

Much ado about nothing ...

PLEASURE IS ALL MINE



SHAH HUSAIN IMAM

BA NGLADESH reads like an open book. From human rights violations to unprintable epithets mouthed by political leaders at each other to polls rigging breaking the facade of the so-called double glazed glass ceiling, everything has gotten in the public domain to the shock and consternation of people in the global village. In a pleasantly unique sense, therefore, Bangladesh can't be faulted for lack of transparency; even though devious and bludgeoning procedures were employed to enact the misdeeds. But she is

found wanting in accountability. Thanks to the media, the revelations have been on the whole an exercise in catering to the people's right to know. But as Billy Wilder has said: "If it wasn't for Venetian blinds, it would be curtains for all of us." The quote can be used to vindicate a certain reservation that media should refrain from giving scope to politicians in making issues out of non-issues. Controversial and inane statements have a way of deflecting national thought process off-course when it needs to be focused on issues meriting urgent attention. Therefore, it devolves on the media not to play into the Goebbelsian tactic of political parties to propagate a certain viewpoint with the effect of emphasising political division in society.

A case in point is BNP Chairperson Khaleda Zia reiterating her son's and one of her party colleague's surprise announcement that Ziaur Rahman was the first president of Bangladesh -- by virtue of what they claimed his proclamation of independence. Apart from this being an unalloyed distortion of history, it's also a bizarre statement divorced from any sense of time as well as of proportion. There is a gulf of difference in the calibration between Bangabandhu Sheikh Mujibur Rahman and Ziaur Rahman, the former an undisputed national leader and the latter a Major in the army, all etched on the public mind indelibly. This is not underplaying Ziaur Rahman as a freedom fighter but merely placing him in the right perspective, transported back in time. Truth is purveyed by time and not erased out of public consciousness.

Actually, politically, we have been living on lies -- be it referendum, elections under the cosh of military or semi-military rule, fractionated one-party election and progressively rigged upazila elections -- all tainted with a broad

brush of sham democracy that does not relate to broad masses' right to franchise. Exceptions since 1991 have been there but clearly they don't make the rule.

Because technicality of incumbency happens to transcend morality of authority and absurd action provokes an equally absurd reaction, one sees a certain surge in reckless utterances on both sides of the political divide.

Even intra-party dissensions are surfacing in queer forms. For instance, LGRD Minister and Awami League Joint Secretary Syed Ashraful Islam, in an aside to Communication Minister Obaidul Quader, taunted the latter's 'hyper activity' to draw press attention. The communication minister quipped that that was his style. Also there was a spat between the planning minister and the finance minister over the size of the ADP allocations. Reacting to this, the finance minister said that some courtesy was expected of a minister. The critiquing minister, however, has since pointed to 'exaggerated reporting' in an apparent attempt to skirt further embarrassment.

BNP camp on the other hand was unified. But seemingly running out of ammunition, they chose not to concentrate on the blemished upazila polls; instead, they fouthmouthed AL to hit the party below the belt. Not content with mere appellation of then Major Ziaur Rahman as the first president of Bangladesh, Khaleda Zia added that AL men who claimed to be freedom fighters merely crossed the border into India as refugees. Her desperation comes through her critiquing the massive chorus of national anthem on Independence Day. That it has entered the Guinness Book of world records should have been praised rather than being rued by her: said she that BNP would enter the Guinness Book of world records by waging a successful movement against the government to wrest out its demand for restoration of caretaker government to oversee polls.

Khaleda Zia should keep from such dangerously wishful thinking and be focused on a dialogue she had left unfinished with Prime Minister Sheikh Hasina by spurning a half of an offer prelude to January 5 election. Much water has flowed down the river since then and now the prime minister in all fairness should not renege on her earlier promise to engage the BNP on the 11th parliamentary election. Whenever that takes place, there is no bar in initiating a discussion in good time conveying a sense of steadying the ship through untroubled political waters. After all that they have been through, the people deserve that feel good factor to give them a sense of wellbeing. Is it asking too much?

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History is once again in the dock

MOZAMMEL H. KHAN

SINCE the fateful night of August 1975, distortion of the history of our liberation has been an incessant phenomenon, especially during the tenure of non-AL governments. History was once again in the dock when, a few days ago, the mother-son duo of the BNP declared that Ziaur Rahman was the first president of Bangladesh.

A citizen or, more so, a political party, through allegiance to the Republic, must abide by the constitution, the foundation of laws for the state. The Mujibnagar Declaration (April 10, 1971) was the legal basis of our Liberation War, and was later incorporated as sixth schedule (Article 150(2)) of the constitution. On the declaration of independence it was said: "Whereas in the facts and circumstances of such treacherous conduct Bangabandhu Sheikh Mujibur Rahman, the undisputed leader of 75 million of people of Bangladesh, in due fulfillment of the legitimate right of self-determination of the people of Bangladesh, duly made a declaration of independence at Dacca on March 26, 1971, and urged the people of Bangladesh to defend the honour and integrity of Bangladesh."

On the presidency of the Republic, it said: "In order to ensure for the people of Bangladesh equality, human dignity and social justice, declare and constitute Bangladesh to be a sovereign People's Republic and thereby confirm the declaration of independence already made by Bangabandhu Sheikh Mujibur Rahman, and do hereby affirm and resolve that till such time as a Constitution is framed, Bangabandhu Sheikh Mujibur Rahman shall be the President of the Republic and that Syed Nazrul Islam shall be the Vice-President of the Republic."

AL's six-point programme was a Magna Carta for quasi-independence, not for absolute independence. To justify the transition from the mandate of a quasi to a complete independence, the Mujibnagar declaration of independence contained nine "whereas" clauses that included: "Whereas instead of fulfilling their promise ... Pakistan authorities declared an unjust and treacherous war." General Rao Forman Ali also attested that sequential transition when he said: "After the postponement of National Assembly, he (Mujib) came to the conclusion that the combined forces of the military and the PPP would not let him materialise his desire to rule Pakistan. Therefore, he decided to be the father of a new nation."

Bangabandhu was the main force and the spirit of the Bengali nationhood. If anyone did anything to accelerate the process during the crucial nine months, at home

and abroad, it was done invoking his name. It was he who unified the nation and brought us together to a height we never reached either before or since. During the nine months of genocide, armed struggle and untold sufferings, his name glowed ceaselessly in the hearts of millions.

It is imperative for the leadership of the nation to evoke the glorious chapter of history to make it a rallying point to induce patriotism, an indispensable pre-requisite for national unity. Quite to the contrary, history is being revoked, not invoked, and the much-cherished national unity remains an illusion.

Ziaur Rahman, as a major in 1971, promptly responded to the occasion ("If I cannot give orders to you...") and shouldered the responsibility that fell on him with courage and determination. I heard his speech on radio on the morning of March 29. We were thrilled to know that, like our soldiers in Kushtia and Pabna, the Bengal regiment in Chittagong has also revolted and joined the War of Liberation. Zia was repeating over the radio that "our great leader Bangabandhu Sheikh Mujibur Rahman is with us and is directing the Liberation War."

From his own recollection of history on March 26, 1972 at the Bangla Academy premises Zia confessed that, since he was confused about what to say, he pronounced himself as president in his first declaration, but corrected it at the advice of industrialist A.K. Khan. When he became the strongman of Bangladesh in 1976, he never claimed that he was the first president of Bangladesh.

To put the confusion to rest, in a watershed judgment, the High Court (HC) on June 20, 2009 ruled that Bangabandhu Sheikh Mujibur Rahman, not Ziaur Rahman, proclaimed the Republic's independence on March 26, 1971. The country's constitutional experts, following the judgment, opined that it would help end the long, bitter wrangle over a significant episode of the country's independence history. But the current discovery of the mother-son duo has apparently proved them wrong.

The HC further ruled that the government might take initiative to bring to trial those involved in attempts to establish an untrue version of the Liberation War. It observed that the persons who said otherwise should be considered to be committing an offence against the nation and the constitution. Should the government proceed with the ruling and observation of the nation's constitutional court to deal with those who are using the liberty of freedom of expression as a pretext to preach despicable lies about our glorious history?

The writer is the Convenor of the Canadian Committee for Human Rights and Democracy in Bangladesh.

LEST WE FORGET

Late Justice Murshed: A legend

NAZIR AHMED

LATE Justice Murshed's outstanding legal career and landmark judgments made him well-known both within and outside the legal arena. His commitment to liberty, fairness and justice made him spiritually immortal. Hardly any person can go through a legal career in the Indian sub-continent without hearing the name of Justice Murshed.

Justice Murshed born on January 11, 1911, in one of the most respected and distinguished families (both from the paternal and maternal sides) in Muslim Bengal. His father was Syed Abdus Salek who, after completing a brilliant academic career in the University of Calcutta, joined the Bengal Civil Service and served as a District Magistrate in Bogra and Dinajpur. His mother was Afzalunnesa Begm, the sister of Sher-e-Bangla A.K. Fazlul Haque. Late Justice Murshed was married to Mrs. Lyla Arzumand Banu, the daughter of Mohammed Zakariah -- a prominent Indian Nationalist and Mayor of Calcutta in 1939.

Justice Murshed completed his matriculation in 1926, standing first in the Calcutta University Matriculation Examination. He obtained BA (Hons) from Presidency College of Calcutta in Economics and MA in Economics from the University of Calcutta in 1930 and 1932, respectively. He obtained LLB degree in 1933 from the University of Calcutta securing a First Class. Justice Murshed then went to the UK for higher legal education. He was called to the English Bar in 1939 and was placed first among the candidates from the then British India.

Justice Murshed had keen interest in literature. Whilst at Presidency College in Calcutta, he once edited the college magazine. He was also an excellent orator, and led the Debating Society of the Calcutta University. He was also a keen sportsman, and was one of the key organisers of Mohamadan Sporting Club in the 1930s.

Justice Murshed began his legal practice at the Calcutta High Court in the early 1940s. He was a junior of the then renowned lawyers Sorot Chandra Boshu and A.B. Khaitun. He made his mark at the Bar at an early age. After the partition of the sub-continent, he joined the then Dacca High Court. In early 1955, Justice Murshed was elevated to the Bench of the Dacca High Court. Some of his famous judgments, including the Ministers Case, the Pan Case, the Basic Democracy Case, the Mehmood Case and the Convocation Case, were all landmarks in the constitutional

history of Pakistan. He also served as an Ad Hoc Justice of the Supreme Court of Pakistan in 1962. He served as the Chief Justice of East Pakistan from 1964 to 1967.

Because of his bravery and bold judgments, the then government felt threatened and, as a result, tried to put pressure on him. However, Justice Murshed was a man of principle and conscience. When he thought that he was not able to follow the dictates of his conscience, he resigned from the post of Chief Justice on November 16, 1967.

After resignation, Justice Murshed helped organise the defence of the Agartala Conspiracy Case. He took active part in the 'mass uprising' of 1969. In the roundtable conference called by President Ayub Khan, he advocated for the 11 points of the students of the then Province of East Pakistan. Throughout his eventful career, Syed Murshed was associated with cultural societies and humanitarian activities. He was the founder President of Rotary Club, Lions Club, Pak-China Friendship Association and Bangla-China Friendship Association. He was a life member of Bangla Development Board and Bangla Academy. Justice Murshed was the President of Red Crescent Society in 1956. He established a legal assistance organisation called Legal Aid, which was the first human rights organisation in Bangladesh. The famine of 1943 drew him to the Anjuman-e-Mufidul Islam and the cyclones in the 1960s to the Red Cross Society.

Justice Murshed was a living legend in the Indian sub-continent of the last century. He left behind a legacy for us, of his firm commitment to the principles of liberty, justice, rule of law and the ideals of liberalism. The firmness, boldness and strictness of Justice Murshed in ensuring justice and fairness is most needed in contemporary Bangladesh, where rule of law is being threatened, justice is being politicised, and liberties have become cheap commodities so easily to be taken away. Contemporary judges and lawyers have a lot to learn from the shining and outstanding legal and judicial career of Justice Murshed.

He passed away on April 3, 1979. On his death, the Indian sub-continent in general and Bangladesh in particular lost a great legal icon, a loss that has not been replaced yet and the absence of which is still felt. We remember him with utmost respect on the occasion of his 35th death anniversary. May Almighty grant him the highest place in the Paradise.

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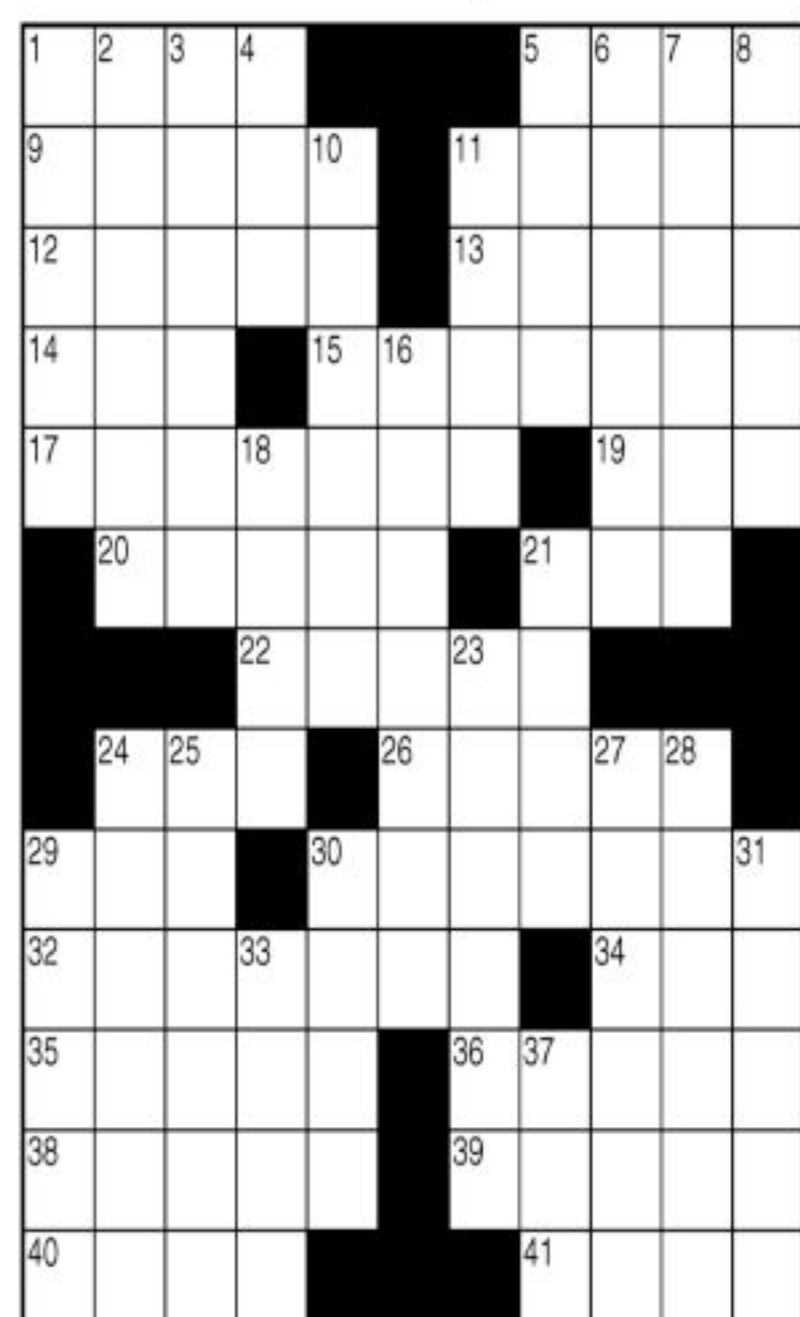
CROSSWORD by Thomas Joseph

ACROSS

- 1 Supplies with staff
- 5 Painter Klee
- 9 Steer clear of
- 11 -- d'Or (Cannes award)
- 12 Social group
- 13 Throat dangler
- 14 -- stand-still
- 15 Boxer George
- 17 Governor George
- 19 Squirrel's snack
- 20 Gasp, say
- 21 Humorist
- 22 Wild card, at times
- 24 "Golly!"
- 26 Hops in place
- 29 Determined
- 30 Actor George
- 32 Singer George
- 34 Tell tales
- 35 Fireplace stuff
- 36 Spanish resort isle
- 38 Break the rules
- 39 Radio part
- 40 Automaker Benz
- 41 Army chow

DOWN

- 1 Bright parrot
- 2 James Cameron movie
- 3 Old cash register reading
- 4 Canine command
- 5 Make roads
- 6 Home-coming group
- 7 Vowel topper
- 8 Inclined
- 10 Mar
- 11 Undiluted
- 16 Multiply by eight
- 18 Stow cargo
- 21 "Here -- again!"
- 23 "Settle down!"
- 24 Japanese entertainer
- 25 Rembrandt, for one
- 27 One way to shop
- 28 Crabs
- 29 Open-handed hit
- 30 Play group
- 31 Decade parts
- 33 Get better
- 37 Lazy fellow



Yesterday's answer

BABIES PAGE
OPENTO AREA
BENCHWARMER
HASTE
SEEN BRAG
BALD WASHUP
ALA WAY ERA
HATBOX MAUL
DELL CDS
OFTEN
SPACEHEATER
PARK ALCOVE
ANTS TOOTED

CRYPTOQUOTE

2-21
TL RNI WEBZ YN ONYLTUZYOT TY PZDL, RNI
EMZ SJTOPZ UZLZESZU TY SWZ MEZYL DTLZ.
JTSW ONYLTUZYOT, RNI WEBZ JNY ZBOZ NI
CZLNMZ RNI WEBZ PSEMSZU. - OTOZMN

Yesterday's CRYPTOQUOTE:

A gem cannot be polished without friction, nor a man perfected without trials. - Seneca

HENRY



by Don Trachte

QUOTABLE Quote

Education is simply the soul of a society as it passes from one generation to another.

G. K. Chesterton

A XYDLBAAXR is LONGFELLOW

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.