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FOUNDER EDITOR: **LATE S. M. ALI**

Fertiliser subsidies need a rethink

Support must reach small farmers without disrupting production

A recent World Bank (WB) report has highlighted a major inequity in Bangladesh's fertiliser subsidy programme: the biggest 20 percent of landholders receive half of fertiliser subsidies while the smallest 40 percent get only 13 percent. Fertiliser subsidy has nearly quadrupled to Tk 28,000 crore in five years. This is a contradiction to the subsidy programme's goal—supporting small farmers and poor rural households. The WB has urged the government to phase out price controls and move to market-based pricing, and recommended direct support for small and marginal farmers through electronic vouchers linked to Farmer Cards introduced by the BNP government. While this may sound like a logical solution, Bangladesh must approach the problem with caution.

Sudden price increases in administered fertiliser could actually lead to small landholders reducing fertiliser use, lowering yields, and pushing up food prices. The WB has cautioned against this and suggested that Bangladesh should stock up on fertiliser for the coming cropping seasons, maintain buffer stocks and ensure timely distribution. But on pricing and targeting reforms, the WB remains firm. The IMF has also urged reducing subsidies for several years and may make fertiliser-subsidy reform a key condition of its upcoming loan. While there is an obvious need for reform, abruptly withdrawing subsidies will be risky. Bangladesh's agricultural policy must ensure small landholders get adequate subsidies while food production is not affected. The food price also must remain stable.

Ensuring food production and food security has to be among the biggest priorities, especially when Middle East crises are having a huge impact on the country's economy.

While the government's Farmer Card initiative sounds promising, it is still at the rudimentary stage and more time is needed to assess its coverage and ability to deliver benefits on time. Thus, it would be risky to assume that it can immediately replace the existing subsidy system. For now, the Farmer Card should be distributed alongside existing support, with evaluations conducted to see if the intended beneficiaries are being reached.

Being a country that imports 85 percent of its fertiliser requirements makes Bangladesh vulnerable to global supply disruptions and price and foreign exchange fluctuations. The gas crisis, moreover, has severely hampered local fertiliser production. Ensuring adequate stocks, monitoring distribution and preventing unofficial price increases should be prioritised.

In the long term, Bangladesh should invest more in research, extension services, soil health, irrigation, storage and marketing. A more efficiently managed subsidy programme can reduce the imbalance in agricultural spending. Therefore, pricing reforms must be done predictably, with their impacts carefully monitored. Instead of immediately removing subsidies, Bangladesh must move towards a subsidy system that better serves the farmers who need it most. A sudden policy change may leave farmers struggling to buy the necessary inputs for the next harvest. Ensuring food production and food security has to be among the biggest priorities, especially when Middle East crises are having a huge impact on the country's economy. Any policy recommendation that may affect food production must be evaluated very carefully.

Child marriage law should be reformed

Remove 'special circumstances' section, strengthen enforcement

It is unacceptable that nearly a decade after the enactment of the Child Marriage Restraint Act, 2017, millions of girls across the country continue to be married before they turn 18. A recent review by Unicef and UNFPA reveals why the law has failed to deliver the expected results, identifying legal loopholes and weak enforcement as major obstacles. According to the review, 47.2 percent of girls were married before 18 in 2025, down from 51.4 percent in 2019. Despite this decline, we still have the highest prevalence of child marriage in South Asia, with an estimated 41.6 million child brides, including 22.3 million who were married off before turning 15.

One of the most problematic provisions in the act is Section 19, which allows underage marriage in "special circumstances" with court approval but does not clearly define these circumstances. As we have argued before, this provision is open to misinterpretation and misuse, and therefore must be removed. Another major shortcoming is that the act penalises those involved in child marriages but does not invalidate the marriages themselves. This means that while a marriage is punishable under the act, it can still be recognised as valid under personal laws. The aforementioned review recommends allowing children to annul their marriages and ensuring that the law takes precedence over conflicting personal laws. It also recommends that the minimum marriage age be set at 18 for both girls and boys, and that children involved in marriages should not face criminal penalties.

Weak enforcement is another barrier, which has allowed the practice to persist. While prevention committees often fail to function, officials also lack adequate training and resources, and authorities often arrive at the spot after weddings have taken place. Families also continue to evade scrutiny by using forged birth certificates or arranging marriages in neighbouring districts. These gaps must be addressed urgently. The review also identifies poverty, limited educational opportunities, insecurity, and entrenched gender norms as other factors driving child marriage.

We urge the government to act on the recommendations without delay. The Women and Children Affairs Ministry must take the lead in initiating the necessary legal reforms and coordinate with relevant ministries and agencies. Prevention committees must function effectively and trained Child Marriage Prohibition Officers must be appointed down to the union level. All marriages must be registered to strengthen oversight. A state-funded support system must also be established to provide rescue services, healthcare, safe shelters, counselling, legal aid, and livelihood opportunities for victims of child marriage.

Constitutional reform is more than a parliamentary numbers game



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Despite strong objections from the Jamaat-led opposition, the constitutional reform process initiated by the ruling party seems to be moving forward with a December deadline in mind. The special committee on constitutional amendments, which held its seventh meeting this Tuesday, seems to be sticking to that timetable, with an amendment bill based on its report potentially following in the first parliamentary session of 2027. A timetable can concentrate minds. It can also turn consultation into a race towards a predetermined destination. The committee's first responsibility, therefore, is not to produce amendments quickly, but to demonstrate that those controlling the process do not own its outcome.

This distinction is important because the rules governing political power should not become the property of whoever currently controls it. Under Article 142 of the constitution, an amendment bill requires the votes of at least two-thirds of all MPs. That is a threshold for exercising authority, not a transfer of the people's sovereignty to the parliamentary majority. Constitutional reform must satisfy legal limits while earning a legitimacy that parliamentary arithmetic alone cannot supply.

In this regard, the Eighth Amendment judgment, in which the Supreme Court struck down a constitutional amendment passed by parliament for the first time in 1989, remains an unusually direct warning. In Anwar Hossain Chowdhury v Bangladesh, the court explained how the basic structure doctrine emerged in response to executives using overwhelming legislative majorities to rush constitutional amendments without meaningful public consultation or adequate deliberation. The danger was not confined to military rule; constitutional mechanisms themselves could become instruments for concentrating power.

The Fifteenth Amendment litigation shows how consultation can take place without giving participants meaningful influence over decision-making. The High Court judgment records an account, not disputed by the then respondent government, of a special committee consulting 104 distinguished citizens and unanimously recommending the retention of the caretaker government system on May 29, 2011. But following meetings with the then prime minister, that position changed. The Fifteenth Amendment Bill subsequently received only four days of standing committee scrutiny, despite 14 days having been allowed, and was passed a day after the committee submitted its report (pp. 21-22).

We are not saying that today's special committee is repeating that history. But the existence of a committee, the participation of distinguished invitees, and the number of meetings held cannot, by themselves, establish independence. Consultation becomes decorative when the executive can reverse its outcome without publicly explaining its departure from the recommendations. Citizens need to see not only who was heard, but also which arguments changed the draft and why others were rejected.

The Fifteenth Amendment judgment itself must also be read accurately. Despite identifying procedural flaws, the High Court declined to invalidate the entire amendment on procedural grounds (p. 31). Its operative order struck down specific provisions, including Articles 7A and 7B, and restored the referendum mechanism. The legality and propriety of other challenged changes were left for parliament to consider "in accordance with law" (pp. 136-138). The Appellate Division upheld the ruling on July 9, 2026. Neither judicial restraint nor that phrase, however, grants parliament unrestricted power to rewrite the constitution.

Equally, removing Article 7B's sweeping prohibition on amending core sections of the constitution does not remove the basic structure doctrine. Textual entrenchment and judicially enforced constitutional limits are different things. A constitution can remain open to substantial reform while protecting the institutions and rights without which democratic choice becomes hollow.

The Thirteenth Amendment review judgment gives that distinction practical force. At page 44, the court characterises parliament's Article 142 power as a trust delegated by the people, not original constituent authority. At pages 45-46, it examines what amendments do in practice: removing an institutional safeguard may imperil democracy even when democratic language remains untouched. A government cannot preserve the signboard while dismantling the institution behind it.

There is, however, a tension requiring candour. At page 46, the same judgment accepts that the 1996 political settlement, which led to the introduction of the non-party caretaker government system through the Thirteenth Amendment, expressed the people's constituent power—their authority to establish a constitutional order—and therefore stood beyond ordinary judicial review. That reasoning cannot simply be omitted because it complicates a tidy account of amendment limits. But neither can a parliamentary majority declare itself the embodiment of exceptional popular authority. The claimed mandate, its scope, and its means of expression must be demonstrated, not presumed.

Courts also owe the public principled explanations. The review judgment condemns the earlier divergence between the short order and the detailed judgment, describing the resulting defect as fatal to its legality and integrity (pp. 59-61). Judicial guardianship is indispensable, but it cannot mean that changing judicial preferences become constitutional truth without transparent reasoning. The doctrine should protect democratic conditions, not turn every inherited institutional detail into a permanent judicial preference.

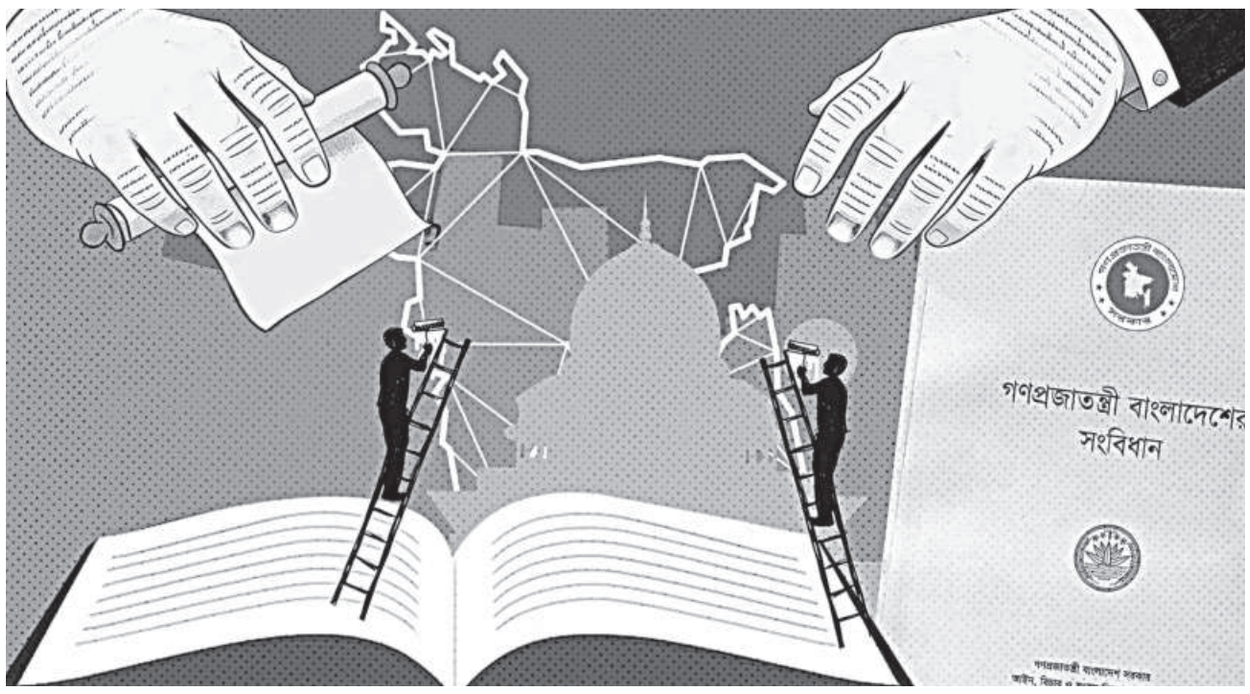
The Constitution Reform Commission's report offered a starting point for further deliberation. It deliberately kept open proposals ranging from constitution amendment to rearrangement and rewriting, acknowledging competing approaches (p. 2). It also recognised that its consultation methods could not guarantee representation of every section of society, prompting a nationwide survey (p. 4). Today's parliament should, therefore, build on that evidentiary foundation without treating negotiations among party leaders as the voice of the entire people.

The special committee should publish a working draft with an explanation alongside each proposed change: the existing position, the problem identified, the relevant judicial constraint, the alternatives considered, and the reason for its recommendation. Substantial revisions should trigger renewed consultation. A publicly announced minimum period for comment, accessible Bangla explanations, and opportunities beyond Dhaka would make participation something more than attendance at an invitation-only meeting.

Its independence should also be visible. Committee legal advice, hearing records, and reasons for departing from recommendations should normally be published. Members should be able to append dissenting opinions. The executive should present its preferred amendments openly rather than influence the committee through an undisclosed channel. These are proposed safeguards for credibility, not claims that every omission automatically invalidates an amendment.

Opposition participation matters, of course. But neither an empty chair nor a majority vote should be treated as a complete answer to legitimacy. The government should offer meaningful influence over deliberations, not merely an opportunity to endorse its conclusions. Opposition parties, should they choose to participate in any form, should explain their alternatives publicly. Women, minorities, workers, and citizens outside organised party structures must have routes into the discussion that do not depend on a party's permission.

The committee should ultimately judge every proposal by a disarming question: would its authors still defend this rule if their strongest political opponent controlled the government? Reform that passes that test begins to resemble constitutionalism. Reform designed to secure today's advantage merely prepares tomorrow's grievance. The purpose is not to make power easier to exercise, but harder to monopolise.



FILE VISUAL: **ANWAR SOHEL**

Saudi Arabia's war risks are becoming our burden

■ **WINKERS AWEIGH!**



Tanim Ahmed is special affairs editor at The Daily Star.

■ **TANIM AHMED**

While the direct impact of the Houthi missile strike in Riyadh is being clearly felt in Dhaka due to the dozens of suspended flights and long queues at the airport, the longer-term repercussions are likely to be more debilitating for the economy. Flights to and from the kingdom have been suspended until October 17. According to the Civil Aviation Authority of Bangladesh (CAAB), this has affected at least 61 flights and 9,269 passengers so far, leaving many migrant workers worried about their employment and visas.

Saudi Arabia, home to around 3.5 million Bangladeshi expatriates, is Bangladesh's single largest source of remittances, accounting for about a fifth of inflows during July-September this year, worth $1.95 billion. If a stronger Houthi presence translates into control over the crucial Bab el-Mandeb Strait, a key Red Sea chokepoint, it could have serious implications for global oil markets.

This would effectively mean Iran exercising control over two straits (Hormuz and Bab el-Mandeb) that are crucial not just for Saudi oil but also for all kinds of fuel transporting from the Persian Gulf. The ongoing war in the Persian Gulf has also affected Bangladesh's exports, directly by way of shutting down export destinations in the region and indirectly by way of more expensive energy prices.

The missile strike, which killed two Bangladeshis and critically injured several others, also underscored the extent of Bangladesh's integration with both the global economy and the international energy order. Ironically, Riyadh was hosting the World Energy Congress at the time, with several energy ministers of different countries addressing the conference virtually rather than attending it themselves. Chief executives of ExxonMobil, TotalEnergies, BP, and Shell cancelled their trips. The energy minister, Abdulaziz bin Salman, an elder stepbrother of the all-powerful Saudi crown prince, did not mention the strikes as he addressed the gathering but expressed his dismay that some of the invitees could not join because of certain safety concerns.

Mohammad bin Salman, the crown prince, had waded into this conflict in Yemen soon after his father had ascended to the throne and appointed him defence minister in January 2015. No one had thought the campaign in Yemen would eventually have so much significance for Bangladesh, thousands of kilometres away. More than a decade later it is evident that, try as they might, the Saudis are not going to be able to root out the Houthis, short of putting ground troops in Yemen, with military muscle on their own. The disastrous campaign that bin Salman had begun is now being stoked from elsewhere and for different reasons. If anything, the Houthis have only become battle-hardened and perhaps more resolute.

But this is not just a rebel group trying to run over the Saudi-backed government. There are other factors at play as well. The Houthis are backed by Iran and, by extension, Russia and China. The one in government, supported by Saudi Arabia, is also supported by the US. Then there are the recent parties of the Makkah agreement, Pakistan and Turkey, to consider. Notably, Turkey has clarified that it will not deploy troops for an offensive into Yemen but will actively defend the oil-rich kingdom. To a large extent, this tangled web of interests and allegiances within and among these countries could be resolved if the US and Israel cease their attacks on Iran. But Iran has also demanded that Israel cease its genocide in Gaza and violence in Lebanon for any peace deal to hold.

Now that the Houthis have brought the war right inside his home, the crown prince will discover that it is no longer possible to extricate Saudi Arabia without resolving what the US and Israel had started. Revisiting the possibility of Iran-backed Houthis taking over control of the Red Sea chokepoint while Iran maintains its firm control over Hormuz would mean that the flow of fuel would dwindle to a trickle, practically shutting off the kingdom's access to the vast markets of Asia, except all the way around Africa, which would be extremely costly and perhaps unfeasible. Of course, all this would push oil prices higher, spelling doom for Bangladesh and many other countries dependent on the regular supply of fuel from the Middle East.

And given the poor state of Saudi air defence, there is still a serious security threat. Several countries have issued strong warnings about flying to the kingdom. Some have forbidden air travel to Saudi Arabia altogether. Even Mohammed bin Salman has been reportedly moving from one palace to another in fear of Houthi air strikes. Thus, the crown prince is most likely going to become another one in a long line of people impressing upon the Trump administration that the impasse needs to be resolved. And given the repercussions Bangladesh is feeling already, that resolution will be in Saudi interest as much as it will be in ours.

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