

Selected extracts from the August issue of Forum

# State policy, the constitution and equal rights for disadvantaged groups

DEVASISH ROY WANGZA

## Constitution as the Supreme State Policy

NATIONAL constitutions contain the broad principles of the supreme policy of a state. Other policies, contained in documents other than in constitutions, are policies of governments. The latter policies constantly change, unlike the former. Therefore, disadvantaged sections of citizens, seek to protect their rights by having express safeguard provisions included in their national constitutions. This is no exception in Bangladesh.

## Minorities, adibashis and discontent with the 15th Amendment

Religious minorities and indigenous peoples, among other disadvantaged groups in Bangladesh, have been clamouring for acknowledgment of their rights in the constitution. We know that the aforesaid groups are unhappy over the

recent constitutional reform. We know why; because their identity and rights have not been properly addressed therein. Even the few benevolent and benign matters that have been included therein have been compromised by the fact that (i) these are not directly enforceable in courts, being part of the fundamental principles section, rather than the one on fundamental rights, while (ii) negative stipulations on freedom of association, and (iii) a unilingual and uni-religious orientation of our national identity, undermine those matters.

## Minorities adibashis and the 1972 and other pre-2011 constitutions

The original constitution of 1972 was secular and neutral with regard to religious identity, but not with regard to the ethnic and linguistic identity of non-Bengalis. The post-1975 constitution, on the other hand, got rid of Bangali nationalism, but imposed a



PRITO REZA

Muslim orientation of national identity and state practices that made the adibashis and religious minorities feel equally insecure. And where are we now in 2011? The Bangali national identity has been revived, while the provisions on state religion albeit with “equal status” to minority religions have been retained. So much for cultural

pluralism and secularism in a country that produced great multicultural giants like Nazrul and Lalon!

## Implementing constitutional measures

However, what I wish to discuss here is not what went wrong with our constitution, but despite these shortcomings, what can be done to

further the rights of adibashis, minorities and other disadvantaged groups, including Tea Estate workers, Dalits and differently-abled people (disabled; sic!), based upon existing constitutional dispensations. I do not, however, suggest, that the demands of adibashis and secularist Bangalis for further and appropriate constitutional reforms is to be forsaken. I discuss that elsewhere in a forthcoming publication in another Dhaka daily.

## Constitutional provisions, organic acts and other enabling measures

National constitutions vary in the way they include important state policy measures. Some are voluminous, with detailed provisions, like the Constitution of India. Others, like the Constitution of the Philippines, are relatively brief. In the Philippines, the legal system envisages the framing of ‘organic acts’, which spell out the details of the constitutional measures and provide “teeth” to constitutional

provisions. The point is that, unless constitutional measures are supplemented by legislative, executive and other measures, they remain in name only. And let us remind ourselves of many worthy principles that were inserted in our constitution in 1972, and which have thankfully survived the various incisions, grafts and other additions that have been made to our constitution, but remain largely unimplemented. Let me cite one here: “It shall be a fundamental responsibility of the State to emancipate the toiling masses the peasants and workers and backward sections of the people from all forms and exploitation” (Article 14).

For the full version of this article please read this month's Forum, available free with The Daily Star on August 1.

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# Education in transition: English based learning in Bangladesh today

OLINDA HASSAN

THE growing availability of English medium education in Bangladesh attests to the increasing demand for the global language, both domestically and internationally. Even traditional, national-curriculum following Bangla medium schools, such as Viqarunnisa Noon School or St. Josephs have established “English medium” sections. These sections teach the basic national curriculum as translated in English, and usually have only one Bangla class, for at most 45 minutes per day. In the O’level exams in English medium schools, the Bangla section is easily passable, as discussed by several alums of such schools for this article. “Since Bangla is taught as a second language, the section is fairly easy, and almost everyone will score an A,” explained a graduate from Sunbeams. This trend, along with the rise in British-curriculum English medium schools in the country, attests to the language’s continued prestige in the region.

The rise in the usage of English, beyond schools and corporations, testifies to the effect of globalisation in Bangladesh. As the country promotes foreign investors, for example, the importance of having proficient English becomes crucial, for everyone. Since the mid-20th century, or when independent nations started forming from colonialism, English-based educational institutions started to flourish in order to speed up the process of development; in Bangladesh, the rise in such schools was concurrent with the liberalisation of the market and flowing international aid. In Bangladesh and around the world today, governments are increasingly making English classes compulsory at younger ages, though often without providing the necessary funding for training teachers and for teaching material.

The rise in English has also created a cultural change, especially in urban areas; complete fluency of the language has become a new medium for defin-

ing social hierarchies at a very early age. English has become the tool to eliminate people from inner circles; at schools, the work place, to neighborhoods, etc. The extensive trust in the power of English is causing many to hold a negative image of their own language. It has also raised another interesting question -- what will happen to the Bangla language itself as more parents and children are picking English as the mode for life instruction? From being under British to Pakistani rule, Bangladesh has gone through a vastly emotional language movement, fighting for its right to use Bangla. Today, such a history is compounded with English becoming the preferred language of elitism, intellect, as well as the venue for the nation’s development.

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# The curious case of Rohingya refugees

ZIAUDDIN CHOUDHURY

TYPICALLY we in Bangladesh are used to seeing our people migrate to other countries in search of work, a better living, or simply to escape harsh economic conditions. We are used to emigration from our country, and not immigration. That perception was changed abruptly when we faced a large-scale influx of people in our eastern border, from the state of Arakan -- a large swath of land in Burma, now Myanmar, in April 1978.

I had joined Chittagong (greater Chittagong that included Cox’s Bazar) as Deputy Commissioner toward the end of March 1978. As I was getting to know my new district I was suddenly sucked into this maelstrom in the south eastern corner. From the middle of April a seemingly unending flow of people started to cross into that region through Ukhiya-Teknaf border with Burma. In no time the influx that started with a few hundred swelled into several thousand. The fleeing families complained of evictions

from their homes in the Arakan by the military, loot, rape and murder. Our border guards could not turn families with women and small children away. So the tide began with thousands spilling into the country with their belongings -- clothes, utensils and domestic animals.

We neither had the means nor the logistics to handle such a massive flow of people from across the border. What we did however was to stop the human traffic going deeper into the district. The police and the border guards restricted their movement further into the district, but we had to make some impromptu shelters with materials that were locally available -- largely tarpaulins. This was augmented with some relief materials available in the district warehouses. However, soon it became apparent to us that with the never-ending tide of human crossings our local efforts would be mere drops of water in a sea. The central authorities were notified, and in a matter of weeks, the whole incident became a scene of human misery on a grand scale

that would need international support.

We would end up finally with over 200,000 of the refugees in that influx who we were able to contain in 13 camps -- spread along much of the 117 mile long land border with Burma (Myanmar). Relief came from international organisations as well as foreign NGOs. The government amassed an army of civil servants and law-enforcing agents to administer relief and security of the refugees. Along with that the government also mounted parallel efforts to repatriate the refugees back to their homes in the Arakan. This involved opening dialogue with the Burmese authorities and engaging with them patiently for a solution of the problems.

The root of the problem in repatriation of the refugees was their identity. Who were the Rohingyas?

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# Bollywood and Dhallywood: contentions and connections

ZAKIR HOSSAIN RAJU

DATeline Dhaka, 1 July 2011. The leading Bengali daily Prothom Alo reports: ‘Indian film enters the country [Bangladesh]’ (Entertainment Reporter 2011: 20). The report elaborates that three Indian-Bengali films were released from the airport upon a court order and are now awaiting the clearance of Bangladesh film censor board for being shown in local theatres. Within two weeks, it reports again with a heading: ‘the Film Fraternity fights back the Indian films [in Bangladesh]’ (Kamruzzaman 2011: 20). It outlines how the five different associations of film professionals working at Dhaka Film Industry promise to oppose ‘the exhibition of Indian films till the last’ and urged

the government to intervene. On the other hand, the film exhibitors’ association wishes to bring more Indian films as ‘[local] film production is dwindling, the audiences are not watching these films like before and the producers are also losing money’. (Kamruzzaman 2011: 20).

It seems that our local film industry, Dhallywood, is in a David-versus-Goliath situation and only the state can save the industry in this uneven war. How much is it true? Are we really out of bound of Bollywood, or is this only another myth? Keeping Indian films outside cinema halls (while these are already inside our living



PRITO REZA

quarters) are not we behaving like children? I contend that there are complex connections and contentions that relate as well as detaches the cinemas of India and Bangladesh (in the rest, I would use Bollywood and Dhallywood to mean these two cinemas) -- this article is an attempt to construct a framework to look at such a relationship.

Today, we use the shorthand Bollywood at such a rate and in a way as if it was always there. Before we go further, let us ask what needs to be asked: what is Bollywood? Following Ashish Rajadhyaksha, a leading Indian film scholar, I also take Bollywood to be an

ensemble of Indian, Hindi-language visual cultural discourses that includes media materials ranging from film, television, advertising to fashion, music and websites connected to Hindi cinema (2004: 114).

And since when has the term Bollywood gained currency? Actually, the revival of the term has a short history. Dilwale Dulhania Le Jayenge (DDLJ) made in 1995 is arguably the first Hindi film that normalised the usage of the term Bollywood.

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