



# The Daily Star

FOUNDER EDITOR  
LATE S. M. ALI

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## VAT on private universities rescinded

### Remove VAT on private English medium schools too

WE welcome the cabinet's move to withdraw the 7.5 percent VAT that was imposed on the student tuition fees of the private universities. The decision has indeed come not a day too soon. The government had let the problem fester for as many as five days, which had translated into untold sufferings for the commuters in the major cities, especially in the capital. The government had to succumb to the language of pressure and not the language of reason. Even more bewildering is perhaps the Education Ministry's apparent exclusion from the decision making process.

From the very onset we have emphasised that VAT on education is unacceptable and to impose it on the educational institutions is a bad idea in the first place. This is especially so in the case of private educational institutions in general, where now students from the middle and lower middle income strata also study. We earnestly hope that in the future the government decision makers would be able to assess the likely outcome of their policies and feel the pulse of those who are going to be affected by it before finalising a decision.

Now that VAT on private universities has been withdrawn, there is no reason why it should not be lifted from English Medium schools and other private educational institutions.

Also, the government must favourably look into the demands of the public university teachers, which we feel are quite legitimate.

In this regard, the government should immediately sit with the teachers to resolve the crisis so that education in the public universities is not disrupted.

## A bad law scrapped

### Relief for the aggrieved

THE decision of the High Court to scrap the abhorrent law that legitimised all actions under Operation Clean Heart is a landmark judgement. Around 57 people died in custody and hundreds suffered injuries from torture during the operation.

Apart from the fact that the judgment will provide hope of justice for the victims and their families, it is significant in several ways.

We hope that the message will be conveyed to the lawmakers that the legislature cannot be used as a shield for acts that are illegal, which was the case in this instance. The legislation of 2003 also reflects on the legislators and their commitment to the rule of law. We feel that the MPs during that time had not fulfilled their responsibility towards their electorate of ensuring their basic right to life.

This judgment, we hope, will put an end to the culture of impunity that was set in motion through the legislation in the name of establishing law and order. It gave the law enforcing agencies a feeling of superiority and a carte blanche, an unacceptable situation under any rule of law. It is regrettable that such a culture continues even today.

We urge the government to ensure that never again such reprehensible laws are passed. Existing laws, moreover, that go against the spirit of human values and interest must be reexamined and scrapped. The parliament should ensure that the culture of accountability is established in all spheres of national life and snub any attempt to encourage a culture that denies people their right to life or recourse to justice and redress.

## COMMENTS

### "Demo continues, stays peaceful" (September 13, 2015)

Wahid Hossain

The demonstration should remain peaceful and the students should stay alert against political chance-mongers.

Lila

It's very nice to hear that thousands of private university students have been demonstrating for the last few days but no untoward incident was reported.

### "Reconsider VAT" (September 12, 2015)

Tanvir Islam

At first Mr. Muhiith said that the universities would pay the VAT, not the students. But just the next day he said that students do not need to pay 7.5 percent VAT this year but in future they may have to! Private universities are pocketing a large amount of money every year and that is why 7.5 percent VAT should be imposed on their income. The government must ensure this.

Syed Najmul Hussain

Were the leaders of APUB (Association of Private Universities of Bangladesh) sleeping when this VAT was proposed in early June this year and the parliament approved it later that month? They thought at that time that it wouldn't affect them as students would have to bear the VAT. Now they woke up knowing that they are the ones who would have to bear it. And, how could the government impose VAT on private universities without consulting APUB in the first place?

# The need for more space



MIZANUR RAHMAN

**D**URING the US Civil Rights movement in the 1960s, Dr. Martin Luther King had said, "Revolt is the language of the unheard." How

pointingly Dr. King had referred to the utmost significance of the freedom of expression in a democratic society. It is an irony that such remarks had to be made to the address of a state which proclaimed in its Declaration of Independence back in 1776 that "all men are born equal in rights and in dignity... and in their pursuit of happiness." The paradox of this society becomes all the more evident when one remembers the

integral to democracy in the same manner as human rights cannot be enjoyed, ensured or nurtured in the absence of democracy. Thus, human rights and democracy are interdependent and mutually inclusive.

However, one might ask what are the modalities of 'freedom of expression' and as is the case with any freedom or right, who are the 'right-holders' and who are the 'duty-bearers'? Whereas the ultimate duty-bearer in all human rights is the state, the rights-claimers may be an individual, a group or even the whole society. While the first two categories of rights-holders do not create any confusion, 'society at large' as the rights-holder leads to various interpretations and even certain confusions - who represents the society? Political parties? Elites? Intelligentsia? Professional groups? Trade Unions? NGOs? Or is it the 'civil society'? Without going into an analysis of each of these categories

bearer of public opinion and hence, the role of the civil society becomes crucial for democratic governance.

Fukuyama wrote that "democracy has taken hold as the result of the power of the underlying idea of democracy." The idea of human equality that underlines modern democracy is also the fundamental essence of modern concept of human rights.

Democracy may also be understood not merely as the expression of an idea or a set of cultural values but as the by-product of deep structural forces within societies. Social scientists have long noted that there is a correlation between high levels of economic development and stable democracy. For economic development to touch upon 'human development', democracy is indispensable. And for democracy to flourish, space of and for the civil society must be increasingly extended and

opposing views is the precondition of freedom of expression. It is now common wisdom that no freedom is a license - my freedom ends where your freedom begins. It is also universally accepted that the state in greater public interest, may impose certain restrictions on freedoms enjoyed by its nationals, including the members of the civil society. This sovereign right of the state must in no way be construed as a power to put restrictions and shrink democratic space of the civil society merely on the basis of 'subjective factors'. The state must never lose sight of the fact that its suspicion about any civil society actor posing threat to 'national security', or 'jeopardising greater public interest', must be based not on subjective but only and exclusively on objective grounds. Even subjective satisfaction of the executive must be based on objective factors! Modern notion of human rights demands such a high standard of democratic practice by the states - the duty-bearers.

The rights-holders (the civil society, for example) on their part should similarly acknowledge that while any move by the state to shrink their democratic space is not commensurate with either democratic governance or human rights, they also have a duty not to 'abuse' their right to democratic space providing various freedoms and liberties. In the same token, tolerance to opposing views does not necessarily guarantee freedom to oppose the prosecution of crimes against humanity, crime of genocide or resorting to bloody violence, arson, destruction of public property, throwing of petrol bombs or indiscriminate killings. Mahatma Gandhi once said, "War cannot be the path for peace. The path for peace is peace itself." We can echo the same: Democracy cannot be established through undemocratic means, human rights cannot be ensured through denial of democracy, and freedoms cannot be guaranteed by shrinking the space of human rights defenders, whether natural or artificial.

The writer is Chairman, National Human Rights Commission (JAMAKON), Bangladesh.



historical Four Freedoms Speech of President Franklin D. Roosevelt delivered in 1941, in which he unearthed the basic principles based upon which a new world order would be established after World War II. He considered 'freedom of speech and expression of every man anywhere on the globe' as one of the fundamental four freedoms. Today, it is universally recognised that freedom of expression is

(concepts), we need to acknowledge that each of them enjoys a certain degree of space in representing the 'opinion' of their respective groups. In certain circumstances, this 'group opinion' may be identical to the 'public opinion' defined as the aspirations and expectations of the overwhelming majority of the population. Despite certain reservations, it is commonly believed that the civil society is the

expanded. In a contrary situation, political decay is the inevitable consequence.

It would be unfair to expect that all civil society actors will possess identical views on different social or political issues. Pluralism is the soul and beauty of democracy. However, pluralism cannot sustain if the duty-bearer, i.e. the state is not tolerant to different, even opposing views. Peaceful coexistence of different and

# Civil society as the key to development



ROBERT WATKINS

**T**ODAY, the United Nations observes the International Day of Democracy. This year highlights the role of civil society and the importance of

ensuring its ability to operate and thrive. Civil society is loosely defined as a collection of organisations and citizens promoting a plurality of views and interests for the enrichment of society. It plays an integral role in democracies, and helps democratic countries to enjoy justice, equity, representation, and freedoms of expression and association, amongst many others. These values are enshrined in The International Covenant on Civil and Political Rights, which highlights the way in which civic and political freedoms are not just granted or upheld by a country, but are the responsibility of each citizen.

Civil society organisations are an expression of the democratic values and freedoms inherent in their identity. These organisations don't represent a single, monolithic entity, but rather the sum of many voices, at times discordant, and at times coming together on common issues that may advocate for change across ethnic, linguistic, religious and even political lines. Civil society functions as a marketplace of public ideas, a forum for exchange, dialogue, and reform that can become a source of creativity and solutions to a diversity of challenges.

The nature of civil society is such that it often challenges the status quo, which may in turn lead to more open and inclusive communities. Not only does this require tolerance of different ideas and perspectives, but also calls for the existence of an openness for meaningful and constructive dialogue and debate in the society. Without this openness of ideas, there is a risk of social disenfranchisement which can manifest itself violently, destabilising the environment for economic development to progress. There is no standard template for creating the conditions for civil society, although there is one essential ingredient: civil society grows in places where the state does not impose restrictive legislation but, on the contrary, encourages and enhances civic participation.

A strong civil society is simultaneously a precondition and outcome of a functioning and stable democracy. The United Nations recognises that development and democracy function best when civil society is permitted to flourish unhindered. Currently at the UN Secretariat, there are over 4,000 represented civil society and non-government organisations giving voice to ideas, and contributing research on the different issues discussed on the global agenda. For instance, in forming the set of development goals for the next 15 years - the Sustainable Development Goals (SDGs) - civil society was not only active in the consultative process which gave birth to the SDGs, it will also be a valued partner for their implementation. While civil society is independent from

government and can often assume the role of critic, at times in tension with the state, it is also the government's partner to collectively support better decisions and hold it accountable, which benefits all of the population.

This important link between civil society, democracy, and development, is actually best demonstrated right here in Bangladesh. Bangladesh has acquired a world reputation for its vibrant and robust civil society. It can trace its roots to the Language Movement, a coalition

Today, Bangladesh's civil society spans the world, sharing indigenous expertise and experience, and has evolved to over 2,000 national civil society and non-government organisations in the country and even more community-based groups, working together towards a better society for all. When diversity and plurality of voices mobilise in a free and open democracy, civil society is a government's best ally to achieve common development aspirations. As Bangladesh enters middle-income status,

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of students, activists, and groups that would eventually form the political architecture of what would become an independent Bangladesh. It was a true demonstration of the will of the people and the precursor to change and a self-determined democracy. Civil society continued to evolve after independence, with Bangladesh becoming the birthplace of micro-finance and the home of the biggest non-government organisation in the world.

it is fitting to recall the best of the country's traditions. At a time when civil society in Bangladesh is concerned about the shrinking space for public engagement in the country, we must be vigilant in ensuring that the proper conditions for a healthy exchange of views and ideas are continually upheld and nurtured.

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## LETTERS TO THE EDITOR

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### Whom shall we turn to?

It seems that the country has become a haven for criminals. That is why we hear about so many children being brutally murdered. Shame on us that we are unable to save these innocent children from this horrible fate. In the last few years, crimes have gone up at an alarming rate. What does the government have to say about this? Sometimes law-enforcing agents themselves become involved in criminal activities; so to whom shall we turn to?

Nur Jahan  
Chittagong

### Mental health of children

I congratulate Saima Wazed Hossain for her article titled "School psychologists and mental health of children and youth" published in TDS on September 3. Thanks to the author for shedding light on a very real problem faced by our country's children and youth. While mental health in general does not get the attention it deserves due to lack of awareness, there is also a complete denial of the mental illness of children.

We failed to recognise that children are also affected by various kinds of stress - in the family,

society and schools -- which have far-reaching repercussions in life. They need to be handled carefully by parents and teachers. Children's behaviour has to be understood and analysed from the right perspective and dealt with accordingly. In the absence of proper handling, innumerable children are dropping out of school, suffering from anxiety and depression, taking up subjects against their will and even committing suicide. I would like to suggest that interactive programmes on mental health be introduced on radio and TV.

Shahjahan Hafiz  
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