

## Helping rivers help us

The rivers and their tributaries serve as the most important transport arteries and play a vital role in national life. The rivers and other wetlands are important habitats for a large variety of flora and fauna of local, national and regional significance.

M. ABDUL LATIF MONDAL

THE Daily Star and Channel i organised a campaign titled "For the attention of the Prime Minister: Save rivers, save Dhaka" on June 1 at the South Plaza of the parliament, which was followed by a photographic exhibition that showed encroachment upon the rivers in and around Dhaka city and the resultant pollution of rivers.

The Speaker of the parliament Abdul Hamid inaugurated the campaign. While addressing the inaugural function, the speakers, including ministers, lawmakers, distinguished professionals, academicians, top business leaders and others, stressed, inter alia, the need for enacting a tough and comprehensive law on the protection of rivers.

Rivers are one of the many different types of inland water bodies, also known as wetlands, in the country. While the total area of inland water bodies comes to 72,899 sq km, the rivers constitute 7,497 sq km, that is, 10.28% of the total area of the inland water bodies. Various studies suggest that reckless human interven-

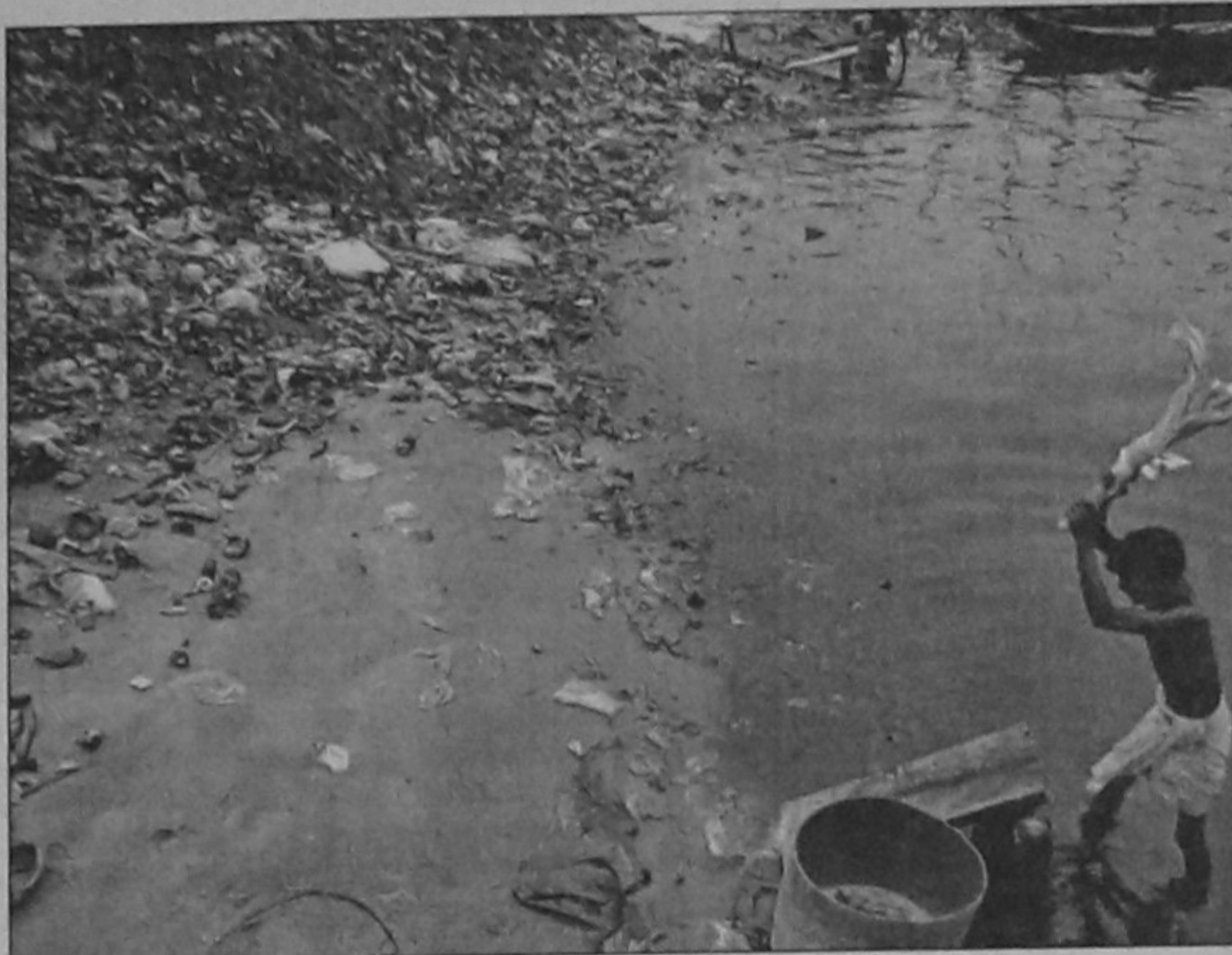
tions, both internal and external, have already led to the death of 13 rivers, and 7 more are on the verge of dying.

The rivers Buriganga, Sitalakha, Turag and Balu, which serve as the lifeline of the capital city Dhaka, have become victims of powerful and ruthless river-gobblers and polluters. There are media reports about the construction of offices, etc on the riverbeds around the capital even by government agencies.

The question may arise as to why it is important to enact a tough and comprehensive law on the protection of rivers. The need for enacting such a law arises from a number of considerations, which are briefly presented below.

First, the laws on water bodies -- The Bengal Canal Act 1864, The Bengal Irrigation Act 1876, East Bengal Embankment and Drainage Act 1952, Inland Water Transport Ordinance 1958, East Pakistan Irrigation (Imposition of Water Rate) Ordinance 1963, Ground Water Management Ordinance 1985, Water Supply and Sewerage Authority Act 1996, etc -- are, as their titles indicate, sectoral in nature.

Even the Bangladesh Environment



We have ignored our rivers for too long.

Protection Act 1995 and the rules made under it focus attention mainly on pollution by industries and transports, and the grabbing of rivers or any other water body does not come within the jurisdiction of the Act and its rules.

Second, the latest Act -- "The Playground, Open Spaces, Gardens, and Water Bodies Conservation Act 2000" -- suffers from loopholes and inadequacies regarding protection of rivers and other water bodies. Section 1 of this Act suggests that it has application on the water

bodies, including rivers of the cities, divisional and district towns and municipalities. Rivers and other water bodies in the rural areas are outside the jurisdiction of this Act.

The Act thus fails to ensure protection to the vast tracts of water bodies, including rivers beyond the city areas and the municipalities. The Act does not have any provision that prohibits construction of any kind of permanent or temporary structure within a determined distance of the rivers or other water bodies.

The Act also does not have any provision which provides that the rivers or other water bodies that have been marked in survey records and exist in other government approved documents will be recovered if they have been encroached.

Moreover, although the Act specifies the fine and imprisonment term for violation of any of its provisions, it does not direct the government to recover the original characteristics of the rivers and other water bodies if someone fills them up.

Third, there are separate authorities to administer the above-mentioned laws. So, there is an inherent problem of coordination. The lack of coordination frustrates the drives against the encroachers of rivers. In his speech at the inauguration of the campaign, Mahfuz Anam, Editor of The Daily Star, rightly pointed out that the people did not know which single authority was responsible for protection of rivers.

This justifies the enactment of a new and comprehensive law providing for, among others, a single body in the form of "a river commission or authority fully responsible for looking after rivers."

Last but not the least, rivers play an important role in shaping the economic, commercial, socio-cultural and ecological aspects of the life of the people of Bangladesh. In Bangladesh, almost all the major cities, towns and commercial centres are located on the banks of rivers.

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rivers and other wetlands are important habitats for a large variety of flora and fauna of local, national and regional significance.

The enormous volume of sediments that the rivers carry to the Bay of Bengal each year builds new land along the sea front, keeping hope alive for future extension of settlement. But rivers are dying due to man-made activities. So, a tough and comprehensive law is needed to protect our life saving rivers from the greed of land grabbers and other vested interest groups, including polluters.

In view of what has been stated above, the need for enactment of a tough and comprehensive law for the protection and conservation of rivers across the country can hardly be overemphasised. It is good to see that the chief executive of the republic made a strong pledge on the World Environment Day (June 5) to protect rivers from the river-grabbers and polluters.

The speaker and members of parliament had made strong commitments earlier (June 1) to take every measure necessary to stop illegal grabbing and pollution of the rivers flowing throughout the country. In his inaugural address at the aforesaid campaign, the speaker said that if the government brought such a bill, he would do his best for its passage at the earliest. The sooner it materialises, the better it will be for the nation.

M. Abdul Latif Mondal is a former Secretary. E-mail: latifm43@yahoo.com

## Where are women and secularists in Obama's speech in Cairo?

At no point does he raise the issue of who defines culture, who defines religion, who speaks for "the Muslims -- and why could not it be defined by individual women themselves -- without clerics, with morality police, without self-appointed, old, conservative, male, religious leaders.



Obama ignores the differences that exists within Muslims themselves.

MARIEME HELIE LUCAS

IT is beyond doubt that many people around the world, of various political opinions and creeds, will feel relieved after the discourse the US president deliv-

ered in Cairo. It is apparently a new voice, a voice of peace, quite far from Bush's clash of civilisations. But is it so?

I presume that political commentators will point at the fact that Obama equates violence on the side of occupied

Palestinians to violence on the side of Israeli colonisers, or that he has not abandoned the idea that the US should tell the world how to behave, or that the Israeli-Palestinian conflict is reduced to a religious conflict, or that he still justifies the war in Afghanistan, etc.

All those are important issues that need to be challenged. However, what affects me most, as an Algerian secularist, is that Obama has not done away with the idea of homogeneous civilisations that was at the heart of the theory of the "clash of civilisations."

Moreover, his very American idea of civilisation is that it can be equated to religion. He persistently opposes "Islam and the West" (as two civilisations), "America and Islam" (a country versus a religion); he claims that "America is not at war with Islam."

In short "the West" is composed of countries, while "Islam" is not. Religion is still good enough for us to be defined by. His concluding compilation of monotheist religious wisdom sounds as if it were the only language that we can understand.

These shortcomings have adverse effects on us, citizens of countries where Islam is the predominant and often the state religion.

First of all, Obama's discourse is addressed to "Islam," as if an idea, a concept, a belief, could hear him. As if those were not necessarily mediated by the people who hold these views, ideas, concepts, or beliefs.

Can we imagine for one minute that Obama would address himself to "Christianity" or to "Buddhism"? No, he would talk to Christians or Buddhists -- to real people, keeping in mind all their differences.

Obama is essentialising Islam, ignoring the large differences that exist among Muslim believers themselves, in terms of religious schools of thought and interpretations, cultural differences and political opinions.

These differences indeed make it totally irrelevant to speak about "Islam" in such a totalising way. Obama would not dare essentialise, for instance, Christianity in such a way, ignoring the huge gap between Opus Dei and liberation theologians.

Unfortunately, this essentialising of Islam feeds into the plans of Muslim fundamentalists whose permanent claim is that there is one single Islam -- their version of it, one homogeneous Muslim world, and subsequently one single Islamic law that needs to be respected by all in the name of religious rights.

Any study of the laws in "Muslim" countries show that these laws are pretty different from one country to the other, deriving not just from different interpretations of religion, but also from the various cultures in which Islam has been spreading on all continents, and that these supposedly Muslim laws reflect as well historical and political factors including colonial sources -- obviously not divine.

This is the first adverse consequence of Obama's essentialising Islam and homogenising Muslims: as much as he may criticise fundamentalists, whom he calls "a minority of extremists," he is using their language and their concepts. This is unlikely to help the cause of anti-fundamentalist forces in Muslim countries.

It follows suit that Obama talks to religions, not to citizens, not to nations or countries. He assumes that anyone has to have a religion, overlooking the fact that in

many instances, people are forced into religious identities. In more and more "Muslim" countries, citizens are forced into religious practice, and pay dissent with their freedom and sometimes with their lives.

It is a big blow to them, to their human rights, to freedom of thought and freedom of expression, that the president of the US publicly comforts the views that citizens of countries where Islam is the main religion are automatically Muslims (unless they belong to a religious minority).

Regardless of the fact that one is a believer or not, citizens may choose not to have religion as the main marker of their identity. For instance, to give priority or prominence to their identity as citizens.

Many citizens of "Muslim" countries want to leave religion in its place and delink it from politics. They support secularism and secular laws, i.e. laws democratically voted by the people, changeable by the will and vote of the people; they oppose unchangeable, a-historical, supposedly divine laws, as a process that is alien to democracy. They oppose the political power of clerics.

Obama is claiming to defend democracy, democratic processes, and human rights? How can this fit with addressing whole nations through their supposed, hence imposed, religious identities?

Where is the place for secularists in Obama's discourse? For their democratic right to vote laws rather than be imposed laws in the name of God? For their human right to believe or not to believe, to practice or not to practice? They simply do not exist. They are ignored. They are made invisible.

In this religious strait-jacket, women's rights are limited to their right to education -- and Obama distances himself from

arrogant Westerners by making it clear that women's covering is not seen by him as an obstacle to their emancipation. Especially, if it is "their choice."

Meanwhile, Iran is next door, with its morality police that jails women whose hair slips out of the said covering, in the name of religious laws. And what about Afghanistan or Algeria where women have been abducted, tortured, raped, mutilated, burnt alive, killed for not covering?

At no point does he raise the issue of who defines culture, who defines religion, who speaks for "the Muslims" -- and why could not it be defined by individual women themselves -- without clerics, without morality police, without self-appointed, old, conservative, male, religious leaders.

No, this discourse is not such a change for an American president: Obama remains within the boundaries of clashing civilisations/religions. How can this save us from the global rise of religious fundamentalism, which this discourse was supposed to counter?

### Footnotes

1. For instance, from 1962 to 1976, the source for Algerian laws on reproductive rights was the 1920 French law; or, in 1947, the source for Pakistani law on inheritance was the Victorian law that the UK itself had already done away with.
2. One Malaysian state made daily prayers compulsory; Algerian courts condemned to prison non-fasting citizens in 2008; Iranian courts still jail women for "un-Islamic behaviour."

Marieme Helie Lucas is an Algerian sociologist, founder and former International Coordinator of the Women Living Under Muslim Laws international solidarity network. She is also the founder of Secularism Is A Woman's Issue (siawi.org). This piece is licensed under a Creative Commons Attribution-NonCommercial-No Derivative Works 3.0 United States License.

## Fumbling on cabinet formation

Given its impressive victory, the United Progressive Alliance should have formed the new government smoothly and quickly. But even three weeks after the election results, its formation remains incomplete.

PRAFUL BIDWAI

GIVEN its impressive victory, the United Progressive Alliance should have formed the new government smoothly and quickly. But even three weeks after the election results, its formation remains incomplete. The UPA fielded Ms. Meira Kumar as Lok Sabha Speaker after she had been sworn in as water resources minister. This shows confusion.

The Tamil party DMK's bargaining for berths further messed up cabinet formation. Although Dr. Manmohan Singh resisted appointing a corrupt DMK ex-minister, he yielded to party supremo M. Karunanidhi's pressure to accommodate six MPs in the council of ministers, including three cabinet ministers.

Congress-style dynastic politics has now infected the DMK, BJP, National Conference and the Nationalist Congress too.

More generally, 50 of the 81 MPs who are

below 40 come from "political families." As of 22 of the Congress's 25 young MPs. Of the 58 first-time MPs under 40, 25 belong to similar families. This family monopolisation runs against the election's overall trend: participation, inclusion and diversity.

The number of Lok Sabha women MPs has crossed the 10-percent mark to reach 58, but almost two-thirds of them are close relations of male politicians. Seventeen of the 29 first-time women MPs are proxies for their fathers, husbands, brothers or fathers-in-law. This partially negates the election's gender-empowering aspect.

The 33-member cabinet's composition is unbalanced too. Regional satraps are over-represented in it. Nine cabinet ministers are former chief ministers. Also, nine cabinet ministers are from the Upper House.

The state-wise distribution of the council of ministers, including ministers of states (MoSs or junior ministers), is skewed, with Tamil Nadu claiming 10

positions, followed by Maharashtra (nine), West Bengal (eight, its highest ever) and Kerala (six).

By contrast, Uttar Pradesh, four times bigger than Kerala, has just five ministers, all of them MoSs. Bihar, Orissa and Assam have one minister each.

The Hindi-speaking states (UP, Bihar, Madhya Pradesh, Chhattisgarh, Jharkhand and Uttaranchal) have only 16 positions in the 79-strong council despite the UPA winning 65 seats from there. In 2004, the UPA had 59 MPs but 24 ministers from the Hindi belt.

Andhra Pradesh, like UP, is another game-changer state. There, the Congress won 33 of 42 seats. Andhra Pradesh is represented by only one cabinet minister.

UP has no cabinet minister -- partly because Mr. Rahul Gandhi kept out of the government, and the Congress wanted to signal his primacy and indispensability.

But Maharashtra, where the Congress-led alliance won 25 seats, has five cabinet ministers. And Kerala, where the Congress won 13 seats, has six ministers, including two of cabinet rank. Rajasthan, where the Congress won 21 of 25 seats, gets only one cabinet minister.

Dalits are relatively well represented in the council, with four cabinet berths and five MoSs, including one with independent charge. This, like Ms. Kumar's nomina-

tion as speaker, reflects the Congress's anxiety to counter Ms. Mayawati.

But Adivasis have only one cabinet post. Similarly, Chhattisgarh, and most north-eastern states, all with strong tribal populations, have been left out of the council.

Muslims greatly facilitated the Congress's victory, especially in UP. But there are only five Muslims in the council.

There's only one Muslim from the Hindi heartland, Salman Khursheed. And there are only two Muslim cabinet ministers (Ghulam Nabi Azad and Farooq Abdullah, both from J&K).

By the Sachar Committee's "air representation" principle, there should be 11 Muslims in the council. Had Mr. Khursheed, a seasoned leader, and Shree Prakash Jaiswal, an OBC, been given cabinet rank, UP would have had a better profile.

Just as the Congress didn't implement the affirmative action for educationally and socially backward Muslims recommended by the Sachar Committee, it didn't give Muslims adequate representation in the council of ministers.

The Congress/UPA must correct this anomaly. Muslims have long been under-represented in India's political life. They form 13.4 percent of the population, but only 5.5 percent of Lok Sabha MPs are Muslims.

The number of Muslim MPs has fallen from 34 in 2004 to 30. Of these 30, 11 belong to the Congress, four to the BSP, four to regional Muslim parties, and three each to the Trinamool Congress and National Conference.

The Samajwadi Party, Rashtriya Janata Dal and Telugu Desam have no Muslim MPs.

Two factors explain this. First, the first-past-the-post system favours geographically concentrated groups, but discriminates against dispersed ones. Second, many parties under-nominate Muslims as candidates on the "winnability" criterion.

The problem can be resolved only if secular parties consciously give more nominations and better representation to Muslims. The Congress hasn't done that -- despite warning signs of the rise of new Muslim parties in UP. It must correct course.

The choice of certain ministers raises uncomfortable questions about the UPA's policy direction. For instance, Mr. S.M. Krishna, a novice to international affairs, will find himself out of his depth as foreign minister. But perhaps Dr. Singh prefers him there because he himself wants an active role in the ministry along with MoS Shashi Tharoor.

A first-time MP (indeed a first-time voter), Mr. Tharoor is experienced in inter-

national, not Indian, diplomacy. He is pro-Western and strongly pro-US, and uncritically pro-Israel. This doesn't augur well for India's foreign policy.

Similarly, Human Resources Development Minister Kapil Sibal favours privatisation of education. He was appointed just when commercial institutions and foreign universities are trying to enter the Indian education market.

The first event Mr. Sibal attended as HRD minister was a business-sponsored meeting. This sends a bad signal.

Junior environment and forests minister Jairam Ramesh says the prime minister wants him to work to "correct the [...] public perception [...] that [the ministry] is a hurdle to economic growth. We need to have a more business-friendly and transparent regulatory system."

This signals capitulation to industry and a further whittling down of already lax environmental regulations. The MoEF is clearing three projects a day -- obviously without adequate scrutiny.

None of this speaks of a healthy policy evolution. If the new government wants to remain true to its electoral mandate, it must spurn deregulation and privatisation.

Praful Bidwai is an eminent Indian columnist. Email: bidwai@bol.net.in