

National Mourning Day

Today is the 15th of August. It is a day particularly resplendent for what it represents to the peoples of the subcontinent. The end of British colonialism.

Yet for the people of Bangladesh, this is a black day, blacker than any we have known so far and perhaps will ever know. In an act of insuperable treachery and perfidy, cutting at and throwing to the four winds all norms of civilisation, Bangabandhu Sheikh Mujibur Rahman was killed with his whole family barring two.

Yes, there are blacker things than that massacre. That is the way this state is treating the great architect of this very state. The shame that was some elements' has been made into all ours over days and months and years, thanks to the way the affairs of this high-aiming new state were influenced by that abject criminal act.

March 26 is black but it was illumined by heroic resistance. August 15 remains black — unmitigated. How much more the governments will continue to condone this and be not full beneficiaries of acts of unmatched sacrifice and heroism, fortitude and wisdom of our people and their leaders?

There is but one way to free the nation from bearing this impossible burden of shame. Go and quash that infamous indemnity provision in the Constitution. And declare August 15 as the Day of National Mourning. We have been demanding this for two years now but in vain. In the mean time this demand is growing into a truly national one.

If BNP aspires to have its name writ large and bright in the annals of this nation, this was one sure road to that. This act of grace could be perfectly congenial to the blossoming of this nation-state.

Relaxed Planning

As we go on we discard the negatives of the past and build on the positives of it — this has been the standard wisdom followed by most quickly developing countries. But the State Minister for Planning Dr Abdul Moyeen Khan subjected all the previous five-year plans to a blanket criticism and, in the process, sounded dismissive about the whole lot. His point is that the plans were alienated from the masses of the people so that the latter's fate couldn't be changed by them.

Certainly some turning-point policy decisions were incorporated in the five-year plans down the road. They include privatisation of the economy, capital market formation, thrusts upon the rural and education sectors, and above all, identification of nodal agencies and change-agents for an acceleration in the process of growth through higher national productivity.

To our understanding, the plans can be faulted not so much for their contents as for their commulative under-implementation. So, in the resulting under-performance of the plans we read a verdict largely on the man-made debacles, to be candid.

This is what we must take care of as we are reportedly thinking of dispensing with the five-year plans in preference to a more relaxed 15-year perspective plan. It is good to know that its mainstay is going to be a philosophy devoted to an all-round participatory process from planning to implementation. The implication of an incremental human resource development cannot be missed here.

But such a long-term plan may end up relaxing the grip unless the periodic parts are conscientiously redeemed. Besides, through the prism of probable vicissitudes in the external aid climate and the volatility of internal politics, the 15-year plan looks to be rather ambitious.

Brutality Unbounded

We have been conscientiously supportive of the Kashmiris' right to self-determination, subject, of course, to a negotiated settlement among the parties involved as to the exercise of it by the people concerned. Furthermore, if any excess was committed by the authority in the Indian-administered Kashmir we did not hesitate in saying as much. In fact, we have counselled for peace on both sides of the Kashmiri border between India and Pakistan to help foster an environment conducive to the untying of the Gordian Knot in that embattled area.

Armed extremism detracts from the very nobility of the cause it sets out to achieve. But if militancy of a certain group goes so haywire as to hold five innocent foreign tourists in captivity for several weeks demanding release of 15 Kashmiri separatists by Indian authorities, traumatise them by constant threats of physical annihilation and eventually behead one of them and display his mutilated body in public, then surely it is far more outrageous than that. This is tyranny and cowardice both. Our heart goes out in sympathy to the family of the victim — Norwegian young man Hans Christian Ostroe.

We consider the lives of the remaining four hostages very dear. They must be saved. But how? A direct military raid on the abductors by Indian forces will surely put the foreigners to a graver risk.

The best alternative seems to be a third party intercession, modelled on the rare success stories lying buried in the UN dossiers, the ICRC records in particular. No strictly analogous situation is perhaps conceivable but it will be worthwhile to use some kind of a Middle Eastern or Islamic world aperture for persuading the militants to release the foreign tourists forthwith.

Remembering Bangabandhu

He Stands Taller

by Shah Husain Imam

CRITICISM of a political leader of Sheikh Mujibur Rahman's stature and dynamism cannot be any bar to his being placed firmly on the national roll of honour. For, his critics have included people friendly to him, his foes and independent observers, some putting heart into their reflections on him while others pouring out rancour in post-facto justification of his assassination.

Wedded to changing systems — one only wishes he were conscious enough of his personal security requirement to checkmate his ultimate physical undoing — Mujib's name has been extremely vulnerable to criticism, both of destructive and constructive nature. But he had a greater share of brimstone than bouquet. In his life-time flowers mostly came to be showered on him following tangible proofs of his successes on the ground, his ambitious ideas having taken a very long time to take hold. In-between he even drew sarcastic remarks, as one might remember.

But as he fought on facing the line of fire with a courage



Photo: Courtesy — Zamiruddin

almost unique among his compatriots, went on to suffer prolonged incarceration and put the stamp of a certain emotional intensity on his causes, he developed an irresistible aura in a progressive manner. And, so was born a truly charismatic leader in the unbroken chain of leadership evolution spurred on since the Jukta Front days in particular.

Mujib's name in that overall sense is undetachable from those of A K Fazlul Huq, Maulana Bhashani and Hussein Shahid Suhrawardy. The break in the above leadership tradition of Bangladesh has been one of the worst consequences to follow from Mujib's assassination. At our present political juncture, there is hardly anyone to look up to, none to command respect either in the system of government or outside it. We acutely feel the absence of someone able to steer us clear of the deep national crisis which, in the first place, wouldn't have occurred among political veterans, let alone handled the way this is being done now.

The basic fact of history is that we are an independent country very largely because of Sheikh Mujibur Rahman. And, almost to the last rational man of this land, national independence is a prized possession. Leave aside those who on partition of the then Indian subcontinent had lamented sometime thereafter that the British rule was better and also those who, after the creation of Bangladesh, felt expressly love-lorn towards Pakistan days.

Nobody should suffer from an amnesia over Sheikh Mujibur Rahman's role from 1966 right up to 1970, the period which saw him at the vanguard of the struggle for securing the rights of our people through his 6-point programme. In that terminal year of the crucial phase he led erstwhile East Pakistan to a massive electoral victory, this giving him a high stature at home and abroad imparting an irrepressible moral quality and representative character to his cause against Pakistan.

Let's just consider this for a change: the leaders who followed Mujib as an anti-thesis to his rule have hardly left a democratic culture, far

less a stable political order, for us to feel indebted to them or be justly proud of their deeds.

The recital of his follies like the imposition of one-party rule, closure of all newspapers but four and creation of Rakhi Bahini would have been unassailable had the variants of political system introduced by his successors until 1990 met popular aspirations. Since this hasn't been the outcome of the change-overs and his brutal killing set a precedent for further political murders at the top, Mujib does stand out — and tall.

Cogently also he was very much his own man, almost to a fault. It was his return from the Pakistan prison in 1972 that secured a prompt withdrawal of Indian troops from the soil of Bangladesh. He also persuaded the then Indian Prime Minister Indira Gandhi to give us an *ad interim* fair share of the lean season flow of the Ganges water. He went on to attend the Islamic Conference in Lahore unruffled by the possibility of any controversy arising out of it in any circle in India. Indeed it is he who stood the best chance of resolving our problems with India on equitable terms. And a 'sell-out' was against his grain.

National heroes make up the treasure-trove of a country's politico-cultural heritage. If we remain undecided *ad finitum* — and worse still, be bitter and dismissive — about who justly should be placed on the national list of honour, then what is bound to happen is that with every change of government the party in power will glorify its own mentor at the expense of the preceding favourite. This will be reinforcing the impression which already exists abroad, in some measure, that we are in a perpetual state of identity crisis. We cannot let the whole nation become a chameleon changing colour all the time in the eye of the world and, in the process, suffer from a poor stability or reliability rating.

So, Bangabandhu Sheikh Mujibur Rahman must find his due place in our national calendar of events. And his memorabilia, now on a modest private display at the family's Dhanmondi residence on

Road No 32 and in their village home at Tungipara should be enriched, maintained at the state's expense, and suitably presented to viewers at home and from abroad.

A BNP government need not feel politically insuperably disadvantaged in according state recognition to Sheikh Mujibur Rahman's rightful place in our national life. Quarter of a century after the achievement of national independence and twenty years on since his assassination, the question of regarding the Mujib legacy as a national property should be kept above partisan politics. This is a pluralistic democratic order, besides.



Sketch: Courtesy — Zamiruddin

A Leader in the Image of His People

by Nilratan Halder

SHEIKH Mujib, popularly known as Bangabandhu, was born to be great. This is not to confuse with those who are born great. The political history and culture of Bengal — the eastern part of it to be precise — had long been waiting for a leader rich in head and heart, who could catapult the oppressed and the discriminated against multitudes from a subjugative and subordinate ethnic status to a sovereign nation in the modern sense of the term. In Sheikh Mujib the people found one such leader. Bangabandhu epitomised the Bangalee ethos through his unflinching dedication to all things Bangalee, his political vision and a superb leadership quality. No man has touched the whole people to a rebellion of such politico-cultural depth at the grass-roots level. He was in the process from the beginning and soon enough found himself saddled on to lead the people to a successful culmination of the campaign for independence.

However his emergence from an obscure political background to the focal point of its limelight was not easy. Politics may not have been in his blood; but he more than made up for it by his close touch with people and his capacity to feel for them. Combined with this broadness of heart was his acute sense of the just and the unjust, right and wrong. Then he had the courage to protest everything he considered unjust. It is therefore not at all surprising that Mujib, when a student of class VI, inspired by the uncompromising ide-

als and leadership of Netaji Subhas Bose, came to be elected the chief of the student wing of the Forward Bloc, Gopalganj branch. When a student of class VIII, Mujib led a protest rally called by Netaji against the British rule and courted arrest to spend six days in jail. Once, at that age, he detained the then chief minister of Bengal Hussain Shaheed Suhrawardy. A K Fazlul Huq and their entourage during their visit to Gopalganj for long three hours, demanding redress to various problems facing his school. For a student of class IX, this was something extraordinary but his demands were met.

All this is just a preface or a preparation for the history-making role he will be playing in his later life. His brief encounter with Suhrawardy in Gopalganj turned into an abiding and fruitful *guru-shishya* (teacher-disciple) relationship — one that was politically highly stimulating too. In his college life in Calcutta Mujib not only came in close contact with the ideals and principles of western system of democracy — courtesy mainly of Suhrawardy — but also had the privilege to study the lives of most of the political heavy-weights of India from close quarters. The famine of Bengal in 1943, a gross testimony to the misrule, oppression, unconcern and hollowness of British rule in India manifested itself in its ugliest form. This brought Sheikh Mujib face to face with a new reality and thus he received a fresh insight into politics.

Before the scars of the Second World War could be erased, the division of Bengal forced upon people another traumatic experience never gone through before. Mujib was not a passive observer. He was very much in the political drama that was unfolding at a breath-taking pace. In the newly created state, Pakistan, based on the two-nation theory, Mujib did not take much time to recognise the incongruities and the untenable. That a common religion was used as a great bluff to lay a stranglehold of economic and cultural exploitation by West Pakistan on its eastern part became clear.

Eleventh March 1948 saw the staging of a small episode

MAJOR EVENTS AND DATES IN THE EMERGENCE OF BANGABANDHU AS THE PREEMINENT LEADER.

As a student of class VI he heads the student wing of Subhas Bose's Forward Bloc.

Courts arrest and spends six days in jail for leading a protest rally against the British rule when a student of class VIII.

An unusual encounter with Suhrawardy during his visit to Gopalganj.

Protests Jinnah's announcement that Urdu would be the state language of Pakistan at a convocation at Curzon Hall on March 11, 1948.

Expelled from Dhaka University in 1949 for leading a movement of the fourth class employees to realise their various demands.

Formed the Chhatra League on January 4, 1948.

Launched with Bhasani and others the Awami Muslim League on June 23, 1949.

Went to jail for his role in the Language Movement in 1952.

Became a minister of the Jukta Front government in the provincial assembly.

Once again became minister in the Awami League cabinet in 1956 but then resigned.

Led the movement of 1962.

Became president of the Awami League in 1963.

On June 7, 1966 placed the famous 6-point demands.

Arrested on May 8, 1966 for his alleged involvement in Agartala Conspiracy Case.

Shifted from Dhaka Central Jail to Kurmitola Cantonment for his trial.

He was released unconditionally in the face of mass movement on February 22, 1969.

He was conferred the title Bangabandhu at a reception attended by lakhs of people at the Rescource Maidan on Feb 24, 1969.

On January 11, 1970 demands withdrawal of martial law and the holding of national election at a public meeting at Paltan Maidan.

In the election held on December 7, his party receives absolute majority by capturing 167 seats.

On March 2, 1971 declares non-cooperation movement against Pakistan.

On March 7, 1971 he delivered a historic speech, virtually declaring the independence of Bangladesh.

Arrested at 1:20 am, March 26, 1971.

Taken to Pakistan and put in jail on March 27.

Elected president of the Republic of Bangladesh in his absence on April 17, 1971.

Released on January 8, 1972 after the defeat of Pakistan.

Returned to independent Bangladesh to a hero's welcome on January 10, 1972.

Notably, Bangabandhu spent a total of 14 years behind the bar.

Source: Bangabandhu: Pakistan O Bangladesher Muktiudha by Aber Ahad.

It's a Question of our Respect for Law

by Mahfuz Anam

IN an article, entitled "Murder of a Patriot," commemorating the assassination of Bangabandhu Sheikh Mujibur Rahman, this writer argued that regardless of ones feeling towards Sheikh Mujib, his assassination, and that of his entire family (save two daughters), should be seen as a crime against all civilized values and against the fundamental norms of a society based on rule of law. If we believe in the principle that no one has the right to take law into their own hands, and more importantly, that right to life is the most fundamental right in society; and if we believe that even the most diehard criminal must be subjected to due process of law before being punished, then the brutal murder of the Founder of the State of Bangladesh, must surely stand out as one of the most outrageous violations of law, and of all civilized principles. This, as I said, is regardless of whether we love or hate him. This should happen because we want to uphold 'law' and the basic norms of 'social conduct', and also because we want to protect our present and future leaders.

Our tragedy does not end there. Not only have we committed an unspeakable crime, but equally shamefully we have given the murderers immunity by giving Constitutional protection, through the so-called 'Indemnity Act'. This so called Act states that all actions connected with the murder of Sheikh Mujib and his family, and also those of the four leaders who were killed in jail several months later, cannot be subjected to the due process of law. In other words, the criminals responsible for assassinating Bangabandhu are above the law.

What an irony. For every crime committed in this land there is a punishment, at least on paper, except for the killing of the Supreme Leader of our Liberation War, the Founder of the State of Bangladesh, the President of our war time government, and the first elected Prime Minister of Independent Bangladesh. Not only his murder, but that of his wife, those of his two older sons and their newly wed wives cannot also be brought before

the court of law. The murder of Russel, the youngest of Mujib's children, hardly a boy, cannot also be tried.

If ever there was a legal sanction given to murder and killing than it has been done so in the form of the so-called Indemnity Act.

Not love for Sheikh Mujib, but for reasons of law, of morality, of justice and of historical accuracy this infamous Act should be repealed. What the Indemnity Act does at the moment is to set the most dangerous precedent, that if one can somehow manipulate a post facto amendment to the Constitution — even if the process of doing so is highly questionable — then one can commit the most heinous of crimes and get away with it. A group of army officers, breaking all laws of the country, and violating the command structure of armed forces itself, toppled the legal government of the time, and assassinated the elected President and murdered members of his immediate family and many of his relatives. After comm-

itting the crime, an amendment to the Constitution was brought through, in the form of the aforementioned notorious Indemnity Act. It says that none of these acts of murder and killing, including the ones that occurred three months later within the confines of Dhaka Central Jail (when four senior most Awami League leaders jailed by the assassins of Sheikh Mujib, were shot point blank and killed) can be brought before the court of law.

What does the Indemnity Act do? It gives sanction to murder, and by so doing keeps open the possibility of its future occurrence. If, for once, we set the precedent that anybody can be killed, or as many numbers of political leaders and their family members can be murdered, and that the murderers will never be persecuted because they managed to amend the Constitution (however questionable), then are we not laying open the possibility of its recurrence?

The whole logic of punishment for a crime is for the former to act as a deterrent.

If there is no deterrence — in fact quite the contrary, for all of the murdering army officer had lucrative diplomatic jobs for years — against murder then, in effect, it becomes an invitation for further murder.

One can argue that it is precisely what happened. Because Bangabandhu's murderers were never punished, we have had so many violent changes, and attempted changes of governments afterwards. To substantiate this point one can further argue that because President Ziaur Rahman's killers were tried, violent overthrow of leaders came to an end. Then there is the question of morality. What sort of a moral standard are we going to set for ourselves and for our future generation unless we can say NO to MURDER unequivocally, unambiguously and without any partisan or political considerations. Every time the question of repealing the Indemnity Act comes for discussion, the issue gets embroiled into pro-Mujib and anti-Mujib camps. This is precisely what I think we

should avoid.

Every one of us have an unquestionable right to judge our political leaders. And if in that judgment, Sheikh Mujib should rate very poorly, that must also be accepted as a part of our political process. But the murder of Sheikh Mujib, and that of his family members must be seen as act against the norms that we have established, the world has established, our civilization has established, our religion and all other religions of the world have enshrined as part of their basic tenet.

We have to reject this killing because of the principles that we want to establish to govern our present and our future. It relates to the very core of the moral values that a society must have, and must uphold, not only when it is politically convenient but at all times and under all circumstances.

If we look at it the Indemnity Act from the question of justice, here again the justification for its annulment is almost self evident. If General Manzur's brother has

right to bring to books the killers of his brother, then why should that right be denied to Sheikh Hasina and Sheikh Rehana, to seek justice against the killers of their parents and three brothers, not to speak of the other members of their family. Many of us skirt this issue and consider it to be something of a distant event. But I sometimes imagine how I would feel if my parents and brothers were killed, and I was denied the right to seek the minimum of justice, that is available to every other citizen of this country. At times I feel that we need to personalise this tragedy to understand its real meaning. We need to do because individual violation of the fundamental principles of State and Society do not impact on us till it hits us personally. For example we do understand the vicious nature of the SPA till we get personally victimised.

The Indemnity Act has been prepared and subsequently incorporated into the Constitution to protect only one group of men. How can such a thing find place in a Constitution, which is meant to enshrine principles and laws that is to apply to every citizen, and under all circumstances.

The reason for our strong feeling on this issue is very simple and fundamental. We think with Constitutional cover of Bangabandhu's killers still in place, every attempt to establish rule of law in our society will appear to be nothing more than a mockery. Our pious words about respect for the Constitution and for the judiciary, about establishing a society based on the rule of law, and of setting a system in place where no one — however powerful or strategically placed — can take the law in their own hands, will never acquire credibility and respect as long as we give protection to professed killers within the framework of our most sacred legal document — the Constitution. So regardless of whichever political party is in power, or to whatever shade of political colour it may have, all of us must work together to repeal the Indemnity Act, and save our Constitution from this inglorious and damning provision.