

Welcome Kofi Annan

We share some concerns with him

UN Secretary General Kofi Annan's ten-day tour of South Asia has generated considerable media interest, speculations over his seeking Asian support for a second term in office to persuading bitter neighbours and nuclear rivals India and Pakistan to sign the CTBT. His trip also coincides with the disturbing developments in Afghanistan where the Taliban has been carrying out demolition of Buddhist relics with disdainful determination. The fact that he will have a three-day sojourn in Bangladesh is obviously a proof of the importance he attaches to the country. While it is true that his august presence amongst us is in itself a recognition of the country's unflappable commitment to the UN cause, it is out of an extended sense of loyalty to the world body that we would like to share with him our concerns over certain issues of regional and international import.

The United States has held sway over matters related to regional and international peace and security. In public perception, the UN has looked the other way whenever the US government took up 'policing' to resolve, in its own special way, crisis in one region or the other. The UN seems to have washed its hands of the Middle East crisis. UN's work in Bosnia, Somalia, Kosovo, etc. leaves much to be desired. Such a degree of inertia naturally raises the question, whether UN has made way for US to play the peacekeeper of the world. Also, we don't think the UN has played its due role to reduce nuclear competition between bitter neighbours India and Pakistan, thereby inspiring a sense of security amongst the South Asians.

Bangladesh has been a major contributor to the UN peacekeeping missions worldwide. In fact, it will emerge as the largest contributor sometime soon. And the United Nations has been highly appreciative of it. Also, Bangladesh is a non-permanent member of the Security Council. In keeping with such a profile, one would expect to see a higher Bangladesh representation in the UN bureaucracy, both horizontally and vertically. Here, we may recall that not long ago, Bangladeshis adorned key positions at the ESCAP, FAO, WFP, UNHCR, etc. We would definitely expect Annan's attention in this regard.

Long-drawn hostage crisis

Bring this matter to safe end

The hostage crisis in the Chittagong Hill Tracts has become such a long-drawn affair that the government simply cannot afford to let it linger anymore. The safe return of three foreigners who were abducted on February 16th is, of course, our primary consideration. On humanitarian grounds, their predicament must be ended as soon as possible. It is obvious that the authorities must settle the matter through direct negotiations with the abductors.

We fail to understand why direct talks have still not materialised. Government mediators have failed to maintain consistent links with the abductors. Repeated assurances that direct contact between the abductors and the authorities would take place 'imminently' have not borne results. Negotiations have been indirect, erratic, clouded in mysterious obstacles and altogether unsubstantial.

Therefore, while we welcome the latest assurance from the government that a breakthrough in establishing contact with the abductors is expected within a day, we stress in no uncertain terms that this time we expect the impasse to be broken with a finality. Ground conditions sound encouraging with the authorities reiterating their commitment to refrain from using force and the fleeing villagers having actually returned to their homes. The authorities have called for restraint from rumour-mongering and speculation and we endorse this call strongly.

However, we emphasise once again that further delays would cause a serious erosion of confidence in the authorities and could undermine the gains made so far. We would like to see tangible evidence that an effective channel of communication has been established with the abductors and that direct negotiations are underway, leading to a quick and safe conclusion of the crisis.

At the end of the day, the responsibility for a secure and safe hostage return, must be the crux of the government's thrust. With considerable expertise available from domestic and international sources, no effort should be spared to bring the matter to a close. The image of this country stands tested, as does the efficiency of the government.

A route out of poverty

KOFI ANNAN

ROUGHLY a fifth of the world's population lives or tries to on less than one dollar a day. That is a crude measure but it translates into a daily grind of hunger, misery and disease, which no human being should have to endure.

Last September, at the United Nations millennium summit, world leaders resolved to "spare no effort" to free their fellow human beings "from the abject and dehumanising conditions of extreme poverty." Specifically, they pledged to halve the proportion of the world's people living in those conditions by 2015.

Probably no single change would make a greater contribution to fulfilling that pledge than fully opening the markets of prosperous countries to the goods produced by poor ones. At present, farmers in poor countries not only have to compete against subsidised food exports. They also face high import barriers. The tariffs imposed by industrialised countries on staples such as meat, sugar and dairy products are almost five times those on manufactures. The European

Giving the LDCs market access is a crucial first step. I appeal to the other industrialised countries starting with the US, Japan and Canada to follow Europe's lead, without restrictive provisions or reservations.

Union's tariffs on meat products peak at 826 per cent.

Also, the more value developing countries add to their products by processing them, the higher the tariffs they face. In Japan and the EU, for instance, fully processed food products face tariffs twice as high as those on products in the first stage of processing.

In effect, the already industrialised countries, while preaching the virtues of free and fair trade, practice protectionist policies that actively discourage poor countries from developing their own industries.

Such barriers are huge obstacles for developing countries to overcome. Yet even in these conditions annual export earnings are more than \$1,500bn. Obviously, they could earn much more if the barriers were removed. The minimum net gain would be more than \$100bn a year - more than twice the

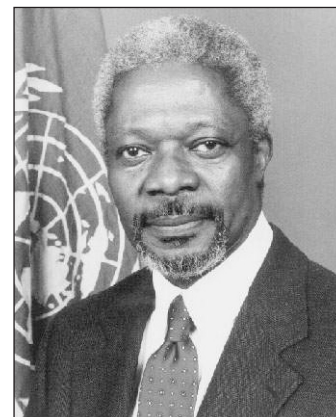
amount of annual aid flows. Over time, as producers adjusted to the new export opportunities, the gain could be much greater. And besides the direct value of export earnings, these opportunities would attract an increased flow of foreign direct investment. At present this is less than \$200bn a year and goes mainly to a few of the most successful developing countries.

The 49 least developed countries (LDCs) home to more than 10 per cent of the world's population - are missing out almost entirely on global trade and investment. Between them they receive only \$12bn in annual aid flows, only \$25bn in export earnings and a paltry \$5bn in FDI.

In two months the UN will hold a conference in Brussels, devoted specifically to the problems of these countries. Market access will be at the top of the agenda. Its importance in the struggle against pov-

erty was clearly recognised at last year's summit. World leaders called on the industrialised countries to adopt, preferably by the time of the Brussels conference, a policy of duty- and quota-free access for "essentially all" exports from the least developed countries.

I am delighted to see that the EU, which is hosting the Brussels conference, has taken the lead in responding to that call. By adopting the "everything but arms" initiative, it agreed to give full duty- and quota-free access to its markets for all products from the LDCs, other than weapons. To reach this decision, Europe's leaders had to overcome resistance from powerful producer lobbies within the EU. They also had to reassure African, Caribbean and Pacific countries, which at present enjoy preferential access to the EU market, that they would not suffer unduly from the concessions made to other LDCs.



But they got their priorities right and by so doing gave a vital political signal. Their decision shows that Europe really does want a fair international trade system in which poor countries have a real chance to export their way out of poverty.

This should give all of us new confidence in the ability of the multilateral trade system, and the World Trade Organisation, to respond to the needs of all countries. - not only the richest and most powerful. It augurs well for a new round of trade negotiations, which this time must really be a "develop-

ment round."

Of course, the EU's decision by itself will not abolish world poverty. Its direct economic impact will be quite small, since most LDCs already have relatively favourable access to the EU's market.

In addition, the LDCs have neither the surplus of exportable goods nor the production capacity to take immediate advantage of new trade opportunities. They will need substantial investment and technical assistance in order to expand their production.

But giving them market access is a crucial first step. I appeal to the other industrialised countries starting with the US, Japan and Canada to follow Europe's lead, without restrictive provisions or reservations.

In the battle to rid the world of object and dehumanising poverty, the Brussels conference must mark a turning point.

Kofi Annan is Secretary-General of the United Nations.

OPINION

The Fatwa :We must know more about it

The tone and content of the articles, "Fatwa, HC Verdict and Recalcitrant Clerics" by A H Jaffar Ullah (January 6th) and "The Grim Fight Must Go On" by Esam Sohail (January 12th) are surprising. The views expressed are erroneous, misleading and devoid of any objectivity. It seems pertinent to throw some light on the subject.

Fatwa is a legal term used in Islam, which refers to a Shari'ah-related verdict issued by a Faqih (Islamic jurist) to one who asks for it (Muja'han Lugat al-Fuqaha, by Dr. Muhammad Ruwas & Dr. Hamid Sadiq, p. 339, Beirut, 1985). The act of giving a fatwa is istifta, the person who gives a fatwa is a mufti, and the person who asks for fatwa is a mustafti (The Holy Qur'an, 4:127, 176; 12:41, 43, 46; 18:22; 27:32; 37:11, 149; also see The Encyclopedia of Islam, Vol II, p. 866, London, 1965).

The institution of fatwa is not something new. It is as old as Islam. Islam is a complete code of life. These rules may relate to ibadat (worship, i.e. prayer, pilgrimage, fasting, zakat, etc.), or any other aspect of life (e.g. food, drinks, income earning, business transaction, marriage, divorce, etc). When, therefore, he/she needs clarification about something from the view point of Shari'ah, he/she approaches a competent authority for an answer. In legal terms, the authority may be an individual or an organization. The individual who provides the answer is a mufti and the answer itself is fatwa.

The muftis played a considerable part in building up the structure of Islamic law. Compilations of fatwas delivered by muftis of repute count among the most important legal manuals of Islam. Among these are Fatawa /Alamgiriyah, a collection of fatwa made by jurists

during the reign of Emperor Alamgir in the 18th century. This compilation, called in Arabic al-Fatawa al-Hindiyyah is published many times (including the recent one published from Beirut). Among other compilations, Fatawa Ibn Taimiyyah, and Fatawa Dewbond are well known. Recently, the Islamic Fiqh Academy, an organ of the Jeddah-based Organization of Islamic Conference (OIC), published in several volumes the compilation of fatwas relating to contemporary issues. Every year, this organization holds in its headquarters in Jeddah, Saudi Arabia, a meeting of the prominent Islamic jurists to debate on contemporary issue in the light of Islam. Muftis from every OIC country including Bangladesh participate in the deliberations held in the regular meeting of the Fiqh Academy.

Among the famous muftis of the South-Asian sub-continent were Mufti Kafayatullah, Mufti Shafi and Mufti Aminul Hsan (ex-Khatib of Baitul Mukaram Masjid). In the Arab word, Sheikh Abdul Aziz Bin Baz, Sheikh Abdul Aziz al-Sheikh (Grand Mufti of Saudi Arabia), Sheikh Farid Wasil (Egypt), Sheikh Mustafa Zaraq (Jordan), Sheikh Wahbah Zuhaily (Syria) and Sheikh Siddiq Dharir (Sudan) are very famous.

In Islam, fatwa is indispensable. It cannot be stopped by a stroke of pen. Only one who renounces Islam can afford to ignore fatwa. Those who bother about religion of Islam can never abandon it. This is because, as indicated earlier, fatwa is a verdict concerning some issue based on the laws of Islamic Shari'ah. It is therefore evident that fatwa and Islamic Shari'ah go side by side and one cannot exist without the other. Therefore, abandoning fatwa means abandoning Shari'ah which, in other words, means abandoning Islam.

The question as to whether fatwa should remain in our country is not only uncalled for but also meaningless because it is a settled matter. Wherever there is Islam, there is fatwa. Fatwa will survive in the country, so long as the cultural structure of the society is not radically changed. So long as Islam is not completely uprooted from our society, a Muslim will continue to seek fatwa and a knowledgeable person will feel it his/her sacred duty to provide an answer to any question relating to Shari'ah laws.

In fact, what is needed in our society is not to ban fatwa but to bring discipline in this institution. After all, no sensible person will appreciate a physician who, as a measure to care headache, suggests to have the head severed from the body.

The need for fatwa arises when one requires to know the rule of Shari'ah about a particular issue. For example, if it is suggested to a Muslim by some physician that he or she should drink his/her own urine as a medicine (a practice followed by some non-Muslims) he/she will definitely approach a knowledgeable person to find out whether it is permissible in Islam or not. Answers to the questions of everyday life (haram and halal, ibadat, etc.) are available in the compilations of fatwas or the books on fiqh (Islamic Jurisprudence).

The problem arises when the issue is complicated and requires expertise opinion or involves two parties with conflicting interests. For such issues, the competence of the mufti must be specified and it should be enforced that only a competent mufti could issue a fatwa. As an incompetent physician can cause death to a patient, similarly an incompetent mufti can create new problem(s) instead of providing a solution.

As Imam Abu Hanifah says, "It is

not permissible for a person, who does not know the sources on which our verdicts on various issues are based, to give fatwa" (Bustamul Arifeen by Nasr ibn Muhammad p. 8, Beirut). Again, the enforcement of any verdict issued by the authorized muftis must be responsibility of the government or a body authorized by the government.

In our society we observe many strange things which are totally unknown in other parts of the world. In our neighbouring village, for instance, a messenger working in a medical clinic is known as a 'daktar'. In such a society, it is not surprising to see that, assuming the position of a mufti, a neem-mulla or a village 'mabor' is issuing fatwa. These sort of practices will continue until and unless discipline is enforced in the institution of fatwa and the light of knowledge is widely spread among the people. Before the era of colonial power, there was discipline in the institution of fatwa in our sub-continent. In other Muslim countries, there is already an existing discipline. For example, in Saudi Arabia, only a selected group of ulema is authorized to issue fatwa relating to a complicated issue. For this purpose, there is a specialized organization called 'Dar ul Ifta, wal Irtshad wad Da'wah' headed by the Grand Mufti. Similar arrangement can be made in our country. And every Islamic Bank has a Shari'ah Board to decide about Shari'ah-related questions concerning banking and finance.

While constructive criticism is always good, it is quite unbecoming for a civilized person to indulge in an affair about which he/she is ignorant.

Murtahin Billah Jasir
Islamic Development Bank,
Saudi Arabia.

Trapped in a vicious time-zone

We undertook a trip to the Sundarbans recently as participants of a training course organised by a public sector training institute. When I look back at the trip, it appears to me that our study tour could be viewed from two perspectives. One, from the perspective of selfish and greedy human beings who want to lead a good life and are always on the look out for pleasures in life; and two, from the perspective of conscientious and empathetic citizens of this poor and underdeveloped country.

From the first perspective, the trip was quite enjoyable. We had good food, were provided with comfortable cabins, our compatriots and faculty members were full of warmth, cordiality and humour, and our outings on the shore and the sea-beach were quite exhilarating. We were however slightly disappointed at not being able to spot many of the flora and fauna that we were on the look out for, including the Royal Bengal Tiger.

But if we look at the trip from the second perspective, the experience was, in some respect, quite painful. It was painful when we could see the primitive lifestyle of the fishermen in the rivers and the sea, braving so many odds only to eke out a subsistence existence for themselves and their families; the misery of the people leading similar lives on the shore and the forests; and the decaying flora and fauna of one of the largest mangrove forests in the world. I felt ashamed when it appeared to me that I was very much an actor albeit on the wrong side of the spectrum--in this global game of exploitation of the poor and the weak. It is a game where the winner takes it all and there is

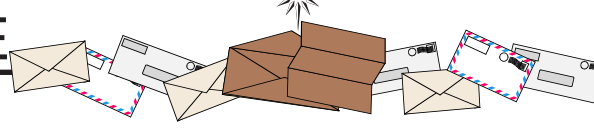
nothing left for the losers. We seem to be playing 'project project games' only at the expense of the poor, the deprived and the underprivileged segments of our society. The winners in these perennial games are the 'metropolitan centres' of the world who want us to play their own brand of game where they invariably win, and the bureaucrats like ourselves who along with the political and business cliques act as the rent-seeking middlemen at national and local levels.

The losers are always the poor and the powerless who constitute 80 per cent of population in this God-forsaken land. What is worse is that we are selling away not only our present, but also the future of our country; we are forever embracing debts and liabilities without any hesitation whatsoever and then indiscriminately passing them on to our future generations. We as a nation seem to be trapped in a vicious time-zone. We seem to be haunted by our past, chased by our present and hounded by our future, and there seems to be no sanctuary in sight, near or afar.

That reminds me of a few lines from 'A Tale of Two Cities' by Charles Dickens one of my all-time favourites. The lines may not be exact, but they pinpoint the predicament of greedy and selfish individuals like me. It reads something like this, 'Sadly, sadly the sun rose. It rose upon no sadder sight than the sight of a man; a man who had good abilities and emotions, but who was incapable of their proper use. Though sensible of the blight on him, he resigned himself to let it eat him away'.

Helal Uddin Ahmed
Editor, Bangladesh Quarterly

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



PHOTORIAL

Readers are invited to send in exclusive pictures, colour or black and white, of editorial value, with all relevant information including date, place and significance of subject matter. Pictures received will not be returned.

Glimpse of a green Dhaka



PHOTO: A K M MOHSIN

The lush foliage is not in a far-off land. It is a street in Dhanmondi, Dhaka. The sidewalk is clean, the shrubbery looks watered and the drain along the wall is not clogged. This was not achieved in one day. It has taken time and effort and constant nurturing to achieve this level of beauty. But it can be done. Dhaka can become green again, as it was not so many years ago. Every one has to make an effort.

Lost luggage

My wife, Makiuda Shaheen left Dhaka for the USA on February 22nd by Emirates Airlines. Her route was Dubai, London, Newark, Detroit. Emirates was the carrier till London. Then she flew Continental. Upon arrival in the USA on February 23rd, she discovered that her two suitcases could not be located. Continental was duly informed and they gave her a reference No. DTWCO45489. She was carrying, among other things, several irreplaceable documents and pictures. Since her return, we have been calling Continental and Emirates every day, but till March 11th, they have not been able to track down the two suitcases.

I have learned from other Bangladeshis here, in Michigan, that they have had a similar experience as well, flying the same airlines. Some have never been able to locate their luggage and some have received minor compensation. One wonders why there is this high rate of luggage loss on Emirates and Continental? Is it because something goes wrong internally, or is this a sign of inefficiency? Or do they not wish to bother searching for lost luggage? Whatever the reason, one is now learning from other Bangladeshis here that Bangladesh Biman is more reliable in luggage handling. I would like to let future flyers know so that they are careful about choosing their airline when they fly.

Ishak Zaman
Michigan

Traffic at Shahbagh

Traffic seems to be backing up terribly near Shahbagh. The reason for this is that apart from private cars and rickshaws, mini-buses and coaster vans are allowed to use the route in front of the Matsya Bhaban. Earlier, they used to be routed past the Press Club, between the High Court and Curzon Hall, by the side of the TSC Road. I would like to draw the attention of the authorities to this serious problem faced by all those who pass through the Shahbagh and Matsya Bhaban crossing. The only solution is to prohibit the passage of coasters and mini-buses past these two crossings.

Md Mizanur Rahman
Green Road, Dhaka

Taliban act

By destroying the statues of Buddha, the Taliban have proved that they are truly a barbaric people, misusing the name of

Islam to further their narrow-minded vision of the world. We are aware that the Taliban have originated from the ashes of American covert and overt military action against the Soviet-backed regime in Afghanistan, action that was abandoned once the Soviet Union collapsed. We realise that this left the people of Afghanistan bereft and at the mercy of all kinds of forces. Out of this confusion and deprivation, arose the militant movement that is now causing so much grief. But still, there is no excuse for this behaviour. The Taliban's repressive acts against women, prohibiting them from moving around freely or obtaining an education, are totally against the basic tenets of Islam.

The world, and especially the Islamic world, must renounce the Taliban's latest act of brutality and force it into a corner so that it accepts the principle of tolerance that Islam specifically preaches.

S. Hasnain
Dhaka

Car chase in Gulshan

The situation is grim. We read about incidents every day in which homes are invaded and people robbed at gunpoint. I was shocked to read about the car chase by a leading ruling party member's son on Friday night in Gulshan (March 11, Front Page). It seems that there is no fear of accountability any more. No one in the ruling elite is in the least bit bothered about being caught by the police. We have reached a stage in which no authority would be able to restore rule of law.

F. Sumon
Gulshan, Dhaka

II

It is simply unbelievable that the son of the Chief Whip has committed such an act of outrage on innocent women and girls! Not only that, but he has gone scot-free afterwards. This kind of incident sends a clear signal to the country, namely that there is no one to rely upon in the administration. No one is neutral, honest or committed to upholding the rights of ordinary people.

If the driver of the car had not managed to escape into the cantonment area, anything could have happened to the girls and their mother. If this is the condition of rich people in society, what chance do ordinary persons have of getting a fair deal from the authorities? The answer, as we know, is little chance. No wonder our young people are leaving the country.

Outrage
Dhanmondi, Dhaka