

BOOK REVIEW: NONFICTION

Is the antidote itself a virus?

The constitution of Bangladesh and the rise of autocracy



ILLUSTRATION: AMREETA LETHE

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SADMAN AHMED SIAM

During the 53 years of Bangladesh's existence, its people have had to endure and take down two autocratic regimes; not only did they oust an autocrat in July 2024 through a mass uprising, but 1991 also saw the downfall of the autocrat, Hussain Muhammad Ershad, through another rebellion. This begs the question: why does this cycle of autocracy continue to repeat itself? Can the Constitution, the highest law of the land, not give us a solution by putting in checks and balances? The book *Maron Rajneeti: Rashtriya O Shohingshotar Boyan* (Adarsha, 2024) by Sarwar Tushar and Sohul Ahmed Munna explores this question, asking if the antidote we find

ourselves seeking is itself a virus. Broadly speaking, the answer is yes. The book is a collection and modification of different articles the writers had written and published elsewhere, all connected by a common thread: the ways in which the constitution of Bangladesh is itself the source of the problem in the power structure. This crisis goes back to the first constitution of 1972. Many critics have pointed out that the process of forming the Constitution of 1972 was unsatisfactory. The elected officials of the 1970 election, the first and last fair election in undivided Pakistan, sat down to write the constitution. However, this should not have been

the case; in the transformed context of post-Liberation War Bangladesh, all parties and organisations involved with the war should have been consulted in forming the constitution. This lack of representation from different groups was a major flaw in the constituent assembly. It not only led to issues like discrimination against indigenous groups by categorising them as "Bangalis", but also led to the formation of several undemocratic clauses. As the writers explain, the constitution is supposed to represent the fundamental character of the state and its citizens. As such, the constitution should reflect the wishes of the people in its purest sense. Not only was this principle violated in

1972, but clause 142, which allows the parliament to change the constitution with a two-thirds majority, makes the constitution vulnerable to the whims of whoever is in power. The right to change the constitution should remain with the citizens, not the parliament. This clause has been misused by almost every regime Bangladesh has seen, modifying the constitution according to their need.

But there's more. The notorious clause 70, which restricts parliament members from opposing any decision taken by their party leader, results in the consolidation of power by the party which has the majority. Clauses like these essentially transform the parliament into a constitutionally valid autocracy.

As the writers explain throughout the book, the constitution doesn't guarantee any citizen fundamental rights such as freedom of speech or freedom of association, only mentioning how the state can prohibit them. These loopholes are exploited to create laws such as the Cyber Security Act, which has been protested by all forms of media since its inception. The vague description of the CSA, or its predecessor, the DSA (Digital Security Act), has been heavily criticised both nationally and internationally. However, the government wasn't obligated to scrap it. Why? Because the 39th clause mentions that freedom of speech can be restricted if the security of the state, friendly relations with foreign countries, or decency and morality are threatened. Without qualifications, almost each of these is vulnerable to misuse, which has been the case in forming the CSA.

Another case in point can be extra-judicial killings, which have been justified by using the 32nd clause, which states that life or personal liberty cannot be violated save under the law. This too, has been twisted to justify extra-judicial killing in Bangladesh done by different forces. Like the War On Drugs conducted in the Philippines

during the reign of Rodrigo Duterte, the general public may be satisfied that the people being killed are drug peddlers or criminals. But this implies that legal procedures are not being followed, and creates a ground where any dissident may be harmed with the excuse of them being a threat without a proper legal process.

Another fact that the authors show is how the legacies of colonialism are spread throughout the power structure of this country. The bureaucracy and law enforcement agencies in Bangladesh still follow the system which was set up during the British period, when the main motivation of colonial power was to suppress the native people. But a sovereign country, which has fought against colonial powers and defeated them, deserves to have a new formation of the power structure which allows them to have their independence and freedom valued—a system which doesn't treat them as colonial subjects, but as citizens of a democracy.

These flaws in the constitution, bureaucracy, and law enforcement agencies are important to understand certain events, such as how writer Mushtaq Ahmed was detained under DSA and subsequently murdered, or the role of police in the July massacre. Although this particular book was not banned, many books were, in the name of protecting national security. As the generation has changed from being proudly apolitical to starting to learn the intricacies of politics, state, law, and history, books like *Maron Rajneeti* can be a starting point for many to get into discussions about the constitution, how it has been misused, and how it can be rectified. This education is important in order to build a democratic Bangladesh which ensures the rights of everyone.

Sadman Ahmed Siam, as the name suggests, is indeed a sad man. He was sorted into Hufflepuff on Pottermore and has been sad ever since. Send him happy quotes at: siamahmed09944@gmail.com.

BOOK REVIEW: TEXTBOOK

It's all crimson inside 'SHAHITTOPATH'

The match grows dirty and the battleground today is covered in wounds and regret. The book also houses the beloved short story, "Raincoat", in which Akhtaruzzaman Elias eloquently paints a damp yet nerve-wracking day of 1971 Dhaka through the eyes of another Nurul—Nurul Huda, a seemingly neutral person in this chess match.

ZARAFET

"Mr Nurul Amin couldn't realise what bureaucracy had dragged him down to". Remember how you needed to absolutely memorise this line with context and underlying meaning for answering comprehension-based questions? Well, that was to earn a couple of marks in exams. Turns out, it is also a 101 guide on how to earn a nation back.

Say, it is like a chess match. The chessboard is a rocky field that is to be conquered for justice. The II-12th grade National Curriculum and Textbook Board (NCTB) textbook on Bangla literature, *Shahittopath* is, in fact, an undying testament to the rebellious hearts that are prescribed to read it. The spirit of rising against injustice and turning up your voice just a tad bit to speak the truth is strong in this book. And you know what? A book that is read by over one and a quarter million blooming hearts every year, every individual's "tad bit" is enough to let the words run over trillions of miles of land.

There are several Nuruls in *Shahittopath*. One is Chief Minister Nurul Amin in "Bayannor Dinguli", narrated by Bangabandhu Sheikh Mujibur Rahman. Standing with his dignified corporals, Nurul Amin stands at one side of the chessboard. Nurul Amin fired against the protesting students who wanted a reformation of the state language. Bangabandhu talks about the cowardice that the then-governors showed by shooting the students who ignited the streets with passion.

On the other side stands another Nurul—Nuruldin. In Syed Shamsul Haque's "Nuruldin Kotha Mone Pore Jay", Nuruldin chants the lore of Bengal's much-awaited freedom with the rhythm of united marching steps against fascism. Let the match begin.

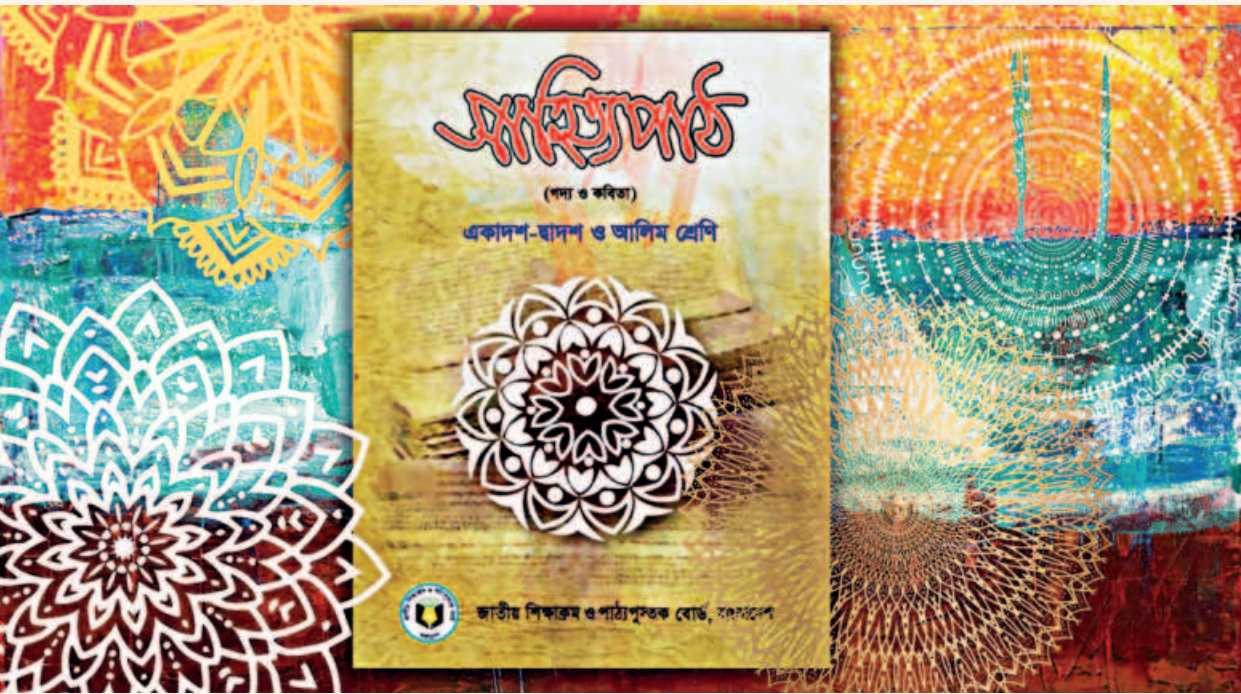
A passion of youth. The time when they want the jury to announce nothing

but the verdict of life—the verdict of valid existence. In *Shahittopath*, Shukanto Bhattacharjee depicts the passion soulfully in his poem, "Atharo Bochor Boyosh". He says,

"This age knows the virtue of sacrificing blood
As they sprint in the speed of pressurised vapour,
The pouch containing departed lives stay unemptied
Sucking the souls with a vigorous promise."

A compilation of revolutionary literary creations is never complete without the words of the rebel poet Kazi Nazrul Islam. In "Amar Poth", he reminds us about the urgency of embracing one's individuality and unique righteousness, even in the face of certain oppression. "My truth will show my way...One who is certain about their own identity has the spirit of never bowing their head to anyone but the truth"—such words swing in the air like an irrefragable sword. He echoes the words of the brave warrior within him throughout "Bidrohi" by bringing up the age-old mythical and historical legends who raise their heads against injustice. From Bheem to Orpheus, he is reincarnated as the emperor of destruction and the composer of ballads as sweet as honeysuckles. Lastly, he invites many others to be revolutionaries as long as injustice remains.

The match grows dirty and the battleground today is covered in wounds and regret. The book also houses the beloved short story, "Raincoat", in which Akhtaruzzaman Elias eloquently paints a damp yet nerve-wracking day of 1971 Dhaka through the eyes of another Nurul—Nurul Huda, a seemingly neutral person in this chess match. Through witty humour and subtle satire, Elias pulls out the cruel culprits of several massacres caused during that



DESIGN: MAISHA SYEDA

time. From Ishak Mia to the college principal Dr Afaz Ahmed, every war criminal has been unveiled by this powerful wordsmith. Nurul's dramatic commute to work through a military-occupied Dhaka is bone-chilling. "An umbrella won't be enough in this rain, honey. You better take Mintu's raincoat with you." "Raincoat" demonstrates the pain and concerns of a teacher and the sheer helplessness he experiences in the face of atrocities.

Shahittopath proudly upholds the legacy of the people who built the foundation of triumph against persecution by grinding down the very shackles binding their hands. In Abu Jafar Obaidullah's "Ami Kingbodontir Kotha Bolchhi", the poet shows the benevolence and strength of the common people, including farmers, fishermen, helpless widows, and tortured slaves—they symbolise the people's freedom.

"I'm speaking of legends
I'm speaking of my ancestors
His palms were fragrant earth
Whose backs had wounds as bright as a rokto joba"

Lastly, "February 1969" by Shamsur Rahman also carries the spirit of "Ami Kingbodontir Kotha Bolchhi". The chess match is escalating at this point. Both sides are struggling to checkmate the other. The rooks of Nuruldin recall the bloodshed of the revolutionaries of 1952 and 1969 as they march straight towards their final nemeses. The scattered bloodstains of '52's Salam and Barkat mingle with that of '69's Shamsuzzoha and Shaheed Asad.

The crusade of *Shahittopath* has come to an end, but the chess match is still ongoing. Nuruldin and his comrades fetch more stories to warm their shattered hearts and move forward to write some themselves. Nurul Huda needs to take a stand

before his legs are tied.

There will be a checkmate. The echoes of emancipation have been howled beyond the chess field. Nurul Huda's raincoat has been taken off by the brute pawns, but by now he has learned to rise in spirit. There's only one row of squares left to be conquered by Nuruldin's army—the only row where Nurul Amin is standing.

Checkmate. The game has come to an end. The fascist has fallen.

Now, Nuruldin's people look back at the bloodied chessboard, wretched and adrift. They hum the words of "Manob Kollan" by Abul Fazal and absorb the juvenile spirit in "Aparichita" by Rabindranath Tagore as they mend the field. They bring about a new dawn.

Zarafet sits by the end of the horizon and hums the tunes of songs sung by the unsung.