

Two timely new government stimulus packages

Authorities must ensure their benefits are maximised

THE government's decision to roll out two new stimulus packages for a total of Tk 2,700 crore is a welcome one. One of the stimulus packages is meant to boost the cottage industry and SMEs, and the other is being introduced to expand the social security scheme for the elderly and widows in poverty-stricken areas. The pandemic has hit all businesses hard, but while the big industries are recovering quite well, small businesses are still struggling. In light of that, it is an excellent idea for the government to expand support to them. As far as increasing the government's social security scheme is concerned, that is always a good idea but particularly more so now, as the poor are experiencing great misery due to the pandemic and are in desperate need of support.

The government's first stimulus package for the cottage industry and SMEs was less successful in comparison with its stimulus package for big industries due to a number of reasons. What is encouraging is that it seems that the government has listened to those criticisms and has taken note of what it did wrong. Thus, in designing its latest stimulus package for small and medium businesses, the government had taken recommendations from various stakeholders such as business leaders, government officials and representatives from banks, development partners and other agencies.

Having involved other stakeholders, the government has decided to give loans to micro and cottage entrepreneurs through various government and semi-government agencies like the SME Foundation, the BSCIC and Bangladesh NGO Foundation. This, theoretically, should make things easier for small businesses than acquiring the loans from banks, which had to be done in the case of the previous 20,000 crore stimulus package.

However, there are still some things that have to be sorted out, like deciding on a suitable interest rate for the loans. And experts have suggested that the government should look to give small businesses a one-time grant rather than loans, as they are already finding it hard to balance their books and may not be able to afford further expenses. Experts also fear that the aid package has been spread too thinly among the different organisations that are meant to disburse them. In order to solve this problem, the government can distribute the funds left over from the previous stimulus package for these agencies to also disburse on top of the amount from the new package.

Most importantly, the efficacy of both aid packages will ultimately come down to how well the government addresses corruption. Nearly all of the government's previous aid programmes to the poor were marred by corruption and it must ensure that the same doesn't happen to this one. Therefore, proper listing of eligible beneficiaries and pilferage-free transfer of the cash payments to those who deserve it should be the government's top priority.

Living conditions ignored while building houses for the homeless

Will it cause more harm than good for the people of Srimangal?

THE government's undertaking to hand over thousands of houses to the homeless across the country to mark the birth centenary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman this year is commendable. According to a recent report in this daily, in Moulvibazar alone, under the first phase of the Ashrayan-2 project of the Prime Minister's Office, it will hand over 1,126 houses to homeless families on January 23. However, there is a worrying concern regarding the 300 recipients in Srimangal upazila—the government land where most of these houses are being built in Srimangal is surrounded by hillocks, covered in natural vegetation or tea plantations, and is prone to flash floods as well as attacks by wild animals.

Each family unit has been allocated 285 square feet of area—with two bedrooms, one kitchen, one toilet and one veranda. However, the exterior wall and foundations of the structures are being made of plain bricks, without using reinforced cement concrete (RCC) columns or beams embedded with steel rebars. Locals have opined that not only are the small rooms (about nine feet by eight feet) unsuitable for habitation, but as the houses are built at the bottom of the hills, without any elevated platforms or foundations, they are more likely to be flooded during heavy downpours, and are also at high risk of being damaged by mudslides.

It is disappointing to know that the execution of such a noble cause has been so unplanned in Srimangal, with neither the topographical aspects nor the local environment being taken into consideration. If there are any untoward accidents or natural disasters, who will be held responsible for the people who will be affected by it? Housing is a fundamental need that our citizens are surely deserving of—the provision of which should take into account the safety and basic comfort of its occupants, regardless of which social background they are from. If the houses do not serve the purpose of providing shelter to the homeless, it will also be a waste of government funds. We hope the concerned authorities will look into the matter while there is still time and ensure that the housing provided will protect its occupants from climatic events/disasters and will provide a minimum standard of living. The ownership of property is a dream for the people at the lowest rungs of society and while fulfilling this dream is a praiseworthy initiative, we must also take the safety and dignity of these people into account.



TASLIMA YASMIN

A recent decision of the High Court Division (HCD) declaring that women cannot act as *nikah*/marriage registrars in Muslim marriages was subjected to considerable

scrutiny. There was a writ petition challenging the validity of a decision of the law ministry cancelling a panel of selected *nikah* registrars (or commonly known as "kazi") for Dinajpur's Phulbari municipality. The reason shown for cancellation was that all three selected candidates were women and "in the present realities of Bangladesh, women could not be appointed as *nikah* registrars". One of the selected panelists had filed the petition, which was eventually rejected by the HCD.

It is to be noted that unlike other religions, a Muslim marriage is not considered as a religious sacrament but is in the nature of a civil contract (as reflected in the majority of Islamic legal texts). Hence, Islamic law simply requires offer and acceptance between legally capable parties in the presence of two competent witnesses. However, in Bangladesh we follow certain religious and cultural ceremonies to solemnise a marriage—for example, reciting from the holy Quran as well as following some other social rituals. Although such rituals are commonly practiced, marriage without such rituals is still valid in Muslim law.

Similarly, registration is not a requirement prescribed by Muslim law for contracting a valid marriage. It was the Bengal Muhammadan Marriages and Divorces Registration Act, 1876 that first provided for voluntary registration of Muslim marriages and divorces in the Indian subcontinent. The law created public offices of marriage registrars simply to record Muslim marriages and divorces in government prescribed register books. It required parties to apply for registration within one month of the marriage and divorce being effected, clearly indicating

thereby that a valid marriage had already taken place without registration.

During the Pakistan period, the issue of registration of Muslim marriages was again brought to light when the Muslim Family Law Ordinance 1961 (MFLO) was enacted. The MFLO was a result of the recommendations made by the Commission on Marriage and Family Laws that was formed in 1956. The purpose of the Commission and the law was to protect and enhance the rights of

repealed by the 1974 Act, while the rest of the provisions of the MFLO are still in force in Bangladesh. Thus while "solemnisation" of a Muslim marriage is a matter of religious rites and ceremonies, "registration" is purely a matter of statutory law not being part of the religious prescriptions.

The HCD, in rejecting the petition, had mainly relied on two grounds. Firstly, the task of marriage registration had been considered a difficult and

discussed, solemnisation of marriage was never deemed to be within the duty of the *nikah* registrars under the 1974 Act. Because the law requires the registrars to hold an Alim Certificate from a recognised madrasa, a common practice had developed that the *nikah* registrars conduct the religious rituals of marriage ceremonies as well. However, it is also not uncommon that a *nikah* registrar would send his office assistants to solemnise a marriage, or that the parties had already solemnised the marriage and came to the *nikah* registrar afterwards for registration. In fact, the 1974 Act and its 2009 Rules had also clearly indicated such possibilities by providing that when the marriage is solemnised by the *nikah* registrar it will be registered at once, but when it is solemnised by any other person, the parties have to register the marriage with the *nikah* registrar within a certain period from the date of solemnisation.

The HCD also held the view that during menstruation, a woman is not allowed to enter a mosque where apparently many of the marriages now take place. Menstruation as such, was considered as a "physical disqualification" for women in being appointed as *nikah* registrars. However, since solemnisation of a marriage is not a legal duty of the registrars and can be done through other persons, a woman registrar can simply choose not to perform any religious rituals if she finds it necessary and can get the marriage solemnised through a local mosque's Imam or any of her office assistants during menstruation. Menstruation thus cannot be a question to be relevantly asked when appointing a *nikah* registrar whose duty, even as the preamble of the 1974 Act depicts, is simply to "register Muslim marriages and divorces".

Our Constitution guarantees equality before the law and protects against discrimination on the basis of gender. We believe that our apex court would continue upholding those constitutional guarantees and guide our efforts in ensuring equal status for women towards a more progressive path.

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Muslim women. Although some facilities for voluntary registration were present under the 1876 Act, the MFLO in section 5 provided for compulsory registration of marriages solemnised under Muslim law and prescribed punishment for non-compliance. Compulsory registration was recommended by the Commission as absence of any documentary evidence of a marriage made proof of the marriage difficult, which eventually caused hardships to Muslim married women in claiming rights to dower, maintenance, inheritance, etc.

Later in independent Bangladesh, a separate statute was brought in 1974 for registration of Muslim marriages and divorces, which elaborated the existing provisions on marriage registration. Hence, section 5 of the MFLO was

somewhat impracticable job for women as it requires traveling in remote areas, often "at night" and may also occasionally involve "crossing rivers and canals through boats". Aside from the fact that across the country, millions of women are successfully employed in jobs requiring equal or higher mobility, it is perhaps only appropriate that the decision as to whether a woman is ready to take up the challenges of the job of a *nikah* registrar, is left to her own choice without drawing assumptions for all women in general.

Secondly, in justifying appointment of only men as *nikah* registrars, the court distinguished marriage registrars' role from other public offices holding that "the primary role and duty of a *nikah* registrar is to solemnise the marriage between Muslim couples". However, as

COVID-19 AND SDG 12

Promoting prudent resource use



SYED YUSUF SAADAT

IMAGINE a world with no scarcity; a world with no externalities. Imagine that resources are unlimited and our actions have no consequences on our surroundings. In the words of

John Lennon, "you may say that I'm a dreamer—but I'm not the only one". We are all living under the delusion that these preposterous assumptions are true. Unfortunately, resources are limited in supply. Energy and matter can neither be created nor destroyed, but can only be changed into different forms. Our individual production and consumption decisions affect the people and environment around us. The production of goods and services uses up limited resources while consumption creates waste which, when transferred back to nature, leads to environmental degradation. Since consumption of energy is irreversible and conversion of energy from one form to another is never completely efficient, our supply of exhaustible natural resources will invariably run out one day—leaving us to survive only on renewable energy sources. Thus, we must acknowledge the fact that the economy and the environment are intricately and inseparably intertwined.

Sustainable Development Goal (SDG) 12 recognises the economy-environment nexus. SDG target 12.2 calls upon countries to "achieve the sustainable management and efficient use of natural resources". Natural resource rents are indicative of how sustainably natural resources are being used. Natural resource rent is defined as the difference between the market price of a natural resource and the average cost of extracting or harvesting it. At its inception, natural resource extraction is lucrative because the most readily accessible natural resources are gathered first and so the natural resource rents are high. The supply of natural resources represents a country's stock of natural capital. Hence, a fall in natural resource rents may imply that the natural capital stock of a country is being liquidated too quickly.

In Bangladesh, total natural resource rents as a percentage of Gross Domestic Product (GDP) fell from 0.64 percent in 1990 to 0.27 percent in 1998. However, starting from 1999 onwards there was a rapid increase, and total natural resource rents were equal to 1.86 percent of GDP in 2006. Thereafter, total natural resource rents have undergone a decline, and as of 2016, total natural rents were 0.77 percent of GDP. Moreover, from 1999 onwards, the trend of total natural resource rents

in Bangladesh has been largely driven by the trend in natural gas rents. The decline in natural gas rents from 1.20 percent of GDP in 2012 to 0.41 percent of GDP in 2016 indicates that natural gas extraction has progressively become less profitable. This is anticipated, since the cost of extracting an exhaustible natural resource increases as more of it is extracted, provided that supply of such a resource is assumed to be held constant.

capita consumption of natural gas and 47.53 percent increase in per capita consumption of petroleum. Domestic consumption of all raw materials in Bangladesh increased by 20.70 percent from 2007 to 2017. From these findings, it appears that sustainable consumption is still largely an alien concept in Bangladesh. However, there is some hope on the production side. Domestic consumption of fossil fuels per



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This suggests that the low hanging fruits have already been collected, and future extraction of natural gas in Bangladesh may be even more costly, which may potentially lead to higher natural gas prices.

Efficient and economical use of resources is a prerequisite for sustainable consumption and production. During the 10 years between 2007 and 2017, domestic per capita consumption of fossil fuels in Bangladesh increased by 57.74 percent, which included 147.22 percent increase in per capita consumption of coal, 52.4 percent increase in per

unit of GDP decreased by 3.82 percent, while domestic consumption of all raw materials per unit of GDP decreased by 26.40 percent from 2007 to 2017. This means that over the years, each unit of GDP in Bangladesh has been produced using progressively fewer units of fossil fuels and raw materials. This represents an increase in resource efficiency of production techniques and technology.

Unfortunately, Covid-19 has led to a surge in unsustainable production of single use plastics and synthetic materials, which have been utilised for making personal protective equipment

(PPE) such as body suits, masks and face shields. Fears of virus transmission have also led to a spike in unsustainable consumption of single use tableware and cutlery. Between March 26, 2020 and April 25, 2020, around 14,165 tonnes of single use plastic waste was generated in Bangladesh, which included 455 million surgical masks, 1,216 million polythene hand gloves, 189 million surgical hand gloves and 49 million bottles of hand sanitiser. At a time when the pandemic is threatening the food security of millions of people in some of the poorest countries, vast quantities of food are being wasted each year. Globally, 13.8 percent of all food, whose market value is equivalent to more than USD 400 billion, is wasted during transport, storage and processing. The crash in crude oil prices, as well as the continued fossil fuel subsidies in highly polluting developed countries, pose serious challenges to the transition to renewable energy and make it less likely that the world will build back better in the aftermath of the pandemic.

It must be kept in mind that economic development and environmental sustainability go hand in hand and that there is no scope for being economically developed first and becoming environmentally sustainable later. Globally, the quest of achieving SDG 12 must be led by the developed countries, which have double the material footprint and four times the fossil fuel footprint of developing countries. Nevertheless, there are some exemplary steps that countries like Bangladesh should take in order to establish paradigms for others to follow. Taxes and other economic instruments should be deployed to guide consumers and producers to make more sustainable choices. For example, sustainability taxes should be imposed on plastic bottles, so that private sector bottled water and beverage companies switch to reusable glass bottles. Use of electricity and water should be controlled by optimising utilisation and setting national targets for maximum consumption. A culture of frugality should be promoted among children through advocacy in schools, in order to prevent the hereditary transfer of the consumerism disease. Online platforms and smartphone applications that promote "trash to cash" approaches should be popularised. The notion of sustainable consumption and production should be mainstreamed into local, regional, sectoral and national policymaking and integrated within legal frameworks. Such steps will help Bangladesh build back better in the aftermath of Covid-19 and take the country closer to the achievement of SDG 12 by 2030.

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