following the March 24 proclamation. People's fundamental rights were suspended. They were not allowed to go to court seeking remedy against violation of any right.

Through an amendment to the martial law proclamation, Ershad seized the power to make appointments to constitutional posts of the chief justice and judges of the Supreme Court, the chief election commissioner and commission members, comptroller and auditor general, the chairman and members of the Public Service Commission. A person appointed to any constitutional post would have to take oath to perform duties with honesty in accordance with the March 24 martial law proclamation.

After ruling the country for over three years, with the Constitution completely suspended, the general seemed to have understood the legal philosophy of Thomas Paine and Hilaire Barnett as he desperately tried to give legitimacy to his regime. He held a farcical public referendum with a said voter turnout of 72 percent on March 21, 1985 which claimed that Ershad obtained 94.14 percent "yes votes" in favour of his rule.

But the outcome of the referendum could not ensure legitimacy of the military government led by Ershad. Therefore, he started reviving the Constitution from mid-1985 in phases, exercising his power as CMLA. The total revival of the Constitution came on November 10, 1986 when martial law was withdrawn by a proclamation.

But before the final revival, the military ruler left no stone unturned to ensure legitimacy of his rule. In August 1986, he stepped down as chief of army staff and formally joined the Jatiya Party (JP), which was floated under direct patronisation of the then military government. The regime organised the third parliamentary election on May 7, 1986 and the government-sponsored JP won majority in the poll widely criticised for electoral irregularities.

In October of the same year, 1986, the military regime organised the presidential elections in which Ershad contested as JP candidate and emerged victorious from the polls boycotted by all major political parties.

The Jatiya Sangsad constituted through the third parliamentary election passed the Constitution's Seventh Amendment Act on November 10 of 1986, ratifying the March 24 proclamation and validating all orders and actions made under the proclamations, regulations and orders. Like the Fifth Amendment Act, the seventh amendment also precluded the court's jurisdiction from reviewing any action of the military regime led by Ershad, violating the basic structure of the Constitution.

For the good of some . . .

A number of changes were brought to the Constitution in the history of Bangladesh, in order to benefit a few people. The process began with the passage of the Fourth Amendment Act in 1975, which made a special provision relating to the office of the president in the newly introduced presidential form of government, discarding the parliamentary form. During the passage of the amendment, Bangabandhu Sheikh Mujibur Rahman was the country's prime minister and Mohammad Mohammadullah was elected president. But the fourth amendment that introduced the presidential form of government had a special provision allowing Bangabandhu to assume the office of president.

"Bangabandhu Sheikh Mujibur Rahman, Father of the Nation, shall become, and enter upon the office of President of Bangladesh and shall, as from such commencement, hold office as President of Bangladesh as if elected to that office under the Constitution as amended by this Act," reads the special provision of the Fourth Amendment Act.

With this amendment to the Constitution, Sheikh Mujibur Rahman became president on January 25, 1975. Mohammadullah, who was elected president on January 24, 1974, and took oath of office as president on January 27 of the same year, had to resign on January 25, 1975, to clear the way for Bangabandhu to become the president.

Another special provision of the Fourth Amendment Act extended tenure of the first parliament -- which was constituted through elections held at the end of 1973 for five years -- by at least one year, allowing members of parliament (MPs) to remain in office for one year longer than their original tenure.

The Constitution's Sixth Amendment Act was passed by the second parliament in July 1981, allowing the then vice-president Justice Abdus Sattar to contest in the presidential elections held in November of the same year, while in office. Justice Sattar, who became the acting president after the assassination of President Ziaur Rahman on May 30, 1981, contested the presidential elections as a Bangladesh Nationalist Party (BNP) nominee and was elected to the office of president.

The third parliament passed the Constitution's