

Mind Your Language, Please!

One of the principal victims of the political culture fostered over the past 25 years appears to have been etiquette. That might not have been so bad, had it not also claimed another, far more illustrious victim: the credibility of political leaders themselves.

Since the top leaders of the two largest parties — the incumbent prime minister and a former prime minister — are leading this verbal charge, it raises a serious question. If both of them are correct, then what are we to deduce? If both are correct about each other, then both would be "guilty" of the most unspeakable conduct.

Can there be a worse tragedy than the destruction of political culture by people who are pledged-bound to uphold its values? And what of the future? What would children and teenagers growing up today make of the political culture they see before them?

Focus on the Constitution

If the birth of Bangladesh in December, 1971 marked the culmination of our struggle for political emancipation the adoption of Constitution on November 4 the following year flagged off our trust with destiny in real terms.

The Declaration of American Independence, constitutions of countries wedded to a unitary system of government, the whole lot of unwritten, yet transparent constitutional conventions of Britain, including Westminster tradition and the Indian constitution were closely studied to benefit by as we fashioned the constitution after our own aspirations and in keeping with our national genius.

The 1972 Constitution in many ways remains an ideal that is yet to be realised. Although we have returned to parliamentary democracy after years of forced detour via a presidential form of government and the black ordinance that indemnified the killers of Bangabandhu has been struck out of the statutes book to make their trial possible the constitutional emphasis on egalitarianism is yet to be lived up to.

We cannot let the most refined and enlightened part of our national legacy gather dusts in the bookshelves of our national libraries. It must be treated as a living document — a pole-star, as it were, whereby we should constantly monitor the direction of our national efforts in various fields.

Pests and Punishment

The floods came when the Aus had already been harvested. Unfortunately the newly sown Aman fields were all deluged and nothing of that planting survived. From the first day of the recession of water farmers engaged the fields anew and in only a month's time Aman seedlings presented a vista at once eye and soulfilling.

Unlucky is a misplaced euphemism for what has happened before harvesting can begin. Standing Aman crop has been attacked by various pests over at least one lakh hectare. Fatalism comes easy to our peasants. The pests could be fought off and timely precaution could even have prevented the attack.

We are gratified to know that Agriculture Minister Motia Chowdhury saw through it all. She wonders why there should have been any pest attack anywhere at all. The agri-extension personnel were given 26 power-sprayers, 508 hand sprayers, 10,000 pest catching nets, 1,000 hurricane lamps and 500 petromax lights exclusively to fight the pests.

And she has talked of punishing those that have failed the peasants on this score. This sounds new and good. The lesson that pests are preventable and that some quarters must be responsible if these are not prevented, is one that should be emulated in all spheres of our national life.

STRENGTHENING of civic participation has now become a global phenomenon. It is being considered to be extremely important in creating and sustaining a democratic society both in the developed and developing world.

In both cases the movement is directed towards making the state to respond to ordinary citizens' demands through the activism of organized citizens' groups. There is a growing realization that having a democratic order does not necessarily guarantee accruing of democracy's benefits.

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OPINION

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On 9.1.95 I sitting with Justice Syed Amirul Islam held in the case of Hefzur Rahman — versus — Shamsun Nahar as hereunder: "A person after divorcing his wife is bound to maintain her on a reasonable scale beyond the period of iddat for an indefinite period, that is to say, till she loses the status of a divorcee by remarrying another person."

This judgment has been reported in (1995) 47 DLR and (1996) 15 BLD (HCD) 34. Our judgment is based on Verse No 241 of second Sura Baqara of the Quran and it reads as follows: "Walli-mootalla Kate mataaoun bil-marooif."

To the Editor...

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.

Save the Muniyas, please

Sir, In my childhood I used to have pet Muniyas, so I was reading with interest the news about the 8,600 rescued Muniyas and their fate in a Bengali daily recently. Apparently these birds were being trafficked abroad and authorities found them at the cargo shed at the Airport. It was sad, but that they were rescued was a welcome news.

The wildlife experts and bird lovers visited them and suggested to release them near Savar as soon as possible. What was astonishing is that authorities and the ministry officials concerned were avoiding the media. What were they embarrassed about? The public do have a right to know what the authorities are doing about these birds.

Solar electricity in cyclone shelters

Sir, Now that some financial assistance is being injected into the new projects on the construction of modified shelters against natural calamities, it is hoped that the provision for solar power at emergency level will be included in the project.

The State of Civil Society in Bangladesh

Though the institutions of civil society in Bangladesh may be fragile but they are steadily growing in scope thanks to the nature of inherent quality of our ordinary people. Citizens' action groups have proliferated in the country.

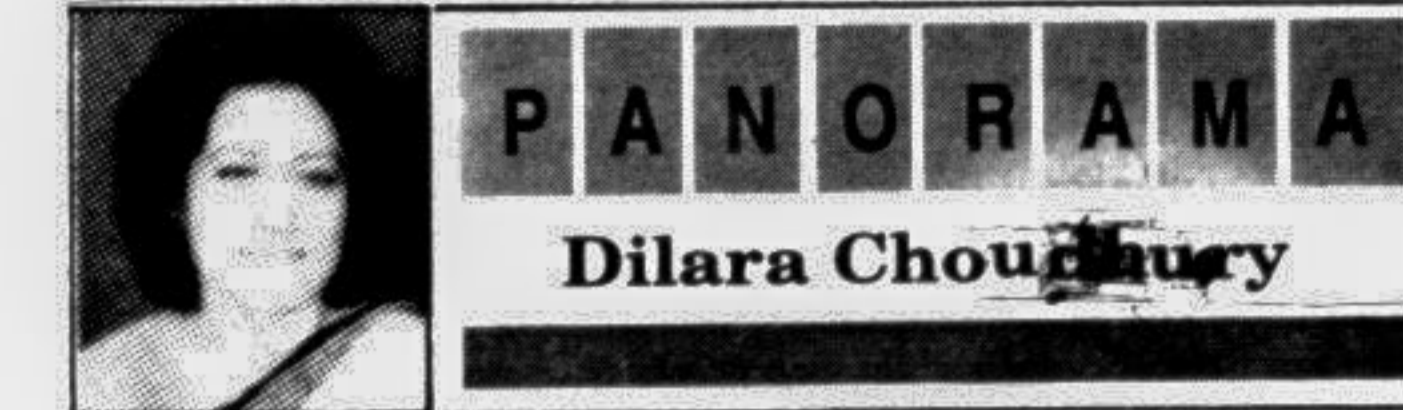
rich and the poor. The notion of civil society is not something new. Even the early thinkers like Hobbes and Machiavelli, who propagated authoritarianism, left room for the germination of seeds for associational life.

In Bangladesh, however, the existence of civil society and its importance in making our newly gained democracy function has been in circulation only since late 1980s. It was in the late 1980s that the emergence of civil society was taking place at the global level coinciding with the winds of democracy blowing all over the world, especially in Eastern Europe.

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derprivileged, the women, the neglected would be integrated into the mainstream of the society. Those expectations proved not only wrong but also elusive.

By most indicators fate of democracy is at peril in Bangladesh. Truism is that since 1991 we have had regular elections both at the national as well as local levels. The political institutions like parliament, judiciary, somewhat free media and others are there.



Dilara Choudhury

dysfunctional political system. Unless and until this dysfunctionality is corrected, we as a nation, must face its consequences in not too distant future. Already the endemic systemic problems have injected so much inertia that it would probably work like lethal poison and erode our very soul and spirit.

on the government can make the difference. Besides the public funding the political parties play a vital role in strengthening of civil society.

Because with it emerges the modern interests group politics and the political parties begin to solicit their support by concealing their demands. These two-way channels of interaction are important in ensuring a democratic society. Since most of the civic organizations are donor funded and there are hardly any public funded civic organizations which work outside the purview of the state power the state of civil society

reflected in the spontaneous role played by the civil society during our language movement, anti-authoritarian movement, anti-mass upsurge of 1969 culminating into our war of liberation of 1971. Sadly though the momentum could not be kept going in post-liberation period.

When we come to the actual state of civil society we feel dismayed. The reasons will be explained later. Before that a brief review of the history of our civil society would be illuminating. Historically, the interactions between the political party process and the civil society had been healthy. Unlike today the party leadership was motivated by moral authority and imbued with higher ideals from which the civil society took its cues in vital learning — attitude, temperament, and values. These were

binding in matters which cannot be cleared up by Qiyas, but it is not so in matters which can be established by Quyas.

"The closing of the door of Ijtihad is pure fiction suggested partly by the crystallization of legal thought in Islam, and partly by that intellectual laziness which especially in the period of spiritual decay, turns great thinkers into idols. If some of the later doctors have upheld that fiction, modern Islam is not bound by this voluntary surrender of intellectual independence."

There are many rich persons who are bank loan defaulters. a

tributing to their inefficacy to act independently.

The recent incidents at Jahangirnagar University are a case in point. The activism generated by the incidents of rape of female students by the cadre of the student front of a particular political party, which attracted nationwide attention, could neither create the momentum nor set the course of action for parties and miserably failed to bring bearing on the government. Another example is the erection of "Janatar Mancha" during the pre-1996 election agitation days by the then opposition when the senior civil servants were encouraged to take part in the agitation movement.

There are, however, glimmers of hope. Though the institutions of civil society in Bangladesh may be fragile but they are steadily growing in scope thanks to the nature of inherent quality of our ordinary people. Citizens' action groups have proliferated in the country. Thousands of NGOs at the grassroots level are organizing the poor, the deprived and the oppressed and giving them a sense of purpose and direction, which are enabling people to act together. Forums are being provided to discuss issues of public policy. Growth of women's groups for their causes and the growth of large number of small groups in the micro-credit programmes are showing increasing signs of assertiveness, which the state, in due course, will have to take into consideration. This is where the hope lies. The fate of a participatory democracy is very much dependent on to what extent these groups can act together and independently without being constrained by both external and internal forces.

MUSLIM LAW

Maintenance of a Divorced Woman

by Justice Mohammad Gholam Rabbani

ing surprised and unable to concede to the idea of giving such maintenance. In my very recently published book "A Way to Islam", I have given seven rules to understand the words of Quran. Rule nos 4 and 5 read as follows:

"Rule 4: Words of Quran cannot be explained according to personal opinion. The Prophet forbade it." "Jundub reported: Apostle of God as saying: If anyone interprets the Book of God in the light of his opinion even if he is right, he will be cursed." Sunan Abu Dawud, Bk XIX, Ch. 1373, No 3644.

"Rule 5: Quran itself is its best commentary. Meaning of word in a verse of the Quran is to be understood comparing the said word used in other verses." In illustration — 2 to said Rule 5, I have quoted eleven Verses of the Quran containing the word 'mataa' besides the three Verses i. e. 2:241, 33:49 and 2:236. In all the eleven Verses the word 'mataa' means 'livelihood, enjoyment, anything connected with meal, conveniences, goods and chattels, provision'. Therefore, the meaning of the word 'mataa' in the other Verses cannot be but provision or maintenance.

three: This answer I propose to give by quoting from an essay of Sir Mohammad Iqbal and from a decision of the Lahore High Court.

"Supposing the Companions have unanimously decided a certain point, the further question is whether later generations are bound by their decision. Shoukani has fully discussed this point, and cited the views held by writers belonging to different schools. I think it is necessary in this connection to discriminate between a decision relating to a question of fact and the one relating to a question of law. In the former case, as for instance, when the question arose whether the two small suras known as Mu'awazain' (i. e. Sura Falaq and Sura Nas) formed part of the Quran or not, and the Companions unanimously decided that they did, we are bound by their decision obviously because the Companions alone were in a position to know the fact. In the latter case the question is one of interpretation only, and I venture to think, on the authority of Karkhi, that later generations are not bound by the decision of the Companions. Says Karkhi: The Sunnah of the Companions is

hug amount of money could be obtained if the government compels them to pay it back and help the flood victims with it. The government also should cut down expenses in government functions and other affairs and savings from these could be an immense help for the destitute.

So, we earnestly request the government to withdraw taxes at least from telephones and interests on savings and we sincerely hope that the government will be kind enough to do that.

Nur Jahan East Nasirabad Chittagong

Martial art learners Sir, Martial art learners here in our country have to pay twice for their learning. A student has to take admission directly to Bangladesh Judo and Karate Federation which is teaching at only one venue — that is the Mirpur Indoor Stadium. So, the arena of its training facility is obviously very limited.

On the other hand, innumerable martial art organisations throughout the country teaching the art and their collective activities cover the whole country. We know that only a few of them are affiliated to the Judo and Karate Federation.

In the later case a student has to take admission in any of these organisations, registered or unregistered. But when one goes to take part in any national or international competitions the learner is bound to get registered with the federation also. That means the learner is paying twice for learning martial art.

This matter may not be a matter at all for the members of well-to-do families. But it matters for the common people. And this is an obstacle to quick expansion of this prestigious game in our country.

M U Ahmed 19 W Mirpur Mirpur, Dhaka-1216

Withdraw new taxes Sir, The government suddenly imposed taxes on some sectors which took people unawares and made them very unhappy and resentful. The government declared that for post-flood rehabilitation and reconstruction these were necessary.

People from all walks of life had helped the flood victims as much as they could, many helping hands are still extended. The government should be grateful to the people who are still extended helps from other countries in cash and kind have arrived and are still arriving, therefore we don't understand why the government decided to burden people with these additional taxes.

Telephone is not a luxury item, not very well off persons also try to keep a telephone as it is very essential. So, it is very unjust to compel to pay five per cent taxes on telephone bills.

Taxes imposed on the interests of fixed deposits and saving certificates are another blow to the people who are solely dependent on this income. A great number of people will be affected by this decision. Retired persons, widows, divorcees and persons who are sick will suffer terribly, with commodities becoming dear day by day it would be very hard for them to live with the cut from the interest.

If the government really cares for the people, it would not plunge them in despair and try other ways to help the flood victims.

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Bangladeshis, are so narrow minded that the only thing we think of President Ershad is how bad he was, how much money he stole and especially we talk too much about his personal affairs. This is not America, for God's sake!

We should try our best to develop this poor country of ours and not destroy it by corruption and dirty politics.

Annaamika Rahman Bangla Motor, Dhaka

Tale of a kidney operation Sir, At the government Dhaka Medical College Hospital an operation had been performed on a woman where reportedly her kidney had been removed. The doctors on duty had given their versions regarding the operation along with a report that after the removal of the kidney it was found that the woman had been living with one kidney only and supposedly her other kidney had not developed and was not operating. A committee had been formed in this regard. Even the PM reportedly had instructed the authorities concerned about her proper treatment. But due to the unprecedented flood her news and her condition were simply swept away.

We would like it very much that our newspapers focus upon this woman and also pray the authorities concerned give a clear picture of what has happened to this patient.

Mujibul Haque Mirpur Road Dhaka

'Deculture' some cultures Sir, Poor Pakistan is in a desperate position, judging from the analyses of the two columnists on DS Oct. 26, one local and one Pakistani. India's position economically and politically is not that strong.

Bangladesh is passing through a critical period, and so

should learn from the woes of Pakistan. Our local analysts may enlighten the public on the implications.

The CHT situation looks fishy. Who are behind the game, besides local vested interests and the neighbour? Watch the western powers' antics and somersaults — they get what they want by hook or by crook (see the recorded history). Why they are interested in CHT is not a secret. It is more than the fuel natural resources. Our politicians are too preoccupied with mud-slinging and mutual admiration. Now less framed photos are being sent officially; a good sign of return to the lower level of sanity. There are other manias to expose and straighten up. People should not be afraid of the sarker unless it is the fear of the terrorists (the latter confirmed time and again).

Some cultures are better decultured, in national interest.

A Worried Citizen Dhaka

Polythene bag menace Sir, Almost all of us are aware of the adverse effect of polythene bags. However in practical field the policies, activities and the statements of some of our government ministers and political leaders on use and misuse of polythene bags are quite embarrassing, discomposed and self-contradictory. On the one hand, they speak against the use of polythene bags, launch publicity and cleanliness campaign against polythene bags, collect polythene bags from dirty drains, ponds and public roads and on the other hand they freely and indiscriminately handover thousands of polythene bags to the flood affected people while distributing relief goods.

The need for use of thin and cheap jute bags and cone-shaped containers made of paper and old newspapers for our day to day use cannot be overemphasised.