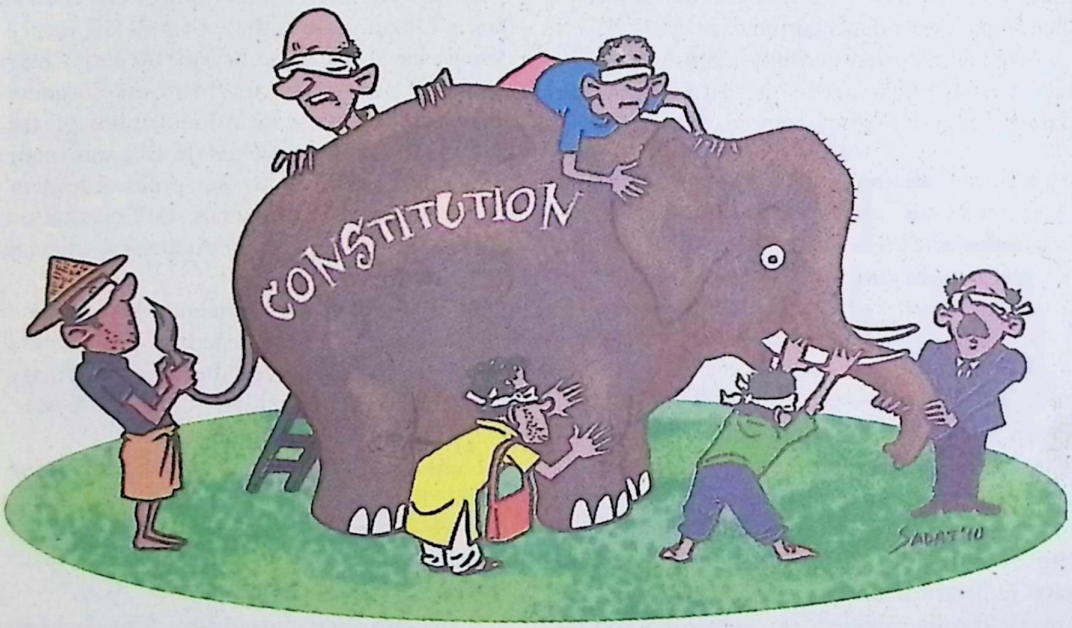
The Bangladesh Constitution: A restricted document framed by "copyright and ownership"

ADVOCATE TANBIR SIDDIQUI asks why people do not have access to the book by which their country is governed.



AFTER its adoption on November 4, 1972, and disruption and turbulence over the last 38 years, the Bangladesh Constitution has been passing through a transition period since the final verdict from the Appellate Division on the Fifth Amendment. The apex court of the country has declared the fifth amendment of the Constitution illegal and void. Debates on different articles of the Constitution, diverging opinions of constitutional experts, a variety of news items and commentaries in newspapers, series of discussions in electronic media, various questions regarding the Parliamentary Special Committee on Constitution Amendment, have all made a hodgepodge of the situation.

I cannot but be upset regarding the decision of the said Committee taken on October 12. Are we missing the chance to modify and update the Constitution as per the demand of the times? Ordinary citizens do not know what is embodied in the Constitution, and what is going to be included. Thus this piece is centred on a widely discussed "Caution Notice" of the Ministry of Law, Justice and Parliamentary Affairs, claiming "copyright and ownership" of the Constitution.

Will the Constitution, the document ensuring fundamental rights of the people, ultimately go out of the reach of the common people? Will the common people not be able to see the Constitution even 39 years after independence? Will the document be limited to a few people, like before, though it has been amended 14 times? Will citizens have to apply to the government, i.e. the law ministry, under the Right to Information Law, 2009 to know their fundamental rights?

Many may not believe that the Constitution of the People's Republic of Bangladesh is protected by "All Rights Reserved" and is the "property" of the Ministry of Law, Justice and Parliamentary Affairs. People who have any doubt, or think it is a misinterpretation, are advised to read a