

## Delayed verdicts only add to victims' suffering

*Landmark verdict in Jonny case remains stayed for a year*

IT is unfortunate that a landmark verdict once hailed as a turning point in the prosecution of custodial death and torture cases in Bangladesh has been marred in a lengthy legal battle, making the verdict all but ineffective even after a year of delivery. On September 9, 2020, the verdict by a trial court—the first ever in a custodial death case filed under the Torture and Custodial Death (Prevention) Act, 2013—saw three policemen responsible for the death of Ishtiaque Hossain Jonny sentenced to life imprisonment. They were also directed to pay Tk 2 lakh each as compensation. But according to a report citing a discussion of legal experts, the High Court then stayed the verdict of life imprisonment as well as realisation of the fine following appeals from the convicts. Things have been at a stalemate since then.

Navigating the protracted legal battle, we're told, has been especially hard for Jonny's brother, who at the commemorative discussion session admitted to still being harassed in his neighbourhood. Unaided and unprotected against any threat of retribution, the family languishes without justice even after over seven years since Jonny's death on February 7, 2014—not to speak of the financial toll of having to fight a costly legal battle. This incident, unfortunately, is the latest in a long list of cases that have failed to find a resolution because of delays in the judicial process. One can recall the fate of the rape and murder case of law student Rupa Khatun which, on February 12, 2018, saw a Tangail court, in just 14 days after the incident, sentencing four men to death and another to seven years' imprisonment. The quick trial also drew praise for being a landmark verdict, but soon fell into lengthy legal quagmire.

These cases illustrate the importance of overhauling the judiciary to handle cases more efficiently and quickly. The immense caseload our courts are clogged with as well as the shortage of judges and necessary support systems (including legal protection for the victims) mean that some cases end up taking years—even decades—to find a resolution. The long wait and attendant challenges can also dissuade the victims, especially those from humble backgrounds, from pursuing their cases. This is the opposite of what the legal system stands for—protecting the unprotected by ensuring justice. We urge the higher judicial authorities to undertake necessary reforms to fast-track resolution of the cases, especially the criminal cases. If there are procedural and systemic bottlenecks hindering the delivery of justice, those need to be eliminated too. We must do it for the sake of thousands waiting helplessly for justice.

## Break the vicious cycle of domestic worker abuse

*There is no proper law to protect them from torture at the hands of their employers*

WE are shocked to know about the ordeal of a 21-year-old woman who was recently released after being confined and tortured for five years. According to our report, she was sent to a job in Dhaka's Bhatara area—by her aunt—in 2016, where she was supposed to work as a domestic help. Shortly after she went to the house, she was taken hostage by her employers, who turned out to be the members of a gang that forced girls and women into sex work. For five years, she was out of contact with her family members, who—unable to get in touch with her—assumed she had died. It was only about five months ago that her abusers finally set her free, and she found her way to a relative's house at long last.

During her confinement, she suffered unspeakable horrors—torture, rape, being forced into sex work and transferred from house to house. Unfortunately, domestic worker abuse is nothing new in Bangladesh. Many women, often young, are tortured and abused after being recruited as domestic workers. Their families send them away in hopes that their daughters would make an income while working in what they assume are safe environments. But the number of cases of people torturing their domestic helps—many of whom are children—gives us a glimpse of how horrible the situation is.

Bangladesh has the Domestic Worker Protection and Welfare Policy, 2015, but it is hardly implemented. The Labour Act recognises domestic work as a valid profession, but it belongs in the informal sector. Domestic workers are thus deprived of rights and protection, allowing apathetic employers to abuse them and face no consequences. There is little these workers' families can do, given their financial conditions and standing in society. It is only when the abuse leads to devastating consequences—severe physical injuries or death—that the law enforcement gets wind of it. Even then, the victims rarely get justice. For instance, when the family of the abovementioned survivor thought she was dead and filed a case against her employers, the accused were in jail for only six months before getting out on bail.

Now that the young woman, although traumatised to the extreme, is back to safety, and the culprits have again been arrested, we hope that this time the law enforcement will ensure she gets justice, and her abusers are punished accordingly. It is also high time the domestic worker welfare policy was effectively implemented in the country, and the government took some strict and timely steps to protect them from mistreatment and abuse. These cases are a gross violation of human rights. These are mostly women and girls who are forced to move away from their families to earn a living; such abuse against them cannot be left unopposed and unpunished.

# 9/11: The Turning Point



BLOWN' IN THE WIND

SHAMSAD MORTUZA

IN September 2001, soon after the attack on the Twin Towers, the Bangladesh government issued a public announcement to contact the America & Pacific wing of the Ministry of Foreign

Affairs for the whereabouts of Bangladeshi residents. The director concerned was travelling from Barishal to Dhaka that evening; he remained ignorant of the horrible incident that had taken place that day. He came directly from Sadarghat to his office and started receiving a flurry of phone calls from worried relatives. He called in his associate, my wife, and asked: "What's the deal with the Twin Towers?" My wife briefed him, but he was in utter disbelief. "What do you mean the towers have collapsed? How could that even happen?" he exclaimed. My wife used two pencils and an eraser to demonstrate the incident, only to confuse the man even further. He rested his chin against his hand, and said: "Thank God, I took a photo in front of those buildings during my last visit."

The emotional turnabout from denial to acceptance can be explained through the Kübler-Ross model of grief management. The same stages can be detected in the American attitude towards 9/11 if we think of the calamitous military withdrawal from Afghanistan as a form of acceptance. Once the anger phase following the initial denial was subdued, there was a series of bargains and depressions that characterise the American response in the last 20 years.

The disbelief that a terror attack could occur in the American heartland led the Americans to believe that the worldwide War on Terror was needed for the protection of the free world. President George W Bush vowed that they would bring the war to the terrorists, dividing the world into the "us" and "them" camps.

I vividly remember when the first air raid took place; CNN showed pictures of Afghan fighters riding horses, with the commentator saying: "This is the war between the 21st century and the 11th century." The war exposed the clash of civilisations, as American political scientist Samuel Huntington theorised, and spread to Afghanistan, Iraq, Syria, and Pakistan, among other places. Following 9/11, the US narrative started painting the Muslim world with the brush with which their indigenous population was once portrayed: the noble savage and the bloodthirsty savage. Individuals such as Malala would therefore become the good Muslims, while the Taliban were the bad ones. Crediting some Muslims as innocent till proven guilty was the bargain that the US was ready to offer, which justified its trade deals with oil-rich countries.

Then the rise of the number of soldiers in body bags and the trillions of dollars

from the taxpayers' money spent to restore democracy or fix rogue states caused nationwide depression, leading to the endgame officiated by the Biden administration. The Taliban returned to power on the heels of an agreement they had signed with the US in Qatar last year, and the suicide attack at Kabul airport shows that Afghanistan still remains a safe haven for al-Qaeda and Islamic State. Does it mean, after 20 years, we are back to the denial-anger-bargain-depression-

9/11 world where we have accepted such nuisance as normal, just like we have learned to live with surveillance in a Big Brother state.

In defining who the enemy is, America has defined itself too. The arrows and olive branch held by the American icon, a bald eagle, used to traditionally determine the hawkish and dovish foreign policies of different administrations—9/11 changed all that. America no longer wants the puritan

Police forces now behave like the military. And the radical terrorists see the reflection of their enemies in totalitarian and dictatorial states. The ground zero has shifted so much that it is no longer possible to pin down on the centre of terrorism or to identify the cocoons of terror. The connect-the-dots investigative journalism of Michael Moore's documentary, "Fahrenheit 9/11," argued that the inner circle of the Bush administration used media to cash in on



The US-led campaign against terrorism in a post-9/11 world has made things worse, not better.

FILE PHOTO: REUTERS

acceptance cycle all over again?

Then again, it would be a fallacy to think that these emotional categories exist in watertight compartments. Is it possible for the anger to burn out so easily when so many lives are lost and the national pride is hurt? We have already seen how the slow-burning anger can morph into xenophobia and Islamophobia that allowed President Donald Trump's illiberalism to flourish.

How has 9/11 changed the world? For brown people like me, with Islam written as the religion on my passport, being routinely pulled out for random checks or getting extra Thai massage at the airport security line has become more frequent than ever. To be honest, such racial profiling does not make me angry anymore. I know many of my friends who live in the US had to change their names to avoid backlash soon after the tragic incident. Now we live in a post-

belief of being an exclusive indispensable role model for the world. In unleashing its Global War on Terror, America had to change some of its essential values. It started violating its own laws. Illegal confinement and interrogation outside its territories and ghost flights suspending its habeas corpus is a case in point. The post-9/11 America saw most of the global challenges around the world through the lenses of Islamic terrorism and the crusade dictum. Exuberant spending on the War on Terror allowed certain groups to become richer and more influential than ever. The extra funding created mercenary militia and innovative weaponry. The surveillance system became more sophisticated than ever to encroach upon the liberty of every citizen. The system became corrupt. And what's dangerous is that the US model is being replicated by governments across the world.

the fearmongering and benefit from the wars. Whether such paranoia is true or not is for the American people to decide.

The US had the world's sympathy for 9/11. The attacks did characterise the assault on the heart and soul of every freedom-loving soul. When the US went after the perpetrators of 9/11 in the mountainous terrains of Afghanistan, the sympathy remained intact. The democratic changes and the nation-building process in Afghanistan were heart-warming to see. The retreat from Kabul, however, tells a different story. It takes us back to the question: Why did the Twin Towers fall? How did it change not only the US but also the whole world? There are people who would still like to hold on to the image of a pre-9/11 America with its signature skyline.

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## A memory from 20 years ago...



CHRISTINA RAY STANTON

WE were in love with our new flat in New York City, especially the 300sq-ft terrace with its panoramic views of Lower Manhattan. Because we lived on the 24th floor, it felt like we were

floating in the sky.

A licensed tour guide, I was thrilled to be living in the heart of the historic Financial District. I had taken thousands of tourists over the years to the World Trade Center complex, where we would take the 82-second lift ride to the observatory on the 107th floor and enjoy views that stretched 45 miles in every direction.

Life seemed perfect for me and Brian, my husband of just more than a year. Just like the Twin Towers that stretched a quarter mile into the clouds, it felt like the sky was the limit for us.

But just two months after we moved into our dream apartment, Brian shook me awake, shouting something about the World Trade Center. I jumped out of my bed and followed him to the terrace. Thick black smoke was rolling out of the North Tower, just six blocks away. Emergency vehicles raced down the West Side Highway—lights flashing, sirens blaring. I looked down to the street. People were running in all directions, some directly into traffic.

Suddenly, something caught my eye. I saw a plane flying low—too low. With a deafening roar, the jet swooped like a hawk and banked to the left, its nose pointed straight at the South Tower. We felt, rather than saw, the impact. One moment we were standing on the terrace, and the next I woke up on the living room floor.

Our flat in the sky suddenly felt very vulnerable. Brian grabbed our dog, Gabriel, and we raced to the stairwell. After galloping down the 24 flights, I opened the exit door to the street. Only then did I realise I was barefoot and wearing my nightgown. My husband gave

me his socks to protect my feet, and we joined the crowds running away from the burning buildings.

Hopscoching through traffic, we made our way to Battery Park. But not long after we found a bench to rest on, the ground began to shake violently. I heard a rumble like a freight train, and thousands of people in the park began screaming as we realised that one of the towers was falling.

I froze in terror as a mass of something hit me in the face. It felt like someone

cover by an old fort and hugged its stone wall, trying to catch our breath. Gabriel flopped on the ground, exhausted. Coated in gunk, struggling to breathe, we realised we were stranded at the tip of Manhattan Island with no obvious escape route.

"Brian, do you think we're going to die?" I asked, shocked that my life might be over at the age of 31.

"Maybe," Brian replied sadly. He grabbed my hands, and we prayed to God

our way, even though we were not near any loading dock or ferry terminal. We followed a crowd and were able to board a ferry that had pulled up to the edge of a pedestrian walkway.

A wave of relief washed over me as we chugged away from the shore. After three hours of terror, we were off the island. As our boat set sail across the Hudson, I looked back at the Manhattan skyline. The Twin Towers were gone, the New York City skyline forever altered.

It was weeks before we could return to our apartment. When we finally got back home, I worked up the courage to step out on the terrace. The beautiful, awe-inspiring Twin Towers were gone, replaced by a gaping black hole and a pile of rubble.

I'm still a New York City tour guide, and I still take tourists to the World Trade Center site. But now I tour them through the 9/11 memorial and the museum, where I stop at the reflecting pools and tell my story. I share my experience because thousands of others cannot.

The September 11 attacks in New York City and on the Pentagon in Washington, DC remain one of the deadliest acts of terrorism in world history. The attacks were unprecedented in terms of scope, magnitude, and impact. Almost 3,000 people died in the attacks that day, including people from more than 90 countries around the world.

More than 6,000 people were injured, and people are still suffering and dying from cancer and other illnesses related to exposure from toxins released when the Twin Towers crumbled. Physically, it took New York City years to fully rebuild the areas that were damaged on 9/11, but the emotional effects of that day can never be fully repaired.

As we commemorate the 20th anniversary of 9/11, may our memories of how much we lost on that terrible day inspire us to work toward unity, mutual respect, and world peace. As the Covid-19 pandemic has shown us, we are a global community whose lives depend on and affect each other. May we never forget the ties that bind us.

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Christina Ray Stanton and her husband Brian in front of the New York skyline and the Twin Towers before the 9/11 attacks.

PHOTO COURTESY: AUTHOR

had thrown a bucket of sticky sand over me; gunk filled my nose and mouth, covered my pyjamas, and coated every pore of unprotected skin.

I opened my eyes slowly, trying to protect them from whatever was on my eyelids. Brian hadn't moved, but he looked completely different—like an upright mummy. Everyone around us was covered in the same sticky, yellow gunk.

Dodging thick clouds of smoke blowing directly into the park, we took

together.

After the prayer, Brian led us north. As we tried to find a way to safety, the second tower fell with another earth-shattering thunder, sending even more clouds of smoke and gunk into the atmosphere. We eventually found ourselves on the banks of the Hudson River along with thousands of others who had congregated at the water's edge.

At some point, we realised that boats of all shapes and sizes were headed