

BITTER TRUTH

Empowerment through curbing repression



Md. ASADULLAH KHAN

THE country is shuddering at the continued revelations of torture, sexual assault and murder of women. The stark reality is that the status of women has not substantially changed even after an

appraisal of the fact that empowering women, meaning redistributing power from men to women, can ensure balanced development.

The condition of women is far more wretched than is projected. People still remember how Noorjahan, a married woman, on the basis of a fatwa issued by a local imam linking her to adultery, was half-buried and stoned, while the male counterpart was at large and beyond the reach of law. Deeply humiliated, Noorjahan committed suicide. Conscious citizens are seething with anger at the failure of the successive governments to address these concerns.

In a country where 70% of the people live below poverty line, women steeped in illiteracy and having no economic backbone continue to suffer a degraded social and family status. The efforts of the government, some social leaders and other agencies to lift women to a level of self-sufficiency are not only being questioned but also opposed by certain quarters.

The press has been reporting incidents that took the life and dignity of many women, but it hardly has any effect on the perpetrators of the crimes. Despite the commendable job women's activist groups, NGOs and other legal aid cells are doing, there cannot be an end to the repression unless the whole community acts as one to resist the heinous crimes.

Efforts are being made to ensure that women, especially female children, belonging to poorer section and the middle-class have access to education, which would help them reconcile traditional identities with present realities. A woman wants a husband and children, education and fair pay, a role in the larger society guaranteed by legal equality, and the right to control her child bearing on approved lines.

Even housewives who are credited with having great power because they manage family finances, have in fact little control over the purse. In employment, they constitute only 15% of the job quotas, and their wages are half that of men. In the work place they face an impenetrable wall of discrimination. The job placement tests that determine the careers of young women are often not open to young women, who are often hired as decoration, destined to be eased out after some years on the assumption that they would soon be getting married and be forced to leave the job.

Torture leading to divorce due to dowry related reasons is increasing horrendously, which is perilous in a country where women have little chance of earning. A report in Prothom Alo on March 6 said that

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Ayesha Akhtar (22), an HSC candidate, was pressurised by her Mukhtar to bring money from her parents, and when she refused he stabbed her. Grievously wounded, Ayesha is now fighting for life.

Another report published in most dailies on December 15 last year said that Rafiqul Islam, husband of Hawa Akhtar Jui, chopped off four fingers of her right hand to debar her from pursuing studies. Undeterred by the brutality of her husband, Hawa is sitting for the HSC examination with the help of her cousin Sania Akhter. These are instances of the grim battles that some women folk are still fighting against all odds.

Criminologists as well as crime assessment wing of the government assert that crime rate among the youth, especially among the deviant young husbands, has gone up as much as 40%. And though the crime wave flows across all classes and life styles, the survey makes particular mention of the fact that there is a noticeable increase in dowry related crimes.

Although many cases of dowry related cases were reported of late, a staggering number were not. It is a phenomenon that escapes easy answers due to complex mix of social trends. The sudden affluence of a section of people, in rural areas as well as cities, in the late '80s is the primary factor. The money, as some social scientists say, was not used properly and productively. Instead of using it to enhance women's education, for instance, it was used to perpetuate ostentatious living. With get-rich-quick becoming the new goal of life, dowry became the perfect instrument for upward mobility.

According to statistics of the human rights organisation Odhakar, 489 women and girls were raped in 10 months of 2010 and 456 between January 7 and December 31, 2009. The number of the victims of dowry related violence in 10 months of 2010 was 342 and 319 in 2009. The litany is endless and gets more frightening with each passing day: a law enforcement official committing a crime he is sworn to prevent, or a school teacher stalking a girl student and even committing rape.

The figures expose the ugly underbelly of the so-called cultured and progressive society. Social scien-

tists say that rape is more than just rape. Experts further add that the blame of the crime is pinned on the victim and that the attitude of the society towards rape victims is very cold. Men, instead of accepting the powerful cultural changes in women, try to shackle them all the time. It is strange that we punish them for taking their own decisions, for earning their own living, and for choosing to move out of the "control orbit" that men have drawn out for them.

People who remain silent on such issues should also shoulder the blame. People might recall that rapists in Puthia (Rajshahi) videotaped the incident and later put it on display in public places. Tragically, there were no protests, no condemnation from the public against this dastardly crime. A social scientist says: "The greatest matter of concern is the eroding role of citizens. Silence has to be recognised as abetment of crime."

Popular opinion favours radical change, particularly after a string of high profile cases when money and influence came together to negate the rule of law, such as Yasmin rape and murder case in Dinajpur, in which justice was not available despite overwhelming circumstantial evidence. Added to this disillusionment is the fact that a high percentage of the accused are linked to the privileged class.

What is more poignant is that women do not know whom to trust. Their friends and confidants often betray them and turn into perpetrators. A rape victim's weakness is forced upon her again and again. It begins with the humiliation at the hands of the rapist and then the tortuous journey that the neighbourhood, police and finally the law subject her to. An expert in the violence intervention centre for women in the country says: "It does not end with the dastardly act, the victim is raped every time she has to relive it."

Unfortunately, one thing that dashes the rape victim's chances of surviving the trauma is the nonchalant attitude of the police. The protectors of law rape the law when they put a rape victim to shame by character assassination of the victim at different stages of case framing. Not only do they discourage victims from filing complaints, but also destroy vital clues that are essential for booking the culprit.

Since the low credibility of the lawyers and the police contributes to the problem, popular opinion favours radical changes in the criminal justice system. Sadly true, rape trials remain lopsided and fraught with loopholes providing escape routes for the accused. If we are not hiding facts, the fact remains that the trials are heavily loaded in favour of the accused and humiliating for the victim. This calls for incorporating biological evidence, which will empower the criminal justice system.

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Alleviating food crisis of char people



QUDDUS ALAM/ DRIK NEWS

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ACCORDING to experts, the number of people facing food insecurity in the country is increasing day by day. The rate is extremely high in the poverty zone -- like chars, haors, coastal belts and hilly areas. Among these, in island chars as well as in char areas, food crisis is pervasive. The majority of the people of these areas are deprived of food, clothing, education, along with other fundamental rights which are mentioned in the Constitution. The char people struggle for survival because of inaccessibility, non-existence of a strong economic system, lack of employment opportunities, and vulnerability to disasters.

Food insecurity is one of the many problems faced by the char people. They hardly get food due to unavailability and also incapability of buying food. As a result, their essential food demands are not fulfilled. Food crisis has become a part of their life. During drought and munga, the food insecurity becomes more acute, which compels them to move to towns.

According to the World Bank, among the 15 crore people of Bangladesh, at least 3 crore have an intake of less than 18.05 Kilo calorie per meal, as prescribed by the World Food Program (WFP). A study by a national NGO shows that most char people survive on only one meal a day round the year. Only 10% of the families in a char area can have food three times for the whole year. 25 % families have food three times during half the year. 65% of the families are in a food insecure situation almost for the whole year.

Most chars are situated in the districts of Pabna, Rajshahi, Chapai Nawabganj and Lalmonirhat. The char dwellers consume much less food than they need, as a result most of them become dependent on vegetables. They do not get any protein, which is why most women, children and teenagers suffer from malnutrition and diseases.

The main reasons for food insecurity are lack of productive activities in char areas, sandy land, lack of access to land, little scope for agricultural production in a particular period of time, low quality of crops, lack of highly yielding varieties, lack of employment opportunities, demand for only seasonal labour, lack of fair price in marketing of crops produced in chars due to remoteness, and unavailability of government and private resources and safety net services. Moreover, there is natural disaster too. Droughts, floods, river erosion are common in char areas.

Several types of initiatives are needed for ensuring food security of char people. Different projects should be taken after considering and analysing the problems, through which the people can engage themselves in the production process and make their way to food security. At the same time, food security can be ensured by increasing social safety net service and also increasing agricultural production along with ensuring marketing of the products.

In the Constitution of the People's Republic of Bangladesh, it is mentioned in Article 15 (A) that one of the fundamental duties of the state is to ensure food for all citizens of the country. According to government rules, the responsibility to establish a sustainable food secured system for the entire nation is on the food and disaster ministry.

The government is active to increase the production of food, import necessary food items, and ensure smooth marketing and effective supply chain. But, even after such activities, the food crisis of char people is still increasing. In this regard, the government should immediately initiate a policy to reduce food crisis as well as increase access to food by the vulnerable char people.

Use of modern technology, access of poor people to khas lands in chars, and also the fair price of products must be ensured. By identifying the potentialities and studying feasibilities of char areas, small farms and industries can be established with the support of government and private enterprises. The donor organisations should also introduce new and effective measures in eradicating food crisis of the char people.

Simultaneously, commercial as well as corporate organisations can play a significant role by extending social and economic activities in char areas under corporate social responsibility (CSR). An integrated, well structured and sustainable initiative, as well as cooperation, is needed for the food security of char people.

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Victory and the challenges ahead

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BANGLADESH is a small maritime nation. The country is landlocked on three sides, with the Bay of Bengal, which is the gateway for its trades and commerce with the world, to the South. The resources on the land are gradually decreasing and, therefore, the dependency of the people is gradually shifting to the sea for the livelihood of the people and sustainable growth and development of the country.

March 14, 2012, is a red letter day in the history of Bangladesh. The maritime boundary delimitation was a long cherished desire of the people for economic emancipation and prosperity of the country. Until a line was clearly drawn in the maritime frontier it was very difficult for the government and the people in the country to carry out their activities in the sea. Under the umbrella of Law of the Sea Convention Bangladesh has very successfully solved its disagreement with Myanmar. Today, the nation is hopeful that very soon the peaceful settlement will take place in the western maritime front as well.

The Law of the Sea Convention has given the country a huge sea area which is divided into many zones. These maritime zones are the internal waters, territorial seas, contiguous zones, exclusive economic zones, continental shelf and the high seas. The country can enjoy its sovereignty, sovereign rights of exploitation and exploration of resources, and prevent and punish infringements of fiscal, sanitary and other laws of the country. Other nations can also have their rights of innocent passage, freedom of over fly, laying of submarine cable, etc. in various maritime zones. Therefore, rights and jurisdictions of coastal states and freedom of other states in maritime zones are not same and need to be ensured by the coastal state like Bangladesh. The tasks are not easy and it is really a great challenge in front of the country to deal with, so that unhindered economic activities can go on in various maritime zones.

Like other countries, Bangladesh has many laws and regulations to deal with disputes, crimes and cases on land. But does the country really have any laws or legal framework to deal with crimes committed at sea is a big question. Yes, the country has cus-

tomary laws and regulations to somehow manage the day to day activities at sea. But that may not be comprehensive enough to establish our rights and jurisdictions at different zones at sea and preserve the freedoms of other nations in our waters. Therefore, infringement may take place and non-state actors or extra state actors may take chance to tarnish the image of the country.

In fact, piracy is taking place in our waters. Bangladesh has raised its voice in various national and international forums and the situation has

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improved a lot. But due to absence of explicit laws and legal framework to deal with it, the wrongly motivated circles are still in action for their unlawful gains.

Moreover, the sea is open to all and any nation can use it for the benefit of mankind. At the same time, this common ground may be the hub of serious crimes/ illegal activities that may occur at any moment. Today, transnational crime is a serious problem and Bangladesh, being a coastal state, needs to address the issues for the wellbeing of the nation. This will eventually uphold the image of the country. In order to ensure a safer sea for the peace loving seafarers there is the requirement of a legal frame work to deal with maritime infringements, supported by laws and regulations at various maritime zones under national jurisdiction.

In fact, international conventions are to some extent guidelines for countries to pursue. But to

have the benefits out of such conventions individual countries needs to adopt their own domestic laws in support of the conventions. While formulating such laws maritime forces and other law enforcing agencies should be given the implementing authority so that a legal framework is created to deal with maritime crimes. Actually offences like smuggling of goods or people, illegal trafficking of arms, drugs or narcotic substances, piracy or armed robbery, maritime terrorism, illegal fishing, unauthorised exploration of oil, gas, minerals, unauthorised survey, collision, groundings, maritime pollution etc can have devastating consequences for the economy of the country.

In case of transnational crime the parties involved in such acts can take the advantage of the countries which have no or weak legal framework to deal with maritime crimes. Due to absence of strict laws in place, a country having valid reasons to believe that a criminal offence is going to take place in a neighbouring country using its maritime zones cannot take preventive measures and punish infringements. Mere sharing of information as per existing practice in this regard may not serve the purpose. Presence of regional legal framework to deal with cross-boundary maritime crimes can play effective role in this kind of situation.

The victory that Bangladesh has achieved through the declaration of ITLOS is beyond doubt a milestone for the country. It is now the time to have our own domestic laws to prevent and punish infringements committed in various maritime zones of the country. This will help Bangladesh to enjoy the freedom and sovereign rights to conduct economic activities in own sea areas of jurisdiction.

Capacity building of maritime forces, namely Bangladesh Navy and Bangladesh Coast Guard, is another prerequisite to ensure safer seas for the seafarers of tomorrow. Implementation of domestic laws in support of the judgment under the cover of Law of the Sea Convention will serve the purpose to a great extent. The country has miles to go in facing the challenges of the 21st century in the maritime front.

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