

Violence during hartal Vandalism cannot be condoned

THE day-long hartal called by the Islamic Ain Bastabayan Sangstha on Monday has left the nation with much to worry about. In contrast with some other hartals we have witnessed in recent times, this one was certainly remarkable for the severe degree of violence its supporters resorted to all over the country. While one does agree that a hartal is a democratic right and that too of the last resort, one also feels that a hartal can never be made an excuse for vandalism or anything that might lead to a state of fear among citizens. On Monday, however, picketing by the hartal supporters swiftly degenerated into violence that left no fewer than 120 buses damaged and more than 250 people, including law enforcers, injured.

The angry way in which the hartal supporters came down on people trying to go about their normal business of the day greatly inconvenienced citizens. All hartals, unless they are called in the larger interests of the nation, are a way of putting up obstacles to normal life and movement in the country. On Monday, a perceptible level of fanaticism was at work among those enforcing the hartal. Rickshaw pullers had the air let out of the tyres of their vehicles and policemen were subjected, incredibly, to physical assaults in the form of kicks. Moreover, some hartal supporters were observed carrying copies of the Holy Quran as they marched through the streets. That was a deliberate bit of provocation since it was for the first time that the holy book was made an ingredient of picketing. It was a sinister move, seeing that the aim of the pickets was to get into a clash with the law enforcers, something that could have led to a desecration of the Quran. We condemn such motives.

Now that the hartal is behind us, we urge those who enforced it to make their points of view on the issue agitating their minds known through peaceful means. We have said earlier that the proposed national policy on women contains nothing that can remotely be construed as un-Islamic. Even if the detractors of the policy think they have an issue, they can very well respond to the government offer of sitting down to a discussion of it. But those who use religion to propagate their thoughts and those who support them are clearly pushing the nation down a dangerous path. It is time for all citizens of Bangladesh, because they believe in democracy, to come together and resist those who whip up unnecessary controversy in the name of religion.

Aila victims still in lurch

Somebody must be held to account

IT'S a shame that we have to deal with the fall out of cyclone Aila which hit the southwestern part of the country in May 2009. The crack it created in the embankment has still to be repaired.

The saline water is rushing through the crack during high tide swamping 5000 acres of land in Betkashi union in Koiria, Khulna. Over the last two years the crack have developed further threatening the whole region. People of the area have been living on embankments and on platforms made of bamboos ever since the cyclone struck, making lives miserable and unsure.

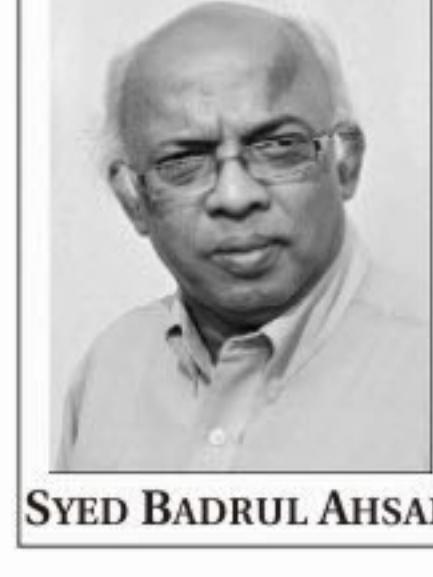
Hundreds of men, women and children are now passing their days in hunger and want of drinking water. As the monsoon nears people remain apprehensive of the dangers ahead. The days of cyclone and tidal surge are here, and there's no protection to save lives and property. As it is, the upcoming monsoon holds uncertain days pushing the entire region into a new kind of vulnerability.

The embankment which is a fifty year old structure topped off by a widening breach always needed repair on a priority basis. It is an indictment on the local administration and particularly on BWD board that even after two years no serious effort is in sight to complete the repair and ensure protection of the place and people.

According to the admission of a BWDB official, unless the embankment is re-designed it might not withstand another natural disaster. Has the BWDB moved the higher authorities on this point, or is it an excuse for their failure to repair the cracks for so long?

Quite clearly an intervention for a high level is required to move the juggernaut to ensure survival of these hapless

Women ... an endangered species



SYED BADRUL AHSAN

an eyelid, made the dire prediction that if the government goes ahead with its policy on ensuring equal rights for women, there will be a deluge of illegitimate children all across the country. It is something which puts all of us to shame, for no other reason than that in this free country there are elements like Amini to insult women in public and yet get away with it.

Women's organisations ought to have taken steps to have this cleric hauled to court; the government on its own should have filed charges of defamation against the man. That he remains on the loose, that he calls a *hartal* in "defence" of the Quran and Sunnah, that he and his kind deliberately distort Islam to suit their parochial purposes demeans us all. And it certainly degrades all the women of Bangladesh.

Amini's audacity is but one more hint of the threats Bengali women are these days exposed to. If there is one endangered species in this country, it is our mothers, our sisters and our wives. And yet we do little to ensure that these women, by any standard of modernity and under any terms of civility, are accorded the rights and dignity they are entitled to under the laws of nature.

You think back on the rape and various other degrees of molestation of Bengali women -- two hundred thousand of them -- by the Islam-defending soldiers of the Pakistan army in 1971. The War of Liberation was a time of unmitigated danger for all of us in this country but especially

so for our women. They paid a price. Which begs the question: have they stopped paying the price, finally?

For an answer, reflect if you will on the misogyny which has taken increasing hold of large swathes of our population. One of the first things the killers of August 1975 did was to make sure that Bengali women could not wear their clothes in the way they preferred to. Sleeveless blouses and any sign of a revealed midriff were what they went after. If you were



AMADUL HOQUE/DRK NEWS

When you pelt a woman with obscenities, with black suggestiveness, you assault the moral beauty of your mother ... and you run the risk of dehumanising yourself.

around the Farmgate area in mid August 1975, you would recall the frenzy with which junior military officers went about harassing women in the name of "restoring" feminine purity.

Things have not changed much since those days of darkness. There are all the semi-skilled preachers in villages and towns whose sermons on faith all too often come to be focused on all those physical attributes of their being that women should be keeping

concealed. That is blasphemy. Meanwhile, faith flies out the window, whistling through the palm leaves and across the fields of ripened paddy.

Our attitude to women remains one of inexplicable discrimination. And nowhere is it more manifest than in the matter of a distribution of parental property. Consider this: when Amini and his men oppose the policy on women's development, are they not really worried at the prospect of women coming by rights to property

that can no longer be ignored?

On a general level, despite the law and despite all the Islamic pronouncements on a sharing of property, how many men are there who actually feel thrilled at giving their women relatives their due? Yes, empowerment of women is a fine idea. But when empowerment comes to mean forty five reserved seats for women in Parliament, you tend to wonder if we still are not treating the women of this country with grave

BARE FACTS

Non-elected Zila Parishad?



M ABDUL LATIF MONDAL

WHILE speaking in the Parliament on March 23, Prime Minister Sheikh Hasina disclosed that the government would appoint chairmen of all Zila Parishads (District Councils) to strengthen the local government system, adding that a Zila Parishad (ZP) comprising twenty-one members would include one chairman and twenty members, of which five would be female members against the five reserved seats for women, and the tenure of a ZP would be of five years.

The history of local governments in Bangladesh, particularly the local government at the district level, has not been very pleasant. Actually, the democratic character of the three-tier local government system -- a District Board at each district, a Local Board at each sub-division and a Union Committee for a group of villages -- introduced during the British rule through the Local-Self Government Act 1885 was lost with the imposition of martial law by Ayub Khan in 1958, which suspended all local bodies. The Basic Democracies Order of 1959 not only changed the name of the District Board to District Council but also led to the appointment of the deputy commissioner as its ex-officio chairman in place of the elected chairman.

Immediately after independence, the then AL government dissolved all the existing local government bodies and appointed committees to administer these defunct bodies. The deputy commissioner was made the administrator of the district committee.

The three-tier local government system -- Zila Parishad, Thana Parishad and Union Parishad -- introduced by the government of General Ziaur Rahman through the Local

Government Ordinance 1976 provided for a ZP that was to consist of elected, official and nominated women members, including a chairman and a vice-chairman to be elected by them from amongst themselves.

In 1988, the Jatiya Party government of President Ershad enacted the Zila Parishad Act, which provided for a government appointed chairman in

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each ZP. Although his appointment was for a period of three years from the date of taking up work, he could be removed by the government at any time without showing any reason.

The members of a ZP consisted of (a) representative members, (b) nominated members, and (c) official members.

The MPs of the zila, the chairmen of the UPZs and the Paurashabhas (Municipalities) were the representative members. The nominated members including women members were to be nominated by the government from amongst the men and women living in the zila, and their total number was not to exceed the total number of the representative members in the ZP. The ex-officio official members included the deputy commissioner and other district level officers specified by the government.

The act was made inoperative after the fall of Ershad government in December 1990. The above narrative is given to show how the local governments, starting their journey in a democratic environment, subsequently suffered due to undemocratic actions

of the central government.

Now let us come back to our original discussion. The PM's disclosure about constituting a non-elected local government body at each zila has come as a surprise to many for more than one reason.

One, Article 59 of the Constitution provides that local government in every administrative unit of the republic shall be entrusted to bodies composed of persons elected in accordance with law. While defining administrative unit, Article 152(1) of the Constitution says that administrative unit means a district or other area designated by law for the purpose of Article 59. This means that no designation by law is necessary in case of a district as Article 152 (1) itself designates districts as administrative units, but designation by law is necessary in case of areas other than district to qualify as "administrative unit" within the meaning of Article 59.

In his book *Constitutional Law of Bangladesh*, Mahmudul Islam, a former attorney-general, writes: "Parliament may or may not set up a local government body in an administrative unit, but if a local government body is set up two conditions must be fulfilled -- (1) it is constituted in an administrative unit, and (2) it is composed of elected persons." So, constituting a non-elected local government body at the district will thus be contradictory to the spirit of Article 59 of the Constitution.

Two, how can an elected government go for constituting a non-elected local government body in the most important administrative unit of the republic? Will it not be tantamount to showing disrespect to the people who overwhelmingly voted for the ruling party for its election pledge to ensure effective participation by the people through their representatives at all levels in administration?

Three, the PM's disclosure about the structure and formation of the pro-

posed ZP largely means replication of the ZP introduced by H.M. Ershad government through the Local Government (Zila Parishad) Act 1988, which was undemocratic in nature.

Critics say that political consideration has influenced the ruling AL to go for non-elected ZPs. If not all, more than two-thirds of the appointed chairmen of the ZPs will be AL men and they will help consolidate the party further to face the next general election. The results of the recently held *paurashabha* elections have also influenced the ruling AL to shun the idea of elected ZPs.

In its editorial of March 25, *The Daily Star* wrote: "We would like to point out that a non-elected local government body runs the risk of being tinkered by the bureaucracy or the party in power. We also know from previous experience, how these local government bodies became ineffectual as well as a tool to serve the purpose of the executives of the state. Though elected local government bodies can also be tampered with as far as its autonomy goes, there is still little room for accountability in an elected body."

If the government is earnest about strengthening the Zila Parishad, as the prime minister has given out at the JS, it would do well to have a rethink of its present stance and thereby live up to the spirit of the constitution."

In its editorial of March 25, *Bangladesh Today* urged the government to revise its decision and "go for elections to the Zila Parishads instead of appointing the chairmen in the interest of the smooth running of the local government body."

To conclude, people sincerely hope that the government will give a second thought to its decision and decide in favour of elected ZPs. Who knows whether AL will not be benefited from the elected ZPs in future?"

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THIS DAY IN HISTORY

April 6

1453

Mehmed II begins his siege of Constantinople (Istanbul), which falls on May 29.

1896

In Athens, the opening of the first modern Olympic Games is celebrated, 1,500 years after the original games are banned by Roman Emperor Theodosius I.

1917

World War I: The United States declares war on Germany (see President Woodrow Wilson's address to Congress).

1930

Gandhi raises a lump of mud and salt and declares: "With this, I am shaking the foundations of the," beginning the Salt Satyagraha.

1968

United States erupts in race violence. Dozens of major cities in the United States are rocked by an escalation in the race riots following the assassination of Martin Luther King.

1998

Pakistan tests medium-range missiles capable of reaching India.

2004

Rolandas Paksas becomes the first president of Lithuania to be peacefully removed from office by impeachment.

2005

Kurdish leader Jalal Talabani becomes Iraqi president; Shiite Arab Ibrahim al-Jaafari is named premier the next day.