

The great martyrdom

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MUSLIMS all over the world observe the tenth of Muharram as a day of mourning and remembrance. It is the anniversary of the supreme and inimitable sacrifice which Hazrat Imam Hussain (RA), the youngest grandson of the holy Prophet Muhammad (pbuh), made, along with seventy-two near and dear ones, to uphold the true teachings of Islam befitting the Prince of Martyrs.

Death is inevitable for every mortal. But the shahadat of Imam Hussain (RA) was no ordinary demise. "Although all deaths are sweet for the mumtin, the death of Ali's son is unique indeed," says Iqbal. "For it passes beyond the death that is content with the grave. The great shahadat of Kerbala, inspired by the most divine love for Allah, indeed showed superhuman courage and conviction and endurance, enabling the beloved grandson of the holy Prophet (pbuh) to overcome so easily the well-nigh insuperable forces of contemporary evil and untruth. It is this dying nobly for the cause of truth and justice that confers immortality on man, the immortality which the great son of Hazrat Ali (RA) won on the banks of the Furat (Euphrates). The Holy Quran eloquently testifies: "And say not of those who are slain in the Way of Allah: They are dead." Nay, they are living, though ye perceive it not." (2:154)

The heroic episode of Hazrat Imam Hussain (RA) has passed into a legend. Minstrels throughout the length and breadth of the Islamic world sing the deeds of this Prince of Martyrs. He reigns supreme in the hearts of thousands and millions of persons, both Muslims and non-Muslims. He has indeed passed into history, he has become a name.

With the rise of Mu'awiyah, the oligarchic rule of the heathen times displaced the democratic rule of Islam. Paganism, with all its attendant depravity, revived and vice and immorality followed everywhere. The wealth which he pitilessly extracted from his subjects, he lavished on his mercenaries, who in turn helped him to repress dissent. Before his death, Mu'awiyah convened the chief officers of his army and made them take the oath of

fidelity to his son Yezid, whom he designated as his successor to the throne a gross and treacherous violation of the terms of peace signed between Mu'awiyah and Hazrat Imam Hassan (RA), the eldest son of Hazrat Ali bin Abu Talib (RA).

On Mu'awiyah's death, Yezid ascended the throne founded by his father on fraud and treachery. As cruel and treacherous as his father, Yezid however lacked the cunning and capacity to clothe his cruelties in the guise of policy. An out and out sadist as he was, he killed and tortured just for the sake of pleasure. Addicted to the grossest of vices, his close companions were the most abandoned of both sexes. Imam Hussain (RA), on the other hand,

turbed, accompanied by his brother Abbas, a few devoted followers, and a retinue of women and children. But as he approached the confines of Iraq, the solitary and hostile face of the country alarmed him. He saw no signs of the Kufan army which had promised to meet him. Suspecting treachery, he encamped his small band at Kerbala near the western bank of the Euphrates. The great Imam's apprehensions of betrayal only proved too true and he was overtaken by an Ommeyyade army sent by the brutal and ferocious Obaidullah bin Zaid, surnamed the Butcher.

For days their tents were surrounded. The cowardly hounds dared not come within the reach of Ali's son, but they cut the victims off

they knew that they had come to fulfil their destiny not to win a battle but to achieve a moral and spiritual victory which was definitely much more glorious than a victory on the field of battle.

The valour and indomitable spirit of the Fatimides were invincible and they readily won every single combat and close fight. They slew many more than their own numbers. But the enemy's archers treacherously picked them off from a safe distance. One by one the defenders fell, until at last there remained but the noble and virtuous grandson of the last and greatest Prophet (pbuh). Severely wounded and dying, he dragged himself to the riverside for a last drink; the inhuman cowards turned him off with

And changing a hundred colours it flew; And drinking blood, it vomiting rubies flashed.

But the grueling ordeal was too much even for the indomitable Hussain (RA), and faint with the loss of blood he sank to the ground. The murderous cowards rushed upon the dying hero like vultures; they cut off his head, trampled on the holy body and subjected it to every ignominy they knew.

Hussain (RA) did not die in the ordinary sense of the term. He simply shuffled off the mortal coil and set sail towards the Great Unknown through the glorious channel of shahadat. In the memorable words of Nazrul, "Death itself was immortalized at the touch of his life." His precious life indeed was sacrificed for the salvation of the suffering humanity, testifying so eloquently to the fact that the brows of the martyr shall eternally reflect the brilliance of the elect of Allah, that those who submit to God and suffer and bleed unto death for the cause of righteousness, truth and justice, for the unfortunate millions that knock about the straits, for the sustenance and durability of their rights and privileges, never decay, never decay, never die, never perish; they live a newer life, a fresher life, higher life, a more sublime life in the recurrent ethos of community and country.

The great martyrdom of Kerbala indeed occupies a very significant place in the annals of history. It convinces one and all of the sincerity, dedication and resolution of the devout followers of God and testifies to their readiness to undergo any hardship and any loss to uphold the Faith of Muhammad (pbuh). That is not all! Ashoura comes back every year to rejuvenate and boost the dormant vigour, stagnated spirit and dampened morale of the misguided and oppressed Muslims all over the world. In the inimitable words of Maulana Mohammed Ali Jauhar:

Kadke Hussain asal me margaya Yezid tha; Islam zinda hota hai har Karbale ke baad

(The martyrdom of Hussain was indeed the death of Yezid; Islam is rejuvenated after each and every Kerbala.)

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had inherited the chivalric nature and all the virtues of his great and illustrious father. He united in his person the right of descent from the Sher-e-Khuda Ali (RA) with the holy character of the grandson of the Prophet Muhammad (pbuh). Great as a devout Muslim, great as an idealist, great as a patriot, great as a valiant warrior, great as a man of action, a dreamer of dreams, he was daring and adventurous, reckless of consequences and yet intensely practical, one who embodied the highest qualities that giants among men might desire.

Hazrat Hussain (RA) never deigned to acknowledge the title of the tyrant Yezid, whose vices he despised and whose character he regarded with abhorrence. Naturally, therefore, when the Muslims of Kufa besought his help to release them from the curse and cruelty of Ommeyyade rule, he felt it his duty to respond to the Iraqis' appeal for deliverance, and with the assurance that the whole of Iraq was ready to rise to the occasion to hurl the despot from his throne, he set out for Kufa with his family. He traversed the desert of Arabia undis-

urbed, accompanied by his brother Abbas, a few devoted followers, and a retinue of women and children. But as he approached the confines of Iraq, the solitary and hostile face of the country alarmed him. He saw no signs of the Kufan army which had promised to meet him. Suspecting treachery, he encamped his small band at Kerbala near the western bank of the Euphrates. The great Imam's apprehensions of betrayal only proved too true and he was overtaken by an Ommeyyade army sent by the brutal and ferocious Obaidullah bin Zaid, surnamed the Butcher.

On the morning of the fateful day of the tenth of Muharram, the auspicious day of Ashoura, Hussain's (RA) faithful band of heroes arrayed themselves in battle formation. No hope of victory was there against the thousands of well-equipped and merciless mercenaries of Yezid. Yet

arrows. As he returned to his tent, he took his infant child in his arms but they transfixed him with a dart. Alone and weary, he seated himself at the door of his tent. One of the women handed him a cup of water to assuage his burning thirst; as he raised it to his lips he was pierced in the mouth with a dart. He lifted his hands to heaven; they were full of blood and he uttered a funeral prayer for the living and the dead. Not merely a grandson of the holy Prophet (pbuh) but also a devout and ideal follower of his tenets, the great Imam even in his last hours displayed the highest ideal of spiritual and moral greatness by praying for the very enemies who had killed his infant son and were ready to put him to death. Raising himself for the last desperate charge, the great fighter threw himself among the Ommeyyade brutes, who fell back on every side. The beautiful lines from the great poet Anis gives a graphic description of the Imam's legendary sword and its strokes:

And driven by hand alone when-e'er it smashed; There out a gushing pool of blood had splashed;

Excerpts from the 'declassified' main report of Hamoodur Rahman Commission POLITICAL BACKGROUND-XVII

THE official version was that the action taken was strictly in proportion to the necessity and of minimum kind and, even now, we had several witnesses who have so deposed, particularly most of the senior officers whom we have been able to examine. On the other hand, the outside world was hearing grim and harrowing tales of the most brutal atrocities. We are told for example that whenever the army suspected that a miscreant was in a particular village instead of any attempt being made to secure him or even killing him the whole village was subjected to machine gunning and its inhabitants killed without regard even to age or sex. A number of witnesses, including officers, serving in the army at that time have supported this. We have been told of instances of large groups of men and women brought together and mercilessly put to death. We are also told that it was a matter of very frequent occurrence, for soldiers and even officers to go to the houses of respectable people and forcibly take away young girls for their carnal pleasure, even at times killing the wretched victims after satisfying their own lust. It is impossible today to assess precisely where the truth lies but there are several reasons which have led us to the firm conclusion that a number of these incidents were in any case larger than was later sought to be made out and that there can be no

authorities ever come out with any statement of figure themselves. Even in the White Paper which the government issued four months after the event while the atrocities, committed by the Mukti Bahini in the earlier period were enumerated at length, no figure was mentioned of the killing caused by the Army itself. General Tikka Khan who was the Martial Law Administrator from the 7th of April onwards, stated before us that the number of people killed was probably about 15,000, but we are told that later in a press interview he gave a figure of 30,000. We are also told that situation reports which are a normal feature of the Army's mode of conducting its own affairs, that were received from East Pakistan, were highly coloured. It seems that local commanders in giving the figures to their own superiors which then in due course came to the Eastern Command and eventually to Rawalpindi, always minimized their own part. We were told by a military officer that quite often what would happen is that a group of persons would be shot at and killed and it would be reported to Commanders that these persons were resisting the arrest of a wanted man and yet besides the dead bodies could be found no arms.

In the absence of any assertion from the authorities as to how many people were killed, much less of any proof thereof, we are forced to the conclusion that the wanton and vindictive action was in fact taken from the 25th of March onwards, although we find it impossible to make a reasonable assessment of actual figure. On the other hand we have had clear evidence to show that from time to time Eastern Command issued instructions that there should be no indiscriminate killing or wanton action. This makes it quite clear, we think, that so far from any such thing being indulged in as a matter of policy, steps were taken by those in authority to prevent such action. On the other hand the very fact that it was found necessary to issue such instructions also indicate that complaints had been reaching the General Command, Eastern Command of the occurrence of such incidents. Cases have been brought to our notice where those guilty of taking advantage of the situation to gratify their own lust were duly dealt with and properly punished. A number of incidents of looting, some on a very large scale, have also come to light and there was in particular, one case which involved officers up to the rank of a Brigadier in which currency notes of the value of 2½ crores were looted. A Court of Enquiry was in fact held and we are told that the officers were exonerated. We are of course not holding that they were wrongly exonerated; we cannot, in the absence of an examination of the evidence in that case, come to any such conclusion. But this much can be safely concluded that such a crime took place and either that the culprits were left unpunished or that they were not traced.

Lest we forget A homage to Justice Murshed

JUSTICE MAHMUDUR RAHMAN

JUSTICE Murshed securing his LL.B degree from Calcutta University in 1933 with first class, enrolled himself as an advocate at Fort William in 1934. But within a short time he was called to the Bar by the Honourable Society of Lincoln's Inn in 1939. He was a lone student from British-India to secure honours in the Bar final examination that year. It was a glorious success for a proud performance by an Indian. During his stay in England he came in touch with great people like Prof. Harold Laski of the London School of Economics, Mr Krishna Mannon, the Head of the Indian League in UK, and others.

President Ayub Khan had to amend the Constitution regarding appointment of minister;

(2) The Dhaka University Convention Case, popularly known as Zakir Ahmed Case: In this case he struck down the decision of the High Court of Judicature at Dhaka University regarding the expulsion of Zakir Ahmed. The doctrine of audi alteram partem which he applied in this case still is followed by the highest judiciary of our country with the highest esteem.

(3) Col Bhattacharjya case: In this case Justice Murshed speaking for the Bench observed, "It was further argued that force has never been the source of law referring to a dictum of Rousseau in his well known work, 'Social Contract'. It is true according

to that effect. A Constitutional right cannot be taken away by a legislative 'fiction' without a constitutional amendment which would permit such a course. There is a world of difference between a legislative immunity and a constitutional guarantee. The Constitution by its very nature craves the distinction. A constitutional immunity can not be wiped out by such a simple method. The hand of a constitutional clock is incapable of manipulation by a simple legislative contrivance as opposed to constitutional amendment."

Justice Murshed in his reply to a Full Court Reference on the occasion of his becoming the Chief Justice of the then High Court of East Pakistan cautioned the judges about their duty. He said, "A judge is nothing but the law-speaking with uncompromising justice, for it has been truly said that the best Government is that in which the law speaks rather than the law-givers. This is where the Judges come in. But, where the law ends tyranny begins and there is no worse tyranny than judicial arbitrariness and no misfortune can be worse than judicial subservience. When a Judge departs from the spirit of the law and from a fearless independence in its application, he becomes the worst law-breaker."



Regarding Lawyers he said "The essential characteristic of a lawyer is that by interest and predilection, and often by birth, he belongs to the people; by habit and taste he belongs to the aristocracy. He is thus a happy connecting link between the two. They are very properly co-sharers of the Court not so much as law-givers but as interpreters of the law."

Mr Justice Murshed even after his retirement did not stop thinking for the people and the country. With broken health he used to think about co-operation in this sub-continent. He said in one of his writings "The countries and the peoples of this Sub-continent should draw closer and work together. They have so much in common. They have to overcome the prejudices that keep them apart. The Nations of the Sub-continent have to unitedly work together in order to approximate a common goal. Unity in our part of the World, however, has to grow from within. It can be imposed by any external agent". We may say that he foresaw the birth of what is called SAARC called to-day. A learned man as he was he never failed to identify the problem of the time and work with the people.



Dr. Rubaiul Murshed

All health information to keep you up to date Facts about lung cancer

Lung cancer is the leading cause of cancer in men and the second most common cancer in women. One out of every five persons who died of cancer had lung cancer. An estimated 85 per cent of lung cancer cases in males and 75 per cent in females are caused by cigarette smoking. Less than 10 per cent of lung cancers occur among non-smokers. The risk of lung cancer for the smoker is 15 to 25 times more. When the smoker stops smoking, the risk of lung cancer drops to two times the risk of a non-smoker after 10 to 15 years. The best safeguard against lung cancer is never-smoke; and if you smoke, stop now.



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