

Arbitrary detention and the hypocrisy within the government



David Bergman
is a journalist who has written about
Bangladesh for many years. He is on X at
@TheDavidBergman.

DAVID BERGMAN

On July 1, 2024, as student protests over job quotas erupted in Bangladesh, Prof Muhammad Yunus faced a serious risk of imprisonment. Just six months earlier, in his role as the chairman of Grameen Telecom, the Nobel Peace Prize winner had been convicted of labour law violations and sentenced to six months in jail. The trial court, pending a review application, granted him bail, which was subsequently extended by the appeals court.

The prosecution and sentencing of Yunus was widely regarded as politically motivated. For years, the Awami League government had subjected Yunus to harassment and intimidation. Had Grameen Telecom even committed the minor technical violations that were alleged, the employees had suffered no detriment, and a six-month sentence imposed on Yunus (and others) was plainly disproportionate and inconsistent with other similar cases.

However, due to the bail provided by the courts, Yunus remained a free man. Yet, with an appeal decision looming—which would likely have been as motivated as the original conviction—imprisonment still remained a real possibility for these alleged labour law violations.

Simultaneously, Yunus faced another criminal case based on even more spurious

for political ends, arbitrary detention, and the importance of bail.

One would, therefore, imagine that following the fall of the Awami League—the government responsible for such judicial harassment—and amid widespread promises of creating a reformed “Bangladesh 2.0,” these two figures would be especially committed to ensuring that the state, under their leadership, would not subject others to

several detailed articles exposing the lack of evidence in the corruption cases against him. Yet now, when he has the power and authority to take steps to halt arbitrary detentions taking place against others, he chooses inaction.

The same applies to Adilur Rahman Khan, who once championed human rights and accountability, and is now silent about the same abuses to which he was earlier subject—

targeted with false accusations, misusing the legal system to torment opponents.” But he claimed that the situation now, where “current cases were mostly filed by members of the families of the victims of repression during the previous regime,” was different to the situation during the Awami League period, where criminal cases were “mounted by state-designated, state-sponsored and the state’s police and judicial system with a predetermined outcome.”

This response, however, which seeks to exculpate the government by hiding behind the principle of judicial independence, is a total cop-out.

First, there is his argument about the distinction between cases filed by private citizens and those filed by the police.

There is indeed a difference between these two categories. But under the Awami League government, there were hundreds of cases, including most of the cybersecurity prosecutions, which were filed by private citizens, resulting in arbitrary detentions. According to Alam’s argument, the Awami League government had no responsibility for these detentions, and no responsibility to stop them from happening. Is that really Yunus’s position? Clearly, every government is ultimately responsible for stopping a system that allows people to be arrested and imprisoned when there is no evidence that they were involved in the offences alleged against them.

There was a clear way for the government to stop the arbitrary arrests, and that was to change the law and set up a centralised investigation body, staffed by professional investigators, responsible for investigating all alleged murders and other Penal Code offences in July-August 2024—one that could only arrest people on the basis of actual evidence of a crime. This was a very obvious option which the government failed to implement.

Second, in relation to bail, it is not interfering with the justice system to give clear instructions to the state prosecutors and the Attorney General’s Office requiring them not to oppose bail where there is no substantive evidence linking the detained person to the crime for which they are accused. This practice should, in any case, be an implied part of their professional obligation—but it is something which right now is being routinely ignored in relation to any high-profile case. It would also not be interfering with the justice system for the inspector general of police to give the police similar instructions.

Third, where it is clear to the government—which it surely must be—that the courts are acting in a clearly partisan, “politicised” manner, to the benefit of a populist base that does not want to see Awami Leaguers released (however innocent they may be), a government concerned to stop arbitrary detentions cannot simply wash its hands of responsibility by hiding behind judicial independence. It has a responsibility to do something.

For Muhammad Yunus and Adilur Rahman Khan, there is, of course, one word for all this: hypocrisy. And journalists and commentators should, from now on, “hold their feet to the fire” until the government sets out a plan to deal with these serious human rights violations.



VISUAL: ANWAR SOHEL

bail provided by the courts.

So Yunus, now head of the current interim government, knows first-hand what it means to face baseless accusations, politicised prosecutions, and a looming threat of imprisonment, and to be given the lifeline of bail.

He is not alone in the interim government to have had this experience.

Adilur Rahman Khan, a member of the interim cabinet, also experienced the sharp edge of political persecution on the basis of frivolous allegations—though in his case he was in fact imprisoned.

Once the head of one of Bangladesh’s most respected human rights organisations, Odhikar, Khan was detained on two occasions for allegedly “prejudicing the image of the state” and “instigating violence” following alleged inaccuracies in his organisation’s report on the security forces’ killings of Hefazat protesters in 2013. At the trial, it turned out that the alleged inaccuracies concerned at most only six out of 61 deaths.

Khan was first detained for two months following his initial arrest in 2013, and then for one month in 2022, following his conviction and a sentence of two years’ imprisonment. In both cases, he was released from detention after the court granted him bail.

So both Yunus and Khan are intimately familiar with the abuse of the justice system

the same arbitrary detentions they had either endured or were about to face.

Not so. The new government, with Yunus at its helm and Khan as a particularly powerful member, is presiding over a system of justice where any person who held an official position within the Awami League, from the upazila level upwards, as well as many people who were strong public supporters of the previous government, have either been arrested and imprisoned for involvement in the July-August killings and shootings last year, or have a legitimate fear of it happening to them at any time.

Putting to one side the relatively small number of arrests by the International Crimes Tribunal (ICT-BD), the hundreds of arrests and detentions for Penal Code offences, like murder or attempted murder, are happening without any investigation. And the police, public prosecutors, magistrates, district court judges, the Attorney General’s Office, and Appellate Division judges are all taking steps to prevent people from being released on bail, despite there being no evidence directly linking the accused to the crimes they are alleged to have committed.

When Yunus was facing his own legal persecution, he rightly and loudly insisted on his innocence and challenged the absurdity of the charges against him. I, too—without any prompting from him or his team—wrote

and which I also wrote about—and which are now committed by the government of which he is a part. When I interviewed him, before he went to jail, Khan told me, “Whatever we have done has been done for the cause of human rights and the cause of justice. This is our motto, our belief.” Clearly, things have changed very much since then.

This is, of course, a governmental responsibility, and all those in the cabinet—in particular, the law and home advisers—have a role and responsibility, and they must also take their share of the blame. But Yunus and Khan’s failure to take any leadership on this matter is remarkable in light of their own history and background.

Khan did not respond separately to a request for comment, but Shafiqul Alam, Yunus’s press secretary, was unapologetic about the government’s hands-off approach. “Unlike under the previous regime, the state is now leaving the judicial system to deal with these cases. By calling on the government to get involved in the judicial process, you are encouraging the state to adopt the AL playbook.”

In saying that, Alam did nonetheless acknowledge that “the ongoing issue of arbitrary and illegal detentions in Bangladesh is deeply troubling and cannot be justified under any circumstances” and that “thousands of innocent people have been

allegations, this time involving corruption initiated by the highly politicised Anti-Corruption Commission (ACC). The ACC filed the case in May 2023, and in May 2024, after charges were formally laid, Yunus and his co-accused were again granted bail. A month later, he was indicted, with a verdict expected soon—and once again, a jail sentence seemed very possible. In this case, too, Yunus remained a free man due to the

AN ODE TO YASMEEN MURSHED

The passing of a quiet revolutionary



Taqbir Huda
is a human rights lawyer and a contributor
for The Daily Star. He can be reached at
taqbirhuda@gmail.com.

TAQBIR HUDA

On July 31, 2025, Bangladesh lost one of its silent revolutionaries: Mrs Yasmeen Murshed. She was best known as the founder of Scholastica’s school, but she was also a businesswoman, a diplomat, and a civil society leader.

Most students of my generation and after did not have many interactions with Mrs Murshed. This is because soon after our move to Scholastica’s senior section (where she was based), she became preoccupied with her appointments as adviser to the government in 2006 and then high commissioner to Pakistan in 2007. However, I lived every day in the institution she built, walked through the halls she envisioned, and benefited from an educational system she pioneered.

In 1977, Yasmeen Murshed rented a two-storey building in Dhanmondi to establish the school, both academic and administrative, was overwhelmingly female. And then there’s STM Hall, built and named after her late husband, Syed Tanweer Murshed. A hall where generations of Scholastica students would graduate, perform, and debate their way into adulthood. That a Bangladeshi woman could honour her husband’s memory by building a modernist architectural structure on a major highway in the capital of a country where the vast majority of women are precluded from owning any landed property also seems, in retrospect, like a quiet revolution. At the time,

key neighbourhoods. Scholastica’s journey is not just one about business expansion. It is a story of Mrs Murshed’s perseverance, foresight, and a refusal to settle for the norm.

Scholastica was far from perfect, but it was, in many ways, ahead of its time. In a country where gender roles remain deeply entrenched, I now realise how rare the institute’s emphasis on equality of opportunities was. I remember how, in Grade 6, it was the girls’ handball team that flew to an international tournament in Italy instead of the boys’ football team. I remember how in Grade 4, all the boys from my grade were cheering on the girls as they battled it out in an inter-school tournament, instead of the other way round.

I remember how the senior leadership of the school, both academic and administrative, was overwhelmingly female. And then there’s STM Hall, built and named after her late husband, Syed Tanweer Murshed. A hall where generations of Scholastica students would graduate, perform, and debate their way into adulthood. That a Bangladeshi woman could honour her husband’s memory by building a modernist architectural structure on a major highway in the capital of a country where the vast majority of women are precluded from owning any landed property also seems, in retrospect, like a quiet revolution. At the time,

none of this felt extraordinary. Only years later, when I joined the development sector and saw the many ways gender inequality manifests, did I fully grasp how unusual that environment was and how intentional it must have been.

Mrs Murshed also believed that education should not begin and end with books. Long before “holistic learning” became a buzzword, she worked to institutionalise extracurriculars (such as drama, art, music and debate) as an integral part of Scholastica’s pedagogy. Scholastica also had a dedicated internship office (possibly one of the firsts of its kind in the country), which helped high school students secure summer placements. It is through these internships that I gained my first round of professional experience (first at Rahimafrooz and then at JAAGO Foundation). They helped me realise quite

Of course, not everything Scholastica (or Etcetera, for that matter) represented was radical or accessible. It remained a private enclave catering to a particular class. But within that space, Yasmeen Murshed carved out something rare. And many of us, whether we realised it at the time or not, absorbed values that shaped how we saw ourselves and our role in society.

early on that I was meant for the public sector, not the private one.

At the same time, Mrs Murshed did not



PHOTO: COLLECTED

Mrs Yasmeen Murshed

believe that modern secular education needed to be at odds with religious identity. In a country where the education system is deeply bifurcated, split between so-called “mainstream” schools and madrasas, her approach was, in retrospect, quite groundbreaking. Religious instruction in most households entailed children learning how to recite the Quran phonetically, without translation or interpretation. Mrs Murshed chose a different path. At Scholastica, every morning assembly began with a recitation of Surah al-Fatiha, first in Arabic and then in English, followed by the national anthem. She introduced a subject called Islamiyat and even authored the textbooks herself. These books did not treat the Quran as a text to be committed to memory in fragments, but

as a source of ethical thoughts. We were not asked simply to recite; we were invited to think. I remember reading the story where three children are asked by their father to go somewhere where no one could see them. One hides in a cupboard. Another crawls under the bed. The third searches quietly, then returns and says, “There is no such place. Wherever I go, God can still see me.” That was the first time I truly understood what it meant that God is all-seeing.

Outside the classroom, she created Etcetera, possibly Dhaka’s first departmental store that felt like a portal to a mall in Singapore or Kuala Lumpur. I looked forward to going there every Thursday evening after school, browsing the latest DVDs and CDs. Etcetera also introduced the book-cafe culture through Coffeeworld, where you could sip a flavoured iced latte while reading a Booker-nominated paperback without having to purchase it. It is hard to explain how rare such a place was in Dhaka in the early 2000s, where there was very little to do by way of recreation.

Of course, not everything Scholastica (or Etcetera, for that matter) represented was radical or accessible. It remained a private enclave catering to a particular class. But within that space, Yasmeen Murshed carved out something rare. And many of us, whether we realised it at the time or not, absorbed values that shaped how we saw ourselves and our role in society.

She has now passed on to her Creator. But undoubtedly, she lives on through the works of the thousands of students quietly shaped by the institution she built. Mrs Murshed did not just found a school; she fundamentally altered the trajectory of Bangladesh’s educational and cultural landscape. May she rest in eternal peace.