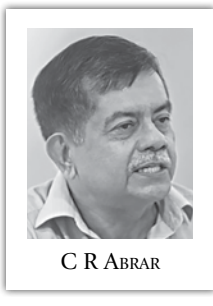


# WORLD PRESS FREEDOM DAY

## Unattained aspiration

Golden jubilee, citizens' rights and freedom of the press



C R ABRAR

A nation commemorated the golden jubilee of their independence a little more than a month ago. While the official functions and ceremonies were effectively restricted to the invited guests counting top dignitaries from the region and far, ordinary citizens weary of the unannounced blockades of the main thoroughfares (purportedly to provide security to VIPs and facilitate their movements) while reeling under the deadly Covid-19 pandemic, got an opportunity to engage in introspection about the significance of the anniversary and what independence meant to them.

Millions of Bangladeshis remembered with fondness and pride the thumping of the streets of Dhaka by the participants of countless processions observing the civil disobedience movement beckoned by their unquestioned leader on March 7, 1971. They shivered in horror in recalling the barbarity that was unleashed on the ordinary people on the night of March 25 lasting for nine long months. They noted with deep anguish the ultimate sacrifice of the valiant freedom fighters and members of their families. Bangladeshis also remembered the myriad scenes of jubilant crowds showering petals on the returning members of the Mukti Bahini in revving jeeps and fluttering of the red, green and yellow flags on rooftops of tin-sheds to multistoried buildings in December 1971. At that moment they all aspired and genuinely believed that this would be the new beginning.

For all patriotic Bangladeshis, gaining a separate homeland after defeating the brutal Pakistani army and their henchmen was the single most important event of their lifetime. While the netizens celebrated the event by posting their photos, donning green and red dresses, conscientious citizens reflected if indeed the cherished goals of decades of democratic struggle and the nine-month gory war of liberation were achieved. To them attainment of statehood and the concomitant national flag were only the symbols

of the beginning of the realisation of larger and substantive goals to establish "equality, human dignity and social justice" that found place in the proclamation of independence of the provisional government of Bangladesh formed in Mujibnagar on April 10, 1971.

The deliberations of the Constituent Assembly that was tasked to frame the Constitution of the Republic in 1972 also reveals that democracy based on the rule of law was the foremost concern of the architects of the Constitution. Ensuring a balance between various arms of the state with the executive being accountable to the legislature and an independent judiciary was a cherished goal. Citizens' right to hold public offices and elect representatives of their choice to public offices through impartial, fair and credible elections was yet another objective. No less important was ensuring enjoyment of other civil and political rights and an effective mechanism for people to seek redress. Included among those rights were equality before the law, protection of the law and freedoms of assembly, of association, of thought, conscience, and of speech. Freedom of the press is a pre-requisite to ensure enjoyment of freedom of thought, conscience and of speech and expression.

During the course of the jubilee celebrations the achievement of the government was claimed on economic and (a few) social indicators. However, its performance fell far short on the goals listed above. In effect, there has been a roll back on certain instances and freedom of the press has been one of those.

Over the years, the state in Bangladesh has curtailed free speech through legislative instruments and administrative practices. Foremost among those are the Information and Communication Act (ICT), 2006 and the Digital Security Act (DSA), 2018. From the inception of DSA on October 8, 2018 until March 3, 2021, 1,228 cases were lodged. Interestingly, of those as many as 549 cases (45 percent) were dismissed.

The defamation provision in the DSA and Penal Code of 1860 is another legal instrument to intimidate journalists and free thinking individuals. While in most countries defamation is a civil offence, it is a criminal offence in Bangladesh. Although Section 198 of the CrPC

of 1898 explicitly stipulates that the plaintiff has to be an aggrieved party, in practice defamation cases filed by individuals who had no *locus standi* to file them were admitted by the magistrates. The Special Powers Act also accords substantive powers to state functionaries to detain individuals, including journalists and whistleblowers for committing "prejudicial act". The draconian laws



Rahat Karim, a freelance photojournalist, is attacked allegedly by BCL men at Science Lab intersection in Dhaka on August 4, 2018. PHOTO: IBNUL ASIF JAWAD

and administrative practices and their wanton application create conditions for self-censorship by the media, sapping the vitality of the Fourth Estate.

Meting out violence against journalists is a regular phenomenon. On several occasions journalists were murdered for conducting their professional duties. Odhikar reports that at least 15 journalists were killed from January 1, 2009 to January 1, 2021. Investigations in the high profile murder cases of Sarwar Shagor and Meherun Rumi of Dhaka (2012), Jamaluddin of Jashore (2012), Ahmed Kabid of Narshindi (2012) and dozen others are yet to register any progress. The criminal justice system of the country tainted by malfeasance, incompetence, inefficiency and delay has been largely unable to provide due redress. An incisive *Daily Star* feature (November 8, 2019) notes that in 23 years, at least 32 journalists, publishers and writers were killed, "but only four of their murder cases ever saw the light of justice".

In recent years journalists have been subjected to a range of physical attacks, repression, intimidation and

harassment. In a sensational case in October 2020 journalist Golam Sarwar remained involuntarily disappeared for three days and was tortured for posting a piece in his news portal alleging corruption of a politically connected powerful industrialist of Chattogram. Although little progress has been made in the investigation of the case he filed, Sarwar was slapped with two defamation cases, forced to vacate his

1,024 journalists sustained injuries after being attacked while conducting their professional duties. During the same period cases were lodged against 248 journalists and 89 were arrested.

The State also enjoys a number of prerogatives to control the media. Included among those is the authority to issue license, control and direct the flow of advertisements and influence the formats and contents of reports/programmes through "informal advice", a practice that had its roots during the military dictatorships.

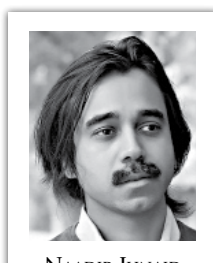
The carrot and stick policy of the state and the ruling establishment have led to the erosion of civil society institutions. The concomitant result has been a fractured civil society along partisan lines, taking a toll on the media fraternity as well. This, in turn, has created conditions for the growth of "embedded journalism", a relatively recent phenomenon that encourages journalists not to search for facts and be objective in reporting events, but engage in rationalising what they want to present as facts, very often at the behest of the state. Needless to say, perks, positions, privilege and power come in handy in return. All these have a debilitating effect on the free press and the citizens' right to access information and alternative interpretations of facts.

Freedom of expression and that of the press has remained a chimera for the people of Bangladesh. Armed with an array of laws and administrative practices backed by brute force, those in command of the state in Bangladesh and their cohorts are engaged in denying the citizens their right to access facts and contending interpretations of events and developments. This is a flagrant violation of the spirit of the Liberation War. It's a pity that the sections of the citizenry who have taken up the mantle to defend that spirit have thus far remained oblivious to this aberration. Likewise, the apathy of academics, learned bodies and artists, poets and writers' guilds is also painfully disappointing.

The right to free speech and free press is the pathway to secure other rights. Therefore, in this golden jubilee year of independence it is incumbent on every conscientious citizen of Bangladesh to defend the right to free speech, the mother of all rights.

CR ABRAR is an academic with interest on human rights and migration issues.

## Power to the profundity and imagination: Timeless films of Satyajit Ray



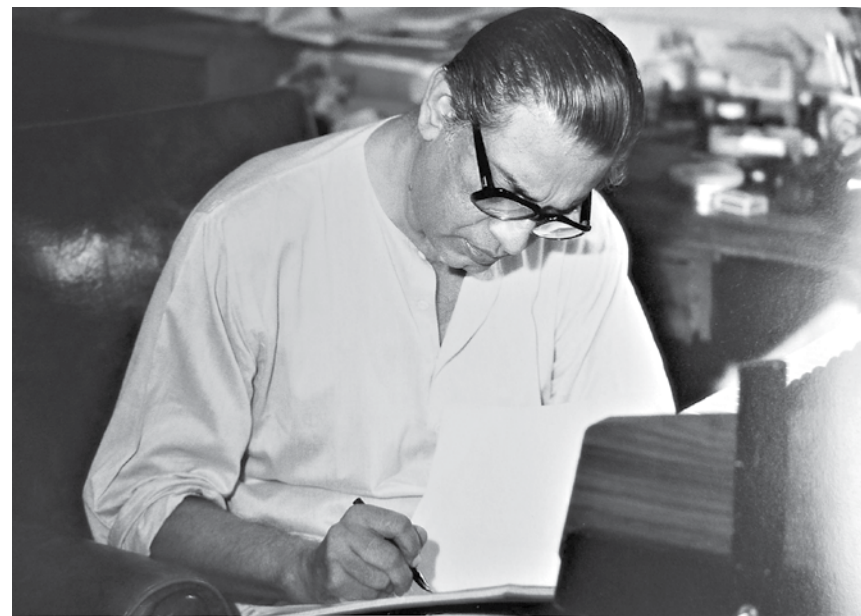
NAADIR JUNAID

FROM the 1920s to the early 1950s, several directors working within Hollywood—as well as filmmakers in former Soviet Union, France, Italy, Germany, and Japan—considered cinema not as a mere tool of entertainment but as a medium for creative expression. Filmmakers such as Charlie Chaplin, Sergei Eisenstein, Jean Renoir, Roberto Rossellini, Vittorio De Sica, Akira Kurosawa, and others deployed artistically innovative filmic devices to convey profound statements about the complexities of life. Some of the aesthetically satisfying films produced during this period were hailed as cinematic masterpieces. Films in India, however, prioritised clichéd elements such as sentimental slush, ersatz emotion, theatricality, romantic tales, spectacle-like songs, and happy endings in these decades. Instead of making serious attempts at formal experimentation, Indian directors continued catering to the lowest common denominator audience.

In one of his articles written in 1948, Satyajit Ray said, "There has yet been no Indian film which could be acclaimed on all counts. Where other countries have achieved, we have only attempted and that too not always with honesty [...] What the Indian cinema needs today is not more gloss, but more imagination, more integrity, and a more intelligent appreciation of the limitations of the medium." And in 1955, Satyajit Ray's maiden feature *Pather Panchali* brought the much-needed breakthrough in Indian cinema. The film went against the grain by incorporating location shooting, non-professional actors, a background score evocative of rural Bengal, and images depicting the scenic beauty of the countryside. Ray did not cast any superstars in the film. Instead, he chose Chunibala Devi, an octogenarian former actress for an important role. Who would come to the movie

theatre to see such an old lady, and a story that has no songs and romantic elements? Raising these questions, the producers showed no interest in financing Ray's film. But Ray was determined not to give in to the market demands. In order to continue the shooting of *Pather Panchali*, he even pawned his wife's jewellery and sold some rare books and classical music records from his personal collection.

box-office success in Kolkata. In 1956, *Pather Panchali* won a special jury award as the "Best Human Document" in the prestigious Cannes Film Festival. Upon its release in the US, the film ran for 36 weeks in the Fifth Avenue Playhouse in New York. *Pather Panchali* broke the record for the longest run in that movie theatre set by the famous German film *The Cabinet of Dr Caligari*. As we remember Satyajit Ray on his



Satyajit Ray (May 2, 1921 – April 23, 1992).

PHOTO: COURTESY

Later, the Chief Minister of West Bengal provided funds for the film from the money allocated for community development. Having seen the stills of *Pather Panchali*, one of the main directors of Museum of Modern Art (MoMA), Monroe Wheeler, became very interested to hold the film's world premiere in MoMA. Would the affluent western audiences be interested to watch the plight and suffering of a poverty-stricken family based in a village in Bengal? The question ran through the mind of Ray when the film was sent to MoMA for its international debut. But soon he was informed that American film critics and audiences appreciated the film immensely. Shortly afterwards, the film became a

birth centenary, it is important that we should encourage our budding filmmakers to find inspiration in the determination of this legendary Bengali filmmaker to use cinema as a means of self-expression and social responsibility. Still, we observe reluctance among the majority of our off-beat or alternative filmmakers to completely rid their films of light-hearted elements conventionally used to attract audiences. Having seen that our films rarely include socially significant subject matter, imaginative cinematic language, and social criticism, we cannot help wonder if our filmmakers are aware of the fact that films cannot make an impression unless they turn out to be the cinema

of ideas and change. Strict censorship has often been regarded in our country as an obstacle to confronting burning problems in cinema. But, as Satyajit Ray imparted, censorial restrictions compel filmmakers to make statements subtly and obliquely, which can be interesting at times.

Under the guise of a fantasy film, for instance, Ray's *Hirak Raajar Deshe* provides scathing criticisms of despotic rule and the tendency of sycophants to flatter a powerful figure for personal gain. Showing a chamber used by the tyrannical ruler to brainwash the citizens, Ray makes the viewers aware of the contemporary way of instilling the dominant ideology in people via various social and cultural institutions to ensure social control. Lyricism, subtlety, and understatement are some of the key attributes of Ray's films. The lyrical approach combined with his success in arousing universal emotions makes his films appealing across geographical boundaries. However, some critics deemed Satyajit's penchant for a classical structure and permanent values unsuitable for grappling with the problems of contemporary reality. But various scenes from Ray's films suggest that such a claim is not well-founded. In *Pratidwandi*, the bureaucrats do not select the protagonist Siddhartha for a job, marking the young man as a communist because of his admiration for the courage of the Vietnamese people. In *Seemabaddha*, the senior executives of a business firm organise a bomb explosion in their own factory in order to gain benefits immorally. Due to the explosion, an ageing guard of the factory is badly hurt. In *Jana Aranya*, the young protagonist Somnath is asked "What is the weight of the moon?" during a job interview and an educated young woman from a lower middle-class family has to take up prostitution because of poverty. These scenes are understated, yet they disturb and unsettle the audience. Through his subtle approach, Ray provides bitter denunciations of corruption, callousness, and injustices prevailing in contemporary society. Instead of acting like a

propagandist, Ray wanted to make people aware of the persistence of certain social problems. *Devi* and *Ganasatru* show people's blind religious beliefs, *Sakha Prasakha* discloses the involvement of the top officials with bribery and corruption, *Shatranj ke Khilari* indicates the indolence and lack of political consciousness of the wealthy people, *Aranyer Din Ratri* reveals the insensitivity and boasting of the urban young men, and *Mahapurush* mockingly exposes the failure of the urban elite to embrace rational thoughts. Given the necessity of making people conscious of the same problems in present-day society, these films are still relevant today. Ray's films also made a departure from tradition by frequently including strong women characters. *Sarbajaya* in *Pather Panchali* and *Aparajito*, *Manisha* in *Kanchenjunga*, *Arati* in *Mahanagar*, *Charu* in *Charulata*, *Karuna* in *Kapurush*, *Aditi* in *Nayak*, *Aparna* and *Jaya* in *Aranyer Din Ratri*, *Sudarshana* in *Seemabaddha*, and *Ananga* in *Asani Sanket* appear as bolder, more confident, and more resilient than the male characters. In an interview, Ray states that the inclusion of unwavering women characters reflects his own attitudes towards and personal experience with women.

Whenever we talk about radical filmmaking in the realm of Bengali cinema, Satyajit Ray's maiden feature (made in the face of tremendous odds) is mentioned. From *Pather Panchali* to his last film *Agantuk*, Ray never compromised on high standards, thereby making a huge impression. Having a greater familiarity with the oeuvre of Ray would enable people to understand the impressive qualities and importance of socially-meaningful cinema. We are surely in need of films that would make us perceive the beauty of a dewdrop on a blade of grass, strengthen our sense of humanism, and raise our social consciousness—hence, the everlasting relevance of the cinema of Satyajit Ray.

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