

CONSCIENCE AND SOCIETY

Move to ban gay marriages deserves appreciation



MUSLEHUDDIN AHMAD

RESIDENT Bush of late deserves an appreciation for his stand: He has proposed an amendment to the US Constitution banning gay and lesbian marriages. This has support of about 56 per cent Americans, but some are expressing doubts whether the Constitution should at all be amended for the purpose or some other measures, including Executive Orders, be taken. The reason probably is that during the period of 213 years the US had only 17 amendments to its Constitution. Some feel that the amendment would be discriminatory while some others see it as President Bush's political move during the election year. This may be seen as a political move, but this undoubtedly has moral justification. The Democratic Presidential contenders evaded this issue and did not make any comment except one Presidential candidate (not the front runners) who reportedly said one should not bother about who goes to bed with who; the main concern should be how many are going without jobs. This only shows one's lack of respect for the moral and social imperatives thus reflecting the

sign of a decadent society.

Regardless of different views expressed by some in the matter, gay marriage is absolutely against what Almighty God ordained for His creation -- setting the rules for marriages which can happen only between opposite sexes. Even dogs and cats and all other creatures other than human beings strictly follow Nature's Order in terms of union of male and female. The

nearer to God spiritually. Pope John Paul also opposed the gay marriages reflecting the view that it degrades the sense of natural marriage which has been ordained by God.

Gay marriage destroys the very concept of a family -- something God has ordained through Adam and Eve. The whole civilization was created and advanced thereafter on the basis of the union of two opposite sexes. Indeed,

of individuals are obviously constrained by the society's order and set rules of behaviour. Moreover, when an individual talks of his rights, he must also be aware of his obligations to the society in general. One cannot do whatever he likes; the limits are already set by the society's norms. One may say that he has the right to dance naked in public. But can he do that? Obviously not. If he does so he will be considered mad and be dealt with appropriately. The same goes for gay marriages. So the rights and the freedom of individuals living in a society stand circumscribed to the extent the society can bear it.

The gay marriages go against the very basis of God's creation -- union of opposite sexes starting from the days of Adam and Eve. Any one going against that must be dealt with appropriately for the sake of appropriate social order and above all to show respect to what Almighty God has ordained for His creation. Therefore, appropriate law should be enacted if it does not exist. Hence President Bush's stand on Constitutional amendment for banning gay marriages is right and deserves support from the American people as well as the Congress. This should be a lesson for other countries too which are allowing gay marriages and other anti-religious and anti-social activities like cooperative marriages between opposite sexes in the name of freedom and rights of individuals.

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union of same sex is totally unnatural and seen as a sin.

Indeed, in the Scriptures it is clearly mentioned that God destroyed the people involved in such abominable and sinful acts. Some time ago, a gay man was appointed as Bishop at an Anglican Church in the USA despite the fact that this was objected to by many Bishops and Cardinals in Anglican Church in both the UK and the USA. Indeed, this raised hue and cry among the people with right mind and having strict adherence to Faith. Today Anglican Church stands divided on this issue. There is absolutely no doubt that the man, being gay, has been committing sins knowing full well that it is a sin and therefore he is in no position to help any one to be

God's creation would come to a standstill if all the people on earth turn gay. Therefore, it is totally anti-God and against the basic tenet of Faith and must be rejected by the society at large. Gay marriage must not only be banned, the people engaged in such anti-religious and anti-social activities should be punished appropriately.

Some people say that the deadly disease of AIDS had its origin from the people engaged in gay acts. Only the experts of diseases and medicine can confirm this. If it is a fact, then this must be banned to also stop further spread of deadly AIDS.

The rights of an individual and group or groups emanate from the fundamental tenets of God's creation and good order of a society. The rights

Nothing is cast in stone

An interview with Iraq's Sheik Al-Hakim

Ayatollahs, like popes, do not give press interviews. But they do want to be heard. Grand Ayatollah Muhammed Hussein Saeed al-Hakim is one of Iraq's top four ayatollahs, who make up the Howza, the supreme religious authority for the country's Shiite Muslims. Another grand ayatollah, Ali Sistani, the most senior of the four members of the Howza, is so influential that when he called for direct elections to choose a government to rule Iraq, the Americans felt obliged to comply. Last week he accepted a plan to hold a ballot by the year-end. Al-Hakim's spokesman and son, Sheik Muhammed Hussein al-Hakim, met with *Newsweek's* Rod Nordland at the cleric's home in Najaf. His views are those of his father and the Howza, he explained, including Sistani. *Excerpts:*



Q: After so much tragedy (under Saddam), how do you see the future for Iraq's Shia?

A: The oppression, then, was by a violent minority over the nonviolent majority. That is over. This is the beginning of a future for Iraq in which the rights of the individual are respected.

Q: How do you feel about the U.S. occupation?

A: The occupying power will stay for a certain time, but occupation cannot last for very long, especially in the 21st century. The main thing is not to impose the future on us, as the British did.

Q: Your leaders, including Ayatollah Sistani, have softened demands for elections.

A: We demanded elections, first, to establish clearly who sovereignty is handed to, and second, to give legitimacy to the future government. The United Nations thinks early elections are not possible but promised they will be held as soon as

possible, not later than the end of this year. But sovereignty has not yet been clearly spelled out. Who will it be handed over to?

Q: What sort of government do you want?

A: A fully legitimate government. But the somewhat good thing about the American attitude is that they are always open to discussions, and this will create room for guidance. What's important is that it be on the basis of population composition, with the preservation of the rights of all factions and all nationalities.

Q: But none of the ayatollahs in the Howza have spoken to American officials.

A: No, clergy with a spiritual message should not be involved in political negotiations with political leaders. But we were in continuous conversation with all the influential authorities, and we were also in a continuous contact with the office of His Eminence Sayid Al-Sistani, in order to have a clear and unified

position.

Q: Some Sunnis have challenged the accepted view that the Shia make up 60 percent of Iraq's population.

A: If so, they would have accepted elections.

Q: When do you feel the Americans should withdraw from Iraq?

A: As soon as possible. Remember, at the beginning of the war the Americans said it would be only six months.

Q: Now they suggest it will be years.

A: There is something about the nature of America. All its attitudes can be changed; they do not say one thing once and for all. Nothing is cast in stone.

Q: What if you don't get the government you want, or the Americans stay longer than you feel is necessary?

A: Shias are very patient. We will keep telling the world and the Americans that occupation is nei-

ther in the interest of the American people, nor of Iraqis.

Q: Is violent opposition justifiable?

A: What's happening now cannot be considered resistance against the occupier. It hurts the Iraqi people. How many Americans have died? Iraqis have suffered more.

Q: What role do you see for Shia law and Islamic legal principles?

A: We want the Americans to understand that circumstances in this country are different than in Iran. Americans should not keep saying, over and over, that they don't want a government similar to the one in Iran. This is not a real concern; none of us expect this. Our clerics do not seek political posts for themselves, and that's why as soon as the regime fell we advised clerics to steer clear of politics. But that does not mean a cleric is not entitled to go into the field of policy.

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Chittagong port: Under the spotlight

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CHITTAGONG port is the main gateway of Bangladesh through which 85 percent of the sea-borne trade of the country moves. As such its importance in the national economy is paramount. The port needs to be efficient, productive and cost effective so that we can compete, survive and flourish in this age of globalisation.

Multiplicity of problems

We often experience a multitude of problems while availing of the Chittagong Port facilities. The problems are mainly operational, resulting in low productivity and high cost of port activities. The tip of the iceberg is that the vessel and container turnaround time is very high, thus pushing up the operational costs of the shipping companies. Such cost inefficiencies ultimately increase the costs of our export and import, nay the economy.

The main operational problems that we often experience are the following-

Over-capacity handling: Chittagong Port is working much beyond its handling capacity. It does not have the adequate and modern infrastructural and equipment facilities to efficiently cater to the requirements of our sea-borne trade.

There is a huge supply-demand imbalance. The under-capacity and under-equipped supply facilities of the port adversely affect the productivity and operational efficiency, resulting in delay of vessels and container/cargo handling, cost escalations and increased handling and shipment time.

Low productivity: The average productivity of Chittagong Port in July 2003 was 175 moves per container vessel per day. This reflects a very low productivity. To compare, in the same month Kolkata had 220-240 moves/day, Cochin 225 moves/day, Mumbai 295 moves/day, Karachi 254 moves/day.

High turnaround time: Though over the years the average berth-stay time of the container feeder vessels has decreased due to the positive effects of learning curve and CPA's (Chittagong Port Authority's) increasing priority on the container vessel handlings, it is still very high compared to other ports of the region.

Presently the average turnaround time of container vessels at Chittagong Port is 5/6 days, which is very high by any standard. Reduction of turnaround time is important from cost point of view. Each day costs a container feeder vessel between US\$5,000 to \$10,000.

Lack of farsightedness: Though over the years container throughput in Chittagong Port has grown substantially, the number of berths and the container storage yard/area have hardly increased.

Container growth: There has been an average growth of 13 percent per annum in the number of containers handled at Chittagong Port during the last few years.

has only three purpose-built container berths, which have been there for over a decade. They are also using three (sometimes more) general purpose berths to handle container vessels. There is obviously a functional difference between a purpose-built berth.

Surprisingly during the past few years government and CPA have not taken prompt and realistic steps for building up new container terminals to cater for the increasing growth of container traffic.

Private off-docks: a bridge between growth and impasse: In the last few years a number of private off-docks have come up to cater for a very substantial part of storage of empty containers and stuffing of export containers. In this respect, CPA, Chittagong Customs, National Board of Revenue (NBR), Bangladesh Export Processing Zones Authority (BEPZA) and the private entrepreneurs really deserve appreciation and credit for the bold, right and timely steps they have taken.

Had there been no off-docks, Chittagong Port with its present infrastructural facilities would have miserably failed to cater for the import and export growth and requirements of the country with horrifying consequential effects on our international trade and domestic economy.

Handling equipment problems: CPA owned/leased equipment, prime movers and trailers are used for moving containers/cargo from and to the vessel hook points and for stuffing and unstuffing. Private equipment are hardly allowed.

CPA does not have modernised handling equipment, like gantry cranes and RTGs / trans-trainers which, if installed, could substantially push up the productivity of vessel and container handling operations.

CPA lacks in some special purpose cargo handling equipment and heavy lift equipment for container handling. For example, CPA does not have the required equipment for discharge of the over-weight (over 30 tons) containers. As such CPA insists on the Shipping agents / Main Line Operators (MLOs) for making their own arrangement of their own risk and responsibility to discharge such over-weight containers.

System loss: We have experienced clock workers, but their attitudes, priorities and political / union polarisation deter their efficiency and productivity. They also need greasing for speeding up, and greasing costs money. In addition, there is always a system loss of at least three hours every day, because of late start and early finish of port equipment operators and labour gangs. As per shift timing we have 22 hours of operational time. So, practically speaking, round-the-clock port operation effectively means 19 hours of operation, i.e., 79 percent utilisation in normal situation.

Other operational problems: The following problems add fuel to the fire-

In order to facilitate economic growth, the government should immediately give due importance to the port sector and take appropriate action so that the efficiency and productivity of Chittagong Port improve significantly, and Chittagong Port is no longer branded as one of the most expensive ports in the world... Let the government take it as an agenda for a 5-year term, and let work on today as well as on tomorrow.



navigational channel; (iii) Docking of the Naval crafts/vessels in the port channel; (iv) Absence of dredging of the channel and jetty front on regular basis; (v) Absence of VTS (Vessel Traffic System).

Security problems: We sometimes hear about pirates attacking vessels at the outer anchorage, pilferage of cargo while in port custody, and at times (though rare) even physical attacks on the foreign sailors inside the port premises. All these erode the image of Chittagong Port in the eyes of the foreign ship Owners. Result is reluctance to call Chittagong Port or addition of a risk premium to freight charges, specially in the case of break bulk vessels or charter hire.

Bureaucratic problems: Lengthy Custom formalities for clearance of import, inadequate auction facilities coupled with CPA and Customs bureaucracies, age-old law and regulations and lack of coordination between CPA and Customs also contribute towards operational slowdown and pushing up of cargo handling costs.

Due to lack of clear-cut guidelines, the "authority-responsibility" matter occasionally oscillates between CPA and Ministry, particularly depending on the desire of the Ministry. As a result, policy decisions suffer at the field level, adding to the miseries of the port users (particularly shipping companies), with consequential decrease in management and operational efficiency of CPA and port users.

Problems Government, the major contributor
If we look beyond the surface of the port problems, we find the government and the

bureaucracy to be the major hurdle arresting the smooth operation of the port, which is very much a government controlled sector.

International trade is driven on business and commercial considerations where time and cost are key factors. But to the much detriment of our trade and economy, government has failed to build, develop and equip the Port facilities to meet the challenging requirements of our foreign trade due to red-tapeism, indecision, slow decision, knowledge gap and lack of farsightedness. What is required is the right vision, probusiness action plan and effective and timely implementation of the same.

Inefficiency: A case for privatisation

In order to address the operational efficiency problems of the port, we should go beyond the realm of operation and talk about ownership, management and operation.

It may be prudent to privatise the operation of the port as much and as fast as feasible. One way of privatisation, which has already started, is by moving the cargo and container handling activities to the private off-docks. Presently the private off-docks are storing empty containers and stuffing export containers only. The services of private off-docks may be increased by allowing them to handle FCL (Full Container Load) import containers also. This will automatically lead to privatisation of a substantial part of the port activities, in terms of ownership, management and operation.

In the long run the port may restrict its activities to vessel handling, non-

containerised cargo handling and LCL (Less Container Load) containerised cargo unstuffing.

CPA may even think of privatising a substantial part of their equipment operation like prime movers, trailers, fork lifts, etc. by allowing the direct users to operate their own hired equipment on some realistic basis. Of course, this policy should be taken after proper examination. And a realistic modus operandi should be framed before opening the doors of such privatisation so that the port activities do not become a prey of chaos, confusion, congestion and indiscipline.

CPA may even consider giving the security services of the Port premises to the Private Sector.

In due time the government may consider converting the New Mooring Project into a public quoted company, having a legal entity separate from that of CPA. The management should be completely independent and run professionally. The operator should be given a free hand to employ labour and stevedores of their own choice. No Union should be allowed in that company, instead labour and employee welfare committees may be allowed to represent their interests.

Privatisation of port services will be in line with the over-all government policy that the private sector should work as an engine for development and the government should work as a facilitator.

Recommendations
Since the problems of Chittagong Port are multidimensional, we have to take a

challenge that the government, CPA and the Unions have to collectively and successfully meet.

Private off-docks: Off-docks should be seen as an extension of the port facilities. CPA may take a policy for not storing empty containers in the port premises beyond 21 days and reduce their lift-on and lift-off charges to encourage empty removals from the port to the off-docks. CPA and Customs Authority may also consider allowing FCL import handlings in the private off-docks.

Simplification of procedures: The customs and port procedures, particularly for import, should be simplified, and the decision making chain in this respect should be curtailed. As a simplification measure, the Port and the Custom authorities should introduce computer on-line connections with the main port users like shipping agents, C&F agents and stevedores, and install necessary softwares for transmission and exchange of the required information and data.

The custom auction sheds should be increased, and auctions should be expedited to ease congestion in the port.

There should be a Port Operation Committee comprising of Custom and CPA officials and representatives from port users in order to ensure smooth operation

by untieing the procedural knots that may crop up from time to time.

Decentralisation of authority: CPA should be given more freedom to run their affairs independently and efficiently within the policy framework to be given by the Ministry.

Concluding remarks

In order to facilitate economic growth, the government should immediately give due importance to the port sector and take appropriate actions so that the efficiency and productivity of Chittagong Port improve significantly, and Chittagong Port is no longer branded as one of the most expensive ports in the world. It is impossible to do it overnight. But let the government take it as an agenda for a 5-year term, and let work on today as well as on tomorrow. We can then hope to see Chittagong Port changing from bud to bloom in the day to come.

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