

NOOR HOSSAIN DAY

Dissent and the price of freedom

MOYUKH MAHTAB

"The silencing of dissent, and the generating of fear in the minds of people violate the demands of personal liberty, but also make it very much harder to have a dialogue-based democratic society."

THIS said the Nobel Laureate Amartya Sen, speaking of whom, we never forget to mention that he was born in Bangladesh, at the annual Rajendra Mathur Memorial Lecture organised by the Editors Guild of India in 2016. Strong words reminding us of our right and the importance of dissent in a democracy. And we need to be reminded, time and again, because in our collective silence, our looking the other way, our self-delusions and our collusions for petty gains, we forget that it is imperative to speak up, to take a stand, to take the opposite stance if necessary when our morality is shaken and rights of people are trampled upon by the powers that be.

In 1987, stronger words reminded the nation of what was at stake. "Sairachar nipat jak; Ganatantra mukti pak" (Down with autocracy; Let there be democracy). With these words painted on his chest and back, Noor Hossain took a stand against the autocracy of Lieutenant General Hussain Muhammad Ershad as part of the Dhaka Siege on November 10. The rally turned bloody, and Noor Hossain was killed under riot conditions, reportedly from police firing.

He wasn't the only martyr in the movement for democracy that was waged from 1982 to 1990. In 1983, during a protest rally by students against the education policy of Dr. Majid Khan, eight people were killed by the police. In

the same rally that Noor Hossain was a part of died Nurul Huda Babul and Aminul Huda Tito (Shoiro Shashoner Noy Bocchor, Major Rafiqul Islam). There have undoubtedly been many more, and we forget their names. But Noor Hossain, a barely educated common Bangladeshi, who had only studied till Grade eight, became a symbol of resistance to authoritarian power then, as he should be now.

In March 1982, Lieutenant General Hussain Muhammad Ershad proclaimed the military rule ordinance. It read: "... with the help and mercy of Almighty Allah and blessings of our great patriotic people, [I] do hereby take over and assume all and full powers of the Government of the People's Republic of Bangladesh... as Chief Martial Law Administrator"

I read this today, almost three decades later, and I cringe at the words. The irony of martial law and a military dictator in a 'People's Republic.' With such self-assuredness, the decree promises to right all wrongs. A messiah like figure promising salvation from the "state of extreme frustration, despair and uncertainty", for the "greater national interest" and "national security." Almost in passing, the decree adds that his orders will be the "supreme law of the country and if any other law is inconsistent with them that other law shall to the extent of inconsistency be void."

It would be eight more years till Bangladesh would gain back any semblance of democracy. It would take Noor Hossain's courageous stance, mass movements, cross-partisan alliances, and a united stance in the name of democracy to see the day in 1990 when

Ershad would yield. And yet, the parties which came together against Ershad then, subsequently forgot what they fought for. The words of Noor Hossain's mother in an interview, painfully, ring true: "I still don't see anything for which my son died." (New Age, November 10, 2005)

It might be naïve of me to ask what makes those in power fear the voice of the people. And what, especially in our subcontinent, brings on repressions - even by democratically elected governments - on people's protests. After all, I might foolishly add, a democracy is supposed to be the embodiment of a people's decision. So, why are those who do not agree with power harassed, branded seditious, called unpatriotic, and silenced?

Why is it when a citizen of the country who does not agree with the government's decision to build a coal-fired power plant near a Unesco World Heritage Site, they are automatically relegated to being 'anti-national' or 'unpatriotic'? Is silencing of voices somewhat more legal when done through legislation? If not, then are laws like The Foreign Donations (Voluntary Activities) Regulation Bill 2016, which makes it an offence for foreign-funded NGOs to make "inimical" and "derogatory" remarks against the Constitution and constitutional bodies, any more democratic than what we fought against? Or the Digital Security Act, 2016, which if enacted, would silence dissent online, and promote self-censorship in the name of that vile term 'national security'?

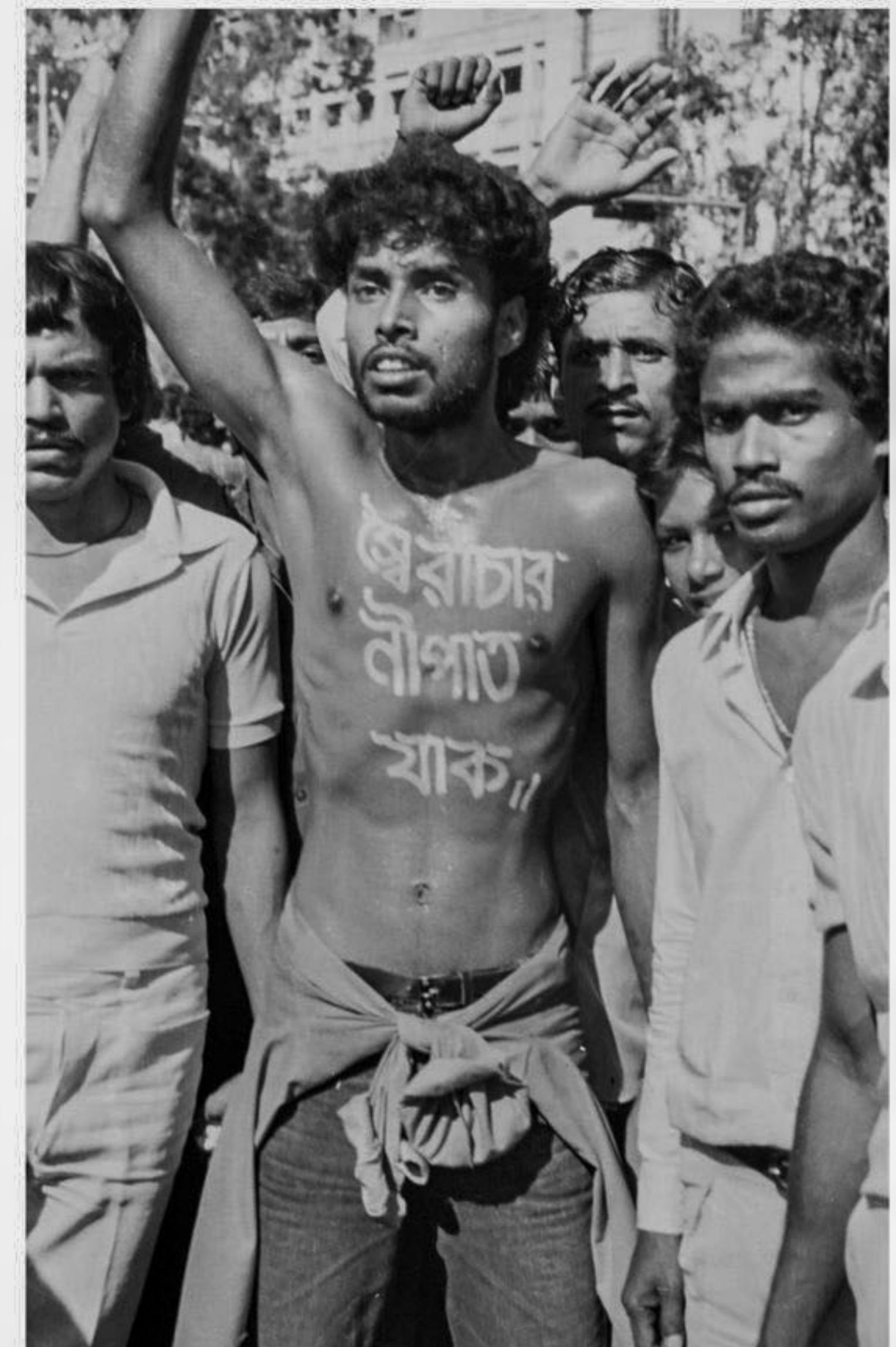
The Indian historian Romila Thapar, in an interview with Caravan Magazine in the wake of the student protests in

Jawaharlal Nehru University against the death sentence of Afzal Guru and the subsequent branding of them as 'seditious', pointed towards the colonial roots of sedition in the subcontinent. "Sedition was introduced at a time when India was a colony and was governed by an alien power. Now we are an independent nation with an elected government. It's a democratic Parliament. So, the situation is entirely different. Is it, then, legitimate to have sedition as a punishable offence?" We wonder.

On this day, Noor Hossain's dissent was silenced near Zero Point, when he took a stance against authoritarianism. Yet, his gesture, made immortal, was seen again during the call for punishment of war criminals during the Shabbagh protests. And the man against whose rule he protested, has apologised, unapologetically with the caveat: that Hossain was merely used as a symbol against his government. But what of those who were beside Hossain that day? Have they done enough to make a reality the democracy for which Noor Hossain died, where criticism is not sedition and dissent is not anti-state? We commemorate Noor Hossain Day with pride and reverence, but in doing so, we must remain vigilant about morphing the ideals of his dissent into mere hollow words. As the Nobel Laureate who was born in Manikganj, Bangladesh, reminds us: "Vigilance has been long recognised to be the price of freedom."

The writer is a member of the Editorial Team, The Daily Star.

PHOTO CREDIT: Dinu Alam, CC BY-SA 3.0, commons.wikimedia.org/w/index.php?curid=29684819



Noor Hossain at the 1987 protest for democracy in Dhaka before he was shot to death by Bangladesh police.

Paris Agreement has just come into force

MIZAN R. KHAN

THE Paris Agreement (PA) has just taken effect, only eleven months after it was adopted at COP21 of the UNFCCC in Paris last December. This is almost unprecedented in global diplomatic history, particularly for an agreement involving the most intractable global agenda of today - human-induced climate change. After the frustrating experience with the Kyoto Protocol for almost 20 years, this is a refreshing and welcome beginning in climate diplomacy. As we all know, the Paris outcome was dubbed as Paris Agreement, only to allow President Obama to use his executive power to accede to the Agreement, bypassing Congressional ratification. The push came with the US-China initiative to accede to the Agreement in early September 2016, when the two largest emitters of greenhouse gases, one historically the largest and the other, currently the number one emitter.

Others followed suit in quick succession to meet the double trigger provision of its coming into force: ratification by at least 55 parties covering at least 55 percent of global emissions. As of today, 94 countries ratified the PA, covering over 66 percent of global emissions. Now after 30 days of meeting the second threshold, the PA has become a legal instrument.

TASKS AT MARRAKECH

Now the scene is set for the COP21 to be the COP serving as the First Meeting of the Parties to the Agreement (CMA1). This process happened in such haste that the house could not be made ready yet to get in. Thus, an unfinished and long agenda awaits the COP22. Its agenda shows a long list of simultaneous openings of plenary meetings to begin with: the second part of the first session of the Ad Hoc Working Group on the Paris Agreement (APA), the body charged with getting the house ready for CMA1, COP22; the twelfth session of the meeting of Parties to the Kyoto Protocol (CMP12) and CMA1, among others.

So the plate is full for the two week-long event beginning on November 7 in the historic city of Marrakech, which is hosting the COP for the second time, after COP7 back in 2001. The big openings will be



SOURCE: PINTEREST

followed by negotiations in at least 10 tracks, the highest ever in the UNFCCC meetings: adaptation, mitigation, loss & damage, finance, technology, capacity building, transparency, global stock-take, compliance and cooperative approaches. Actually, the primary goal of COP22/CMA1 will be to

develop the modalities, procedures and guidelines (MPGs) for operationalising all the negotiation tracks set in Paris. There is also a long list of processes and structures to be operationalised under the PA. These are: an enhanced transparency framework for climate action and support, global stock-take every

five years, a 12-member compliance mechanism, a clearing house for risk transfer and insurance, a task force to devise integrated approaches to deal with climate-induced displacement, approval of the 12-member Paris Committee on Capacity Building and adopt a five-year work plan, the Capacity Building Initiative for Transparency, development of modalities for accounting of public climate finance, a new market mechanism and a global sustainable development mechanism. All the MPGs must be completed by COP24 in 2018. Marrakech is basically charged with developing the rule book for implementation of the PA, pre-and-post 2020.

STICKING POINTS

However, development of all these MPG processes may not have smooth sailing. Behind rule fixing, the usual political acrimony characteristic of climate negotiations may raise its head again. As is known, the PA is a legal hybrid - mix of both binding and no-binding elements: the binding elements relate to procedural issues, such as regular communications of nationally-determined contributions (NDCs) and global stocktake every five years, while the substantive elements, such as NDCs to emissions abatement and compliance mechanism is non-binding. There is again a mix of bottom-up and top-down approaches. There will be periodic top-down international reviews of NDCs submitted by parties. So, implementation of the mitigation targets is largely based on top-down peer pressure, without any enforcement mechanism. Already estimates show that even with full implementation of all the submitted NDCs, the world will witness no less than a 3 degrees Celcius rise relative to the pre-industrial level. But the target set in the Agreement is a maximum allowable rise of 2 degrees Celcius, with an aspirational goal of 1.5 degrees Celcius. The question remains whether the goal of stabilising the concentration of greenhouse gases will be achieved just with peer pressure, without any naming and shaming.

The foundational problem is that climate change is beset with malign incentives, with unabated ease of free-riding and gaming. So many disparate and overlapping negotiating

blocs, both within the developed and developing countries, populate climate diplomacy, where every group has their pre-conceived notions of norms, fairness and expectations.

BUTTING HEADS

The crux of intractability is the mitigation track. Under the present dispensation, each and every party will claim its actions fair and ambitious compared to others. The developed world, though stipulated to lead in action, will focus more on the top-down review and transparency mechanisms to ensure compliance to submitted NDCs by countries like China and India. The self-differentiation based on self-righteousness in all likelihood will not succeed. For the sake of adoption of a universal agreement, the major emitters from the developing countries agreed in Paris to a truce on differentiation between developed and developing countries as enunciated in the Convention, the parent of the PA, and its provisions reflect this in responsibilities in somewhat attenuated form. But it is likely that the rancor may manifest again, once the honeymoon is over.

So there is no reason to believe we are already in a post-equity world in climate diplomacy. About 12 countries, including India, have submitted their ratification instruments with reservations, keeping the option to leave if other players don't play fair. Between this likely bullfight again among the major emitters from both sides, the LDCs are sandwiched, which have very modest expectations of enhanced support mainly for their adaptation actions with the pledged climate finance, technology and loss and damage mechanisms, and the newly established Paris Capacity Building Committee. In between these maxi- and mini-emitters, there are goodwill alliances, such as Cartagena Group or Climate Vulnerable Forum, which try to mediate, bridge and reach out for consensus. With such a potential train wreck, let us hope that climate negotiations under the universally agreed Agreement will continue remaining on a solid track and stave off the impending and irreversible disasters.

The writer is Professor, North South University and member of the Bangladesh delegation to COP22.

QUOTABLE Quote

THOMAS PAINE
The American Crisis

These are the times that try men's souls.

CROSSWORD BY THOMAS JOSEPH

| ACROSS | DOWN |
|----------------------------|------------------------------------|
| 1 App makeup | 1 Heart |
| 5 Emerald units | 2 Yemen neighbor |
| 11 Sign of a sort | 3 Keeping safe |
| 12 Activist Bloomer | 4 Menu choice |
| 13 Flat floater | 5 City of Colombia |
| 14 Drank like a dog | 6 Floors |
| 15 Transporter command | 7 Advice to sineers |
| 17 Role for Keanu | 8 European peak |
| 18 Supply with funding | 9 Cinch |
| 22 Academy attendee | 10 Down |
| 24 Martin of movies | 16 Procured |
| 25 French friend | 19 Removing financial support from |
| 26 Range | 20 Trackshape |
| 27 1942 ship | 21 Sack "I do" |
| 30 Carries | 22 Superhero's wear |
| 32 Painter Degas | 23 Surrounded by |
| 33 Ornate vase | 28 Japanese mat |
| 34 Fiesta food | 29 Scents |
| 38 Costa Rica neighbor | 30 Crude abode |
| 41 Law-to-be | 31 Mecca's place |
| 42 "20 Questions" category | 35 Shaker fill |
| 43 A fan of | 36 Choir member |
| 44 Keyboard pro | 37 Make slow progress |
| 45 Overly eager | 38 Tritite |
| | 39 One or more |
| | 40 Quick bite |

BEETLE BAILEY

by Mort Walker

ARE YOU SURE HE'S QUALIFIED? HE'S THE BEST! IT WOULD BE PERFECT FOR YOU, GENERAL. NICE. HE'S AN EXPERT LOAFER!

BABY BLUES

by Kirkman & Scott

COME ON, HAMMIE, DAD SAYS IT'S TIME TO GO— AIEEEEEEE! YOU DEFINITELY HAVE TO COME OVER FOR A PLUNDATE.

YESTERDAY'S ANSWER

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| J | A | G | S | Q | U | A | K | E | R | |
| A | C | R | E | O | P | L | A | T | E | |
| W | H | E | N | O | K | A | Y | E | D | |
| S | E | A | T | T | I | E | S | | | |
| F | E | D | U | P | P | A | R | K | A | |
| I | V | E | S | | | L | E | I | S | |
| F | I | A | T | S | | M | E | A | N | T |
| I | L | L | | T | W | I | X | T | | |
| | | | | H | A | H | A | S | | |
| C | E | L | I | N | E | Z | E | R | O | |
| B | R | O | N | Z | E | I | A | G | O | |
| S | A | N | D | A | L | G | L | E | N | |