

2ND DEATH ANNIVERSARY OF PROFESSOR KHAN SARWAR MURSHID

# Recollections of a long friendship

KAMAL HOSSAIN

I met Professor Khan Sarwar Murshid when I joined the University as a young law teacher in 1961. He had been a teacher for some years and I found him to be one of a small circle who impressed as a proactive and socially committed person. He held strong opinions and would express them with forceful arguments. Lively conversations and even livelier debates were a distinctive feature of this circle. Sarwar Murshid's contribution to these debates was not only confined to the University common room or to social gatherings, but was expressed in a journal which he founded and edited called New Values. The journal had been launched in the late fifties, in the first decade following independence from British colonial rule. The title New Values reflected the values that would give meaning to such independence. By the 60s the context had already undergone significant change. The hope and optimism generated in the 50s had encountered repression by the new rulers who opposed recognising Bangla as a state language. They set about to obstruct the development of democracy because it would threaten their power. The 1954 United Front Elections proved that they could not muster an electoral majority.

Khan Sarwar Murshid was in the vanguard of the vigorous intellectual protest founded on a powerful reaffirmation of those New Values. In the changed context this meant voicing enlightened and liberal expectations that the end of British colonial rule would see the birth of democracy. He sought to generate among fellow teachers and his students the energy to engage in activism to support the goals we aspired for. He spent several years in Harvard in the early 60s.

After his return to East Bengal his University flat in Fuller Road became one of the meeting places for the academic and professionals' circle which had grown during the early 60s and had begun to identify with the emergence of Bangladeshi nationalism. This circle developed working links with those who were providing political leadership for the nationalist movement. This attracted adverse notice of the University authorities and led to disciplinary action against Sarwar Murshid, Professor Abdur Razzaque and Professor Muzaffar Ahmed Chowdhury. We successfully challenged

the University action by seeking protection of the law.

Between 1966-1971 the activities in the University flat in Fuller Road became more and more focused and a regular channel for consultation between academics and professionals with the political leaders and group. This was facilitated by the fact that his wife, Nurjahan Murshid, was herself active in the Awami League, and had been elected to the Provincial Assembly in 1954. The active participation of this group intensified as the movement against Ayub regime reached a climax in 1969. Sarwar Murshid participated in most of the consultations and traveled as one of the advisors to Bangabandhu Sheikh Mujibur Rahman and the Awami League team at the Round Table Conference in

national policy issues such as framing of the education policy and of a University Charter which would recognise and guarantee academic freedom.

This optimism, however, began to be affected by developments which seemed to run counter to the aspirations and values which he had not only espoused since 50s or even earlier about democracy, academic freedom and rule of law but had been core values of the liberation movement. Those values had been embodied in the 1972 Constitution but imperceptibly they began to erode, as narrow, partisan views and interests began to surface after independence. Murshid remained uncompromisingly true to his values. This led him to resign from the post of Vice-Chancellor as he could not

irreparable damage to the nation.

I reached London on August 17, from where I announced that I had no further relation with the Government of Bangladesh. I spoke to Murshid who indicated that he would not be able to continue as Ambassador. Fortunately, the Commonwealth Secretariat was able to appoint him as Assistant Secretary-General of the Commonwealth and in that capacity Sarwar Murshid served with distinction for several years before returning to Bangladesh to resume his academic career as Professor of English in the University of Dhaka.

He continued to be a voice of conscience and to speak out on political and social issues, always upholding the values which were the core of the liberation movement and embodied in our Constitution. As a leading member of civil society he was active in the movement for restoration of democracy in the 90s and after its formal revival, he worked tirelessly to nurture a democratic culture and promote the values which are indispensable to the practice of democracy. His intellectual contribution had been reinforced by his active participation in grass roots work. As Chairman of Nagorik Udddyog, he had traveled to villages, promoting notions of justice and human rights in the resolution of disputes, and manifesting his conviction that a living democracy must relate to people's lives and involve their active participation. He supported his wife, Nurjahan Murshid, when she started a Bangla monthly Edesh Ekal, which in the tradition of New Values, continued to sustain the spirit of freedom and to nurture the hopes and aspirations that came with liberation. Her death deprived him of a life long partnership which had contributed so richly to the intellectual and political development of our society. Despite his irreparable personal loss he continued to remain in a remarkable way to be intellectually active and committed to those values which were new values in the 50s and today appear to be old values. For these are the core values of our liberation movement and need to be shared with our new generation so that the promise of liberation can be realised through their renewed commitment and sustained efforts.

The writer is an eminent jurist and one of the framers of the Bangladesh Constitution.



Prof. Zillur R. Siddiqui (R), Prof. Muzaffar Ahmed (C), presenting bouquet of flowers to Prof. Khan Sarwar Murshid on his 88th birthday in 2011.

Islamabad in 1969. This active consultative relationship continued and Sarwar Murshid remained an active participant in the ongoing movement.

Following the military crackdown on March 25, when many teachers and students were brutally killed by the military, Sarwar Murshid was amongst those who were forced to leave the country with his family. He then worked with the Mujibnagar Government in exile along with the Professor Anisuzzaman, Professor Rehman Sobhan and Professor Musharraf Hossain. Upon the emergence of Bangladesh he and Professor Muzaffar Ahmed Chowdhury received due recognition by being appointed as Vice Chancellors of the University of Dhaka and Rajshahi respectively. It was in the first optimistic years that we had the benefit of his views on the draft Constitution and important

accommodate the expectations of narrowly partisan students and would not extend patronage to them.

He then began a new phase in his career as a diplomat since some of us insisted that his involvement in our liberation movement should be recognised and the nation should use his services. He was persuaded to accept an appointment as Ambassador to Poland. While he was in Warsaw in 1975 and I was on an official visit as Foreign Minister to Yugoslavia, we both shared the shock and sorrow at receiving the terrible news of the assassination of Bangabandhu Sheikh Mujibur Rahman and his family. I had been in touch with Sarwar Murshid prior to August 15, to discuss the programme for the forthcoming visit of Bangabandhu Sheikh Mujibur Rahman to Europe, not realising that the terrible event the followed would not only prevent the visit but inflict

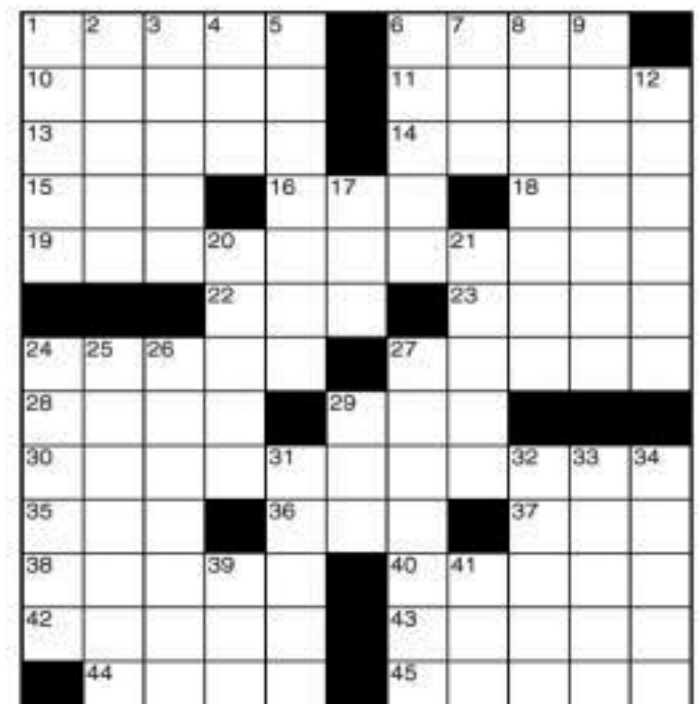
## CROSSWORD by Thomas Joseph

### ACROSS

- 1 Airplane wing parts
- 6 State of mind
- 10 Make fresh
- 11 Possessed
- 13 Sheeplike
- 14 Make baskets
- 15 Ready to go
- 16 She sheep
- 18 Even score
- 19 Enterpriser grabber
- 22 Chick's mother
- 23 Past due
- 24 Ice cream parlor extra
- 27 Made well
- 28 Freshman, usually
- 29 Airport sched, abbr
- 30 Piece of gymnastics equipment
- 35 Quarterback Manning
- 36 Greek vowel
- 37 Grow older
- 38 King march site
- 40 Jason of "How I Met Your Mother"
- 42 Characteristic
- 43 News item
- 44 "Get lost!"

### DOWN

- 1 Window coating
- 2 Prying tool
- 3 Singer Baker
- 4 Corral
- 5 Add sugar to
- 6 Yard cutter
- 7 Have debts
- 8 Running wild
- 9 Go off course
- 12 Judged
- 17 Took the title
- 20 Beijing setting
- 21 Book jacket quote
- 24 Optimally
- 25 Casino workers
- 26 Biblical barker
- 27 Folded
- 29 Playpart
- 31 "Keen!"
- 32 Rating to go
- 33 Hollywood deal maker
- 34 Thaws
- 39 "O sole -"
- 41 Mendes of movies



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# MUST READ FOR ALL MOTHERS ...



## Gender Based Violence: Impediment to women empowerment

SUPRITI SARKAR

"In October 2000, after a severe beating from my husband, I took my six-month-old daughter to my father's house. The next morning, my father sent me back home after giving me some rice and fifty taka. But my husband, upon seeing me, started beating me again. He pushed me out of the house and told me to go back to my father's house. He forcibly kept our young daughter with him. I had no choice but to return to my father's house. The next day, my husband's younger brother came to me bearing the news that my daughter had died. Fearing that I may be harmed, the head of the village and local elders restrained me from seeing my daughter. My sister's husband went instead and found that the child had been buried.

Within the same month, my father filed a case against my husband. Immediately on hearing the news, my husband with the politically influential Chairperson (elected sub-district Representative), along with the same village head who prevented me from seeing my child, began to pressure my family to retract the case. A shalish was arranged and my husband was made to give me one thousand four hundred taka as compensation and my family was told to withdraw the case."

The above case study was documented in 2000 by Odhikar, a human rights organization.

The lady told Odhikar investigators that her family lacked the economic support to carry on a case and thus decided to withdraw the case filed nor does she want to return to her husband's home. She is afraid that she will meet the same fate as her six-month-old daughter, who is believed to have been murdered.

This is a typical story of abuse in our country where the husband abuses and finally abandons his wife and drifts away. He will possibly marry again somewhere and bear more children. There is no mechanism in place to track down such fiends and make them pay for causing so much physical, psychological and economic damage to young girls in society.

Dr. Ruchira Naved a senior scientist with ICDDR, B's Centre for Equity and Health Systems carried out the first multi-country study of gender-related attitudes and practices that reported on men focusing on masculinities in 2013 named "Role of masculinity, men's attitudes and childhood experiences in intimate partner violence," as the principal investigator for the Bangladesh part of the survey she concluded that in Bangladesh 62% of rural men believed that there are times when a woman deserves to be beaten. Up to 45% of men admitted perpetrating violence towards an intimate partner. The survey reported that almost all violence occurs within marriage.



WHO's multi-country study (10 countries including Bangladesh) demonstrates that most of the women in the educational institution sector experience physical and sexual spousal violence in their lifetime, ranged from 15% to 71% (WHO Study: "Violence against women by male intimate partners."). Worldwide, 600 million women are living in countries where domestic violence is still not against the law (UN source). One in every three women has been beaten, coerced into sex or abused in some other way - most often by someone she knows. (Moradian, 1998. "Violence against women in Iranian society").

In Bangladesh, VAW is a very common practice which denies women's equal opportunity, security, self-esteem, and dignity in the family and in the society as a whole and encompasses many forms of violence, such as sexual assault, domestic violence, socioeconomic violence, child marriage, dowry killings. Bangladesh has the highest prevalence of physical violence against an intimate partner out of six in Asia-Pacific countries. Recent surveys done by Bangladesh Demographic and Health Services (BDHS) showed that 87% of married women experience violence by their current spouse (Violence Against Women Survey, BBS 2011).

Orientation of a culture or the shared beliefs within a sub culture defines, what is considered to be tolerable behavior. Some societies value violence and attach prestige to it; others term it as legitimate or normal conduct. In some cultures rape, domestic and sexual assault can all be termed as cultural norms, but are truly just violent expressions of gender inequality. (Source: Chapell D. and Di Martino V., 1998. Violence at Work, Geneva, ILO.).

Economic costs of violence against women include direct costs such as services and bringing perpetrators to justice, as well as indirect costs such as lost earnings for women, lost employment for businesses, customary requirements such as dowry and bride prices. Besides obvious physical trauma, there is an intangible psychological trauma and fear experienced by the victim that can affect her for prolonged periods. Once the physical inju-

ries heal, the victim suffers from memories of the incident of violence as well as the new label of shame and disgust subjugated on her by society. This highlights the incessant need for a compassionate and methodical support system. (Source: Chapell D. and Di Martino V., 1998. Violence at Work, Geneva, ILO.).

While women are usually the immediate victims of gender violence, the consequences of gender violence extends beyond the victim to the society as a whole. Gender violence threatens family structures; children suffer emotional damage when they watch their mothers and sisters being battered. Psychological scars often impede the establishment of healthy and rewarding relationships in the future. Victims of gender violence may vent their frustrations on their children and others, thereby transmitting and intensifying the negative experiences of those around them. Children, on the contrary, may come to accept violence as an alternative means of conflict resolution and communication.

UNFPA initiatives to protect the health and rights of adolescent girls through comprehensive sexuality education; through sexual and reproductive health counselling, information and services; and through youth participation, UNFPA works to protect human rights of adolescent girls. They also work with boys so they will become the first male generation to neither perpetrate nor tolerate violence against women and girls. Bangladesh has the highest percentage of Child Marriage at 64% according to a recent survey done by Plan Bangladesh. UNFPA-UNICEF has developed Theory of Change (TOC) to eliminate Child marriage. Based on the TOC, a National Programme on Child Marriage is currently under development.

Further actions of documentation and publications of violations against human rights defenders, journalists, indigenous and marginalized groups can be done. It is crucial that community members and policy makers at local, national, international and other influential levels co-operate to eradicate gender-based violence as a priority. Work done by the Women Human Rights Defenders must be given more importance and supported. State and non-State perpetrators of violence must be held accountable through national, regional and international mechanisms.

Proper utilization of the mass media can also lead to a higher reception from the public. It is important for the media to stop promoting women as weak, fragile and at times objects of just mere superficial aesthetical value. Instead they need to support as well as broadcast the message of equity among genders and women empowerment.

## Violence against girls & women continues

"Violence against women is an appalling human rights violation. But it is not inevitable. We can put a stop to this."-- Nicole Kidman, film actress

### SUPPLEMENT DESK

It is disparaging news that despite massive awareness building campaigns carried out across the country violence against young girls and women has increased over the past few years in the country, with dowry remaining a major cause and contributor.

According to Bangladesh Mahila Parishad (BMP), number of rapes in the country was 307 in 2008; 393 in 2009; 593 in 2010; 635 in 2011; 508 in 2012; 696 in 2013, and 544 in the last 10 months this year.

"Rape has been a major tool of violence, and women are being tortured brutally before and after rape. The perpetrators do it to strike fear into people's minds," said Ayesha Khanam, president of BMP recently while sharing information with media.

The finding of a research paper shows that a culture of impunity, apathy of law enforcers and administration, social and political unrest, drug addiction and a lack of awareness are major contributors to the malaise.

In another report, Khan Foundation showed in its survey report that out of 806 cases on trafficking and violence against women and children in the last 10 months this year, 197 were dowry-related violence. It further revealed that every year many young women commit suicide or face physical torture after marriage.

The foundation also reported 80 incidents of physical and mental torture, 32 of child marriage, 42 of trafficking, and 10 incidents of stalking.

Women leaders and activists placed forward some demands that include formulation of a national policy and a comprehensive plan of action, amendments to and strict enforcement of existing laws, women's easy access to justice, implementation of the women development policy and an increase in the budget for victim support centres.

There are many treaties and acts such as: Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention Against Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment (CAT), Violence Against Women (VAW) etc. Also Penal Code (XLV of 1860) contains provisions that defined torture, causing injury, abduction, murder, defamation etc. as punishable offences.

The dowry prohibition (Act XXXV of 1980) prohibits giving, taking, demanding dowry at the time of marriage and thereafter. Domestic violence (prevention and protection) (Act LIV of 2010) also provides for exhaustive provisions in dealing with issues relating to domestic violence. Likewise, Suppression of Human Trafficking Act 2011, Suppression of Acid Crimes Act 2000 also deal with the heinous and cruel forms of VAW. Legal Aid Act 2000 offers legal aid facilities for the disenfranchised including victims of VAW. But despite having such laws and acts, violence against women goes on.



It has often been said that the police are not proactive in producing witnesses and shortage of investigating officer is another factor that comes in the way of availing legal aid. As there is no guarantee of safety at home often victims or witnesses do not have the courage to testify against hardened criminals in case of murder, rape, trafficking, abduction and so on.

Mr. Mustafizur Rahman, Deputy Secretary (District Judge), Law and Justice Division, Ministry of Law, Justice and Parliamentary Affairs said in a meeting at The Daily Star that the culture of silence among VAW victims is very strong as women wait and compromise until the last moment.

Tariq-ul-Islam, Secretary, Ministry of Women and Children Affairs said in the same meeting, "In our ministry, we have a Nari O Shishu Nirjaton Protirodha Cell where we collect information from the police headquarters and our administrative channels.