Need for enacting a law to regulate appointments in EC



M ABDUL LATIF MONDAL

OR a week or so, appointment of retired Justice Mahfuzur Rahman and Secretary, Election Commission SM Zakaria both allegedly loyal to the BNP-led alliance government, as new election commissioners (ECs) has been in the news. The 14-party opposition combine led by Awami League (AL) has said that the appointments are politically motivated and a strategy to evade the High Court order regarding the fresh voter list. It has rejected the appointments and announced a dawn-to dusk general strike on January 22. Some other opposition political parties and the press have been critical of the appointments. Law, Justice and Parliamentary Affairs Minister Moudud Ahmed has said that the appointments have been made to break the prevailing deadlock in the EC. Political analysts and insiders fear that the appointments 'will further compound the ongoing standoff in national politics. The two major political parties the ruling BNP and the opposition Awami League -- will use the appointments as a handle to renew and reinvigorate their rivalry, making the resolution of the impasse more remote a possibility.' The appointment of persons loyal to the ruling political party/parties as Chief Election Commissioner (CEC) and ECs is not a new phenomenon in Bangladesh. Immediate past AL government appointed one EC who was known to be extremely loyal to the AL.

The Constitution of Bangladesh has neither prescribed qualifications for appointment as the CEC and ECs nor fixed the number of ECs to be appointed nor prescribed the detailed procedure for selection of persons for appointing as CEC and ECs. The Constitution says that 'there shall be an Election Commission for Bangladesh consisting of a Chief Election any, as the President may from time to time direct, and the appointment of the Chief Election Commissioner and other Election Commissioners (if any) shall, subject to the provisions of any law made in that behalf, be made by the President' [Article 118(1)]. The constitution has made an EC, on ceasing to hold his office, eligible for appointment as the CEC [Article118(2)(b)]. A closer look into above Article however reveals that the constitution has made provision for enactment of a law for the purpose. But no such law has impartiality and integrity. The suitable to be Election, and the Leader of the Opposition in been enacted during the last 34 plus President of the Senate shall Commissioners for making the House of Representatives as years of independence. Under the countersign the Royal Command nomination to the President of the members, His Majesty appoints the Government.

aforementioned circumstances, the appointments of the CEC and ECs are at the pleasure of the ruling party.

Let me now describe the legal provisions that exist in some countries for selection of persons for appointment as the chief of Election Commission/ Electoral Commission and members thereof.

Electoral Commission Act, 1996 of the Republic of South Africa provides that the Commission shall consist of five members, one of whom shall be a judge, appointed by

No person shall be appointed as a member of the Commission unless

An Election Commissioner shall have the qualifications and shall not under any prohibition as follows: (1) being of Thai nationality by birth; (2) being of not less than forty years of age on the nomination day; (3) having graduated with not lower than a Bachelor's degree or its equivalent; (4) not being a member of the House of Representatives or the Senate, a political official, a member of a local assembly or a local administrator; (5) not being or having been a member of or holder of other position in a political party he or she(a)is a South African throughout the period of five years citizen; (b) does not at that stage preceding the holding of office; (6)

appointing the Chairman and Senate upon consent of the CECandother Ecs.
Commissioners. A person shall

(3) the nominations under (1) and (2) above shall be made within thirty days as from the date when a ground for the selection of persons to be in such office occurs. In the case where the Selective Committee under (1) is unable to make nomination, or unable to make nomination in the complete number, within the prescribed time, the Supreme Court of Justice shall, at its general meeting, make nomination to obtain the complete number within fifteen days as from the date of the expiration of the nomination time under (1);

(4) the President of the Senate shall convoke the Senate for passing,

BARE FACTS

Unless a law is enacted to ensure appointment of politically neutral, efficient and honest persons as CEC and ECs, the political party /alliance that is now in power or the party/alliance that will come to power in future will invariably appoint persons loyal to them as CEC and ECs. Such appointments will thus continue to be a cause for political unrest. To conclude, the ruling BNP, the main opposition AL and other parties having representation in parliament or not, should be united in the enactment of a law.

have a high party-political profile; (c) has been recommended by the National Assembly by a resolution adopted by a majority of the members of that Assembly; and(d) has been nominated by a committee of the National Assembly, proportionally composed of members of all parties represented in that Assembly, from a list of recommended candidates submitted to the Committee by a panel consisting of -- (a) the President of the Constitutional Court, as Chairperson; (b) a representative of the Human Rights Commission established by the Constitution of the Republic of South Africa; (c) a representative of the Commission on Gender Equality established by the Constitution; and(d) the Public Protector established by the

The panel shall submit a list of no fewer than eight recommended candidates to the Committee of the National Assembly. The panel shall act in accordance with the principles of transparency and openness and make its recommendations with due regard to a person's suitability, qualifications and experience.

The President shall designate a Chairperson and Vice-chairperson from among the members of the

The Constitution of Thailand provides that the Election Commission shall consist of a Chairman and other four Commissioners appointed, by the King with the advice of the Senate, from persons of apparent political

not being an Ombudsman, a member of the National Human Rights Commission, a judge of the Constitutional Court, a judge of the Administrative Court, a member of the National Counter Corruption Commission or a member of the State Audit Commission.

The Constitution has provided the detailed procedure for selection and election of Chairman and ECs. The selection and election of Chairman and ECs shall be proceeded as follows: (1) there shall be a Selective Committee of ten members consisting of the President of the Constitutional Court as Chairman, President of the Supreme Administrative Court, Rectors of all State higher education institutions which are juristic persons, being elected among themselves to be four in number, and representatives of all political parties having a member who is a member of the House of Representatives, provided that each party shall have one representative and all such representatives shall elect among themselves to be four in number, to be in charge of the consideration and selection of five persons, who have the necessary qualifications and are suitable to be Election Commissioners, for making nomination to the President of the Senate upon consent of the nominated persons. The resolution making such nomination must be passed by votes of not less than three-fourths of the number of all existing members of the Selective

(2) the Supreme Court of Justice shall, at its general meeting, consider and select five persons who are

the nominated persons under (1), (2) and (3). For this purpose, the first five persons who receive the highest votes which are more than one half of the total number of the existing senators shall be elected as Election Commissioners, but if the number of the said elected persons is less than five, the name-list of those not elected in that first occasion shall be submitted to the senators for voting on another occasion and consecutively. In such case, the persons receiving the highest number of votes in respective order up to five shall be deemed to be elected as Election Commissioners. On this occasion, if there are persons receiving equal votes in any order which result in having more than five elected persons, the President of the Senate shall draw lots to determine

who are elected persons; (5) the elected persons under (4) shall meet and elect among themselves Chairman of the Election Commission and, then, notify the President of the Senate of the result. The President of the Senate shall report to the King for

further appointment.

Democracy in Nepal is at stake now. However, the 1990 Constitution of Nepal is the product of people's struggle for democracy. The Constitution provides for an Election Commission consisting of a CEC and such number of ECs as may be required. On the recommendation of the Constitutional Council headed by the Prime Minister and consisting of the Chief Justice, the Speaker of the House of Representatives, the Chairman of the National Assembly,

POINT ** COUNTERPOINT

A person shall be eligible for appointment as the CEC or an EC if he university recognised by His Majesty's Government; b) is not a member of any political party immediately before appointment; and (c) has attained the age of forty five.

The President of Pakistan appoints the CEC and the ECs. The President shall not appoint a person to be CEC unless he is, or has been a Judge of the Supreme Court, or is/ has been a Judge of a High Court and is qualified to be appointed a Judge of the Supreme Court. The four ECs, each one of whom shall be a judge of a High Court from each province, are appointed in consultation with the Chief Justice of the High Court concerned and the CEC.

In India, the CEC and two ECs are appointed by the President. The Constitution of India has not prescribed qualifications, detailed ocedure for selection of persons or appointment of CEC and ECs. It has however made provision for enacting law on the issue.

The Federal Election Commission (FEC) of the United States (US) is an independent regulatory agency created in 1975 by Congress to administer and enforce campaign finance legislation in the S. It describes its duties as "to disclose campaign finance information, to enforce the provisions of the law such as the limits and prohibitions on contributions, and to oversee the public funding of Presidential elections." The Commission is made up of six members, who are appointed by the US President and infirmed by the US Senate.

The above references have been made to emphasise the need for enacting a law in the country which will, among others, prescribe qualifications for appointment of CEC and ECs, fix the number of ECs to be appointed and provide detailed procedure for selection of persons to be appointed the CEC and ECs. This is because of the fact that unless a law is enacted to ensure appointment of politically neutral, efficient and honest persons as CEC and ECs, the olitical party /alliance that is now in power or the party/alliance that will come to power in future will invariably appoint persons loyal to them as CEC and ECs. Such appointments will thus continue to

be a cause for political unrest.

To conclude, the ruling BNP, the main opposition AL and other parties having representation in parliament or not, should be united n the enactment of a law which will, inter alia, prescrie eligibility of persons to be appointed CEC and ECs, determine the number of ECs and provide detailed procedure for selection of persons for appointment as CEC and ECs. The ruling BNP, in particular, should take up the issuse seriously. Who knows the BNP will not be benefited from such a law in future.

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After Iraq is it Iran?



ARSHAD-UZ ZAMAN

LTHOUGH there are no signs of the Iraq crisis A resolving any time soon there are tell tale signs that the theatre action may shift to Iran. In the case of Iraq President George W. Bush donned the garb of the warrior and totally assisted by his ally Tony Blair, the Prime Minister of Britain, launched a massive attack against poor and defenseless Iraq. The only picture retained from the war was the pulling down of the giant statue of President Saddam Hussein. He had been painted by the western media as a blood thirsty dictator, who held secretly Weapons of Mass Destruction (WMD), with which he could rain terror on any part of the world. That Western inspectors were unable to find any weapons in Iraq did not bother the

President Bush like his father Senior President Bush tried to build a coalition and whereas father Bush had succeeded because Saddam was clearly the aggressor against Kuwait, the US propaganda machine failed to establish any valid reason for attacking Iraq. US, helped by her allies and particularly Britain, overran Iraq without any resistance. The resistance began shortly thereafter for Iraqi fighters continued to mount increasingly daring attacks and over the period have died by the thousands. But they have exacted a heavy toll of American lives as well. Except Britain most of US' allies have pulled out faced by heavy domestic criticism against a war that nobody



President of Iran Mahmoud Ahmadinejad is aware of the world picture and, therefore, can appear to be unbending. In the light of the Iraq debacle, when the talk is not if the US will pull out her troops but WHEN, it seems highly unlikely that the US would want to get embroiled in another adventure. The Middle East has witnessed a new player -- Ariel Sharon. With his disappearance from the political scene it is a whole new ball game.

The present picture is that the most powerful country of the world is bogged down in Iraq and wants to pull out. That would create a terrible image for the US and the attempt is to justify the invasion of Iraq by exporting democracy to the inhospitable climate of that country. Thus elections of various kinds have been held and attempts are going on for cobbling together representing the majority Shias of e south, the Sunnis in the centre and the Kurds of the north. Political intrigues are the order of the day. Although the Kurds are outnumbered by the Shias and the unnis, since it was the Kurdish eaders, who invited the Americans into Iraq, they have an edge over the two other communities and at present occupy the post of President of Iraq and the Prime Minister of

Indeed the Kurds have their own flag in Northern Iraq and are behaving as if their long time held dream of independent Kurdistan was a reality. This of course puts the Kurds on a collision course against their three important neighbours, namely Turkey, Iran and Syria, who all have sizeable Kurdish population and are determined that they do not

Frustrated by the Iraqi misadventure, the US has announced that Iran, who is supposed to own a nuclear bomb,

against Saddam Hussein following his advice, has fashioned his Middle East policy according to the plan of Israel. Thus President Bush's Plan of the Greater Middle East and North Africa has Israel as the centre piece. The illness of Ariel Sharon, which virtually means an end of politics for Sharon, puts the entire Middle East in utter disarray. President Bush has lost his most valuable friend and guide. Indeed with the US support totally assured it was Sharon, who was calling all the shots and President Mahmoud Abbas of

must be made to see reason. The

preparation this time is not an

invasion of Iran but swift bombing

action against her nuclear facilities

The US has turned a deaf ear to

Iranian protestations that she is not

weapons but is determined to have

facilities for peaceful uses of nuclear power. President Bush, who has

been a great friend of Premier Ariel

Sharon and mounted the attack

fate of Palestine. It appears less and less likely that President Bush will have the nerve, without having the counsel of Arie Sharon, to push Iran to the limit. The other members of the Security Council, minus Britain, are lukewarm to any firm action against Iran. And the truth is USA is a rapidly dwindling power and cannot afford

Palestine was no more than a

spectator as Sharon was rearranging

the map of the region including the

The US has had spectacular retreat from various parts of the world. We recall how the US Ambassador escaped from Vietnam by a helicopter from the top of his Embassy roof. Faced with the might of the Iranian masses, she had to close her Embassy in Iran and has not been able to return since. There are unfriendly noises from her backyard in Latin America. The President of Iran Mahmoud Ahmadinejad is aware of the world picture and, therefore, can appear

In the light of the Iraq debacle, when the talk is not if the US will pull out her troops but WHEN, it seems highly unlikely that the US would want to get embroiled in another

The Middle East has witnessed a new player -- Ariel Sharon. With his disappearance from the political scene it is a whole new ball game.

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Containing the curse of dowry and violence against women

MD NURUL ABEDIN

OWRY and violence against women in the South Asian context originate from within specific societies because of peculiar social thinking, cultural patterns and traditional beliefs. The main actors are usually the husbands, their parents and other relatives who exert pressure on bride's family to squeeze out money or property in the name of dowry regardless of consideration of ability of that family to pay the amount demanded as dowry. This kind of rude attitude on the part of husband's family sometimes leads to the break-up of sacred bond of conjugal life and sometimes to the death of the wife. In South Asia, dowry-related violence is an outcome of conceptual tension with quite particular culture-specific manifestation. People all over the world argue over matrimonial and yours, or ours. But only in South Asia do women get maimed and killed in huge numbers every year on account of such forms of domestic violence and in quite specific ways, mostly through burning.

The figure given for India alone is in excess of 25,000 women victims per annum (Himendra Thakur 1998: XIV). I do not have the figures or estimates for Bangladesh readily available, but Dr Maleka Begum's research demonstrates quite clearly that there are huge problems here too. However, the statistics compiled by Bangladesh Police Headquarters show that 2981 cases on account of dowry-related violence against women have been filed with different police stations during the period from January '04 to December '04 and 1181 such cases for the period from January '05 to May '05. I am not aware of the manner of disposal of such cases and also of the nature of punishment awarded to the perpetrators. But one thing is clear from this statistics -- the rising trend of dowry-related violence cases in Bangladesh, Seminars, workshops and roundtables organised by different bodied and the endeavours of human rights agencies have failed to produce the desired results. Even the clarion call of the Prime Minister to her colleagues, vide her D.O. letter dated 09.12.03, for the initiation of

social movement against dowry does

not appear to create any impact in the women. Local NGOs, in some parts of relevant quarters for driving out this social malady from Bangladesh

In Pakistan, on the other hand, there has been much unwillingness to admit that there are dowry-related problems or domestic violence and consequent killings of women, but, research there is beginning to uncover significant levels of domestic violence. In Nepal, as Professor Jha says, there are huge problems too. Thus, everywhere in South Asia, gender relations are under strain. Dowry-related domestic violence is on the increase in South Asia. However, the most redeeming feature of this phenomenon is the increased level of public awareness of the problem and its discussion in Terent forums -- national, regional and international alike -- more openly and frequently than before.

In one of his key-note papers, Dr Werner Menski of the School of Oriental and African Studies, University of London, has laid emphasis on grassroots activism as the only way forward to practically combat dowry-related violence against South Asian women. He has also stressed the necessity for a close collaboration between the academic and grassroots activities for this purpose. Severe disillusionment has grasped the academics and, to some extent, the activists over the issue of dowry and dowry-related domestic violence in South Asia which are now getting worse rather than better. The Fifth International Conference on dowry, bride-burning and violence against women held in New Delhi, India, couple of years ago showed that the leading activists on dowry in India had lost interest in the topic and had nothing to say apart from repeating the old doctrine about empowerment of women and giving them better property rights to avoid the ever-

present problem of dowry. At the same time, powerful evidence came from local activists from all over India that something can be done locally to curb the problems and reign in the worst forms of atrocity. Laudable works in this respect have been done in some cities with co-operation the police and local authorities that fund shelters for victimised women. Local initiatives have made a difference to the lives of

India, clearly played a key role. Press in India also did a lot in raising public awareness against dowry and dowryrelated domestic violence.

So far as Bangladesh is concerned, there is the huge dowry problem in society which leads to much violence against women. The evidence produced by Dr Maleka Begum on dowry problem in Bangladesh society is quite awesome and, as such, should act as an eye-opener for policy planners, law-enforcers administration (both national and local), civil society, politicians, weigh the gravity of the situation and

demand a few days after marriage totally outrageous extra sums of money or other benefits, plunging the women and often their families into deep trouble and, what is worst, inflicting physical violence on them too. To make such demands is a form of domestic violence that must be brought under control to protect

But, how does one do that? It is neither a question of formal education nor of women's financial uplift nor of legal sophistication in devising all kinds of remedies. Such forms of violence arise because certain individuals seem to think they

on certain conditions, only to want to develop such protection mechanisms -- because they simply could not afford them. A wife in trouble with her husband in a South Asian society will still look to him for support, and not to the state barring sporadic cases of approaches to the state apparatus for the redress of hergrievances.

> In Bangladesh, many lawyers are aware of the Muslim Women (Protection of Rights on Divorce) Act, 1986, which followed the famous Shah Bano case (Mohammed Ahmed Khan vs Shah Bano, AIR 1985 SC 945). This Act has actually helped women, because any man in India marrying a woman now knows that he will be

of the problem. In Bangladesh we had the famous Hefzur Rahman Case (1995), 15/BLD/34 which was lost on appeal. This shows that Bangladesh has clearly not yet come to terms with the limits of State support for victimised individuals and that more needs to be done in that respect.

In Bangladesh, government machineries are at place at national, district and upazila levels but they are seldom effective because of lack of their initiatives and interest in the matter. District and Upazila Women Affairs Officers are the ex-officio members of the District and Unazila Development Co-ordination Committee respectively chaired by

It is to be appreciated by all concerned that marriage is an institution for bringing about conjugal bliss for the couple and cordial relationship between the two parties (bride and bridegroom) and obviously not a vehicle to bring about financial ruination of a party (bride) to meet the capricious dowry demand of other party (bridegroom). Marriage is not to be seen as a commercial venture.

ponder over how and why poor village women in Bangladesh are victimised on account of totally unreasonable

and unacceptable dowry demands. I sometimes wonder why and how a local rural society tolerate such abuses. For one man's bride is another man's sister, daughter and niece -- so simplistic gender-related violence models do not work here. Somehow, dowry-related violence against women is tolerated at a level that simply cannot be acceptable. Does it not occur to anyone that such men are doing something that is just totally wrong? Should they not be blacklisted, boycotted, shunned and somehow punished at local level? To wait for the state to intervene is evidently a futile strategy. There can be no doubt that domestic violence is a huge problem all over South Asia. And the levels of dowry-related violence is simply so high now that the real problem appears to lie just there -- in the lack of will or inability to

control violence in families. What people in South Asia actually expect from marriage? What is marriage today about? How do the financial arrangements around marriage match (or conflict) with other expectations? Many men in South Asia might agree to a marriage

can get away with making outrageous demands and imposing naked violence on others, and fear no retribution. I am afraid, such attitudes reflect norms in society that involve the condonation of violent behaviour at all kinds of political and social levels. Bangladesh is a country which has a good stock of laws in place but the main problem is the implementation of the existing laws. Similar is the fate in respect of Criminal Procedure Code, Dowry Prohibitation Act of 1980 and even of international convention "CEDAW" the Convention for the Elimination of Discrimination Against Women.

Many of the almost dogmatic demands of the international Conventions/Laws, in my view, are not fully appropriate for countries like Bangladesh, India, Pakistan and Nepal because of their assumptions of the existence of a strong state that protects the individuals through a western-style "rule of law" model and takes care of the victims of lawlessness. That idealistic assumption of the existence of a welfare state to back up victimised individuals just collapses in South Asian conditions of life. In his analysis of modern Indian family law, Dr Werner Menski has denicted how the States of South Asia will now not even

responsible for his wife's welfare as long as she lives. Marriage itself is seen as a legally sanctioned partnership between two people in society. In the absence of a social welfare net financed by the State, any man who takes a woman in marriage, therefore, remains responsible for her welfare throughout her life, unless she remarries another man on being Thus, even if a man divorces a woman, his responsibility towards her does not lapse. This is the current position under Indian law, for all Indians.

I see this as a typical form of South Asian legal regulation. It recognises the potential financial dependence of the wife and, therefore, institutes protective mechanisms for woman which the man himself or his family has to implement but not the State. This is the way in which countries in South Asia can produce a sustainable form of financial security for women beyond the parameters of marriage. India, being so much larger than any other jurisdiction in the region, has already swallowed that message quite unambiguously but, of course, not without protests. But the State in India has, however, held firm against all protests. Pakistan, on the other hand, does not want to know of the solution found in India but is, of course, aware

respective Deputy Commissioners and Upazila Nirbahi Officers. But hardly the issue is raised, discussed and decisions taken in those meetings. Even if the decisions are taken, those are hardly followed up and implemented in a cocoordinated way. Local government institutions take up the issue casually only when someone lodges a complaint against the claimant of the dowry. They do not consider creation of public awareness and sentiments against dowry as the agenda of their

Religious as the rural people are, the association of local religious leaders for the propagation against dowry particularly their sermons in the weekly Jumma prayer would have made a salutary effect to mould the people's attitude towards social vices including dowry. Discussion on the issue in the weekly courtyard meeting can also be very effective in this respect. NGOs in Bangladesh are doing good jobs in the field of education, health, family welfare, water supply, sanitation, environment, forestation, trafficking etc but they do not seem to pay much attention to the prohibition of dowry by their activities in the rural setting. So far as curative aspect is concerned, Bangladesh National Women Lawyers

Association (BNWLA) is doing a not agree with that perspective, one audable job in rescuing woman victims of violence, filing and following-up cases in police stations as well as in the courts of law, arranging their treatment, providing them shelter and ultimately rehabilitating them in society but it does not appear to have pushed forward its thrust towards the preventive side to the extent expected. Still I see the rays of hopes in the

western horizon in the actions of

some conscious youths of Ballamjha Union in Gaibandha Sadar Upazila who have set a noble example of fight against dowry by launching motivation campaign to encourage dowry-free marriage. Matchmakers, marriage registrars, Union Parishad eaders and some NGOs have joined hands for this noble cause eliminate early marriage and dowry (The Daily Star, 27.1, 05 and 5.3.05) The noble Gaibandha example was emulated by Kahetora village under Burichang Upazila of Comilla district. This village has became a dowry-free village with effect from 26th March, 2004 (Jai Jai Din dated 26th April, 2005). Dowry-free marriages have already taken place in this village as well as in Ballamjhar Union. The examples of Kahatora village and Ballamjhar Union are to be spread out to other villages and unions of the country. The task is, no doubt, difficult one. Age-old traditions, social taboos and superstitions are the stumbling block in bringing about the welcome change-over. But given the commitment of the politicians, govt. support and cooperation of all concerned, it is not at all impossible to establish a society free from the curses

Cherished goal of prohibition of dowry and the related violence against women anywhere in the globe -- not merely in South Asian context -- can be brought about by the change of attitude in the society and the strict enforcement of international or domestic laws, not merely by their enactment. Individual self-restraint remains a key element in this field, matched with explicit respect for the needs and concerns of "the other" and thus a somewhat pluralistic recognition of the perspective of other person. Thus, even if one does

does not express one's opposition by violent means, but negotiates a compromise position in order to survive in symbiosis together. Introduction of Behaviour Change Communication Programmes posters, bill-boards, booklets, rallies/seminars, street dramas and the implementation of that programme by GO-NGO partnership can go a long way in the eradication of curse of dowry from any society -- not to speak of South Asian countries alone.

The presence of helpful international norms and domestic legal guidance may be useful. But they cannot change the norms of behaviour of man and woman -- nay of the society. Our rural people are not very much keen to lodge complaint to the law-enforces against the claimants of dowry for fear of reprisal by the aggrieved party. Laws cannot do anything in the absence of such complaint. Also laws cannot provide any remedy in the event of break-up of marriage due to non-payment of dowry or refusal of the in-laws to accept the bride for want of it.

What is the way out then? Total reorientation of outlook of every couple seems to me to be the way out. Every couple has to sort out this difficult matter for themselves, and a lot of tolerance and forbearance is required from both sides. Both husband and wife have to give and take and both should be entitled to respect for the shake of their own perspective, their physical integrity and mental peace.

It is to be appreciated by all concerned that marriage is an institution for bringing about conjugal bliss for the couple and cordial relationship between the two parties (bride and bridegroom) and obviously not a vehicle to bring about financial ruination of a party (bride) to meet the capricious dowry demand of other party (bridegroom).

Marriage is not to be seen as a commercial venture to get the return from the bride's family for the investment the groom's family may have made for his upbringing.

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