

Students of Yesteryears and of Today: A Brief Analysis

At the present critical political juncture of the nation, people do expect students to be forthwith with their primary task of carrying on with education in order to shape up as noble citizens and be worthy of assuming leadership of the nation in due course. But in the process, if any unholy forces come in their way to pose obstruction in their path, they should consider it their ordained duty to remove them at all costs.

WHEN one looks back into the past, the life one has spent as a student comes up at the top echelon of events which remain ever shining in one's mind. In most cases, people nurture happy reminiscences of the past. They become nostalgic by remembering what a carefree life they had spent during the entire duration of student life and feel somewhat sad by comparing it with the dull drudgery and the heavy burden of worldly responsibilities they have to carry with the passage of time. Students in those days, indeed, indulged in politics, albeit of varying degree and nature, which appear strikingly different from student politics of the present time.

When we compare life of a student of the past, say half a century ago, and the present, it portrays a dismal picture and does not only sadden one's heart but also fills one's mind with a deep sense of dismay and despondency. This feeling relates to the prevailing situation of today as much as that of what portends to the society in future. The projection of what may lie ahead of the student society, if it is estimated in the same progress or otherwise, will not only be most disappointing but utterly frightening. Let us analyse the situation in its true perspective briefly.

While we were at school in the 40's, the period was the final stage of British Quit India Movement. The Muslims of India, particularly in undivided Bengal, overwhelmingly voted for the creation of Pakistan as a separate independent homeland for themselves. The primary reason

lay in what they believed that in an undivided India Hindus constituting vast majority of the population would unduly dominate Muslims and hinder the normal practice of Muslims to pursue their culture, tradition and even religion. I was then studying in Calcutta and recall that our movement consisted primarily in attending some political rallies and observing hartals, only in educational institutions, on rare occasions. The most memorable landmark to me was on 14 August 1946, what was termed as "Direct Action Day," when Mr. Hussain Shaheed Suhrawardy, the then Chief Minister of Bengal, held a mammoth public meeting in Calcutta in support of Pakistan movement. Communal riots between Hindus and Muslims ensued and subsequently British India was partitioned into two sovereign states, namely India and Pakistan. The stalwart of the Pakistan movement were eminent leaders of Muslim Bengal, such as Sher-e-Bangla AK Fazlul Huq, Maulana Abdul Hamid Khan Bhashani and Hussain Shaheed Suhrawardy. Sheikh Mujibur Rahman was then a young student leader working for the Pakistan movement and was known as a protégé of Suhrawardy. No acts of violence worth its name were committed for the movement as such by the then student community, whose role was perceptibly

secondary to that of political leaders.

The next stage of our political history ranged from 1947 to 1971. The Pakistan that was created in 1947 died a violent death. It was buried with the military crackdown on 26 March 1971 following a force-

and later in the war of liberation many of the students of Bangladesh committed themselves totally to the noble cause not only by sacrificing their primary task of education but preparing themselves for making supreme sacrifice with their lives. The invaluable contribution made

and establish democracy in its true form. The role of students during this period has been quite controversial. After achieving independence, it was evidently the natural expectation of the nation that the young community would apply their mind and soul for preparing themselves to become worthy citizens of the future. Unless they educate, train and equip themselves well to be able to assume leadership of the society in commerce, industry, civil and military service, education and other nation building sectors, the future of the next generation and for that matter of the nation appear much less than desired. This trend trends us on the way to a dismal goal and it must be arrested and reversed. But how could that be possible? That is the million dollar question.

The post-liberation picture of the economy was one of total devastation. The poor state of the economy of the neglected wing of the then Pakistan was compounded by the colossal countrywide destruction suffered during the war of liberation.

Bangladesh did not get its legitimate share of the common assets of the united Pakistan. The near bankruptcy of the economy, lack of employment for the youth and availability of huge caches of hidden weapons naturally led a section of

the unemployed and frustrated youth to take up arms for sustenance. Armed cadres were thus created but students did not join them of their own volition. The prevailing lack of economic opportunities compelled some of them to choose this unfortunate path. The political parties, on the other hand, did not hesitate to exploit the situation and started to patronise such cadres in the erroneous belief of using them for bolstering strength of their respective student wings and to increase their influence among students in general. None of the major political parties, however, would admit that they have armed student cadres but would privately contend that such armed groups had been sustained mainly to prevent violent actions from opposing political parties.

At the present critical political juncture of the nation, people do expect students to be forthwith with their primary task of carrying on with education in order to shape up as noble citizens and be worthy of assuming leadership of the nation in due course. But in the process, if any unholy forces come in their way to pose obstruction in their path, they should consider it their ordained duty to remove them at all costs.



Currents and Crosscurrents

by M M Rezaul Karim

ful movement and a turbulent period as a result of severe military-bureaucratic-industrial ruling clique of West Pakistan. The role played by the student community during this period was phenomenal and highly commendable. Students increasingly played a key, if not a decisive role, in the movement to wrest the political and economic rights of the people of East Pakistan from the ruling military junta of Islamabad, particularly in the latter part of united Pakistan. They virtually took control of the non-violent non-co-operation movement launched by Sheikh Mujib in March 1971 and helped prepare the nation to achieve not only autonomy but even full independence, as and when needed. During this period

by the student community to realise the democratic goals of the nation during this epoch will be written in golden letters in the history of our liberation movement. At that critical period of our national life, activities of students by deviating from their primary task of devoting their time, energy and resources to study was fully justified. But it was an exception and not the rule, and exceptions by its very connotation are seldom applied.

The history of post-Bangladesh period, unfortunately, is a checkered one. For reasons known to many, but interpreted differently by different quarters, our nation has not followed the desired course to achieve economic emancipation

Controversial Dam on the Naaf River

by Harun ur Rashid

The unease created between the two countries must be resolved through constructive actions. Myanmar, having injected itself as an initiator to the sensitive issue, has now clear moral and legal responsibility to defuse the irritant through peaceful negotiations.

THE reported construction of a dam on the border-river Naaf by Myanmar is a matter of deep concern for Bangladesh. The dam if constructed will alter the course of the river and bring in floods causing incalculable harm to the people on this side of the border.

The unilateral initiative for the construction of a dam on the border-river appears to be a surprise for Bangladesh, given the good relations between the two neighbours. It is reported that tensions are high on the border areas as there were reports of shooting between the border security forces of the two countries. Both are peaceful countries and such tensions should not exist.

Myanmar is more than five times the size of Bangladesh with only about 46 million people (Bangladesh has 130 million). Bangladesh-Myanmar border runs about 283 kilometres and the border ends with Naaf river separating the two countries. The 1966 Naaf River Boundary Agreement describes a fixed boundary in geographical coordinates (in longitude and latitude) that goes through the middle of the Naaf river with the right of navigation from the nationals of both sides. The boundary has been stable and is marked with boundary pillars on both sides of the river.

Myanmar is the other neighbour of Bangladesh, besides India. Bangladesh-Myanmar bilateral relations stood the test of time and have been always co-operative and

friendly, even in difficult times. There had been in the past bilateral visits at the highest level between the two countries to strengthen the bonds between the two neighbours.

About 10 Agreements have been concluded with Myanmar including those in areas of land boundary, trade, border trade, transport and prevention of narcotics. The two-way trade between Bangladesh and Myanmar during 1996-97 stood over US\$9 million, Bangladeshi goods to Myanmar worth about US\$3.4 million and Myanmar goods to Bangladesh, over US\$5 million.

Both Bangladesh and Myanmar are members of the regional group, called BIMST-EC, promoting economic co-operation among Bangladesh, India, Myanmar, Sri Lanka and Thailand. Myanmar is a member of ASEAN and Bangladesh is a member of SAARC. In recent days co-operation between the two regional groups has been established for the benefits of the member-countries.

The proposed unilateral construction of a dam on the border-river goes against the principles of good neighbourliness and international law. The Naaf river is a border river between the two countries and

as a result the jurisdiction on the river cannot be of one state. As a result the utilisation or diversion of water from the river can only be made with the consent of the other riparian state.

Customary international law and state practice recognise the interest of the other riparian state in the waters of the border-river. The Naaf river is an international river and it has to conform to the international laws if a party interferes with the normal flow of the waters of the river. There is a uniformity of the opinion that a party cannot intercede with the flows of water to the detriment of the other party.

Some 200 treaties are now in existence for the utilisation of waters of an international river. Statistics indicate that one quarter of the world's rivers are categorised as international rivers and 15 out of 19 largest rivers are shared by two or more countries. According to a UN survey, out of 200 international rivers, 148 (70%) are shared by two or more nations, 31 by three countries and 21 by four or more countries.

In 1961 the Institute of International Law drew up a legal regime for the utilisation of waters of an

international river. The rules bind a riparian state to utilise waters with the agreement of the other riparian state. In 1966 this regime was again reinforced by International Law Association in 1966 in Helsinki. The Helsinki Rules elaborated the legal regime further in Article by placing the limits on the state to interfere with the natural flows of the waters of an international river.

In 1972 the UN Conference on the Human Environment adopted the Principle 21 in Stockholm which stated that the states had the responsibility to ensure that the activities within their jurisdiction or control did not cause damage to the environment of other countries. The Non-Aligned Movement in 1973 adopted a Declaration that measures adopted by a state should not adversely affect the interests of the other state. The ESCAP (UN agency) has conducted many studies on the utilisation of international rivers and suggested a co-operative regime with all the parties involved.

The state practice demonstrates that a riparian state has a legal obligation to work out bilaterally with the interested party to utilise water or interfere with the natural flows of a river. France and Spain

agreement on Lake Lanoux, Mexico and the US agreement on river Colorado are instances in point. The big rivers, such as, Danube, Nile, Niger and Mekong are being regulated by treaties.

The proposed construction of dam will have deleterious consequences for the people of Bangladesh. Not only the dam will cause floods on the territory of Bangladesh but also will give rise to severe degradation of the existing environment and these will be devastating for the hundreds and thousands of people in Bangladesh.

Given the friendly relations and the legal regime under international law, Myanmar has a responsibility to sit down with Bangladesh with respect to the proposed construction of dam on the Naaf river. It is imperative that a joint body at the

expert level should be constituted immediately to study the effects of the proposed dam including the irreparable damage to the territory and environment inside Bangladesh.

Until the conclusion of the study no unilateral construction of dam is allowed to proceed on the Naaf river. If the nationals of Myanmar and not the government propose to construct the dam, under international law Myanmar has the legal responsibility to ensure that its nationals do not violate the rules of international law.

The unease created between the two countries must be resolved through constructive actions. Myanmar, having injected itself as an initiator to the sensitive issue, has now clear moral and legal responsibility to defuse the irritant through peaceful negotiations. There is a saying in the diplomatic circles that the best defence is friendship, the second best is diplomacy and the worst is facing guns.

The author, a barrister, is former Bangladesh Ambassador to the UN, Geneva.

To the Editor ...

BIWTA's role in Meghna tragedy

Sir, The attention of the Bangladesh Inland Water Transport Authority (BIWTA) has been drawn to the Editorials, "Tragedy Again on Meghna" and "Rivers Safety Brass-tacks" published in your esteemed daily on December 31, 2000 and January 3, 2001 respectively. The BIWTA does not question the purpose and spirit underlying the contents of these editorials as being honestly directed towards the very urgency of taking all necessary measures to prevent recurrence of the tragic motor launch disaster that occurred in the river Meghna on December 30, 2000 resulting in the loss of a large number of human lives. BIWTA, however, feels obligated to point out the bare fact that this authority is neither legally nor functionally mandated to look after ship safety matters in inland waterways of the country as would be evident from its chartered functions, summarized as follows:

- 1) Carry out river conservancy works for navigational purpose and for provision of aids to navigation, including marks, lights and semaphores signals.
- 2) Maintain pilotage and hydrographic survey services.
- 3) Draw up programmes of dredging requirements.
- 4) Develop, maintain and operate inland river ports, landing ghats and terminal facilities in such port and ghats.
- 5) Carry out removal of wrecks and obstruction in inland navigable waterways.
- 6) Conduct traffic surveys to establish passengers and cargo requirements of the main river, feeders and creek routes.
- 7) Fix maximum and minimum fare rates for inland water transport on behalf of the government.
- 8) Approve time-table for passenger services.
- 9) Disseminate navigational and meteorological information including publishing river charts.
- 10) Ensure coordination of inland water transport with other forms of transport with major sea ports and with trade and agricultural interests for the optimum utilization of the available transport capacity.

Thus it appears that the principal regulatory functions of BIWTA relate to development of infra-structural facilities with regard to

water transport, conservancy and hydrographic survey services, aids to navigation, salvation of sunken vessels, traffic survey of the waterways etc. None of the matters relating to safety of the water vessels and their passengers, survey, registration and fitness of the vessels, competence of the crew members and enforcement of relevant provisions of laws, rules and regulations etc in this regard come under the purview of the regulatory functions BIWTA has been entrusted with.

You may agree that the essence of a report and more so of an editorial of an esteemed daily lies in putting forth correct implications of the comments/observations not only on the subject matter, but also on its really allied body. In other words, to bring a possible rot to an effective halt, it is not only essential to create requisite awareness for undertaking necessary corrective measures in right earnest, it is also imperative to highlight the actual position for corrective measures to be really useful. But whatever might have been the reasons, owing either to a wrong conception or a fallacious one, through courtesy of the editorial in question, BIWTA has been relegated to the position of a fall-guy. The consequence of the mishap having been a very serious one, public opinion about BIWTA's role easily dictated by the Press, has been understandably a far-reaching one. Thus any wrong perception created among members of the public which the people might be thinking of being 'correct' is sure to have caused a tremendous erosion of the otherwise good reputation of the organization and its personnel. Incidentally, I would like to emphatically mention that BIWTA buckled down to the salvage operation of the sunken motor launch as soon as the news of the mishap reached the concerned officials.

In the backdrop of the circumstances, may I request you kindly to take immediate steps to highlight the correct position through your esteemed daily so that BIWTA can, to some extent, feel relieved of the noxious position that has befallen on it, for no fault of its own in this matter.

Mohd Abdul Huq
Chairman

Bangladesh Inland Water Transport Authority

Save our cities

Sir, The intellectuals of our country have succeeded by their relentless efforts to save the 11,000 trees of the Osmany Uddyan which the government was going to cut down. They compelled the government to abandon its plan by staging sit-in demonstrations, forming a human chain, arranging rallies, and so on.

But why are the intellectuals silent now, when every city of Bangladesh is becoming dangerously polluted by black smoke emitted from vehicles and factories? Dhaka has been identified as the most polluted city in the world and Chittagong is not far behind. According to the media, from 50 lakh asthma patients in 1998 the number soared to 70 lakh in 1999. It is apprehended that in 2000 that number must have increased to one crore. People are suffering from heart disease, chronic obstructive airway disease, diseases of the nervous system, skin eruption, all from air pollution. Children are being affected most, and their physical and mental growth are being hampered.

We request the learned intellectuals not to remain indifferent as the lives of crores of people are in danger. They must do something to open the eyes of the government to the seriousness of the situation, as it seems that the government is blind to the peoples sufferings. We hope that with their wise counseling and perseverance the intellectuals will be able to redress the horrifying situation. People from all walks of life will be with them in their noble pursuit.

Nur Jahan
Chittagong

Fatwa and Islamic life

Sir, Fatwa is an Islamic term mentioned in the Holy Quran and Hadith of the Prophet (SM). It refers to a legal opinion on various

matters necessary to our day-to-day life by an authorised person or institution. The system of fatwa has been continuing in the Muslim world through the ages. During the Islamic Khilafat the state and government patronised it. Even during British rule in our sub-continent, the practice was continued with the patronage of distinguished and respected *ulema*. Without the system of fatwa it is impossible to lead a life as a Muslim. Fatwa not only deals with the matter of marriage and divorce, but with all aspects of life for Muslims. It is very helpful for our nation and country. Otherwise the government would have to set up many Shariah courts.

In this particular case, as reported by the media, when a married woman was made to contract a *hilla* marriage to another man, a fatwa may not have been correct but in innumerable cases it helps us very much. Therefore, because of a particular case we cannot blame or ban the whole system which is a part and parcel of our Islamic system of life.

We request the persons and groups of both in favour and against fatwa not do anything which may be detrimental to our belief and tradition. We do not like to question the intentions of the honourable judges of the High Court. We think their intention was to regularise the system of fatwa, not to ban it. But a group of anti-Islamic people in our country started activities in such a way that it was not acceptable to common Muslims and would harm the nation and even the government. We request the Islam-loving people to be patient, using logic and *hikmat* (wisdom), to face evil forces. They must be united, explain the matter in detail to the masses and automatically, the Muslim Ummah will stand behind them and the few bad elements will be washed out of our land. There is the Supreme Court for appeal in this matter and we hope the highest court of Bangladesh will give a verdict in favour of the truth as they have done before.

Meanwhile, we must not waste time but continue the struggle for the cause of Islam.

Dr Sultan Ahmed
Dhaka

Modernising Municipal Administration

by Abul M Ahmad

The prevailing situation forces us to have a closer look at the very definition of a society. The Mayors must not forget their national role—it is more than removing garbage.

BOTH the elected regimes (since 1991) grossly neglected the essential master project on the modernisation of the outdated municipal system of administration in Bangladesh, considering the accelerated pace of development projects, and the huge quantum of urban migration in the third world cities, including Dhaka and elsewhere.

This is in sharp contrast to the intense enthusiasm displayed by the politicians during the mayoral elections. Hankingering for elected posts is a misguided pastime, neglecting the professional and technical aspects of running the cities properly in a scientific manner.

It is not that the response from the international donor agencies had been lukewarm, but the gross apathy of the top leaders to pursue the national priority cases is a typical attitude of our political leadership (narrow-minded localised vision can't think big at the national [not party] level).

The current city garbage growth rate is exponential, but the staff, budget, and the existing services are geared to conditions prevailing 50 years ago. The next problem (after collection) is its environmentally safe disposal. The latter issue is having some exposure in the media, but the clearance rate must be ahead of the garbage generation rate (it should be indicated in the project document). How many integrated schemes are working, or rather not working, in spite of all the necessary paper work? How offal-dom is complaining, and who are listening at positions of authority? How the gap between project targets and the rate of implementation measured? Monitoring must have a viable outlet to indicate public approval (it will take some space to explain this mechanism).

There are two grey areas: lack of general transparency, and lack of localised accountability and job responsibility. At the professional level, simple awareness of the problems is not enough, the remedies proposed must be practically workable, including the budget provision, and necessary strength of trained staff. On the other side, the government as facilitator has to make its presence felt. Both the

municipal corporations and the government policy makers are passing on the buck, and the Mayors are basking on public speeches! Amateurish political outlook cannot be expected to have any respect for professional system analysis. Give the politicians a good workable system, and soon the maintenance fails. It is not the dearth of new projects, but the failure of maintenance in new and old situations. The politicians may be very technically minded politically, but when it comes to supporting the technical professionals, the weakness in the local political system is exposed. All failures in the public sector is magnetically diverted to the weak political culture prevailing today.

Unless the politicians improve themselves (internal cleanliness), phony sermonising will not help the state or the nation (e.g., a defaulter has no right to stand on a public platform). A new nation is always in a hurry, hence there is a mental tendency to seek short-cuts is all walks of life (the next stage is how-to-get-rich-quick). We know the price (to be paid ultimately in the long run) of short deals, but we are learning the lessons too slowly. This is a typical subjective and individualized attitude towards public services; and the trend is, unfortunately, not changing. The politicians are taking advantage of the poor (in many respects) voters, facing three decades of the beautiful wasteland.

The leaders have to pay more attention to daily routines and maintenance, and not glamourize new projects. The heavy workload on the city municipal system is overloaded with urban migration. The latter is a separate political issue, seeking planned remedies. Chase the welfare of the party, or the progress of the society? Both are not seamless, as it is made to appear. Political bluffing is an art which has to be depreciated.

The prevailing situation forces us to have a closer look at the very definition of a society. This topic is not a mystery. The Mayors must not forget their national role—it is more than removing garbage.