

Women's rights in retreat?

HAMEEDA HOSSAIN

FOR over 30 years now, successive governments in Bangladesh, in keeping with constitutional guarantees, have made several principled pronouncements to gender equality and non-discrimination. They may have been persuaded by a strong women's movement, or in deference to aid promises. By ratifying UNCEDAW in 1984, and adopting the Beijing Platform of Action in 1995, Bangladesh made a commitment to introduce policies and laws which would promote equality through affirmative action for women's advancement, where necessary. A 12-point National Policy for the Advancement of Women, prepared in consultation with many women's groups across the country, was enacted in 1997. Under its guidelines, a national plan of action was formulated for each ministry. More recently a draft PRSP paper has also identified gender equality as an indicator of policies for poverty alleviation.

Bangladesh has won many plaudits for enabling women's access to opportunities, particularly in education and employment. Just a few weeks ago the World Economic Forum acknowledged that women's enrolment rates were up and maternal mortality rates had gone down. This was welcome news, but there is a general consensus that much more needs to be done to effect changes in women's rights and to enable their participation in decision making.

Now, it seems that the government may be reversing its position. A recent publication by the Ministry of Women and Children's Affairs, titled "Jatiyo Nari Unnayan Niti 2004" contains changes made in some of the articles in the 1997 policy document. These proposed changes reverse the earlier commitments made in 1997, and are likely to a backslide in women's rights. These changes are not merely stylistic but could indicate a shift in government thinking. It is strange that the publication does not mention whether they resulted from any consultations with concerned groups, or if they have been presented to the Cabinet. But the publication itself has raised questions as to what influences are at work to bring about a change in the official position. In another instance, the majority party has gone back on its electoral promise of introducing a system for direct elections to women's seats in parliament. This was a commitment made at the time of the elections by both major parties. The Fourteenth Amendment has raised the number of reserved seats to 45, but the mode of election is clearly undemocratic and not a step in women's advancement, as the women members are to be selected in proportion to political parties represented in parliament, and they will not represent a constituency. In yet a third instance, the Ministry of Local Government tried to undercut the power of women's councilors in the Khulna City Corporation by issuing instructions to limit their portfolios, which would make their role unequal to that of male representatives.

Implication of Changes in the National Policy for Women 2004

In 1997 the National Policy was formulated in consultation with many women's groups, and had drawn upon the Beijing guidelines. In 2004, amendments to articles 7, 8, 9 and 12 have changed the fundamental language of rights. If the new

policy is adopted by the Cabinet, it will deny women rights to property, land and inheritance, it will limit their access to employment opportunities, deprive older women of much needed support, and it will not promote their equal participation in public decision making. The implications of these changes can be compared in the language of the two documents, (relevant changes are indicated in bold).

Art 7:NPWA 1997 **E n s u r e** women's equal rights in formulation and implementation of economic policy (trade policy, currency policy, tax policy etc.).

NPWA 2004 **E n s u r e** women's constitutional rights in formulation and implementation of economic policy (trade policy, currency policy, tax policy etc.).

NPWA 1997 Provide equal opportunity and partnership/share to women in property, employment, market and business.

expand and develop support services e.g. child care, child daycare centers at workplaces, housing, healthcare and entertainment facilities for elderly, helpless and disabled women for ensuring their participation in economic activities and development process.

NPWA 2004 Introduce, expand and develop support services e.g. child care, child daycare centers at workplaces, housing, healthcare and entertainment facilities for helpless and disabled women for ensuring their participation in economic activities and development process.

Art 8:NPWA 1997 Motivate non-government institutions including women's organizations to carry out campaign programs for inspiring women's active participation in politics.

NPWA 2004 Sentence Deleted
NPWA 1997 Take initiative for holding direct election in increased

pation, based on recommendations of the United Nations Economic and Social Council.

This move into reverse gear has puzzled most women's rights activists, particularly as official rhetoric on gender equality has not changed. The PM in her public speeches never fails to mention her government's role in the advancement of women. And, last July, when submitting Bangladesh's Fifth Report to the UN Committee on Elimination of all forms of Discrimination against Women, the Minister for Women's Affairs committed her government to removing the remaining obstacles to equality, with particular reference to equal rights in marriage, property, citizenship and political participation. The Women's Ministry publication has thus given rise to doubts about the government's position on women's rights.

women who take their seats in parliament under this legislation will not be likely to speak on behalf of women or to seek positive legislation.

Unequal Responsibilities for Local Elected Representatives

Last year, the Local Government issued instructions to the Khulna City Corporation that women elected to reserved seats would be allocated responsibilities different from those of their male colleagues. This was an obvious move to undermine their role in local government. As it is they had to overcome an inbuilt animosity from their colleagues, so the local government directive has succeeded in further undercutting their effectiveness.

These separate moves indicate a tendency to undermine women's capabilities not only in public decision making, but in accessing opportunities as well. The changes in policy, the reversal in its position on women's representation and directions by the Local Government, which are likely to reinforce discrimination, are all part of a package and not a mere oversight. It suggests a fundamental reversal in a commitment to the principle of gender equality which needs to be challenged.

Women's Campaign for Justice

In their campaign for justice, women have often turned to the Courts. In the case of the Khulna City Corporation the High Court had indeed given a progressive direction to the administration for allocation of equal responsibilities to women and men councilors. Even if their electoral process is different there is no reason to assume that women do not have equal capabilities. In response to a writ petition filed by several activist women's organizations challenging the constitutionality of the Fourteenth Amendment, the High Court has unfortunately not taken a broad view on the application of Articles 10 and 27 of the Constitution. Under the former, the state is expected to promote the political participation of women, and the latter recognizes the principle of affirmative action to eliminate discrimination. How is the selection of 45 women in a house of 300 supposed to represent equality? The selection process in parliament can be seen as little more than a division of loaves and fishes between different political parties. It is certainly not democratic? The petitioners in their appeal would seek to persuade the Appellate Division to express a better appreciation of the state's constitutional and international commitments, and to indicate a progressive direction towards implementing equality provisions. An observation from the High Court that parties should not deviate from their electoral commitments should not be taken lightly by political parties.

Women need to campaign more effectively against an impending backslide. As this is likely to affect all women, on all political sides, the campaign should bring women of different political affiliations together to resist likely regression in the personal and public spheres. It calls for a wider sharing with women's groups across the country so that our actions are more concerted whether we address the political decision makers directly or through the courts.

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Women need to campaign more effectively against an impending backslide. As this is likely to affect all women, on all political sides, the campaign should bring women of different political affiliations together to resist likely regression in women's rights in the personal and public spheres. It calls for a wider sharing with women's groups across the country so that our actions are more concerted whether we address the political decision makers directly or through the courts.



Seeking seats in parliament

NPWA 2004 Provide equal opportunity to women in employment, market and business.

Art 7.2: NPWA 1997 Provide full and equal opportunity and control over right to land, earned property...inheritance, property, credit, technology, which are essential for women's economic empowerment; and enact necessary new laws to put these rights into practice

NPWA 2004 Provide full and equal opportunity and control over earned property...which are essential for women's economic empowerment; and enact necessary new laws to put these rights into practice

Art 7.3: NPWA 1997 Take all out initiatives for employment of both educated and illiterate sections of women labor force.

NPWA 2004 Take all out initiatives for appropriate employment of both educated and illiterate classes of women.

Art 7.4: NPWA 1997 Introduce,

reserved seats in the National Parliament after completion of the current term in 2001.

NPWA 2004 Take effective measures including increasing reserved seats to ensure more participation of women in the National Parliament.

Art 9: NPWA 1997 Appoint women in high positions including Bangladesh high commissions, university grants commission, planning commission and judiciary.

NPWA 2004 Deleted

NPWA 1997 Take all out initiatives to appoint women in 30 percent posts at all levels of decision-making including policy-making process to ensure their equal and full participation, based on recommendations of the United Nations Economic and Social Council.

NPWA 2004 Take initiatives to gradually increase the existing quota at all levels of decision-making including policy-making process to ensure their more partici-

Inequality in Political Representation

A similar ad hoc reversal took place on women's representation in parliament. Even after several ministers had spoken out publicly in support of direct elections to various women's groups, the ruling alliance went back on its electoral commitment to direct elections. The Law Minister in particular was none too fussed at swallowing his words when he introduced the Fourteenth Amendment, according to which 45 seats in addition to 300 general seats are to be reserved for women. But they will be selected by different parties already represented in parliament. This bill is not in the spirit of an affirmative action: it will do little to enhance women's representation of a constituency since they will represent the parliamentary parties and will not be responsible to a constituency. Given their non-representative character, the

Jinnah - how much secular, how much communal

ASGHAR ALI ENGINEER

ADVANI's recent statements about Jinnah describing him as secular leader has raised a storm of controversy about him in India and large number of people are writing and expressing their opinion about him. It is quite natural. Jinnah, at best, would remain controversial figure in India for a long time to come. Advani's statement came as a shock not only to the Sangh Parivar but also to any secularist. Advani and his parivar had always reviled Jinnah and hence the shock.

It is difficult to guess why Advani said what he did in Karachi. Did he become sentimental in his 'home town'? Was he overwhelmed by the reception and hospitality he got in Pakistan as he and his Parivar had always demonised Pakistan? Or was he trying, as some politically aware people think, to project his image as a moderate now after his tryst with extremism? And if so why his temptation for moderation? One surmise is that he is eyeing prime ministership of India if ever NDA comes back to power again as Vajpayee is too old to be in the prime ministerial chair again.

However, it could also be a genuine change of heart. One cannot rule out that possibility also. Advani had joined the RSS when he was in Karachi and hence espoused communal ideology based on hatred of Muslims and much more on hatred of Muslim League and its leaders. Ideology always creates certain simplistic beliefs and divides the world in black and white ignoring all in-between shades.

Ideology often becomes blinkers and makes its believer ignore

complex realities and tread the straight path of ideology and hence she/he becomes victims of her/his own ideological beliefs. Advani, as believer in Hindutva ideology could be no exception to it. But when one comes face to face with reality and experiences something contrary to one's ideology, one could be easily shaken and change one's view. It is difficult to say whether Advani had changed his views genuinely in the light of his experiences in Pakistan. However, I am inclined to think there is an element of genuineness in Advani's changed view of Jinnah.

One thing is sure that Advani did not retract his statement back home in India. He stuck to his guns. Usual politicians take recourse to having been misquoted by the media, he did not take any such plea. But under intense pressure from the Parivar he did only partly retract saying he did not say Jinnah was secular but that Jinnah's concept of state was. No one can deny Jinnah's speech on 11th August 1947 in the Pakistan Constituent Assembly. In that respect Advani cannot be faulted. Also it is a fact that Jinnah was described as 'ambassador of Hindu-Muslim unity' by Sarojini Naidu after Jinnah helped forge Lucknow Pact between the Congress and Muslim League in 1916. Here too Advani cannot be faulted.

But the question is did Advani not know all this before he went to Karachi? If he did, why he kept on demonising Jinnah along with his political Parivar? Why did he make such statement only after going to Pakistan? The only possibility is that either he is now trying to project his image as moderate or since the RSS has demanded his resignation and he

Jinnah will remain highly controversial in Indian subcontinent evoking great admiration for some and total condemnation by others. This is inevitable. Here are very few who would take a balanced view keeping all the factors into account. Neither uncritical adulation nor total condemnation of Jinnah would do. A critical evaluation is highly necessary. Perhaps more time might be needed for this. Half a century may not be enough on history's time scale.

has agreed to resign from the BJP presidentship at the end of 2005 he now wishes to go down in history as a changed man. Anyway after he resigns as president of the BJP he may not have politically crucial role to play in the Sangh politics.

Having said this another important question is how to characterise Jinnah? Was he communal or secular. One columnist has suggested Jinnah was "pseudo-communal" and more westernised than an authentic Muslim. It is very difficult to honestly assess Jinnah in India. His name arouses strong emotions as he is seen as solely responsible for dividing the country. It is not only the Sangh parivar which condemns Jinnah and his role but even the Indian secularists see him as culprit, if not communal, for dividing India.

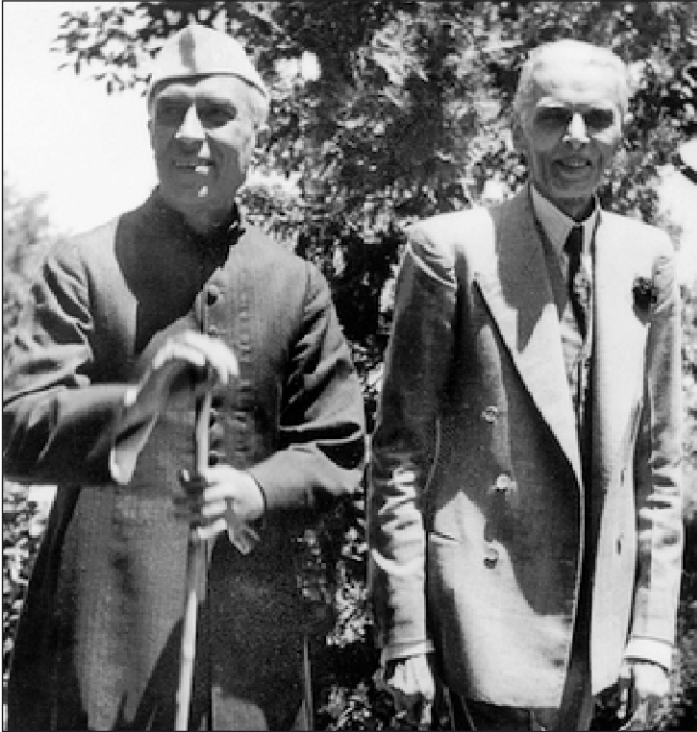
M.N. Roy, a noted rationalist intellectual and activist wrote, "Mohammed Ali Jinnah was the most maligned and misunderstood man. That experience made him bitter and it was very largely but of spitefulness that he pursued an object, the attainment of which placed him in the most difficult position. Jinnah was not an idealist in the sense of being a visionary; he was a practical man possessed of great shrewdness as well as of more than average intelligence."

And for Pakistanis he is everything -- father and founder of the

nation. He is beyond any criticism. In fact Jinnah to Pakistanis is what Mahatma Gandhi is to Indians or perhaps combination of Mahatma Gandhi and Nehru. One cannot think of Pakistan without Jinnah. Pakistan would not have come into existence without him. Though this is true but question is was Jinnah solely responsible for creation of Pakistan? Was Pakistan more an accident of history that outcome of a pre-planned operation long cherished by Jinnah? There is no evidence to show that operation Pakistan was pre-planned and long cherished dream of Jinnah.

Jinnah began as nationalist and was active supporter of Congress nationalism. He was liberal and was described as 'Muslim Gokhale'. He had joined Congress and went to Muslim League on his own conditions and brought them together through the Lucknow Pact in 1916. In Jinnah's life 1928 was a crucial year when the Nehru Committee turned down his demand for 33% seats of Muslims in Parliament. It is again debatable whether his demand was justified and whether such a demand could be met in any political democracy. Maulana Azad himself rejected this demand in the AICC session when Nehru Committee report was discussed there.

Second turning point was 1937



Jinnah with Nehru

elections in which the Muslim League lost heavily and the Congress went back on promise to take two League ministers in the U.P. cabinet. For Jinnah it was great betrayal. It was final break off from the Congress in a way though not the ultimate one. The

LEST WE FORGET

Professor Kamaluddin Ahmad

Portrait of a people's scientist and ideal teacher

M ANWAR HOSSAIN

THE main building of Curzon Hall of Dhaka University founded by Lord Curzon, the then Vice-roy of India had completed its 100 years of founding on 19th of February 2004. The building, which houses the Department of Biochemistry, was also built around the same time. In this red-bricked building of Victorian architectural beauty and heritage Professor Kamaluddin Ahmad, a great son of the soil, established the first full-fledged Biochemistry department of the Sub-continent in 1957. I got admission into this department in 1967 and have ever since got entangled in a triangle -- this building, the department and its lifeline -- Professor Kamal.

The reputation of high standard of the Biochemistry department as I heard during my college days was starkly evident to me as soon as I entered the department. In those days, the department boasted highly sophisticated equipment like amino-acid analyser, refrigerated high speed Sorval centrifuge and many other machines in its laboratories. The top students of Dhaka University were doing research in various subjects under the supervision of Kamal Sir. In the labs, work was in progress round the clock, like the world-class universities around the globe. Subject matters were all people-oriented. Some were dealing with cholera; some others trying to increase the nutritional status of food from indigenous ingredients, some were discovering medicines from herbs and plants for deadly diseases, some were working with the deadly fungal poison aflatoxin.

Shortly earlier, in 1962-1964, the first ever national nutrition survey had been completed under the leadership of Kamal Sir in the then East Pakistan. The survey revealed the widespread prevalence of various forms of malnutrition among the Bengali population, especially children and mothers. In the 60s, Professor Kamal took a scheme to distribute high-potency vitamin-A capsules to get rid of blindness due to vitamin-A deficiency. Today, night blindness is almost non-existent in the country. Another major crisis was goitre and related illnesses due to iodine deficiency in food. In his department he designed a machine and made arrangements to mix iodine in table salt. With special care he started distributing the iodized salt to pilot-projects in remote corners of the country, especially in the North Bengal. Today goitre is not a public health problem any more in this country.

Professor Ganguli comes in my memory. The Indian pioneer scientist of vitamin-A research came to our department on the invitation of Professor Kamal. They were course mates while doing their Ph.D. at the University of Wisconsin in the US just after the Second World War was over. Professor Ganguli mentioned, "Kamal was by far the best amongst us; we were nowhere near his talent".

My studies couldn't take root in the department. It was in 1966 when Bangabandhu's 6-point programme took to the roads. Bengali nationalistic movement had intensified. A dream of an armed revolution for the freedom of East Bengal as a Socialist People's Republic was overwhelming. Towards the end of '67, we 15 students of Dhaka University and Engineering University left our

studies with the vow to free East Bengal (Bangladesh) and went to Teknaf and the Arakan region of Burma. The venture failed and my elder brother Colonel Abu Taher brought me to Kamal Sir. I didn't keep anything from him. Even after knowing our plans of an armed struggle against Pakistan, he made arrangements to readmit me in his department.

Thirst of freedom is always intense in a subjugated land. In 1969, after the mass uprising, I left studies for the second time and



Professor Kamaluddin Ahmad (1921-2004)

went to the deep forests of Bandarban to prepare for an armed revolution. Our endeavour was, however, short lived and my brother again took me to Kamal Sir's residence. Sir was again sympathetic towards this rebellious student of his. And I got another opportunity to continue my studies, this time with a junior batch, by losing a year. 1971 - on Bangabandhu's call, the whole country flared up with non-cooperation movement. "Surjo Sen" squad was formed under my leadership at Fazlul Haque Hall. We informed Kamal Sir about our plans and got access to the well-stocked chemical store from where we took the necessary chemicals and equipment to make explosives and prepared ourselves for an armed confrontation. Colonel Taher's training of guerrilla warfare and how to make unconventional military weapons had helped us tremendously.

On the night of the 25th March, known as the black night, I for the third time left my studies and joined the war against genocide and the war for freedom. Nation got its freedom on the 16th of December, and I returned to my department.

In a free country, after completing my honours exams, I left the department once again and went to a remote village of Mymensingh with two of my friends from Geography and Physics departments. This time our aim was to start evening schools and establish modern agriculture among the rural poor. However, I was soon brought back to the department under the persuasion of Kamal Sir and asked to do Masters thesis under his supervision. My research topic was the mystery of a brilliant orange colour in a culture flask. Soon it was found that the colour was due to a carotene pigment (pro-vitamin A) of the yeast Rodotorula.

Later in 1982, during my Ph.D. studies at the University of Kyoto, a Japanese Professor present in my seminar mentioned that he too had worked on the carotene of Rodotorula yeast. A research result

in the department of Biochemistry under supervision of Kamal Sir in the University of Dhaka done nearly 10 years back surprised the Japanese scientists.

On 1st of January 1975, I joined as a lecturer of Biochemistry in our Department. Looking back, I'm astounded to think, that I left studies four times and each time Kamal Sir brought me back. Eventually the reality of becoming a teacher in the department of my dreams came true. It's beyond my imagination. How a teacher can shape the course of a student's life.

Teaching life was short-lived for me. In 1975, my brother Colonel Taher led a soldiers' uprising. I was arrested along with my brother and stayed behind the bars for five years. In 1980 after my release from the prison, I joined the department of Biochemistry again as a lecturer. After coming back to my teaching profession, Kamal Sir advised me to do higher studies in a foreign University. With the help of my friend Ashraf, I got the opportunity to do research for my Ph.D. under the supervision of the world-renowned scientist Professor Koji Asada at the University of Kyoto. The wonders and excitement of research experienced during my Masters with Kamal Sir about a decade ago had again bloomed while doing research for my Ph.D.

I'm tempted to mention here about an episode of my life around Kamal Sir. In between 1991 and 1994 while doing research as a Visiting Scientist at Purdue University in the US, I came to learn that Kamal Sir was gravely ill in a hospital in East Lansing in Michigan. I called him over telephone. I was told by his attendants that the doctors had lost all hopes of his survival; everybody was waiting for the last moment. Miraculously he got well. More surprising was: after only a few days he wrote me a letter in his own hand from the hospital bed. He mentioned that advanced medical science combined with spiritual science had done the miracle. Endowed with limitless enthusiasm, mental strength and strong determination our Kamal Sir lived for another ten years and actively engaged till the last day of his life in scientific research to alleviate the miseries of common people. During his last years he researched on the mitigation of arsenic poisoning in man.

The shocking news of death of my beloved teacher on 4th of July, 2004 reached me when I was in Japan. Memories of the past crowded my mind; I was overwhelmed with extreme pain and sadness. During the tenure of my chairmanship of the department, I on behalf of the Academic Committee and the Coordination and Development Committee, unanimously proposed that Kamal Sir be made Professor Emeritus. University of Dhaka would have been honoured by honouring this extraordinary scientist-teacher. Sadly, we were defeated by our own limitations.

I felt honoured to have been able to dedicate two of my lectures to the memory of my teacher in two different Universities of Japan as invitee speaker. We salute you -- Professor Kamaluddin Ahmad, for being a complete ideal teacher and an image of the people's scientist. You will live forever in the hearts of your innumerable students around the world.

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even after passing the two nation theory resolution Jinnah had made up his mind for Pakistan.

All available evidence shows even after that resolution of 1940 Indian unity could have been saved, if a satisfactory power-sharing arrangement could have been worked out. It would be very difficult to maintain that Jinnah alone was responsible for creation of Pakistan, much less Pakistan being long cherished dream of Jinnah. And how can one ignore the ignoble role of British imperialism in partitioning of the country.

Partition was not only culmination of the British divide and rule policy but also result of definite political design to bring about partition of the country. United India would have strengthened socialist camp led by Soviet Union and would have posed a great challenge to imperialist powers both in China which was heading towards communist revolution but also in the Middle East which was rich in oil resources.

Thus an honest assessment of Jinnah would require taking into account various complex forces in operation then in south, south east and west Asia. Jinnah, for all these and various other reasons, cannot fit into any neat political category - communal or secular. He was secular, if seen in his social and personal context. He was far from religious fanatic as the Sangh Parivar would like to project him. He hardly ever subscribed to any religious dogmas. He was far more closer to Nehru in this respect. He was struggling for Muslim and not Islamic politics. He wanted 'Muslim homeland' rather than an Islamic state. He was more of an advocate fighting his case than a mass leader or a visionary.

It is true the result of his politics

was partition of the country and hence he is dubbed as communalist. But as we have seen despite his 'two nation' theory he was not really wanting a separate state of Pakistan but a power-sharing arrangement which did not work out to his satisfaction. There is some evidence to show that for him partition was more of a temporary affair than a permanent division. He wanted to spend his last days in Mumbai where he had built a house for himself and he greatly cared for it so much so that he requested Nehru not to let it to any commoner but to some foreigner or to some royal house. The correspondence to this effect between Nehru and Jinnah is on record for anyone to see.

The Indian Muslims also have grievance against him. He left them in the lurch. All Muslims did not agree with his partition project. In fact only the elite Muslims of U.P. and Bihar fell for him. Muslim majority areas were indifferent to him and to Muslim League politics and so were poor and lower class Muslims for whom Pakistan project brought no benefit, political or economic. The Jamiat-ul-Ulama - e-Hind was also totally opposed to creation of Pakistan.

Thus Jinnah will remain highly controversial in Indian subcontinent evoking great admiration for some and total condemnation by others. This is inevitable. Here are very few who would take a balanced view keeping all the factors into account. Neither uncritical adulation nor total condemnation of Jinnah would do. A critical evaluation is highly necessary. Perhaps more time might be needed for this. Half a century may not be enough on history's time scale.

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