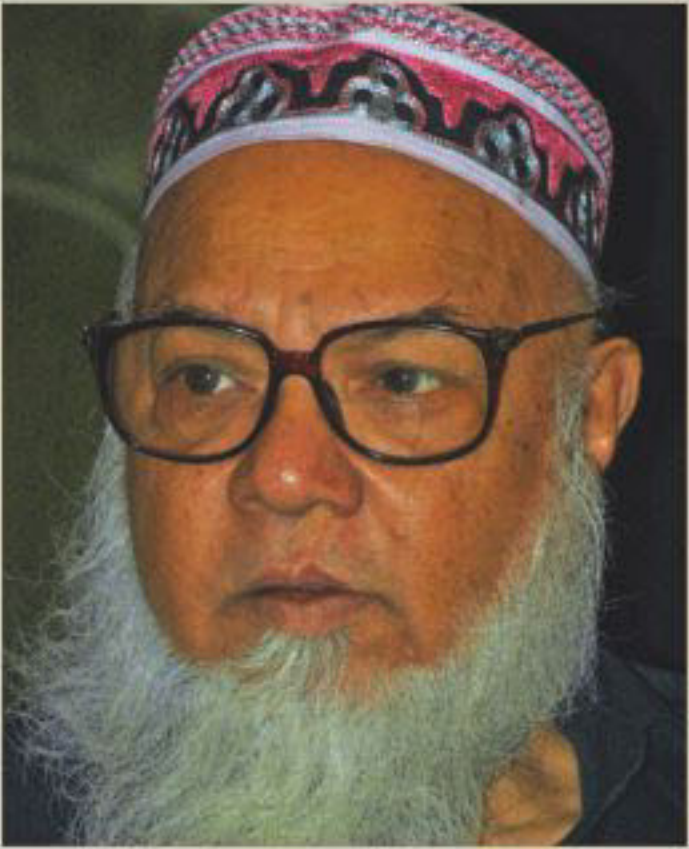


PHOTO: STAR

Oborodhs and my holiday burnt to ashes

SAMIHA RASHID

THE pressure was getting to me. Tomorrow was the last day of my exams, and if I did well I'd have a good feeling during the entire vacation.

As I stepped out of the examination hall I felt very excited. I couldn't stop making plans in my mind. We would be going to Singapore and Bangkok for the winter and my father had already booked the tickets, but as soon as I went home my dad told me that my aunt had called from America saying that they would be coming to Bangladesh after a few days. This news was better than the idea of Bangkok and Singapore altogether, since spending time with my closest cousins was way more exciting than going anywhere abroad. So, my dad cancelled the tickets for Singapore and Bangkok and I started making plans for when my cousins came. I was thinking about taking them to Nazimgarh in Sylhet, Chittagong, Cox's Bazaar, and of course our home town, Comilla; maybe even a few other places if we got the time.

Then suddenly I heard that there would be *hartal*

the day before my aunt came, and I became anxious about whether or not there would be a *hartal* the next day. My dad told me to calm down saying that there, hopefully, wouldn't be a *hartal* that day. But just in case there was and for the safety of my cousins, I told my dad to hire an ambulance. But unfortunately, my fears came true. I still didn't worry because we had already hired an ambulance. But right at that moment my aunt called. On hearing about the *hartal*, she decided to postpone her departure for two days. I was okay with that because, just like everyone else, I was quite sure that everything would be back to normal within a short time.

I don't want to repeat the same thing so many times, so I'm just going to say that two weeks of *hartals* had gone by in a flash, and my aunt had already postponed her trip four times. But I was still hopeful that that the *hartals* would end soon, and my cousins would come. But all that hope went away in an instant, when my aunt called, saying in a desolate tone that they had cancelled the entire trip. I was speechless. But I did kind of understand their decision, since I knew that if there were continuous *hartals* for the next two weeks there was a huge

possibility that it could continue for another month or so. And if that happened, we'd be stuck at home like prisoners. But just as sad as I was, I knew my cousins were equally disappointed. They loved Bangladesh, they loved their home town and they loved spending time with their family. My aunt was always too busy to come to Bangladesh during the summer, and so winter was the only opportunity for them to come and spend time with us. But now, even that wasn't possible. We had cancelled our trip to go abroad, and had made so many plans of having fun with them that now we were left hapless. So, with nothing left to do, I just decided to stay at home, lie down on my bed, and stare at the ceiling for the rest of the day, day-dreaming about all the fun I would've had if it wasn't for all the *hartals*.

Because of the *hartals*, my cousins cancelled their plans of coming to Bangladesh around December 30. Today, it's February 10, and the *hartals* and *oborodhs* still haven't ended. In fact, it's a *hartal* today, and the BNP and Jamaat, or whoever it is, has just declared a *hartal* for the next two days.

The writer is a student of Class 6, Sunbeams School.

CROSSWORD by Thomas Joseph

ACROSS

- 1 Tropical parrots
- 7 "Shane" star
- 11 Turkish peak
- 12 Bakery worker
- 13 Dear
- 14 Piccolo's cousin
- 15 Some messages
- 16 Made over
- 17 Lip
- 18 PR head's chore
- 19 "Like that'll happen!"
- 21 Kickoff aid
- 22 "The Wall" band
- 25 Chess pieces
- 26 Gossip bit
- 27 Blood line
- 29 Press
- 33 Bloodhound's clue
- 34 Cousteau's gear
- 35 Philosopher Immanuel
- 36 Rode the curl
- 37 Different
- 38 Kindle
- 39 Some bucks
- 40 Less relaxed

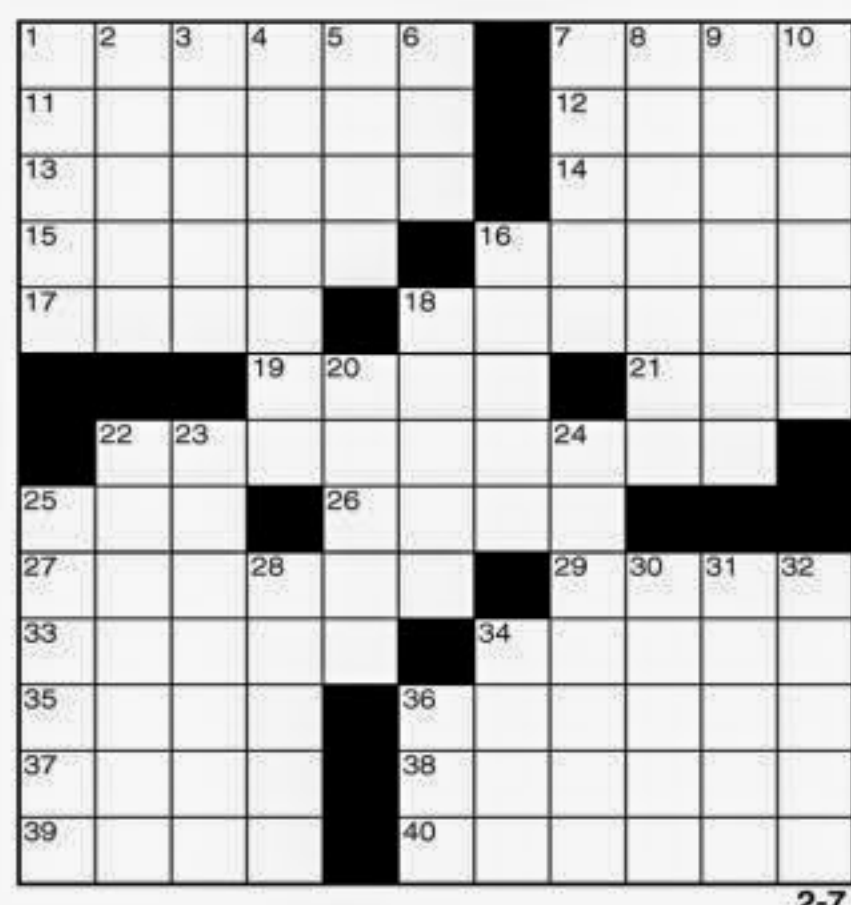
DOWN

- 1 Spiked clubs
- 2 Kitchen come-on
- 3 Hacienda homes
- 4 Skilled worker
- 5 Mural setting
- 6 Messy digs
- 7 Career soldier
- 8 pH measure
- 9 Clearly set out
- 10 Search the riverbed
- 16 Pillage
- 18 Grant's bill
- 20 Avoid
- 22 Sheet material
- 23 Concentrated
- 24 Letter after xi
- 25 Like the Lone Ranger
- 28 Door sign
- 30 Sewell of "Dark City"
- 31 Past plump
- 32 Candidate of 2004
- 34 Confident
- 36 Stopped standing



Democracy means government by discussion, but it is only effective if you can stop people talking.

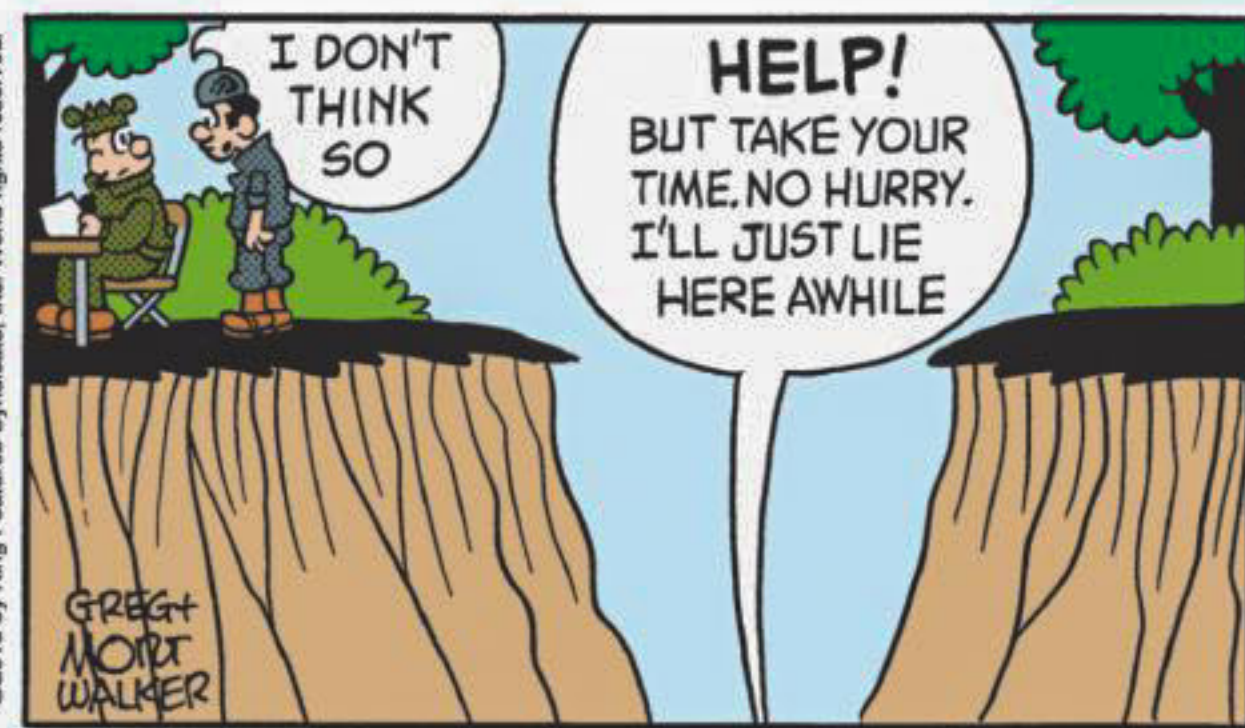
-- Clement Attlee



Yesterday's answer

C O C O A M A J O R
A U R A S A T A L E
S T O R K R A I D S
P A C A S S L I E
E G O N T H E N
R E D U C E L O S T
I S E E Y O U
M I L O P O S S E S
U S E F L U E X T
S I R L E N R H O
S T O V E G R O A N
E M C E E U N C L E
D E K E S N A K E D

BEETLE BAILEY



CRYPTOQUOTE

GXXWFLMM ET GXXWFLMM LAK WLMNAW ET WLMNAW. FJW WYN QEAKTNW XG ZXJP WNLQ QLCNT LMM WYN KEGGNPNABN.

-- PXFNPW HPEGGEA EEE

Yesterday's CRYPTOQUOTE:

AND FINALLY WINTER, WITH ITS BITIN', WHININ' WIND, AND ALL THE LAND WILL BE MANTLED WITH SNOW.

-- ROY BEAN

by Mort Walker

A XYDLBAAXR is LONGFELLOW

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.