

Stormbound BIRDEM

We are worried over the situation in BIRDEM. With the deadline of an employees association nearing and mum still being the word with the authorities, we are afraid, country's lone institution in the healthcare sector that has carved a niche for itself with its service is heading for a period of undesirable chaos.

The cloud that the BIRDEM has now gone under is a creation of the recalcitrance of its Employees Welfare Association (EWA) which is not only pressing for the annulment of a set of service rules but also preparing to physically bar some office bearers from discharging their professional obligations.

It should be mentioned here that the 1996 service rules over which the EWA is agitating now had been scrutinised by an expert committee spearheaded by the Health Secretary following similar chaos last year. The committee then observed in its report that the service rules which empower the authorities with the right to hire and fire are absolutely essential for the smooth running of a vast administration like that of BIRDEM. The underpinning of the employees demand that the service rule of '92 be restored is further taken away by the fact that the rules are in force only in the case of those recruited after 1996 and those who opted for a 20 per cent salary hike.

Above all, the Society Registration Act which BIRDEM is obligated to as a non-profit institution in the realms of social welfare does not allow room for CBA activities. What is now going on at the BIRDEM is not the saner aspect of bargaining but the brutal and blatant demonstration of muscle-flexing. We want the authorities to put their foot down. It has to be a strong and decisive step, no pampering or mollifying business as one official of the PM's Secretariat indulged in on a previous occasion. We have reasons to believe that it was his ineptitude and search for cheap popularity that has considerably helped matter to come to today's pass.

The government must take the BIRDEM as a test case. It has to resolve the crisis firmly because law is on its side and so are we. Its performance on this matter will give signals to all concerned whether it is for smooth running of institutions or for the tyranny of CBAs.

Human Rights Commission

We welcome the news that preparations are afoot to set up a National Human Rights Commission. Its absence has been hurtful to the national image, especially when one considers the fact that the very birth of Bangladesh denominated triumph of human rights.

Early last year decision was taken to establish an independent human rights commission comprising representatives from the civil society whose watchdog role would be to promote and protect human rights in a context of both pluralism and democracy. With an international conference in Dhaka setting the stage for a commission to be brought into existence and the AL government being keen on it, the law ministry set about the task of drafting a suitable bill for it. This is almost ready for final discussion at a seminar attended presumably by experts and publicists some time in the first quarter of the new year. Subsequently, in June, it is likely to be placed before the Jatiya Sangsad for what we would like to see a thoroughgoing televised debate on the points at issue by the Opposition. This will be necessary for dissemination of information among the public but for whose active participation protection of human rights would remain a far cry. From the passage of the bill through the President's consulting the Prime Minister, the Speaker of Jatiya Sangsad and Leader of the Opposition to appoint the chairman and members of the commission to the eventual formation of the body whatever it takes to maintain the time-table must all be done.

We want the national commission on human rights to be not merely independent but also effective in carrying out its writ. We value the prospective presentation of an annual report by the commission to the government and the latter's tabling of it in the Jatiya Sangsad within 90 days followed by submission of a memorandum of action taken or proposed on the recommendations of the commission. Even non-acceptance of any recommendation will call for explanation before the parliament. Nothing should now stand in the way of setting up the human rights commission by July this year.

Renewed Hope of Summit

Ms Albright's projected visit to Dhaka fell through and President Clinton's probable visit also never went past a hope not unbased on facts. When the three-nation subcontinental business summit also was postponed, things could look very wrong for Dhaka's importance as a host. But it didn't as the postponement was prompted by very transparent reasons of political uncertainties in both New Delhi and Islamabad — that were both genuine and understandable. That is not to say that we three could go without that summit as if it were some get-together keynoted by sheer bonhomie.

We are happy the Indian situation is now clear and that Mr Nawaz Sharif also has in the meantime got this house set and right — brightening the prospect of a summit before the commencement of the Indian elections. We congratulate our foreign office for having taken up the thread in the nick of time. There have been encouraging responses from the other two capitals to the renewed Dhaka initiative.

Mr I K Gujral's changed position now as only an interim and stop-gap Prime Minister need not be feared to lessen the importance of the summit. It is India more than an individual that will be there in the deliberations. Mr Gujral's happening to be representing India will come as a bonus as he is on record as a vocal and sincere exponent of closer and truer ties between the states that were once British India.

The initiatives already taken in the shaping of the subregional association within the SAARC, the development quadrangle and the seven-nation BIMSTEC have made it imperative that the subcontinental nations closed their ranks as a matter of priority. The summit is expected to do that to the benefit of us — very close neighbours.

We reprint this regular column by Mr Faruq Choudhury which was by mistake published yesterday as a column of Mr AZM Obaidullah Khan.

ACCORDING to the country's Constitution the election of the President of Pakistan should be a relatively simple affair. The President is elected by an electoral college comprising the two Houses of the National Parliament and the four Provincial Assemblies. This is how, Mr Rafiq Tarar was elected to, what should now be, a purely ceremonial post of the President of Pakistan.

In a situation where the ruling Muslim League enjoys an overwhelming majority, the election of its nominee, Rafiq Tarar, was not expected to be a nail biting affair. Nevertheless dullness has hardly been an attribute of Pakistani politics, and the process leading up to Mr Rafiq Tarar's election, with all the twists and turns of events, has had a great deal of the excitement of the unexpected. The first unexpected element of the election has been the timing of the election itself, as the presidential election had not indeed been due. Farooq Leghari's unexpected exit, making him the first President of Pakistan to have resigned of his own volition, brought forward the date of the elections ahead of time. The second element was that Mr Rafiq Tarar was hardly known outside his immediate circle of friends and well-wishers though happily for the President-elect Mr Nawaz Sharif was one of them.

Not even in his wildest political dreams could Mr Rafiq Tarar see himself occupying the presidential chair. Yet events developed in such a manner that, for the first time in its history, Pakistan saw a properly elected President resign and also saw loyalty to the Prime Minister become the primary requirement of the new incumbent. Mr Rafiq Tarar was found eminently suited to fill the bill.

Mr Rafiq Tarar should normally have no illusions about the job that lies ahead of him although, in the power game in Pakistan, supposed lambs have on occasions displayed tigerish teeth. Mr Tarar is not likely to be counted amongst his high and mighty predecessors like Ayub Khan, Yahya Khan, Zulfikar Ali Bhutto, Ziaul-Huq and Ghulam Ishaq Khan. He will not even be in the same league as Farooq Leghari who occupied the 'Awan-i-sadr' — the imposing presidential palace in Islamabad, during what may be termed as the twilight period of the decline of presidential power in Pakistan. In that re-

spect President Tarar would be more of the ilk of President Choudhri Fazle Elahi who served the powerful Zulfikar Ali Bhutto, while he was Prime Minister, in the latter's failed experiment with the parliamentary system of governance in the seventies.

Since the fall of President Ziaul-Huq in the late '80s it has been, by and large, the general desire of Pakistani politicians to turn to a full blooded parliamentary system. However, as opposed to a presidential form of governance so entrenched has traditionally been the post of the President in the power game that it has taken about a decade of gradual moves for that to happen. In that process Nawaz Sharif has emerged as the most powerful Prime Minister in Pakistan's history.

Mr Nawaz Sharif can be said to be even more powerful now than Mr Bhutto in his heydays, for a number of reasons. First, unlike Mr Bhutto, who came from the smaller province of Sindh, Mr Nawaz Sharif belongs to the Punjab which is glaringly becoming the central springboard of political power in Pakistan. Mr Sharif enjoys a comfortable two-thirds majority in a pliable parliament — something that Mr Bhutto never had. More importantly perhaps, Mr Nawaz Sharif has achieved complete mastery of Pakistan's political skies by completing the process of taming the President by succeeding in installing judges who appear amenable and kind and by having an Army ever so understanding and helpful. In all this he must now also thank Chief Justice Sajjad Ali Shah's Don Quixotic and extra judicial behaviour for accelerating a process that would have otherwise taken much longer in coming. Thus one may say that it is to Chief Justice Sajjad Ali Shah's action that Rafiq Tarar owes his job and also Nawaz Sharif, his power. This tale of the unexpected has to be the *Chief d'Oeuvre* in the latest anthology of Pakistan's political tales and it is not likely to lose any of its lustre by a brief recounting of facts.

The story unfolded last October, when Chief Justice Sajjad Ali Shah quietly forwarded a list of five names to Prime Minister Nawaz Sharif for elevation as Supreme Court

Judges. Nawaz Sharif smelt rat in this, as he did not like its composition. There were certain corruption cases against Nawaz Sharif, pending in the Supreme Court, a remnant of his previous prime ministerial incarnation and the judges in the list did not seem like an amenable lot to the Prime Minister.

A split decision by the Pakistan Supreme Court had after all sealed Mr Bhutto's fate only years earlier and it was therefore not unexpected of Mr Nawaz Sharif to keep a wary eye on the composition of the Court. He therefore put the proposal regarding the elevation of five judges in the cold storage. This angered the Chief Justice, in whose view it was not for the Prime Minister to say 'why' but to simply accept his agreement to any Court proposal in such

the court could have meant the end of Nawaz Sharif as Prime Minister and this is something a Prime Minister, with an overwhelming electoral mandate, was not expected to take lying down. He requested President Leghari to get rid of the Chief Justice, but the President refused to oblige. Therefore, with his two thirds majority in the Parliament Prime Minister Nawaz Sharif started drawing up plans to impeach the President. The crisis thus got elevated to the level of the President and the Prime Minister.

This is a situation where the Head of the Armed Forces cannot sit idle. After all the state machinery seemed like being on the verge of a collapse and no Army, least of all that of Pakistan, with all their exposure to statecraft could wait and watch

Chairman, took over as acting President. He, the acting President, 'restrained' Sajjad Ali Shah from performing his functions and Justice Ajmal Mian was appointed as the Acting Chief Justice. Later a 10-member bench of the Supreme Court unanimously cancelled the 1994 appointment of Chief Justice Sajjad Ali Shah. Thus for the Chief Justice the die was cast, and Justice Ajmal Mian permanently replaced him as the Chief Justice.

Mr Wasim Sajjad now goes back to his old post of the Senate President, thus making room for the President-elect Rafiq Tarar.

With both the President and Chief Justice replaced, the Prime Minister is now firmly on the saddle. What started off with a whimper of a proposal of elevation of five judges has ended with a bang in a political battleground where casualties abound and new people are in charge. The battle now seems to be over, if not the war, and it is time now to ponder and reflect.

The stand off between the Prime Minister and the Chief Justice has led to quite unexpected results and has accelerated the process of establishing, in full measure, the Prime Minister's administrative authority vis-a-vis that of the President. In the event the Army saw it prudent to stand by the elected representative of the people, viz. the Prime Minister. Simultaneously two extra-legislative pre-emptive actions were taken by the Prime Minister. First, as the police watched unconcerned, they stormed the Supreme Court and, by creating a pandemonium, prevented the court from functioning. Second, it was charged that Justice Sajjad Ali Shah, a Sindh, had superseded three judges senior to him in 1994 to assume the mantle of Chief Justice. The Baluchistan branch of the Supreme Court was encouraged to 'dismiss' the Chief Justice thereby showing a rift among the judges and thus weakening the Chief Justice's position. The Prime Minister was using the technique of setting a 'thief to catch a thief.' At that stage a somewhat harassed President Leghari, who actually had to approve the appointment and dismissal of the judges on the advice of the Prime Minister decided to throw in the towel and Wasim Sajjad, his sonel

and without a shot being fired. While a stunned population watched the antics of some of the principal actors on the national stage, the press in Pakistan by and large behaved responsibly and the standard of their presentation of news and views, has been high. A great deal indeed can be said in favour of Pakistan's free and remarkably bold and courageous press.

The Armed Forces have emerged well out of the crisis. In a situation where the choice lay among 'evils', the Army decided to back up the Prime Minister. By doing so, it may have chosen the least of the 'evils', appearing to be supportive of the democratic process.

The judiciary has had a bad mauling and as the leader of the country, it is now for the Prime Minister and his obliging parliament to restore unto judiciary the respect and dignity it deserves. A strong judiciary, it must be recognised by the Prime Minister and his men, strengthens democracy and in no way weakens it.

Indeed a couple of what may seem like favourable factors may ironically militate against the Prime Minister. His overwhelming majority may render into his political behaviour a dictatorial touch that he must make efforts to shun. And then there is the almost total Punjab domination in all the branches of the government, something that the smaller provinces will find irksome, unless proper care is taken by the Prime Minister. Here there is a case for putting stitches in time.

In the regional polarization of society that has taken place in Pakistan in the recent years, it may not be wise to ignore the fact that both Justice Sajjad Ali Shah and Justice Junjo (the latter made a last minute effort as the Election Commissioner to put a spoke in the fast moving Presidential wheel of Rafiq Tarar by disqualifying his candidature), happen to belong to Sindh. It also should be noted that perhaps for the first time in four decades a Bhutto or anyone of the Sindh 'beradar' was not among the cast of characters in the political high drama.

The month-long political drama has done a great deal of damage to Pakistan's economy and an all-Punjab show has disturbing implications. Cries of disparity and neglect are already quite audible in some corners of the Federation and the Punjab will have to demonstrate a degree of accommodation, understanding and fairplay, that Prime Minister Nawaz Sharif may not quite find easy to implement.

laboured and tested in various ways. The holler-than-thou attitude continues, as the cleansing process is not yet complete. Balance is at stake, and intolerance is offered to the nation as an uncharitable gift.

The muddy waters will take time to settle down. These are trying times for the nation. The free-swinging pendulum will take time to dampen its oscillations to reach its point of stable equilibrium, provided external forces do not impart more unnatural swings.

It is not easy to acquire the natural rhythm of life.

Politics in Pakistan

A Tale of the Unexpected

The stand off between the Prime Minister and the Chief Justice has led to quite unexpected results and has accelerated the process of establishing, in full measure, the Prime Minister's administrative authority vis-a-vis that of the President.



Frankly Speaking...

by Faruq Choudhury

matters. The Chief Justice, acting in a huff, instructed the revival of the corruption cases against the Prime Minister. Not only that, he issued Court Orders suspending two constitutional amendments passed by the Parliament at the instance of Nawaz Sharif: one discouraging floor crossing by its members and the other withdrawing the power of the President to dissolve the Parliament. From the President's point of view, the pressure tactics appeared to be working as the Prime Minister now seemed willing to endorse the appointment of the five judges.

However, in the meantime the Prime Minister and some of his parliamentary colleagues, in their exasperation, had made some critical remarks in the parliament about the judicial process in the country. Instead of letting sleeping dogs lie, Chief Justice Sajjad Ali Shah decided to bring contempt charges against the Prime Minister and some of his parliamentary colleagues forcing the Prime Minister to appear in the court in person. A conviction by

the happenings from the sidelines. In the event the Army saw it prudent to stand by the elected representative of the people, viz. the Prime Minister.

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Looking Back at History

A Mawaz

experiment, depending on book lore.

Therefore the first few years since liberation were tough on the nation and its leadership. It was testing time of new problems, and a probing time for new solutions. Imagine a baby tottler, crawling to stand up, staggering to walk, and struggling to keep balance. The road was rough, and uncharted,

and the pilgrims were armed only with zeal and faith, but the destination was clear. One is reminded of the great motion picture *Maha Prostanher Pathay*.

The new initial governance had to face and deal with critical administrative and adjustment exercises, of channelling the pent-up passions into a disciplined work-force. The first

phase ended quickly, and violently.

There were two other phases of setting up home. The search for internal identity started afresh, armed with lean tolerance and brutal over-confidence. The price of freedom was still being paid, in installments. The iron was being heated in the fire to produce steel. Freedom exacts its price — there are no short cuts.

In the beginning of the 1990s, democracy was dragged back on the stage; and be-

laboured and tested in various ways. The holler-than-thou attitude continues, as the cleansing process is not yet complete. Balance is at stake, and intolerance is offered to the nation as an uncharitable gift.

The muddy waters will take time to settle down. These are trying times for the nation. The free-swinging pendulum will take time to dampen its oscillations to reach its point of stable equilibrium, provided external forces do not impart more unnatural swings.

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OPINION

How to present a glimpse of reflective history of Bangladesh in a nutshell? An unknown leader emerged — when the time had come — from amongst the tolling millions; and his moral force united the people to suddenly create Bangladesh 26 years ago.

The post-revolutionary period was turbulent, as the labour pain had lasted for only nine months, instead of decades of fighting (as in Sri Lanka, Vietnam, Palestine). A new foundation had to be laid, starting practically from zero, after 200 years of domination of the Muslim majority in this region.

This majority developed over layers of cultural settlements over the centuries in this rich delta known as Bengal.

Between British, India and Bangladesh, there was another era, lasting one generation, the creation of Pakistan in 1947 through the partition of India. There was too little time for the current and the succeeding generations to absorb and adjust to the changing historical forces and patterns. The majority were poor and illiterate, and self-governing was a new

To the Editor...

Slaughtering of animals

Sir, In Dhaka city, more than 300 animals are slaughtered everyday in unlawful ways. Law enforcing agency is too silent about it. Why?

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Egara Sindhur Express

Sir, Businessmen, office-goes and other professionals used to travel regularly by 738-Egara Sindhur Express train. Leaving Dhaka at 9:00 am, it reached Narsingdi at 10 am and returned to Dhaka in the evening departing from Narsingdi at 4:20 pm to avoid hazardous journey by over-crowded bus in Dhaka-Narsingdi route.

But the express train was abruptly withdrawn by the Railway authority two years ago and in spite of repeated requests it has not been re-introduced.

We shall urge before the Railway authority to re-introduce the early stoppage of the above train at Narsingdi for the sake of public interest.

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Rich food

Sir, In our country it is very easy to know if a person is 'making money' or not. One look at him and you will know it. No, not at his dress because many rich people over here dress simply (unlike the general idea that the wealthier you are, the richer dressed you are). What then?

When they are student or have started work only lately, they are lean and thin. But the moment they start making money their belly starts growing round, so does their face and finally the whole person becomes round! No fault of theirs though.

First of all, they do not know that fat is harmful to their health. In fact, the general idea is, the fatter you are, the healthier you are! The second

reason is, when a person starts making money, he thinks of having recreations. But the only and the best recreation for the general people is food. They cannot think of or do not have any other recreation in our country. No clubs, no dance parties, no sports, no theatres, no traveling (look at the jam on roads and highways).

So, what can the 'poor' rich people do except eat — and eat — to their hearts content — all that is money for, if you cannot have your fill of rich food!

And the wedding feasts — what heaven, for the already overweight people because they love and relish such rich and oily food. One doctor colleague was remarking that the fittest and the healthiest people in our country are the ordinary workers seen on the roads, with not an inch of extra fat on their bodies. The richer, the fatter, the more unhealthy one is.

Dr. Sabrina Rashid
Dhaka Cantonment
Dhaka

Water crisis in Dhaka

Sir, For over decades WASA has been supplying water to the city dwellers through digging more deep tube-wells one after another. Most of the time either the pump machines of the deep tube-wells are idle due to mechanical trouble or there is no water supply due to load-shedding and erratic electric supply.

One ponders why does WASA always supplies water underground when Dhaka city is surrounded by many rivers and rivulets and plenty of surface water is available. We believe that supply of surface water is easier, cheap and economical than underground water.

Recently WASA has taken in hand the construction of a big water purification plant in Sayedabad. We understand that completion and commissioning of the water plant would take 5-8 years. Moreover that Sayedabad water purification plant would not be able to meet the water requirement of millions of people of Dhaka. We wonder how long and to what extent the sufferings of the people would

continue unabated due to water crisis in Dhaka.

Considering the untold sufferings of the people, our immediate and long term requirement of water and also on account of the fact that pumping out millions and millions of gallons of water daily from underground is very much detrimental to our environment. We would request our Ministry of LGRD to kindly take immediate necessary steps to use the surface water from rivers Buriganga, Sitalakha, Dhaleshwari, Balu and Turag for supply to the people of Dhaka. In this connection if necessary water purification plant may be set up in private sector near aforesaid rivers.

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A smile costs nothing

Sir, The other day I was going through a UN Women's Newsletter. The newsletter contained an interesting piece on 'Smile', the taste of which I would like to share with your learned readers with the hope that we would start to smile for us as well as for others. So, here it goes:

"A smile costs nothing, but gives much. It enriches those who receive, without making poorer those who give. A smile takes but a moment but the memory of it sometimes lasts for ever. None is so rich or mighty that he can get along without it, and none is so poor that he can be made rich by it. A smile creates happiness in the home, fosters goodwill in business, and it is the counter-sign of friendship. A smile brings rest to the weary, cheer to the discouraged, sunshine to the sad, and it is nature's best antidote for trouble. Yet a smile cannot be bought, begged, borrowed or stolen, for it is of no value to anyone until it is given away. Some people are too tired to give you a smile. Give them one of yours as none needs a smile so much as he who has no more to give."

M Zahidul Haque
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IN MEMORY OF LILY KHAN

"We Should Share Our Pains As Well"

by M Tajul Islam

A tall tree can be measured only when it has fallen. But it is very difficult for me to measure or write about a person whom I knew so closely, a person who made her way up from a mufassil Girl's School teacher to Director of Inner London Education Authority, Chairperson of the Commission for Ethnic Minorities and Order of the British Empire (OBE). Like a fruitbearing tree there was more fruitful her career blossomed, the more humble she became. She was a person who never boasted about her educational background (American University of Beirut and Harvard), never bragged about her accomplishments in life, never bloated her heroic role during the Language Movement. That is the reason why very few people know that, along with the handful of courageous students there was a brave, young 23-year old woman who sprang to her feet shouting 'No! No!' in the Curzon Hall in 1948 when mighty Mohammad Ali Jinnah declared that Urdu and only Urdu shall be the state language of Pakistan. That was Lily Ghosh (later Khan), the English educated woman coming from a Christian family of Arabmother and Bengali father who totally identified herself and threw in with the Bengali Language Movement and the people of the then East Bengal. In spite of the fact that she spent the last quarter of a century of her life in London since 1971 she was never divorced from the roots of her culture, rather nourished and proudly exhibited and promoted it in an alien environment till her death on 25th November last.



ways be there, extending her hand to help me tide over my times of turmoil.

But Lily Khan, as a human being, had her strengths and weaknesses, joys and sorrows, pleasures and pains. When she was in deep sorrow after the sudden death of her husband she suffered in solitude with dignity. Showing emotions hysterically is like peeling a sticking bandage and display the raw and ugly wounds. When she was hurt or insulted I saw her cool composure taking refuge in anguished silence. And silence is never misquoted. When conflicting situations demanded her intervention she preferred discussions to senseless arguments, as the former is the exchange of intelligence and the latter is that of ignorance

and arrogance. She ignored small matters which never affected her for small matters affect small minds. She was one of those people who always seemed to be happy or pretended to be one. These are the people who make other people happy.

She loved and tried to help all around her without expecting anything in return. With all her education and experience in life there was one drawback in that unassuming and remarkable lady and that was she did not know how the meaning of the word 'hated'. The door of 24 Marsh Avenue (her home) was open to all, even those who hurt and tried to harm her. "It is not genius, not glory, not even love that reflects the greatness of a human being; it is kindness". The cozy little house radiated the love and warmth of her heart. No matter how busy used to be my schedule during my short and frequent visits to London or even if I was transiting for a day, I do not remember having ever failed to visit that cozy den and breathe the warmth of heavenly love and understanding.

Today is the 40th day of Lily Khan's death — the Day of her Deliverance. All her duties and responsibilities to her near and dear ones, all her feelings for the helpless and the hopeless ones, all her efforts to bring peace in the lives of the troubled ones are gone forever. So is gone my mental mentor, my security blanket, the nurse of my wounded dignity, the cool shady cover over my head... my motherly elder sister.

"Blessed are the merciful
For they shall see mercy.
Blessed are the pure in heart
For they shall see God.
Blessed are the peacemakers
For they shall be called
the children of God."

God bless Lily Khan.