

Freedom of the press must be protected

Recent events show past excesses may recur if we are not careful

It is a testament to our unique times that journalists are having to fight against the same abuse and harassment that they did when an authoritarian government was in power. But it does hurt more now because of the expectations created by the student-led mass uprising that overthrew the Awami League government. We understand that the interim government that replaced it requires time to establish full control and effect change, but the responsibility to ensure a safe environment for journalists primarily falls on them, as well as the political and pressure groups active on the ground.

That it would not be smooth sailing for journalists after Sheikh Hasina's fall became clear on the very day, when at least eight TV channels and three newspaper offices in Dhaka were attacked. While many assumed these were spur-of-the-moment reactions and would not be repeated, subsequent events, especially on August 14-15, have upset the calculation. On August 14, as many as 20 journalists were injured when the Chattogram Press Club was attacked and ransacked. The same day, a journalist was hacked in Pirojpur. And on August 15, a number of journalists were assaulted and even made to delete photographs they had taken in Dhaka's Dhanmondi Road 32 on the occasion of Bangabandhu Sheikh Mujibur Rahman's death anniversary.

In fact, the scenes unfolding in Dhanmondi were quite disturbing, as young men interrogated pedestrians, checked their identity cards and phones, and also manhandled visitors who came to pay respects to Bangabandhu. They also prevented any documentation, with announcements being made over loudspeakers instructing journalists and spectators to refrain from filming. Many of these young men were armed with iron rods, plastic pipes, bamboo, and wooden sticks. These harsh measures were apparently part of efforts to prevent a so-called counter-coup by Awami League and allies, with BNP and its student wing staging sit-ins at various locations in Dhaka and the Students against Discrimination movement holding a "resistance week" programme. While none of them acknowledged responsibility for the harassment, it just goes to show how chaotic the situation is at the moment.

Clearly, it is not just media freedom that is at stake in such a situation; human rights in general are being violated, too. This is painful to see in the wake of an uprising that wanted to break people free from these very shackles of oppression and subjugation. It's apparent that fascism has not left the building even if the fascists have. The rights to publish, speak, organise or mourn are all inviolable ones. It was, however, heartening to see the student leaders vowing to protect these rights. At least four key coordinators of the students' movement have strongly condemned the excesses that occurred in Dhanmondi and elsewhere. They cautioned against "fake platforms" pretending to represent students and also pledged to expel anyone from their platform if found guilty of human rights violations.

We appreciate the swift and unequivocal condemnation. But it is important to remind the student leaders that they must be more cautious going forward. Other political forces that are now active and pushing their own agenda must also answer for any crimes committed in their names. Most importantly, the interim government must take stern actions to prevent such crimes, especially against journalists. Together, they must prevent a return to the same excesses that the past regime made a habit of committing.

Make city corps fully operational

Public services severely disrupted in the absence of mayors, councillors

We are quite concerned about the mounting suffering of people across the country due to the disruptions in services provided by city corporations and municipalities in the absence of their top functionaries. Reportedly, nine city mayors out of 12 are in hiding, while 205 municipal mayors out of 330 are also on the run. The situation is the same down the ladder, with 44 zila parishad chairmen out of 64 and 319 upazila parishad chairmen out of 495 also in hiding. In Dhaka, among the 129 councillors spread across both wings of the city, a staggering 118 are missing. Similar absences have also been noted in other cities as well.

These public representatives have gone into hiding after the fall of the Awami League government on August 5 in the face of a mass uprising led by students. Their escape, out of security concerns, is understandable since all of them were Awami League leaders, but it also shows how disastrously imbalanced the power structure was with an overwhelming majority of these important positions filled by one party, leaving little space for rival parties who could have served under the present circumstances. The mass escape has not only created a sudden power vacuum, but key services are also being disrupted, especially in city corporations and municipalities.

Among the services that residents get from city corporations are street lighting, waste management, mosquito control, birth and death registration, trade licensing, etc. In Dhaka, the responsibility of sewage management was also handed over to the city corporations. Many city roads still remain broken and unclean since August 5. Then there is the challenge of fighting dengue, which needs exemplary leadership given the debacle of last year's dengue season. There are many such issues and grievances that public representatives are expected to engage on and address.

Against this backdrop, we welcome the interim government's decision to give full mayoral responsibility to the chief executive officers of the city corporations, which will take care of the operational side of these institutions. We think the authorities should also make a decision about the municipalities and local parishads soon. Having administrative officers at the helm of these bodies comes with the expectation that they will perform better and more honestly than political recruits, who have repeatedly failed to address public grievances. That said, the need for having public representatives directly connected with the grassroots levels cannot be overemphasised, despite their questionable track records. Whatever the administration now does to weather these challenging times, it must ensure good governance.

How to ensure justice for the atrocities committed in the past

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The Awami League regime, which sought global recognition as a model of governance, has ironically left behind a legacy marred by unprecedented brutality against its own citizens. The scale of state-sponsored violence and repression under Sheikh Hasina's rule rivals some of the worst autocracies in the world, like Egypt's Hosni Mubarak. Bangladesh is also a unique example where a military dictator, Gen HM Ershad, succeeded in resettling in a democratic political framework but a popular leader, who jointly led a movement for restoration of democracy, degraded herself by turning into a worse dictator.

The recent student-led uprising, evolving into a broader civilian insurrection, has been dubbed by some as the "Gen Z Revolution." However, lacking a coherent revolutionary agenda or a well-defined path for enacting fundamental change, this movement remains more of a chaotic and prolonged transition towards democracy than a fully fledged revolution. Consequently, the pursuit of justice for the regime's atrocities faces significant challenges.

In a true revolution, justice would be swift and uncompromising. Special tribunals or summary trials might have been established to address the crimes committed under Hasina's rule, and eventually under the rule of her predecessors. However, in a society aspiring to democracy and the rule of law, the process of ensuring justice becomes more complex. Fairness—both real and perceived—is paramount, and justice must not only be done but also be seen to be done.

At present, there is widespread anger as well as a clamour for accountability, particularly for those responsible for the deaths of at least 440 people, maiming of thousands, and false imprisonment of countless others in politically motivated cases. The challenge for the transitional government is immense, as it inherits a nation teetering on the brink of chaos and division. The economy has been devastated with billions of dollars

syphoned abroad by the deposed regime's cronies, while the civil service is riddled with corruption. Inflation is soaring, and unemployment is rampant. The security apparatus, weakened by the violent fallout of crackdowns on dissent, is struggling to maintain law and order.

Rebuilding the capacity of the police and other law enforcement forces to pre-regime levels could take years. In this context, conducting thorough investigations, preserving crucial evidence, and prosecuting powerful figures with significant followings will require not only strong political will, but substantial support from both domestic and international communities as well.

Before moving forward with prosecuting the crimes of the previous regime, several critical issues must be addressed. The public's demand for justice focuses on two key periods: the atrocities committed between July 15 and the establishment of the interim government, and the systemic repression that began when the former government dismantled democratic safeguards by abolishing the 13th Amendment of the constitution and suppressing the opposition. The violations during the former prime minister's rule—enforced disappearances, extrajudicial killings, arbitrary arrests, and custodial torture—constitute crimes against humanity under the Rome Statute.

Ensuring justice for these crimes will require bringing all responsible parties to account, from top political leaders to the enforcers on the ground. However, there is growing impatience among the victims' families, students, and human rights activists who are eager to see prosecutions initiated. While some individuals have already initiated legal action, these hasty private efforts risk failure due to insufficient evidence or lack of corroborating witnesses, which will politically benefit the perpetrators. The interim government must take decisive actions to develop a realistic prosecution strategy that can secure

convictions, particularly against the former prime minister and her top associates. Eventually, the same must be done to address crimes committed by the past regimes as well.

There are also discussions about potential prosecutions at the International Criminal Court (ICC) under the Rome Statute. Several human rights groups are preparing submissions to the ICC's chief prosecutor. As Bangladesh is a signatory to the Rome Statute, the ICC has jurisdiction over crimes committed within the country. However, international prosecutions are notoriously complex and require significant global support, which may not be forthcoming until all national legal avenues have been exhausted.

tradition of a hereditary leadership of the party.

The failure to bring Ershad to justice serves as a stark reminder of the challenges facing the country's judicial system. Prosecuting Sheikh Hasina, arguably the worst dictator in the nation's history, will be even more challenging and must be pursued before public memory fades. A promising development is the offer of assistance from UN human rights chief Volker Türk, who has proposed helping investigate the alleged crimes. The UN's expertise in evidence collection, preserving them, and prosecution support could prove invaluable, whether the trials occur at the ICC or in domestic courts.

Another possibility is the



The pursuit of justice for the regime's atrocities against students and citizens during the quota reform protests and the subsequent mass uprising faces significant challenges.

FILE PHOTO: RASHED SHUMON

Law adviser Prof Asif Nazrul has suggested that Sheikh Hasina could be tried at the International Crimes Tribunal (ICT) for her role in the killings between July 1 and August 5 during the student-led movement. However, concerns remain about the ICT's reputation, given its past weaknesses during trials for crimes committed during the Liberation War of Bangladesh. Additionally, remnants of the old regime and their sympathisers may attempt to undermine any legal proceedings. The biggest impediment, however, would be the revival of Awami League, unless it decides to break away from the

application of universal jurisdiction, which allows courts in any country to prosecute those responsible for atrocities, regardless of where the crimes were committed. This was the legal principle that led to the detention of Chilean dictator Augusto Pinochet in the UK and subsequent return to his homeland, where he was convicted and eventually died in prison. While it is unlikely, even India could theoretically prosecute Hasina under universal jurisdiction, according to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984.

Mob justice goes against the spirit of the student movement

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In recent weeks, our country has echoed with the triumphant cries of a movement sparked by students demanding the end of a repressive regime. As someone who stood shoulder to shoulder with these courageous individuals, I have felt the euphoria of our shared victory and the weight of our collective responsibility. The triumph was not just a political victory; it was a testament to the power of unity and the enduring spirit of resistance. But as we bask in its aftermath, a disturbing reality is surfacing: the rise of mob justice. Instead of celebrating our newfound freedom with dignity and respect, we are witnessing a troubling shift towards a new form of oppression, one that mirrors the injustices we once fought to eradicate.

I want to be clear: I am not here to belittle anyone or question their commitment to the cause. But as we stand on the threshold of a new era, it is imperative that we address the ways in which our movement's ideals are being compromised. If anything, history has taught us that the most dangerous threat to freedom is not always an external oppressor, but the internal corruption of the very ideals we fought to protect. In the wake of our triumph, some disturbing reports have surfaced—of so-called "representatives" of the movement seizing rooms once occupied by

oppressive leaders, of individuals being harassed and assaulted for their attire or political affiliations, of phones being checked and hotels being raided. This behaviour, cloaked in the guise of justice, is nothing more than a new form of oppression.

The essence of our movement

Instead of fostering a culture of tolerance, some of us have chosen to perpetuate a different kind of oppression, casting aside the very principles that fuelled our fight. It is crucial to recognise that true freedom is not merely the absence of tyranny, but the presence of equity and respect for all. The shift from people championing the anti-discrimination movement to some of them engaging in acts of mob justice represents a perilous deviation from our original mission.

was never solely about toppling a tyrannical regime, but about ushering in a new era of inclusivity and respect. Our cause was built on the promise of a society where discrimination would find no refuge and where every voice could be heard without fear. Yet, instead of fostering a culture of tolerance, some of us have chosen to perpetuate a different kind of oppression, casting aside the very principles that fuelled our fight. It is

crucial to recognise that true freedom is not merely the absence of tyranny, but the presence of equity and respect for all. The shift from people championing the anti-discrimination movement to some of them engaging in acts of mob justice represents a perilous deviation from our original mission. We must confront this shift head-on and reaffirm our commitment to the values that inspired us. I appreciate that the leaders of the anti-discrimination student movement addressed the recent incidents and made it known that these are reprehensible, unacceptable acts.

In a true democracy, criticism should not be equated with betrayal, but embraced as a necessary part of the

a pivotal moment. The decisions made now will shape the future of our society and determine whether we won't become the very power we sought to overthrow. It is time for courageous leadership that embraces the full spectrum of democratic principles, including the protection of individual rights and the encouragement of open discourse. The challenge before us is not just to avoid the pitfalls of authoritarianism, but to actively build a society that reflects the highest ideals of justice and equality. This requires more than just symbolic gestures; it demands substantive actions and a commitment to creating systems that promote transparency, accountability, and inclusivity. The revolution was not an end but a beginning—a chance to forge a new path and to ensure that the mistakes of the past are not repeated. True freedom is not a privilege for the few, but a right for all. Power must be used to uplift, not to oppress.

To the student leaders and coordinators who guided us through this historic struggle, I urge you to recognise the immense responsibility that comes with the power we have gained. You have the ability to set an example, to lead with integrity and ensure that the ideals we fought for are not lost in the process of rebuilding. When you first called for action, you sparked a fire within countless students who stood with you, ready to support the cause in any capacity. Now as you reform the political infrastructure, please remember the power and influence you hold over these students, and guide them so they can lead from the front to uphold the rule of law and ensure equity and justice for all. As we navigate this new era, let us remain steadfast in our commitment to the values that united us.

discourse. To label dissent as support for a discredited regime undermines the very essence of the freedom we sought to achieve. The measure of our success should be found not only in the regime we dismantled, but in our ability to uphold democratic values in the face of new challenges. While it is definitely too early to comment on where we are headed, we must engage in these difficult conversations and keep things in check.

The interim government now faces