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Department of Government and Politics

Jahangirnagar University

Savar, Dhaka-1342, Bangladesh

E-mail: govpoli@yahoo.com

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## CONTRIBUTORS

Dr. Syed Anwar Husain	Professor, Department of History, University of Dhaka, Dhaka.
Dr. Md. Shairul Mashreque	Professor, Department of Public Administration, University of Chittagong, Chittagong.
Dr. Zahir Ahmed	Professor, Department of Anthropology, Jahangirnagar University, Savar, Dhaka.
Dr. Md. Shamsul Alam	Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.
Md. Sahidul Islam	Lecturer, Department of Government and Politics, Asian University of Bangladesh, Uttara, Dhaka.
Mohammad Nasir Uddin	Associate Professor, Department of Anthropology, Jahangirnagar University, Savar, Dhaka.
Dr. Shamsun Naher Khanom	Associate Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.
Dr. Ejaz Hussain	Assistant Professor, Department of Social Science, Iqra University, Islamabad.
Dr. Kazi Shahedul Halim	Assistant Professor, Department of Anthropology, Jagannath University, Dhaka.
Md. Farid Hossain	Lecturer, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.
Mohammad Tarikul Islam	Lecturer, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.
A.S.M. Firoz-Ul-Hassan	Assistant Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.
Kamrul Hasan	Lecturer, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.

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## **Politics of Countering Extremism and Terrorism: A Conceptual Framework in Bangladesh Context**

Dr Syed Anwar Husain \*

**Abstract:** Terrorism/extremism may be defined as a varied class of political violence that can be characterized with ideological motivations, varied tactics, and varying levels of lethality. It is disquieting to think that a democratically committed country like Bangladesh fast turning into a hub of terrorist/extremist activities. This is so as a democratic polity, if organized and structured properly, denies any space to extremism/terrorism. In the specific context of Bangladesh this paper explains how democracy prevents terrorism/extremism; and democratic deficits create an 'enabling environment' for the rise and spread of terrorism/extremism. The paper divides into three subsections: political factors enabling terrorism; factors checkmating terror; and limitations of the theoretical construct thus gained in the specific context of Bangladesh.

**Keywords:** Politics, Countering, Extremism, Terrorism, Bangladesh.

Reading novels by writers like Fyodor Dostoevsky, Henry James and Joseph Conrad one could easily gain the impression that terrorism of their times was the greatest danger facing mankind and that the end to the civilized life was at hand. Many years down the time – line as we live precariously we witness terrorism as a defining phenomenon. Terrorism may be perceived as a varied class of political violence that can be characterized with ideological motivations, varied tactics, and varying levels of lethality (Magouirk, Atran, Sageman, 2008: 1-16).

But to discourse on such an inhuman phenomenon as terrorism in the specific context of Bangladesh appears to be paradoxical. It is so in that Bangladesh emerged with a structural commitment to democracy. It is really disquieting to think of this democratically committed country turning into an incubator, or what has been termed 'a cocoon' of ubiquitous terrorism; and this is so because, a democratic polity, if organised and structured properly, denies any space to extremism and terrorism. The extremism prevention underlying democratic principle has been articulated by no less a person than Voltaire in such eternal words as: "I detest what you say, but will defend to death your right to say so". The structural democratic ethos that Bangladesh was endowed with at its birth was not something that related to political ebullitions only, it represented a socially and historically deep – rooted consensus. In such a context, therefore, the extremist and/or terror manifestations that stalk our society and polity is an aberration that may be linked to the democratic deficits that Bangladesh has demonstrated over the years.

There is not one terrorism, but there have been much terrorism, greatly differing in time and space, in motivation, and in manifestations and aims (Laquer, 2007: 20-23). This

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\* Dr Syed Anwar Husain, Professor, Department of History, University of Dhaka.

discussion, however, is limited one in that it relates only to religiously motivated extremism and terrorism with political goals. The discussion explains how democracy prevents extremism and terrorism; and how democratic deficits create an 'enabling environment' for the rise and spread of terrorism. The discussion has three subsections: political factors promoting terror; factors checkmating terror; and limitation of the theoretical construct thus gained in the specific context of Bangladesh.

## I

Walter Laquer suggests that terrorism comes into being in societies wherein people are most exploited and most cruelly oppressed. Starting from such a generalisation it is argued that terrorism could be ended or prevented by removing exploitation and oppression (Laquer, 2007: 20). In other words, he suggests a paradigm without and with democracy *vis-a-vis* terrorism. Democratic deficits make a state inherently weak, and in which case authoritarian rule, military or otherwise, does not redress the situation. Such a weak state manifests its weakness in poor governance ability. The ramification of a weak state may be pointed out in the following words, "The phenomenon of weak states refers to a situation where central government has a poor capacity to control public order within its territory, is unable to consistently control its borders, cannot reliably maintain viable public institutions or services, and is vulnerable to extra-constitutional domestic challenges. Indications of this condition can be found in poor levels of economic performance, human welfare, economic distribution and levels of conflict" (Newman, 2007: 465). Contrary to the propaganda launched by some international community elements and their domestic cohorts Bangladesh is not yet a failed state; but, by these indicators, it is certainly a weak state.

There are a good deal of theoretical postulations based on empirical evidence which suggest that such states provide a breeding ground or an enabling environment for terrorists (Newman, 2007: 466 and Hagel: 2004). Inherent in the supposed relationship between weak states and terrorism are a number of assumptions. First, terrorist groups decide to operate in an environment of weak or failed states. Second, terrorists operate in a vacuum of public authority – with no functioning or effective institutions of policy enforcement or justice. Third, terrorist groups can actively recruit, train and plan attacks which target either local or foreign interests in such an enabling environment. Fourth, terrorist groups can operate in such states free from detection, interference, or interdiction – more effectively than in functioning states (Newman, 2007: 467).

## II

An idea of terror preventing political strategies can be had by constructing opposite corollaries of the above assumptions. First, terrorist groups would have difficulty operating within fully functioning states because the existence of effective institutions would hamper or undermine their activities. Second, it implies that if institutions in weak states are strengthened, it would significantly reduce the threat of terrorism.

Democracy building does not mean only putting in place an elected government; it means state or democratic institutions building by this government. This is why it is held that



spreading democracy might alleviate religiously inspired terrorism because it provides an outlet for citizens' disgruntled wishes with the failures of authoritarianism. Democracy may not always produce more social and economic goods, but the democratic process itself might dampen some of the grievances of citizens by offering a more inclusive and legitimate government that is better at providing procedural justice, if not distributive justice (Freeman, 2008: 52).

Democracy – building is a process that goes on in tandem with state – building, both in terms of capacity and institutions. The report of the 2006 UN agenda on terrorism mentions that the rule of law and good governance are essential for preventing environments within which terrorist groups can operate, and it argues that building capacity in states must therefore be “the cornerstone of the global counter – terrorism effort”.<sup>1</sup>

### III

Such postulations culled as these are from research findings of Western provenance explain much of the terrorism phenomena in Bangladesh, but only partially. The peculiarities and specificities of the Bangladesh phenomenon are not addressed in these postulations. It is undeniable that Bangladesh is a democracy – deficit country with appalling record of governance failure, and thus with the “enabling environment” for terrorists. But such postulations do not help us understand how the rulers of the country, through their distorted perception of politics, have either politicised religion or religionised politics, and patronised/countenanced the rise and growth of anti-liberation obscurantist elements – cocoons or incubators of terror. Such a Bangladesh – specific terror related phenomenon has three explanations. First, there is a correlation between illegitimacy of ruler and use of religion for political purposes. Second, even legitimately elected government has been found to patronise religion or religious outfits as a vote-catching strategy. Third, obscurantist terror outfits have been used by the incumbent rulers to checkmate their political adversaries and liberal and progressive elements of the country.

#### **Concluding Observations**

Religious terrorism in Bangladesh is originally a home – grown phenomenon with alleged external linkage. As a home grown phenomenon it is the manifestation of bankrupt politics; and as such, a Frankenstein's monster patronised and groomed by political god-fathers. Thus terror prevention in Bangladesh needs a two-pronged strategy: denial of space at home to terrorists through requisite policy interventions; and denial of extraneous sustenance to terrorists through requisite diplomacy. But, on the whole terrorism is a hydra – headed monster countering of which needs multi-dimensional policy interventions comprising both domestic and diplomatic components.

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<sup>1</sup> Report of the Secretary General, “*United Against Terrorism: Recommendations for a Global Counter – terrorism Strategy*”, A/60/825 (27 April 2006).

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## **Politics of Rural Development in Contemporary Bangladesh: Manipulation, Criminalization and Corruption**

Dr. Md. Shairul Mashreque \*

**Abstract:** Now rural development in Bangladesh is at the crossroad passing through various stages of action research and pilot experimentation. At the beginning of the new millennium rural development in this country has become a daunting problem with numerous challenges and predicaments. Challenges happen to be the challenges of manipulation, criminalization and corruption. The rural sector in Bangladesh continues to be underdeveloped despite the fact that it feeds its national economy. Until and unless rural economy can be improved to a certain standard any institutional intervention to develop the country will be thwarted. For this reason any successive regime in Bangladesh stresses the imperatives of development administration and governance at the micro-level for the implementation of participatory rural development programs of Bangladesh. Rural distribution process needs to be revamped with the components of good governance. The study throws a flood of light on what is wrong in the politics of rural development. So it epitomizes the nature of the state as the methodological perspectives of political economy per se.

**Keywords:** Politics, Rural Development, Manipulation, Criminalization and Corruption

### **Introductory Research Notes**

A plausible explanation of the politics of rural development with the methodological perspective political economy attributes significance to the features of social formation that are of relevance to the understanding of the nature of structural manipulation and ruthless exploitation of the rural poor. The study resorts to this perspective to discover a logical connection between manipulation, criminalization and corruption. Part of the explanation here involves the state as an organized larger community operating with government and public administration that continue to buttress socially construed exploitative mechanism.

The scenario of governance conceptually connected with politics of rural development enables us to understand potential barriers to institutional intervention towards poverty reduction. Rural development to reduce poverty cannot be achieved simply through growth with equity indicators and targeted safety-nets. Projected programmes of addressing poverty under millennium development goals (MDG) are difficult to implement.

Many of the dimensions of governance cannot be reduced to the single dimension of political economy—material benefits and possession of resources. Other dimensions, too,

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\* Professor, Department of Public Administration, Chittagong University, Chittagong.  
email: mashreque51@yahoo.com

are pertinent to the analysis of the politics of rural development. Now the key actors and factors of policy environment have much to influence governing process to steer the wheel of the community and shape the destinies of the masses.

This contextualism provides much room for the analysis of relational matrix under the condition of seemingly fuzzy governance within the methodological perspective of political economy based on pro-Marxist stance. Plethora of recent studies (Wood, 1976; Alavi, 1973; Blair, 1978 and 1985 Huizer, 1981; Westergaard, 1976; Poulantzas, 1975; Umar, 1986 and 1987) on development are illuminating with insightful research notes to facilitate understanding of the state of governance that impinges into peasant social fabric. Peasant communities operating within Asiatic mode of production have been encapsulated by feudal or semi-feudalistic pattern of governance. Bangladesh presents a prototype of Asiatic mode of production in a 'hydraulic structure' ruled by the semi-feudal lords and emerging tycoons who use opportunities for investment in capitalistic mode of production. . They have come to constitute a governing class lying at the apex of the community power structure because of high income (including unearned one coming through the channel of corruption), large landholding estate and education.

Some recent socio-economic surveys on rural local communities in Bangladesh conducted by Bangladesh Academy for Rural Development (BARD) and Bangladesh Institute of Development Studies(BIDS) are 'snap-shots of a vast and complex a vast and complex social formation under going a rigorous process of social transformation' (Ahmed, 1991:41). Both the surveys present almost similar findings though BARD conducted research with a larger sample. It is clear from the surveys that local governance does not serve the interests of the majority of the peasants. Blair (1987) argues that 'leaders in any society invariably are elite of one sort or another. Blair (1987) compares Bangladesh context with that of West Bengal, Tamil Nadu and Kerala states of India. However governance situation in Bangladesh is strictly different from that of Indian states. This is because of the fact that some undemocratic culture coupled with military and quasi-military intervention is responsible for 'blocking the normative development of democratic political institutions. In Bangladesh 'the petty bourgeoisie has become a dominant social class. The state plays a Bonapartist militarist role (Poulantzas, 1975 and Jahangir, 1986). There happens to be relative autonomy to 'keep its political jackets clean and resolve inner contradictions among themselves (traditional petty bourgeoisie and new petty bourgeoisie).

### **Nature of the State**

The Central point of political economy of governance is the nature of the state. Public policies appear as institutional sanctions as a sequel to penetration by the state. Public policies allocate resources among the individuals or groups as a reflection of state intervention. State is to be regarded as a 'prior entity'; any change in the complexion of the state smoothes the way to socio-economic transformation. The explanation thus pursued here also adheres to stimulus- response model where the state allocate values as

an outcome of the manipulation of the forces that make up overall community structure with differential access to organizational resources.

Policy environment in developing areas displays an 'exclusionary relation' from the system of distribution. The disadvantaged groups are structurally excluded from ownership and access to resources. Legislative measures in line with on going policies or new policy options hardly improve state intervention as the bureaucratic machinery determines forward course of action at the implementation stage. There has been a very little alliance between public administration implementing public policies and ordinary masses.

In developing areas peasants and other working classes continue to be powerless organizationally. They are unorganizable having less resource at their command. Even policy reforms and redistributive policies cannot strengthen their right and ensure their access to 'technological inputs'. State is not opposed to the forces that are organized with a high level of capacity building.

The concept of such dominance has diverse ramifications in its application in the study of the politics of rural development. . For our present purpose we look at this phenomenon as a manifestation of the nature of the state. These intellectual position tantamount to institutional paramountcy of the dominant class controlling state apparatus and giving policy direction to national and local affairs.

Universal proposition about the nature of domination is important. But the conceptual points in connection with the nature of the state very much apply to developing areas. We prefer to focus on the nature of the state in developing areas especially in Bangladesh in terms of its directing role in rural development.

States in developing countries catalyze development of capitalism in extremely indigenous economic environment. Capitalistic mode of production has been encapsulated in traditional economy that characterizes south Asian context with the remnants of feudalism. However, the causation of domination transcends the boundary of economics to embrace a complicated array of interactions among diverse social forces. We contend that the dynamics of policy action is to be understood through understanding of those forces that accompany the nature of power play.

With regard to the role of the state doctrinaire position varies with different style of conceptualization. Emphasizing a particular component of domination depends on the way a scholar looks at the policy issue. The approach he might develop from ideological orientation limits the boundary of his intellectual action. Socialist radicals researching on a given policy issue emphasizes economic variables in relation to economic differentiation and polarization. The conservatives would like to attach importance to traditional frontier of state intervention. Liberal democrat would consider participatory component as a modernization paradigm. One single pointer to the understanding of the state is not adequate. Contemporary approaches to the nature of the state reflect various strands of opinion on the phenomenon and thus suffice for our understanding of the entire

gamut of domination. We proceed to analyze post-colonial scenario in recent years by referring to neo-Marxian political economy. This is of much relevance to the process of development both in the formulation of public policies and the outcomes of their implementation.

Neo-Marxian political economy accentuates the state of underdevelopment in postcolonial states. It epitomizes dependency syndrome as a continuing situation in which the center dominates the peripheries in all aspects of transactional relationship. Stalwarts of Neo-Marxism- Frank (1979), Wallerstein (1974), Rhodes (1970), Dos Santos (1969), Baren (1967), Amin (1974), Alavi (1973, 1982), Kalecki (1976) depicted such situation with the variables like trade dependency, surplus drain, free market, multinational corporation, class nature of bureaucracy, reproduction of capitalist social order and distributional problems relating to pricing and subsidy policies.

Mentionable dependency situation is reinforced by elite as the dominant policy actor of the peripheral state. More the exogenous forces of policy development with the intervention of donor agencies tend to heighten income inequality and thereby create structural tension in the countryside.

Structural tension also happens to be the outcome of the 'predatory and soft' character of the state. In a 'predatory state' rent seeking is an omnipresent policy to obtain private benefits from public action and resources (Kruger, 1974). Protracted policy failure becomes the function of the inevitability of state failure.

Contemporary thinking on development scenario especially in Asian context in line with various dimensions of governance in policy making is insightful with useful learning points and experiences. Theoretical perspectives on the role of the state based on epistemological novelty may help us to understand a link between governance and public policy. Modernization theories, dependency perspectives, contemporary Marxists' views about post colonial state (overdeveloped state apparatus, relative autonomy), concepts like praetorian regime, liberal democracy, embedded autonomy, social capital, civil society and development state provide much intellectual enthusiasm for re-conceptualizing political economy of state society intervention in development.

### **Fuzzy governance**

The protracted fuzzy governance is an inevitable outcome of the politics of rural development with political elite, bureaucracy and tycoons going strong to practice manipulation. . A plethora of organizations influenced by such triangular domination are not effective mechanism to articulate the interest of the deprived class as policy inputs. Local government bodies, co-operatives, several committees and civil societies (not all) have become more or less the 'ploys of intensive political hobnobbing.

The foundation of peasant existence in the politico-administrative landscape has been constantly eroded by three interlinked processes: one operates on the global dimension, one on the national plane and one at the local level. The net effects of the cold and dark

happenings in the globalization process have been disastrous in the southern hemisphere battering the lives of the peasants. The cumulative effects of policy failures and inadequacies in organization and management at the national level are equally disastrous worsening material conditions of living. In addition, the shattering impact of project intervention altogether with flimsy and insensitive institutional structures on the peasant economy is obvious.

Policy failure is not a matter of inefficient public policy but clear-cut fuzzy governance. The governing class running the show through various intervening interest groups blissfully overlooks progressive impoverishment in the countryside marked by a 'veritable cauldron of economic crises. The downslide of the poor and fixed income group has become one of the significant marks of the fall on the destiny of the peasant society.

This state of affairs has become accelerated by the dysfunction of politico-bureaucratic leadership at the local level. Local government including field administration and local self-governing body has been serving the 'center power axis' consisting of political leaders, bureaucracy and metropolitan tycoons. Trapped by the illusion of autonomy the continuing malfunctioning of local governance tells heavily on community life terribly immerizing the peasant and low income group. The wave of politicization has its impact on the criminalization of local politics.

This sort of political bankruptcy adversely affects the peripheries. The terribly bad shaped democratic institutions plagued by internal strife, impotence and split enables the bureaucracy to gain stranglehold over local institutions. Relative autonomy is used only to resolve internal contradictions and manage manifold crises in intriguing issues of development to serve information needs about local situation. As a matter of fact the recent dynamics of rural development under bureaucratically shaped institutional arrangement hints much about erratic governance. While 'bureau-pathology', 'organized anarchy' and 'formalism' at the field are a constant source of discomfort to the ordinary masses the local conglomerates feel at home on the vantage point of access relationship.

The dysfunctional role of member of parliaments (MPs) is pertinent to the analysis of maladministration. They have been found using their position to channel rural development projects into their constituency. This is obviously for establishing command over patronage resources and mobilizing supports. One can easily surmise the direction of local politics of rural development that is presumed to be inhibiting normative process of project implementation.

Increasing alienation of the 'disadvantaged locus' is thus an inevitable outcome of the malfunctioning of the structural dimension of governance based on triangular manipulation. Bureaucratic approach is deeply entrenched with a rigid blueprint and non-participation. Political leadership is soaked with marked populism, factionalism and power politics. Economically affluent tycoons approach with the proceeds of business

somewhat in a non-conventional manner to influence politics and public policies in their favor.

The dysfunctional politics of rural development per se contributes much to the reinforcement of 'institutional anarchy. Protest movement against irregularities, price hike, malpractice, insensitive political leadership and much less bureaucratic response—institutional anarchy syndrome—create sufficient ground for man-made crisis.

Structural tension has become a common feature of community life at the base. Unhappy consequence of even disadvantaged-focused rural development projects breed frustration between disgruntle and victims. This is a continuing process as the bottom end of distribution profile continues to be caught up by deprivation trap. Paradoxically the outcomes of poverty alleviation policy in the presence of policy triangles rather help the crisis of poverty to raise its ugly head. In Bangladesh the recently adopted poverty reduction strategy paper (PRSP) provides little scope of pigeonholing rural sector into poverty alleviation concept paper. This means that allocative decisions under elitist manipulation emphasizing the depressed rural sector and isolated population in the countryside may mean to exclude the rural poor from the purview. Pro-poor economic growth with targeted safety-nets as envisioned in PRSP is a mere rhetoric. More the extent and ramification of rural poverty can hardly be reduced to a single dimension of political economy—income, material benefits, maternity health, and reduced infant mortality. There are other dimensions too like community organization<sup>8</sup>, market mechanisms and bureaucratic public administration. The inextricable crisis of rural poverty that badly hurts countryside is a cumulation of erratic policy management that rather perpetuates discrimination and instability. Project implementation scenario bespeaks of the poverty of implementation resulting in a series of policy failure. Several policy induced measures funded by donors and manipulated by policy triangles are stated to be counterproductive having failed to increase Poor's access to 'productive assets', 'raise their return to assets' improve employment situation during lean period, ensuring Poor's access to basic education and health and supplement their resources with transfer as 'access to secondary incomes'. Too many projects under annual development programme (ADP) and several technical assistance programmes and technology transfer have been far from effective weakening the platform of stabilization and integration. Multiplicity of anti-poverty projects is merely stop-a-gap measure to compensate for the colossal damage done to the agro-based peasant economy due to large scale privatization under open market economy. 'The primary producers of rice, wheat, cotton, and jute are beginning to face challenge in infinite degree in market-led 'institutional milieu.'. They defray excessive cost of production getting much less amount of return than is expected. Land owning plutocrats, potential investors and tycoons are not affected. This economic class can easily shift to even tertiary occupations making best use of opportunities under privatization (Mashreque, 2005: 19).

Projected safety nets against damaging consequences of globalization can hardly provide for protection against exorbitant rate of interests, black marketing, hoarding and ills of



monopoly competition. There is no protection for co-operative marketing. It is facing the problems such as inadequate facilities for transportation, poor holding power of the peasants, storage of facilities, lack of grading and standardization, fraud practice, , lack of primary producer's organization and inadequate market intelligence (Habibullah, 2005). In addition no protection against local monopoly of business class and dealers and middlemen obtaining support from politico-administrative institution and no arrangement for the extension of market infrastructures to the benefit of the primary producers of rice, cereals and cash crops.

The dichotomous situation in the policy arena of rural development as clearly indicated by relational matrix and uneven distributional profile stands out to be a menacing set back bringing us to the heart of political economy of peasant society in Bangladesh per se. The challenge in the wake of downward spiral of rural poverty and escalating tension can hardly be met even by pro-poor economic growth with human face. The institutional set-ups as the vehicle of triangular manipulation cannot be expected to provide tangible programme for the poor.

The strategies of rural development to handle outstanding issues accelerate poverty aggravation rather than alleviation reportedly at the implementation stage due largely to subtle mechanism of manipulation engineered by 'policy triangles'. There has been overlapping of the ruling elites in all decision making institutions at the micro level, for example, village council, co-operative, union parishad and various development and project committees. They decide upon priorities and strategies maintaining liaison with local bureaucracy that is dispensing promotional and extension services. In the process of triangular manipulation they obtain access to patronage resources.

Roadmap to poverty alleviation –the projected policy goal –sketched by the governing class-- has turned into a roadmap to manipulation and corruption. The real beneficiaries are not the poor as such. For the leaders/tycoons dispense patronage resources to their immediate followers and henchmen. As a result benefits of growth oriented development trickle down only to the immediate followers. Bona fide participation in the sharing of benefits has evaporated in such a policy environment.

The cumulative understanding of the peasant society from a series of research activities is not enough to see things below the surface. Ignorance about the behind-the –scene maneuver continues to be profound despite much concern in development policy with crisis of crushing poverty. The content of public policy on poverty alleviation prepared through agenda seeking activities of the relevant institutions blocks the road to desired outcomes. For, there is little knowledge about policy context—environment matters, resource relevant activities, interest groups, target population, social fabric and organizational resources. True, there remains a critical linkage between policy content and policy context. An attempt to understand this critical linkage in rural landscape enables us to fathom various structural features that are synergistically related to provide a background of grinding poverty; economically and politically influential have overtime

developed all the skills of manipulation bending the process of policy implementation in their favor in alliance with bureaucracy. They fare well in the competition for scarce valuables in an economic environment that the bureaucrats pretend to change under the banner of poverty alleviation. Despite a barrage of policy measures to redress public predicament at the rural-local point the overall context reveal that such measures have paradoxically reinforced the status-quo empowering the dominant peasant layer. Bureaucratic power is hardly used to curb the stranglehold of the landowning and rising commercial classes. The governing class is thus reluctant to go for any economic policy reforms that may cost them 'political support without bringing any political dividend'.

The members of the governing class are understandably bound by common interest that ultimately coheres in well-knit relationship. They thus form 'special understanding' as a class for itself to successfully block any effort that threatens their interests (Mozumder, 1994). Any apparent conflict/competition on any development issue among the ruling elites is a mere camouflage to turn public attention other way round.

Under the circumstances it seems difficult for the incumbents on the supply side to break 'political vicious circle' protecting the rights of the peasants through projected safety nets against the domineering political and economic forces. When such forces coalesce to render distribution process all but skewed market as a socially construed mechanism function to drain the surplus from the rural to the metropolitans area. Similar situation exists in India where sweeping changes of the social action by action from above were thrown away despite repeated ideological assertions of the policy makers for developing socialistic pattern of economy. This is due largely to the lack of explicit political commitment and the domination of the propertied class over political leadership. Elitist orientation of bureaucracy with its close linkage with local elite accounts much for making things worse.

On the one hand the hidden subsidies on food and other inputs are phased out in rural Bangladesh. On the other hand, major percentage of aid funds earmarked for poverty alleviation is absorbed in paying high salary to project consultants-both local and foreign and defraying the cost of contracting the project/sub-project through underhand deal with bureaucratic incumbents. Only a little percentage is spent on the target beneficiaries.

### **Manipulation, Criminalization and Corruption: Rural Bangladesh Scenario**

Manipulation appears to be function of the governing elites. The contemporary scenario of triangular manipulation is a manipulation by the dominant interest group -- the coalition of interests among "governing elites," "fortune seeking political entrepreneurs" and privileged business communities. Governing elites include both political leadership and bureaucracy. It is seen that governing elites expand various opportunities for economic concentration including rent-seeking ones. It ultimately aggravates the poverty situation threatening the legitimacy of the regime and increasing the probability of regime turn over.

Manipulation has of late degenerated into criminalization. Bangladesh syndrome of criminalization has diverse manifestations like rampant politicization and partisanization, toll extortion, forced occupation of land, commercialization of politics and criminalization of business and syndication. Criminalization started to mushroom in Bangladesh when things stumbled onto misgovernance with state failing to stem the rot.

The propensity to corruption is inherent in misgovernance. Corruption has acquired a pervasive character devouring economy as a whole. This problematic scenario continues to hold tenuously on extremely fragile and soft state. The consequence is likely to be the generation of catastrophic conditions as well as humanitarian crisis. Corruption in terms of massive societal degeneration put severe strains on the implementation of public policy on various sectors and sub-sectors. Despite effectiveness of the economic policy strategy in rising GDP at a reasonable rate and raising remittance flows corruption has brought into being a set of interrelated and potentially explosive problems. This is reflected in the fast deterioration of material conditions and rising structural tension bedeviling the lives of the vulnerable especially in the countryside.

Corrupt practice in various forms continues to engulf all strategic institutions undermining governance. It is so deeply in field level extensions departments for rural development with the reinforcement of criminalization and syndication that it seems impossible to break its vicious chain. The environment around bureaucracy and political arena has become inordinately vitiated to give way to institutionalization of corruption.

A true dinosaur of corruption has reigned supreme under the manipulative design of fortune seeking rural leaders to weaken political stability and economic resilience. Local touts active in rural politics have been immensely benefited from Machiavellian syndrome of politicization while the honest has been sidelined.

“For decades, the story of Bangladesh has been a cycle of poverty, natural disaster, political violence and corruption.”(Ghosai, Baladas, 1991: 15-16). A policy of patrimonialism followed by successive government in Bangladesh has facilitated corruption (Khan, 1998: 157). Patrimonialism is a system in which the politicians’ national wealth and resources to enrich themselves creating an affluent class subservient to them through the massive transfer of public wealth to private hands (Moniruzzaman, 1992: 203-225).

Political leadership actually does not represent the majority of the rural population. The change of political allegiance of local leadership with the change of the ruling regime is evident (Ahmed, 1991). Local leadership has turned into a lucrative trade without investment drawing most patronage resources from the ruling regimes. Patronage resources have been usually placed at the disposal of the influential elites including local MPs. There is a great struggle among faction leaders to capture those resources which provide accessibility to development inputs flowing into the locality from different strategic points of the "centre power axis."

Under the circumstances one can realize the indispensability of decentralized LG system in minimizing the damaging effects of centralization. Poverty reduction as one of the major objectives of the Millennium development goal (MDG), requires decentralized LG at the micro-level. More, obsolete structures as found in micro public administration constitute a road block to any intervention aimed at economic empowerment of the poor living far below the subsistence level. We have democratic institutions at the sub national level that are more apparent than real and are merely the political fronts of the 'Kulak clubs'. The poor continue to remain voiceless having no opinion leader to speak out their problems. More, bureaucratically structured field administration as the extension of central command directs development process with communication, information, networking, planning and budgeting.

There has been an endless quest for good governance at the local point. Given the nature of the state initiative for local governance reforms is same as flogging dead horse. State bureaucracy desires changes within its own prescription and the governing class that dominates the 'local state' would resist any reform that would jeopardize status-quo. In the recent past democratic government cared little about decentralization? As a result local-self government could not receive proper nourishment. The central power axis resorted to massive politicization that ruined the character of local government. The field bureaucracy continued to exercise leverage over local institutions as a crucial variable in development intervention. It served the interest of the local conglomerates that came to constitute a governing class benefiting much from the wave of politicization. The governing class used available institutions as strategic resources for concentration of wealth.

We talk of autonomy so often as if it were the only variable for the promotion of local governance. Trapped by the illusion of autonomy the continuing malfunctioning of local governance with representative institutions and field administration told heavily on community life immunizing the low income group. The terribly bad shaped democratic institutions plagued by internal strife, impotence and split enabled the field bureaucracy to have strangle-hold over local institutions. Relative autonomy was used only to resolve internal contradiction, manage crisis and serve information needs.

The dysfunctional role of the members of parliament is pertinent to the analysis of fuzzy local governance. They were found using their position to channel development projects into their constituencies. This was obviously for establishing command over patronage resources and mobilizing support base. The urge to share patronage resources was a critical factor in the abiding interests of MPs to see how projects were being implemented. MPs increasingly intruded into local politics when it came to utilization of public funds in their respective constituencies. At the micro level such intervention gave rise to dualism in the implementation of rural development projects. Anyway, the governing class was rather benefited by the centrally determined sectional allocations for development projects. In such an environment local governance was divorced from

public purpose, disarrayed by private gains and material interests where 'dividing line between the ruling party and the opposition was indistinguishable (Sobhan, 2006:5).

Of course belatedly the Centre for policy Dialogue (CPD), Local Government Initiative, Campaign for political Reform and other Civil Societies came forward with the ideas of strengthening existing potentials of local self governance. Donor agencies funded policy analysis on the issue of local governance with action research to offer future policy options. However, it has been increasingly realized by the civil societies that community wide consensus on generic and specific issues of local governance needs to be reached. There needs to be a broad brush initiative with the participation of citizen bodies and community stake holders. The new perspectives in local governance reveal a strong desire for promoting local government initiative with new vision in the 'art of the state' to set appropriate agenda of action. Much is left to the proposed Local Government Commission that is expected to take a planned approach to local governance providing a platform for community participation in need based development. The civil societies can only play second fiddles with advisory roles.

The crisis of non-participation of the ordinary rural citizens is crystal clear in a "soft" and "predatory" state like Bangladesh. Here the structure of governance is subservient to "extensive rent seeking" an omnipresent policy to obtain private benefits from public actions and resources. So, fuzzy governance bedevils the otherwise seemingly stable community life. Repeated policy failure is thus a forgone conclusion. This is evident from the frantic attempt of the governing elites to grab more resources.

Bureaucracy is found to be bolstering fuzzy local governance using manipulative skills and techniques. The governing class including the tycoons may not benefit from the "enforcement of rules of law," transparency and anti-corruption state action. Instead they "gain from extensive unproductive and profit seeking activities in a political system they control than from long term efforts to build a well functioning state in which economic progress and democratic institutions flourish"(Nafgee and Anvize, 2002).

The protracted fuzzy governance is an inevitable outcome of triangular manipulation with bureaucracy going strong to practice corruption. A plethora of organizations influenced by a triangular alliance are not effective mechanisms to articulate the interest of the deprived class as policy inputs. Local government bodies, co-operatives, several committees and civil societies (not all) have become more or less the "ploys of intensive political hobnobbing."

The foundation of peasant existence in the politico-administrative landscape has been constantly eroded by three interlinked processes: one operates on the global dimension, one the national plane and one at the local level. The net effects of the cold and dark happenings in the globalization process have been disastrous in the southern hemisphere; battering the lives of peasants. The cumulative effects of policy failures and inadequacies in organization and management at the national level are equally disastrous, worsening material conditions of living. In addition, the shattering impact of project intervention

altogether with flimsy and insensitive institutional structures on the peasant economy is obvious.

Policy failure is not a matter of inefficient public policy but clear-cut fuzzy governance. The governing class running the show through various intervening interest groups blissfully overlooks progressive impoverishment in the countryside marked by a "veritable" cauldron of economic crises. The downslide of the poor and fixed income group has become one of the significant marks of the fall on the destiny of the peasant society.

This state of affairs has accelerated by the dysfunction of politico-bureaucratic leadership at the local level. Local government, including field administration and local self-governing body, has been serving the "centre power axis" consisting of political leaders, bureaucracy and metropolitan tycoons. Trapped by the illusion of autonomy, the continuing malfunctioning of local governance tells heavily on community life terribly immersing the peasant and low-income group.

There are many cases of corruption practiced by public officials in collaboration with politicians who have lost public image. We may cite one case of bureaucratic corruption: misappropriation of food from buffer stock. Buffer stock operations to maintain price stabilization of food items in internal markets and to meet sticky situations such as food crisis were soaked with misappropriation. This corrupt practice is proverbial.

Food crisis loomed large in 2006. But the ruling politicians and bureaucrats unashamedly claimed there was no such crisis. Tactics of misappropriation that are at bureaucrats' fingertips also benefited the ministers. Food otherwise misappropriated was shown as a consignment on the way to a delivery point. Out of 603,852 metric tons of food in buffer stock 201,204 metric tons of food was shown as consignment on the way. Stories about sinking a barge with food in the river/sea and missing of truckloads of cereal are common and misleading. In reality food items were misappropriated (Bangladesh Observer, April 4, 2006).

At the local level of rural development, village leaders branded as touts benefited from bureaucratic allocation that turned into misappropriation and bungling. This is evidenced from manifold stories of malpractice in public distribution system as in the case of subsidies in agriculture (fertilizer as a case), distribution of khas (government-owned) land, relief under Food for Works Programmes (FWP) and Money for Works Programmes (MWP), rural rationing and Vulnerable Group Feeding (VGD).

The wave of politicization -- a phenomenon of the recent past has its impact on the criminalization of local politics. Politicization in the whirlpool of criminalization of politics took a heavy toll. The unholy nexus between the politician, politicized local bureaucrats and businessmen was embedded into the governing structure to pollute policy environment at the local point. Politicization of administration constituted a fundamental constraint to fairness in justice and distribution of inputs and to new investment by bonafide businessmen. It rather facilitates political and bureaucratic payoffs for the

privilege of doing businesses. Reports have it that artificial crisis of food and price hikes are due to the presence of criminal syndicates controlling markets at bottom.

This sort of political bankruptcy adversely affects the peripheries. The terribly bad shaped democratic institutions plagued by internal strife, impotence and splits enable the bureaucracy to gain a stranglehold over local institutions. Relative autonomy is used only to resolve internal contradictions and manage manifold crises in intriguing issues of development to serve information needs about local situation. As a matter of fact the recent dynamics of rural development under bureaucratically shaped institutional arrangement hints much about erratic governance. While "bureau-pathology," "organized anarchy" and "formalism" at the field are a constant source of discomfort to the ordinary masses, the local conglomerates feel at home on the vantage point of access relationship.

The dysfunctional role of local MPs is pertinent to the analysis of mal-administration. They have been found using their position to channel rural development projects into their constituency. It is obviously to establish command over patronage resources and mobilizing supports. One can easily surmise the direction of local politics of rural development that is presumed to be inhibiting normative process of project implementation.

The urge to share patronage resources was found to be a critical factor in the abiding interests of members of parliament (MPs) to see how projects were being implemented. MPs increasingly intruded into local politics when it came to utilization of public funds in their respective constituencies. Since the abolition of upazila (sub-district), local administration in 1991 the MPs emerged as the major players in local politics of rural development to control public resource patronage. Such intervention impinges on the institution of local government giving rise to dualism in the implementation of the projects of rural development. Anyway, the rural leaders affiliated to ruling party and politicized local bureaucrats were not presumed to be resentful. They might not be affected by the centrally determined sectoral allocations of development projects.

Increasing alienation of the "disadvantaged locus" is thus an inevitable outcome of the malfunctioning of the structural dimension of governance based on triangular manipulation. The bureaucratic approach is deeply entrenched with a rigid blueprint and non-participation. Political leadership is soaked with marked populism, factionalism and power politics. Economically affluent tycoons approach with the proceeds of business somewhat in a non-conventional manner to influence politics and public policies in their favor.

This triangular manipulation contributes much to the reinforcement of "institutional anarchy." Protest movement against irregularities, price hike, malpractice, insensitive political leadership and much less bureaucratic response -- institutional anarchy syndrome -- creates sufficient ground for a man-made crisis.

Structural tension has become a common feature of community life at the base. Unhappy consequences of even disadvantaged-focused rural development projects breed frustration

among the disgruntled and the victims. This is a continuing process as the bottom end of distribution profile continues to be caught up by the deprivation trap. Paradoxically the outcomes of poverty alleviation policy in the presence of policy triangles rather help the crisis of poverty to raise its ugly head. Allocative decisions under elitist manipulation both intra and intersect orally without emphasizing the depressed rural sector and isolated population in the countryside, may mean to exclude the rural poor from the purview.

Pro-poor economic growth with targeted safety-nets as envisioned in the PRSP is mere rhetoric. Moreover the extent and ramifications of rural poverty can hardly be reduced to a single dimension of political economy -- income, material benefits, maternity health, and reduced infant mortality. There are other dimensions too like community organization, market mechanisms and bureaucratic public administration. The inextricable crisis of rural poverty that badly hurts the countryside is a culmination of erratic policy management that perpetuates discrimination and instability.

Project implementation scenario bespeaks of the poverty of implementation resulting in a series of policy failures. Several policy induced measures funded by donors and manipulated by policy triangles are stated to be counterproductive having failed to increase the poor's access to "productive assets," "raise their return to assets," improve employment situation during lean period, ensuring the poor's access to basic education and health and supplement their resources with transfer as "access to secondary incomes." Too many projects under annual development programme (ADP) and several technical assistance programmes and technology transfers have been far from effective, weakening the platform of stabilization and integration.

Multiplicity of anti-poverty projects is merely a stop-a-gap measure to compensate for the colossal damage done to the agro-based peasant economy due to large-scale privatization under open market economy. "The primary producers of rice, wheat, cotton, and jute are beginning to face challenge; in market-led "institutional milieu." They defray excessive costs of production getting much less return than expected. Land owning plutocrats, potential investors and tycoons are not affected. This economic class can easily shift to even tertiary occupations making best use of opportunities under privatization (Mashreque, 2005).

Projected safety nets against damaging consequences of globalization can hardly provide protection against exorbitant rate of interests, black marketing, hoarding and ills of monopoly competition. There is no protection for cooperative marketing. It is facing problems such as inadequate facilities for transportation, poor holding power of the peasants, storage of facilities, lack of grading and standardization, fraud practice, lack of primary producer's organization and inadequate market intelligence (Habibullah, 2005). In addition, there is no protection against local monopoly of business class and dealers and middlemen obtaining support from politico-administrative institution and no arrangement for the extension of market infrastructures to the benefit of the primary producers of rice, cereals and cash crops.



The dichotomous situation in the policy arena of rural development as clearly indicated by relational matrix and uneven distributional profile stands out to be a menacing setback bringing us to the heart of political economy of peasant society in Bangladesh. The challenge in the wake of the downward spiral of rural poverty and escalating tension can hardly be met even by pro-poor economic growth with a human face. The institutional set-ups as the vehicle of triangular manipulation cannot be expected to provide a tangible program for the poor.

The strategies of rural development to handle outstanding issues accelerate poverty aggravation rather than alleviation reportedly at the implementation stage due largely to a subtle mechanism of manipulation engineered by "policy triangles." There has been overlapping of the ruling elites in all decision making institutions at the micro level, for example, village council, co-operative, union parishad and various development and project committees. They decide upon priorities and strategies maintaining liaison with local bureaucracy that is dispensing promotional and extension services. In the process of triangular manipulation they obtain access to patronage resources.

Roadmap to poverty alleviation -- the projected policy goal sketched by the governing class has turned into a roadmap to manipulation and corruption. The real beneficiaries are not the poor as such. Leaders/tycoons dispense patronage resources to their immediate followers and henchmen. As a result, benefits of growth-oriented development trickle down only to the immediate followers. Bona fide participation in the sharing of benefits has evaporated in such a policy environment.

The cumulative understanding of the peasant society from a series of research activities is not enough to see things below the surface. Ignorance about the behind-the-scenes maneuvers continues to be profound despite much concern in development policy with crisis of poverty. The content of public policy on poverty alleviation prepared through agenda seeking activities of the relevant institutions blocks the road to desired outcomes. For, there is little knowledge about policy context, environment matters, resource relevant activities, interest groups, target population, social fabric and organizational resources. True, there remains a critical linkage between policy content and policy context.

An attempt to understand this critical linkage in rural landscape enables us to fathom various structural features that are synergistically related to provide a background of grinding poverty. The economically and politically influential have overtime developed all the skills of manipulation bending the process of policy implementation in their favour in alliance with the bureaucracy. They fare well in the competition for scarce valuables in an economic environment that the bureaucrats pretend to change under the banner of poverty alleviation. Despite a barrage of policy measures to redress public predicament at the rural-local point the overall context reveal that such measures have paradoxically reinforced the status-quo empowering the dominant peasant layer. Bureaucratic power is hardly used to curb the stranglehold of the landowning and rising commercial classes.

The governing class is thus reluctant to go for any economic policy reforms that may cost them "political support without bringing any political dividend."

The members of the governing class are understandably bound by common interest that ultimately chokes a well-knit relationship. They thus form "special understanding" as a class for itself to successfully block any effort, that threaten their interest (Mozumder, 1994). Any apparent conflict/competition on any development issue among the ruling elites is a mere camouflage to turn public attention other way round.

Under circumstances it seems difficult for the incumbents on the supply side to break the "political vicious circle" protecting the rights of the peasants through projected safety nets against the domineering political and economic forces. When such forces coalesce to render distribution process all but skewed market as a socially construct mechanism functions to drain the surplus from the rural to the metropolitan area. A similar situation exists in India where sweeping changes of the social action by action from above were thrown away despite repeated ideological assertions of the policy makers for developing socialistic pattern of economy. This is due largely to the lack of explicit political commitment and the domination of the propertied class over political leadership. Elitist orientation of bureaucracy with its close linkage with local elite accounts much for making things worse.

On the one hand the hidden subsidies on food and other inputs are phased out in rural Bangladesh. On the other hand, a major percentage of aid funds earmarked for poverty alleviation is absorbed in paying high salary to project consultants-both local and foreign and defraying the cost of contracting the project/sub-project through an underhand deal with bureaucratic incumbents. Only a little percentage is spent on the target

### **Function of social connection**

What matters much to benefit from distributional profile in the context of fuzzy governance is social connection. In other expression what is important for getting things done is meaningful contact. Most field research experiences indicate that allocate principle is violated by the preferential distribution of resources and relief materials. Politically influential and tycoons hobnobbing with local bureaucracy and members of parliament (MPs) usually compile the list of the villagers fit to receive benefits. They give preference to their own group, thus providing enough room for corruption. Even among the poor there is a competition for food items like rice, wheat and sugar. A poor connected with a village elite though long standing patron client ties as a socio-economic connection can expect favor from the latter.

In fact benefits of rural development trickles down to some among the disadvantaged group as they try to keep in touch with their patrons. What passes between a patron and his circle of clients is not so much as interaction as transaction. This is the palpable aspect of rural political drama characterized by factional politics. There is a difference in the resources of the poor strategically linked with a patron as a leader and the poor having no meaningful connection. In fact in distribution system kinship connection is

preponderant over any other considerations. Kinship connection cannot be left out of equation. This is based on traditional obligation and primordial sentiments. Strong kinship connection between a rich and the poor through consanguinity, affinity and fiction enables the latter to ameliorate its socio-economic status and gain access to resources that are about to be distributed. Kinship continues to remain a strong social force in a society where ascription takes precedence over achievement and where technological change might have occurred a little. It is the basis of economic organization in a society with subsistence agriculture where economic roles reside in traditional family structure.

Only a meaningful connection with the influential may help a poor to get things done. A poor peasant thinks of his safety immediate gains, and transactional ties with a rich and powerful villager. With such strategic connection he might have access to scarce resources like food, salt, fuel, and irrigation facilities.

#### **Anecdote of corruption at the local level: Some Cases**

The scenario of fuzzy governance at the local point conceptually connected with politics of rural development enables us to understand potential barriers to poverty reduction. Rural development with human face to reduce poverty cannot be achieved simply through growth with equity indicators and targeted safety nets. Projected programs of addressing poverty under Millennium Development goal (MDG) are difficult to implement. The political leadership and bureaucracy at the local point ruling the roost at the helms have turned out to amass huge resources through the channels of corruption. The local leaders and their agents and poodles are the monsters of corruption. Corruption or malfeasance has by now become a serious social malady. Our political leaders and official's incumbents have already become so greedy and unscrupulous that they are very likely to turn deaf ears to the call for shunning corruption (Quddusi, 2010: 214).

The nexus between the political elites, officials and businessmen has been embedded into an exploitative structure. The interesting feature in the growing presence of this nexus is the frantic attempt to practice upper hands in policy dictation. They form a more or less a permanent coterie based on hidden understanding for the perpetuation of interest misappropriating the dispensing authorities. This created opportunities for the members of the governing class and its associates at the local level to use available institutions as strategic resources for the concentration of wealth. Evidences are available that local touts backed by influential dared to occupy some portion of abandoned property/establishment and property as religious endowments (community resources) either to open club/voluntary organizations and NGOs to conjure up as much resources as possible or to create shopping mall, recreation center, community centre, go down, stores, etc. to promote rent seeking activities. It enhanced opportunities for unearned income. There are reports about mushrooming of voluntary organizations or associations formed overnight by the touts to obtain projects or micro credit benefits under anti-poverty programs. Many among such organizations are fake having only sign board and pad. All

such unproductive activities combined to promote concentration of wealth and pauperization.

There are many cases of corruption practiced by public officials in collaboration with politicians who have lost public image. We may cite one case of bureaucratic corruption, misappropriation of food from buffer stock, for example. Buffer stock operations to maintain price stabilization of food items in internal markets and to meet sticky situation of food crisis were soaked with misappropriation. This corrupt practice is proverbial. Food crisis loomed large in 2006. But the ruling politicians and bureaucrats unashamedly claimed there was no such crisis. Tactics of misappropriation that are at bureaucrats' finger end also benefited the ministers. Food otherwise misappropriated was shown as a consignment on the way to a delivery point. Out of 6,03,852 metric tons of food in buffer stock 2,01,204 metric tons of food was shown as consignment on the way. Stories about sinking a barge with food in the river/sea and missing of truckloads of cereal are common and misleading. In reality food items were misappropriated (Bangladesh observer, 4th April, 2006). At the local level of rural development village leaders branded as touts benefited from bureaucratic allocation that turned into misappropriation and bungling. This is evidenced from manifold stories of malpractice in public distribution system as in the case of subsidies in agriculture (fertilizer as a case), distribution of khas (government-owned) land, relief under Food for Works Programs (FWP) and Money for Works Programs (MWP), rural rationing and Vulnerable Group Feeding (VGD).

Politicization in the whirlpool of criminalization of politics took a heavy toll. The unholy nexus between the politician, politicized local bureaucrats and businessmen was embedded into the governing structure to pollute policy environment at the local point. Politicization of administration constituted a fundamental constraint to fairness in justice and distribution of inputs and to new investment by bonafide businessmen. 'It rather facilitates political and bureaucratic payoffs for the privilege of doing businesses.

## **Conclusion**

The dichotomous situation in rural development as clearly indicated by manipulation, criminalization and corruption that beget uneven distributional profile stands out to be a menacing set back bringing us to the heart of the politics of rural development in Bangladesh. The challenge in the wake of downward spiral of rural poverty and escalating tension can hardly be met even by pro-poor participatory rural development with human face. The institutional set-ups as the vehicle of triangular manipulation cannot be expected to provide tangible programmes for the poor.

The strategies of rural development to handle outstanding issues accelerate poverty aggravation rather than alleviation reportedly at the implementation stage due largely to subtle mechanism of manipulation engineered by 'policy triangles'. There has been overlapping of the ruling elites in all decision making institutions at the micro level, for example, village council, co-operative, union parishad and various development and project committees. They decide upon priorities and strategies maintaining liaison with

local bureaucracy that is dispensing promotional and extension services. In the process of triangular manipulation they obtain access to patronage resources.

Roadmap to poverty alleviation –the projected policy goal –sketched by the governing class-- has turned into a roadmap to manipulation, criminalization and corruption. The real beneficiaries are not the poor as such. For the leaders/tycoons dispense patronage resources to their immediate followers and henchmen. As a result benefits of growth oriented development trickle down only to the immediate followers. Bonafide participation in the sharing of benefits has evaporated in such a policy environment.

The cumulative understanding of the peasant society from a series of research activities is not enough to see things below the surface. Ignorance about the behind-the –scene maneuver continues to be profound despite much concern in development policy with crisis of crushing poverty. The content of public policy on poverty alleviation prepared through agenda seeking activities of the relevant institutions blocks the road to desired outcomes. For, there is little knowledge about policy context—environment matters, resource relevant activities, interest groups, target population, social fabric and organizational resources. True, there remains a critical linkage between policy content and policy context. An attempt to understand this critical linkage in rural landscape enables us to fathom various structural features that are synergistically related to provide a background of grinding poverty. Economically and politically influential have overtime developed all the skills of manipulation bending the process of policy implementation in their favour in alliance with bureaucracy. They fare well in the competition for scarce valuables in an economic environment that the bureaucrats pretend to change under the banner of poverty alleviation. Despite a barrage of policy measures to redress public predicament at the rural-local point the overall context reveal that such measures have paradoxically reinforced the status-quo empowering the dominant peasant layer. Bureaucratic power is hardly used to curb the stranglehold of the landowning and rising commercial classes. The governing class is thus reluctant to go for any economic policy reforms that may cost them ‘political support without bringing any political dividend’.

The members of the governing class are understandably bound by common interest that ultimately coheres in well-knit relationship. They thus form ‘special understanding’ as a class for itself to successfully block any effort that threatens their interests (Mozumder1994:24). Any apparent conflict/competition on any development issue among the ruling elites is a mere camouflage to turn public attention other way round.

Under the circumstances it seems difficult for the incumbents on the supply side to break ‘political vicious circle’ protecting the rights of the peasants through projected safety nets against the domineering political and economic forces. When such forces coalesce to render distribution process all but skewed market as a socially constructed mechanism, drain the surplus from the rural to the metropolitan area. Similar situation exists in India where sweeping changes of the social action by action from above were thrown away despite repeated ideological assertions of the policy makers for developing socialistic

pattern of economy. This is due largely to the lack of explicit political commitment and the domination of the propertied class over political leadership. Elitist orientation of bureaucracy with its close linkage with local elite accounts much for making things worse (Frankel cited in Mozumder, 1994: 25).

On the one hand the hidden subsidies on food and other inputs are phased out in rural Bangladesh. On the other hand, major percentage of aid funds earmarked for poverty alleviation is absorbed in paying high salary to project consultants-both local and foreign and defraying the cost of contracting the project/sub-project through underhand deal with bureaucratic incumbents. Only a little percentage is spent on the target beneficiaries.

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## Stories of Political Violence in Contemporary Bangladesh<sup>1</sup>

Dr. Zahir Ahmed\*

**Abstract:** This paper addresses the neglected subject of political violence in Bangladesh. It examines the sporadic episodes of contemporary political violence which constitute the metaphysical threshold within which the scenes of ordinary life are lived. It asks how ordinary citizen face, subvert and imagine the political and symbolic forms of violence in which they are enmeshed. It argues that violence is not only endemic but constitutive of political parties. Finally, it enables intellectuals including anthropologists to provide support for *ordinary citizen*, acknowledging their responsibilities rather than contributing to the unfortunate silence which permits political violence to continue unchallenged.

**Keywords:** Ethnography, Political Violence, Culture of Terror, Space of Death, Constitutive Violence

### Introduction

In this paper I offer some personal observations concerning the contemporary political violence in Bangladesh.<sup>2</sup> Whilst these observations are based on some ordinary citizens' narratives in Dhaka city I intend to apprehend the wider project of conceptualizing the political violence (cf. Spencer, 2000; Kirsch, 2002; Ahmed, 2015). The paper is devoted to present a live description: to provide qualitative data on what Taussig (1992) eloquently termed 'culture of terror'. This contrasts with a simplistic understanding of violence from respective political party's interest plus a plethora of writings on occupying political power over state apparatus. Within discussions of political violence, however, most of the media and academic interpretations are generally either overlooked, or lumped into wider questions concerning political violence associated with the brutality. Discussing partition of India and Pakistan (Veena Das, 1997: 8) observes that 'one must ask what this brutalization did to the experiences of self, community and nation'. Taking queue from Veena Das, I would like to bring out the sporadic episodes of contemporary political violence which constitute the metaphysical threshold within which the scenes of ordinary life are lived. Alongside the voices of some ordinary working class people's everyday experiences, the notion of political violence is framed by my personal narratives. The first of these concerns how working individuals and children have experienced violence, whilst the second narrative focuses on how, we might widen conventional understandings of the nature of political violence.

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\* Professor, Department of Anthropology, Jahangirnagar University, Savar, Dhaka. email zahmed69@hotmail.com

## **Anthropology and Political Violence**

To allow reflexivity I should make it clear why and how I am going to discuss political violence. Two interrelated points arise. The first concerns how within the violence context, no statement concerning the claims of democracy is politically impartial. One is either labeled as a pro-BNP or pro-Awami League supporter/activist/leader. As Stuart Kirsch points out with reference to political violence in West Papua, observation can never be neutral; within fraught political contexts anthropologists have to take sides (2002: 68). Within this context I am discussing a sensitive issue like violence which led to a 'space of death' for the majority of the people in the country. The second concerns how stories can be interpreted (Gardner, 2002: 27-36). The role that stories play in contexts of violence and suffering has been observed by various anthropologists who have tended to emphasize the potentially healing role of 'giving voice' (Gardner, 2014). This means that stories and experiences of violence only make sense within their social context (Mumby, 1993). The narratives of the ruling party and the opposition can also be interpreted as stories, or ways of merging and emerging claims for the interest of the ordinary people. Let me say a few words about the context of recent violence.

It was in early February, 2015, the nation was observing a resurgent political unrest, rising interpersonal delinquent violence, and their overlap. We had been cowering in the shadow of escalating terrorism. The endemic violence led up to a series of elongated strikes and blockades. These kept people indoors for a month at a time. It was during the much debated 5th January, 2014 parliamentary election that the violence first accelerated. This time the scale is unprecedented. The use of homemade bombs by the goons was alarming. Most victims were burnt to death, trapped in buses or scooter rickshaws (CNGs). State sponsored 'death in cross fire,' beatings and arrests were also taking place simultaneously. In general, both opposition and the ruling party had produced a 'culture of terror' in the country.

Are not we falling into 'the space of death' (Taussig, 1992) in which ordinary citizens are prey to political games? In this, the culture of terror acts as a trauma and fear through which political control for the opposition is necessary through subversive acts such as arson, bomb attack and blockades. State violence works in tandem with these attacks. Practices of extrajudicial killings ('cross fires') were framed as 'legitimized' action, but nonetheless contribute to the culture of terror.

What does a 'culture of terror' produce? It produces a 'space of death' not by the victory of the conqueror over the conquered; indeed, neither the conqueror nor the conquered can be 'de-linked' from the other. For us, it is a liminal space that can be seen as a threshold between two archivals: it is where ordinary citizens fade to death, and where law enforcing agencies receive indemnity to plug into agitations. The highest authority ordered the police 'to do anything' to stop the prevailing in the country. So violence is inevitable, where torture is endemic and where the culture of terror flourishes. In view of the recent incident of "gunfights," a political activist slammed the government terming those incidents as "state-patronized terrorism. What the BNP led alliance was doing was also terrorism in the name of movement."



By providing ethnographic evidence, anthropologists have raised conceptual questions about understanding political violence. A related set of questions concerns the formation of political violence within the geographical space, an issue that, as I have argued, to date has tended to be viewed solely in terms of the perspectives of political science discipline. This article addresses the neglected aspect of political violence from anthropological perspectives.<sup>3</sup> It has taken place in overt forms of violence, including the blockades, strikes, arsons, physical assault and torture, and extrajudicial killings. It asks how this political violence is staged and through practices of 'culture of terror'. It examines how 'culture of terror' is justified, expressed in the language of own political positions. How do these claims making contribute to both the justification and expression of terror? And how do the ordinary citizens of Bangladesh understand, subvert and silence to these political violence in which they are living?

All have been going on in the name of restoring democracy, and ensuring her 'security'. All are being justified in the name of public interest and democracy. It seems to me a kind of tactics of 'curing' the volatile political situation that the paper will be describing. The alarming question is that why is this political violence? The arson and petrol bomb attacks are being increased and spread over at grassroots level as a form of protest. The main opposition Bangladesh Nationalist Party (BNP) denies, arguing that the violence is orchestrated by the ruling party players. Other argues that it was BNP and Jamaat activists who carry out and also by hired hands. The victims are ordinary people: bus and scooter rickshaw drivers, passengers crammed into overloaded buses, children and women got burned and died. Many innocent people were put into jail, and many caught in the cross fire. We are facing a binary trope: tensions between the ruling party and the opposition. This paper presents some accounts expressed by ordinary public about political violence. In everyday life, people both concretely *experience* the threat of political violence and *express* their concerns about it.

Kirsch shows that political violence is reproduced in and through particular constructions of culture, gender and difference.<sup>4</sup> As accounts of political violence circulate, they may merge with local myth, uprooted from its context and deployed by the state to conceal or legitimize its actions. Consequently, as Kirsch argues, many rumors result from political violence as well as those experienced within families and communities. One way this might be analyzed is through renewed focus on experiences of violence beyond academic constructions, an ethnographic approach presented by Kirsch's recent work on 'anthropological silence on no man's land Papua (Kirsch, 2002). As he argues, 'the consequences of the regime of political violence in West Papua are much greater than the persons dispossessed, injured and killed. It begins with these acts and continues in the terror that subsequently engulfs entire communities' (ibid. 54-55). This means that ethnography has the capacity to recontextualize these accounts of violence, considering their effects on the society at large and identifying the particular ideologies which shape their enactment (Stoler, 1992; Scheper-Hughes, 2000).

Whilst Kirsch 's approach enables us to take ethnographic enquiry into political violence to confront the long standing anthropological silence in West Papua (2002:54), we should beware of focusing on experiences and narratives that take place within the context of violence. This comes across strongly in my few interviews with working women of

garment sector: besides describing their livelihood experiences. The opposite applies to the narratives of media, ruling party and the opposition. They were contested and thus contradictory. The notion of political violence is thus socially constructed in several senses: not are ordinary citizen's experiences and fears are horrified to particular political party, but they also experience selves in terms of social relationships.<sup>5</sup> Centrally too, the people live with violence. By moving in horrified space they are thus engaged in livelihood activities, their expressions adding an extra space what Michael Taussig terms 'space of death'.<sup>6</sup> Taussig terms this 'the abuses of reorientations of terror' --it is also benefits of such representations, which inspires not only terror, but also healing. Taussig's project, which is based on the representation of violence and terror, is about counter representation. Counter representation is a strong form of contrarian logic. It is the paradox of violence that its representation pervades all levels of national and international life, not reducing hope, but making those who are agents of hope. Taking queue from Taussig, " to create counter representations and counter discourses --arresting the oppositions, detaining them--deploying the law order agencies and diverting the flow of fear--while also creating a new chain of violence. Let us discuss some empirical observations to apprehend the situation.

### **The Endemic Violence versus Constitutive Violence**

Violence is not only endemic but also constitutive.<sup>7</sup> The extent of violence is closely linked to a feature of gaining control over political power that has become so volatile that it is no longer remarked upon and at times even sympathized to the victims. In fact, showing sympathy is essentially political--justifying own political agenda, defeating political rivals, conquering political field, and creating own spaces such as visiting victims in burns units or hospitals.

But the experiences of ordinary citizens tell different stories. It is not difficult to pick up the extent of panic they face in everyday life. During blockades and *hartals*, arson attacks have produced a deadly situation. A recent report, for example, highlights the many commuting in fear: thousands of working women take risks to reach their workplace. Getting a vehicle in the capital has always been a matter of fortune for a woman. The situation gets worse during blockade and *hartal* when the available public transport declines sharply, squeezing the already-scanty travel opportunities for women.

Whilst drawing a picture of her panic, a garment women worker told me: "I begin my day with a stream of concerns running through my mind. The worries start how to get to office as soon as I step out of my home Savar in Dhaka. If I am fortunate, I can board on a bus but tension accelerates when a bomb lobs and burns me anytime during the journey. In sum, whatever modes of transport I manage to get, a sense of insecurity and panic haunts me all the way to my office in Gulshan-1. I close my eyes and lay the head in front seat. I pray to God in the vehicle all the way. I always remain in panic as if a petrol bomb or a cocktail would fly in through the window".

Against this national picture, let me say a few words about my own experiences. My two kids' perceptions elaborate the discourse on violence. Their innocent insights into the issue struck me and provided me with uncomfortably front-seat views. It is relatively a

personal testimony. I do not want to decline it, because I am curious as to whether their views address violence more broadly.

I prefer to use the phrase 'pornography of violence' in order to get an image of the structures of this violence (Ahmed, 2015). It has an enormous impact on our kids. The obvious signs of this 'pornography of violence' are: smashed window screens of the buses and trucks; shattered glass and dented flanks bear witness to the countless rocks hurled and Molotov cocktails lobbed during the months of unrest. During the month long political unrest, my little son was not familiar with words like violence. Initially he had a narrow understanding of 'bomb blast' as a big sound which detracts his attention. He did not recognize it as a violent incident. That's all. He is now halfway to expanding his vocabulary with other terms such as arson, the horrific sirens of ambulance, and the heart throb move of elite law-enforcing RAB and smashed buses.

My little son is now enthusiastic to see pictures of burnt buses, encouraging him to hang out where there are aggressive processions, arsons, chanting, and police actions. I am forced to show him burnt vehicles or the smashed window screens of the buses and trucks on TV and news paper. The vehicles lumber like wounded beasts which he enjoyed a lot, making him laugh and juxtaposing them with double Decker London bus he had placed in the show case. Both my two kids want to see the adventures of hooligans. They watch Western trash series including the power rangers' adventures. But I do not allow them to see burnt bodies, cross fire death and the like. I am only concerned because our children may see something that is inappropriate for their ages.

"Bomb" and "Police" are new words to my little kid. They are adventurous to him. Perhaps these run throughout. If I keep my eyes on both print and electronic media, I experience panic. Violence is something that I like to keep at a distance--out of my eyesight and away from my kids' gaze. I have a feeling that to talk and write about violence, we get into a sort of pornography. And violence is such a phenomenon that writing about it can make it worse.

I feel that reading and talking about it I am encouraging my innocent kids to get involved in violence in ways that make them to understand the country as worse place. I am not obsessed with violence either, but unfortunately current situation imposed itself on me because violence is now a central trope in everyday life and morphs its forms in confusing ways that fuel more violence. So I deal it with incredible caution, and sort of have an idea that I should talk about it, write about it, and I should hide it underneath.

To me, the violence is not simply that one is opposed to the other. That would be simplistic. I see the 'violence' and 'counter-violence' as doing a sort of dance with one another. And that's what the ordinary people believe: that the political parties are power mongers in their own right and want to retain/restore their own hegemony. The violent activities have expanded in ways since the first week of January 2015 that one could not imagine. Still, it is always struck me that while we live in Dhaka city, we can only provide a glimpse on some uncomfortable views of violence; our observations of the phenomena have partially limited.

My school going elder son was promoted and got enrolled. New books and dress were bought with new enthusiasm. He was waiting to start his level four at the beginning of January. But he was disoriented when the authority texted him by saying, "Sorry, due to some unavoidable reasons, the school will remain close until the authority decides". I'm curious as to whether other parents' experiences the same. After two weeks, another text was sent, stating "Notice: classes PG to ix. Parents are requested to collect syllabus on 22nd Jan from respective campus". The third notice he received day before yesterday: "Classes PG to 1x. Parents are requested to collect worksheets and handouts on 31st Jan from respective campus (Time 9.00 am to 1.00 pm)". My son did not show his interest in collecting the documents. He got nervous; he was forcefully stopped and I felt guilty. He has lost his rights to study--a constitutional right as well as a fundamental human right.

Shift the gaze and another alarming scenario generates. At first sight the picture is personal. Have a look at a street scene a hundred yards distance from my residence. At midnight, the outside scenario was dark; with no electricity; no vehicles were plying their trade. I was on my laptop and disoriented by an obnoxious dog's barking. I was thinking the sayings about dogs' sensitivity. They do smell fear, as well as anxiety and violence. I have also heard that dogs have mystical abilities to read physiological changes—from changes in heart rate and to breathing rate. A loud sound I heard. Yes, a cocktail has been exploded. I witnessed that a teen boy was caught by the petrol police. The panic situation made the calm night in horror tropes. I was thinking how the dog identified danger with its frenzied thoughts and eventually the dog stopped barking and got back to normal. In the neighboring buildings, the residents were observing with caution; through narrow windows, with dark sights inside the rooms, whispering with each other. Glancing across the buildings I noticed no one had come out on the street.

I apologize for all this negative imagery. But it is meant to break us out of the rhetoric of democracy and raise a voice against politically motivated cruelty. As citizens we have a responsibility to 'bear witnesses' to political violence, the physical acts themselves and how they reverberate as terror. We must provide support for ordinary citizen including our children, raising our voices to the unfortunate silence which permits political violence to continue unchallenged.

### **Some Concluding Remarks**

This paper addresses the contemporary 'endemic' political violence in Bangladesh. It has taken place in overt forms of violence, including the blockades, strikes, arsons, physical assault and torture, and extrajudicial killings. It asks how this political violence is staged and through practices of 'culture of terror'. It examines how 'culture of terror' is justified, expressed in the language of own political positions. I have argued that violence is not only endemic but constitutive of respective political party's will. I suggest that the level of violence is closely tied to one's own political interest. The paper also shows that the 'violence' and the 'healing' are closely connected and intertwined. And that there are aspects of 'violence' that we see in the shadow of escalating terrorism. Indeed, current political violence in Bangladesh is essentially about politicizing human suffering. In everyday life, people both concretely *experience* the threat of political violence and *express* their concerns about it.

This paper also argues that as anthropologists we have both a political and an ethnographic responsibility to 'bear witness' to political violence, the physical acts themselves and how they reverberate as terror. It is because, no description of life in current situation is adequate without taking into account how this 'regime of violence' intrudes into all spheres. By contextualizing political violence and examining the consequences that it leave, especially in terms of the larger human costs and livelihood damaged, anthropologists can provide support for ordinary citizen, acknowledging their responsibilities rather than contributing to the unfortunate silence which permits political violence to continue unchallenged.

## Notes

1. Story telling is now widely used as a methodological stance for an anthropologist. In this article I use the phrase 'stories' to denote various claims or political statements made around us. All are 'true', in that they narrate lived experiences and observations. Central to my argument of this paper is that the claims of the political parties and media representations about violence can be read as stories, and these stories are social practices that cannot be understood aside from its political context. My use of storytelling at points in violence narration reveals my authorial presence and power: this is my version of events, edited, stylised and shaped according to my own beliefs and claims (Gardner, 2014).
2. A short version of this paper has been published entitled 'Pornography of political violence" In The daily New Age, Dhaka. See Ahmed, 2015. There is an interesting analysis may be interesting- the Ugandan-American writer Mahmood Mamdani has written also about the idea of a 'pornography of violence' but in a slightly different way. See <http://africanarguments.org/2009/05/23/mamdani-responds-to-his-critics-iii/>
3. A classic example of the marginalization of political violence in the anthropological literature of Indonesia comes from the oft-examined (e.g. Crapanzano, 1992; Roseberry, 1991; Taussig, 1992a; 1992b ; Das, 1997). For the classical interpretation of violence in Indonesia see Geertz, 1973.
4. In a related context, Kirsch (2002: 54-56) notes that there are several reasons why anthropologists including social scientists were silent in studying political violence in West Papua and Indonesia. He explains that speaking out against political violence may jeopardize access to Indonesia for individual scholars and the other members of the institutions with which they are affiliated. Relatively few anthropologists have been willing to write about contemporary state-sponsored violence, especially in the outer islands.
5. The project I am collaborating is called " Parliamentary effectiveness: public engagement for poverty reduction in Bangladesh and Ethiopia" with department of Sociology and Anthropology, SOAS, University of London. It explores the relationship between parliament, parliamentarians and individuals and groups within the public. The goal is to explore the extent to which poverty reduction depends on effective parliament with MPs engaging with the public.
6. In discussing the colonial situation during the Putumayo rubber boom, Taussig suggests that colonial narrators relished stories of Indians' act of violence and cannibalism. They used them to foster of culture of terror that was integral to the maintenance of colonies and of the debt peonage system whereby the colonizers could extract labour from the Indian subjects in order to make the colonial enterprise profitable and worth maintaining. This culture of terror flourished through the dissemination of stories of violence perpetrated by Indians.

7. Escobar talks about violence: the development violence. He suggests that level of violence is closely tied to a feature of modernity. He uses his work on Columbia to illustrate his argument. See, Escobar, 2004: 15-21.

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## The Liberation War of Bangladesh: Role of the Army

Dr. Md. Shamsul Alam<sup>\*</sup>  
Md. Sahidul Islam<sup>\*\*</sup>

**Abstract:** Liberation War of Bangladesh is indeed a unique episode of her history. The people of Bangladesh rallied behind the Liberation Forces to fight a war spearheaded by the Bangladesh Army. The Bangladesh Army played an important role throughout the Liberation War involving in the declaration of independence, frontal attack against the occupation army of Pakistan, formation of Mukti Fouz, making the war strategy along with the division of the whole country into 11 sectors, formation of three brigades and training of the Mukti Bahini (freedom fighters) at various training centers. The main objective of the article is to analyze the role of Bangladesh Army in Liberation War. This study shows why and how army participated in Liberation War and their participation in the decision making processes during the war. The study is based on secondary data, i.e. books, journals, newspapers and magazines.

**Keywords:** Bangladesh Army, Liberation War, Mukti Bahini

### Introduction

Liberation War of Bangladesh is considered as a landmark in the history of freedom movement and as an example of fortitude, bravery, courage and patriotism by the peace loving people in the third world countries. Independent Bangladesh was gained through a nine-month long sanguinary war, in which all patriotic people of the country contributed from their respective positions. In fact, the Liberation War of Bangladesh was a politico-military war through which Army played significant role. It was a people's war as well as mass movement, which was epitomized by the Bangladesh Army. The war started with spontaneous resistance by the *Bengali* personnel of EPR (East Pakistan Rifles) and EBR (East Bengal Regiment) against genocide of the Pakistan Army. The nucleus of the *Mukti Bahini* was formed by the EBR, the infantry battalions of Pakistan Army, peopled by *Bengali* troops. These battalions provided the leadership in their own regions where they were joined by EPR, Police, para-military force, students and great number of civilian populace in active fighting. It was merely impossible to liberate Bangladesh without leading and spontaneous participation of Bangladesh Army. The army not only participated in arm struggle but also involved in the decision making process during the War. Bangladesh Army fought for the country, sacrificed their lives for the ultimate goal of *Bengali* nation.

### Methodology

The study is mainly based on secondary data. Secondary data have been collected from relevant literature i.e. books, journals, periodicals, newspapers, online sources and websites. In addition, the authors reviewed various types of documents especially the

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\* Professor, Department of Government and Politics, Jahangirnagar University. email: shamsulgp@yahoo.com

\*\* Lecturer, Department of Government and Politics, Asian University of Bangladesh. email:tanjil.ju@gmail.com

sector commanders' writings and government documents related to the liberation war. The authors also consulted with number of academicians to enrich the subject matter.

### **Conceptual Framework**

The main duty of Army is to protect the national sovereignty under civilian authorities. However, history testimonies that army plays a vital role in attaining national liberation of a nation. Finer (1988:190) explained this army as 'the insurrectionary army', i.e. an army working for the liberation of the national territory or for the overthrow of the social order. He further presented the American War of Independence as an example in which American army became an insurrectionary army. The nucleus of 'insurrectionary army' consisted of the old regular troops (Finer, 1988:191). Amos Perlmutter and Valerie Plave Bennet (1980:483) explained the army who participated in national liberation as 'Revolutionary Professional Soldier'. They further argued that revolution would have failed without military in those countries such as china, Vietnam and Israel, in which a political party allied with an ideological committed military cadre fought to bring about a new order. Morris Janowitz divided the Armies in three categories, such as- 1. Ex-colonial Army 2. National Liberation Army and 3. Armies created after independence. The army, which is involved with the liberation movement, he characterized as 'armies of national liberation' (Masoom, 1996: 94). In this respect, the revolt of *Bengali* army in the Liberation War of Bangladesh is a great event in the history of freedom movements (Ahamed, 2000:43) observed the involvement of *Bengali* Army in the Liberation War. He explained that "a large number of officers and *jawans*, throwing aside all their professional rules and service norms, and breaking most indignantly the canons of military discipline and chain of command and joined the Liberation War". He termed the joining of *Bengali* army in the liberation war as a highly revolutionary step. Thus, the Bangladesh army emerged as a people's national revolutionary army.

### **Formation and Role of Army**

Bangladesh Army is the lineal descendants of the British Indian Army and Pakistan Army. At the time of the independence of Pakistan, there was not a single Bengali regiment in East Bengal. Qasim Malik, the Parliamentary Secretary of Pakistan reported in a defence statement in the National Assembly that East Pakistan formed only one percent of the total strength of the Pakistan Army in 1947 (Hossain, 1991:31). On February 15, 1948, first *Bengali* regiment named 'East Bengal Regiment was raised at Kurmitola, Dhaka under the prudent leadership of Major Abdul Ghani. The glorious chapter of East Bengal Regiment may be attributed to the two major events of military history of this subcontinent. First one was in the Indo-Pak War of 1965 and the second one was repeated only six years later in the Liberation War of Bangladesh. In 1968, East Pakistan had only four Bengali regiments. Ten more Bengali battalions were raised in 1968-69 (Ahamed, 2000: 39). In 1971, there were about 412,000 persons in the armed services in Pakistan, of whom 385000 were in Army, 10,000 in the Navy and 17,000 in the Air Force. On the whole, East Pakistan's representation did not exceed 9% in the officer's ranks as well as other ranks (Ahamed, 2000:39). The Bangladesh Army started its journey on the night of March 25, 1971. Bangladesh was born in a war so was its army (Ahmed, 1995: 2). Most Scholars are of the opinion that "the army in Bangladesh was the product of the struggle for freedom" (Masoom, 2000:36). It was often compared with Burma and Indonesia. It emerged from the ruins of the Liberation War as a battle-



hardened guerilla force which was reorganized into regular forces with its various components.

### **Army's Role in Liberation War**

During the Liberation War, the *Bengali* Army formed the *Mukti Fouz* and played innumerable role as the nucleus of *Mukti Bahini*. The *Bengali* army conducted operations in their respective domains against the Pakistani forces from March 26, 1971. Previously, *Bengali* army personnel were concerned about the volatile political situation of erstwhile East Pakistan and were in touch with political leaders. When the Pakistani occupational forces attacked on *Bengali*, the EBR officers and soldiers along with police and mass people demonstrated spontaneous revolt and resistant movement in the different parts of countries without any organized and combined approach. On 4 April 1971, they formed *Mukti Fouz* under the command of M A G Osmani without any central political direction. After forming Government-in-Exile, Bangladesh army fought under 7 regional commands till 11 July. Then Bangladesh Army fought for the country under 11 sectors from July to December 16 according to 'Teliapara Strategy'.

### **Nationalist Movement and Army**

A number of the military officers of East Pakistan Army established linkage with the dominant East Pakistan political party, the Awami League (AL), and remained on good terms with Sheikh Mujibur Rahman and some top ranking leaders of AL. They supplied secret information to the AL leadership which helped the Shiekh to sharpen his case for autonomy. It is observed that in the mid 1960s, army personnel secretly organized with political leaders to liberate country through arm revolt. Therefore, the role of army was dominant in the Agartala conspiracy case. It was stated in the formal charge of the case that 'the object of the conspiracy was to induct *Bengali* personnel of Army, Navy and Air force into this group to stage the armed revolt' (Ahmed, 1979:125). Most of alleged were from armed forces i.e. 7 from navy, 8 from air force and 12 from army (Ali, 2012:155-172). The above analysis demonstrates that the *Bengali* army was implicated in the interest of East Pakistan.

It has been observed that in the early 1971, when Mujib called for civil disobedience and a non-cooperation movement which paralyzed the entire administration, the men and officers of the EBR and EPR were in rebellious mood (Maniruzzaman, 1980:81-84). Major Rafiqul Islam, one of the sector commanders, was pro-active like "we must hit them before being hit" (Islam, 2011:27) and maintained connection with local prominent leaders of AL regularly. He prepared his 1500 EPR troops for revolt against Pakistan Army. In fact, the *Bengali* army personnel psychologically decided to make revolt against Pakistani Army after valiant speech of Sheikh Mujibur Rahman on 7th March, 1971. Islam (2011:82) mentioned "Wasn't there enough indication in his speech that he wanted the people of this country to start the Liberation War and continue fighting till the country was liberated?" Major Ziaur Rahman, sector commander and Brigade Chief (Later President), wrote "Historical declaration of Bangabandhu at Race Course *Maydan* on 7<sup>th</sup> March signed to us a green signal" (Rahman 1972).

### **Army and the Declaration of Independence**

With the breakdown of the Yahya-Mujib-Bhutto talks over the transfer of power, the Pakistan Army started a crackdown in Dhaka on 25 March 1971. They first attacked the

EBR, EPR and Police and finally on unarmed people. Mujib left a message for AL leader by telegram before he was arrested by the Pakistan army at night of March 25, 1971 (Pyne, 1973:24) - "The Pakistan Army has attacked police lines at Rajarbagh and East Pakistan Rifles Headquarter at Pilkhana at midnight. Gather strength to resist and prepare for a War of Independence."

In the morning of March 26, 1971, a small group of radio script-writer, artists, producers and a solitary technician of Chittagong radio station gathered at Agrabad and stopped broadcast Martial Law orders as well as decided to set up the SADHIN BANGLA BIPLOOBI KENDRA at Kalurghat, an area controlled by 8<sup>th</sup> East Bengal Regiment under Major Ziaur Rahman (Mascarenhas, 1986:118). After the decision of taking up arms for Bangladesh, Ziaur Rahman and his troops along with the AL volunteers occupied the radio station and the city of Chittagong. After occupation of the radio station, Zia declared the independence of Bangladesh on 27 March over radio and announced himself head of the state (Safiullah, 2005:63). But the declaration created some misunderstanding among the political leaders of the AL in Chittagong. The very next day, he again declared the independence on behalf of Bangabandhu Sheikh Mujibur Rahman (Rahman, 1984-1985:45). Maidul Hasan, Special Assistant of the Prime Minister, government-in-exile of Bangladesh, said "When I heard the announcement declared by Major Zia over radio, I thought, yes, large numbers of Bengali military had actually revolted" (Hasan, Khandakar & Mirza 2014:31). Both Amir-UI-Islam and H. T. Imam were inspired by the announcement of Major Zia (Murshid 2014:89). Major Safiullah (2005:54) mentioned, "I was informed that Major Ziaur Rahman declared independence of Bangladesh from Chittagong. This news emboldened me." The declaration of Zia really inspired political activists and mass people.

During the onslaught on March 25, a few *Bengali* senior officers, Lt. Colonel Raquib and Rezaul Jalil, commanding officers at Joydevpur and Jessore respectively, refused to revolt (Hossain 1991:39). Considering this, the *Bengali* personnel of the Pakistan Army can be divided into the following distinct groups. In the first group, there were those who opted for freedom and went into action before the Pakistanis could attack them. The second group desired freedom but was reluctant to take up arms against the Pakistanis. Realizing that they might lose their jobs or their lives, they joined the liberation war (Islam 2011:3). In the third group were those who hoped everything would be alright and did not want to risk their career, much less their lives. Shrewdly, they kept their options open and waited to join the victors- whoever they were. They joined the liberation war only when it occurred to them that joining was the best way to escape uncertain fate at the hands of the Pakistanis. There were a few in the fourth group whose heart, souls and loyalty was always at the service of their Pakistani Masters (Islam 2011:3). The *Bengali* Army took up arms for their country despite the fact that they might be fired or given death sentence.

### **Spontaneous Revolt and Resistance by Army**

Immediately after start of genocide by Pakistani Military on March 25, 1971 the *Bengali* members of Pakistan Army who were stationed in East Pakistan, revolted en masses against establishment and left with whatever equipment they could get their hands on (Murshid, 2014:85). They along with patriotic youth built up local resistance, wherever they could. About one third of the Bengali officers and men were killed in resistance movement. The savage brutalities of Pakistan army and the genocidal nature of their

killing aroused a keen sense of unity among the Bengalis, broke down primordial sentiments, and stiffened their resistance. It was looked upon not only as a struggle for liberation but also in face as a struggle for the survival of a people (Jahan, 1977:203). They revolted without calling and decision of any higher political leadership, for the sake of patriotism (Hasan, 2004:5). In fact political leader were not at all prepared to deal with this barbaric situation (Osmany, 2014:573). At the beginning, the resistant movement suffered heavy casualties because of the lack of central political leadership.

During the crackdown, a total of one and a half division of the Pakistan army posted in East Pakistan. There were about 5,000 regular soldiers from six battalions of East Bengal Regiment (EBR), 16,000 troops from East Pakistan Rifles (EPR) and 45,000 Police (Jamal, 2008:6). The EBR located at Chittagong 8<sup>th</sup> EBR, Jessore 1<sup>st</sup> EBR, Comilla 4<sup>th</sup> EBR, Joydevpur 2<sup>nd</sup> EBR, and Rangpur 3<sup>rd</sup> EBR. 1<sup>st</sup> EBR at Chandpur was significantly reduced in numbers. The regiment was moved to Jessore, where it was disarmed but some soldiers succeeded in escaping with arms. 2<sup>nd</sup> EBR at Joydebpur rebelled on the night of March 28-29 and escaped with their arms and equipment (Boshu, 2012:84). The *Bengali* Sepoy and Jawan first revolted on 19 March, when they were commanded to shoot *Bengali* civilian at Gazipur (Mamun, 1997:3). Two companies of 3<sup>rd</sup> EBR at Ghoraghat and Gaibandamoved to Hilli area after rebellion. 4<sup>th</sup> EBR at Brahmanbaria and Shamshearnagar moved to Sylhet area after rebellion. The trainees at East Bengal Regimental Centre at Chittagong (9<sup>th</sup> EBR was being raised at the time) rebelled on the night of March 25-26. There were also desertions in 10<sup>th</sup> EBR (another newly raised battalion which was National Service Battalion) while the remaining trainees were sent on leave. Meanwhile, Major Ziaur Rahman took control over 8<sup>th</sup> EBR at Chittagong sector. Major Khaled Mosharrof led revolt 4<sup>th</sup> EBR at Comilla and Sylhet Sector (Ibrahim, 2002:19). Major Shafiullah took control over Tangail and Mymensing region. Major Jalil occupied Barishal and declared as an independent region. Wing Commander Najmul Haque and Captain Gias along with EPR and Police forces, fought against Pakistani occupation army at Bagura and Rajshahi (Ahmed, 2010:209). Major Abu Osman Choudhury revolted and occupied Chuadanga on 26<sup>th</sup> March at 11 am (Kabir, 2010:40). The army immediately made up the nucleus of the fighting force and the vanguard of Liberation War. They later formed the core of *Mukti Bahini*. Almost in all the district towns and many rural areas, *Bengali* army personnel, men from EPR, Police, Ansars and Mujahids at once formed into groups spontaneously to resist the Pakistan army and in their own way initiated the independence war (Details in Iqbal, 2008:9). They immediately opened camps of their own in their respective areas of control and gave the first lead in the Liberation War.

### **Formation of *Mukti Fouz* and Regional Command**

After someday of Military crackdown in Dhaka on 25<sup>th</sup> March, a question arose for building political structure to conduct the operation of the *Mukti Bahini*. Khaled Musharraf who had established a camp to Teliapara Sylhet, said that they (the army officers) were going to form a 'Revolutionary Council' if the politician were not able to come forward to give the leadership (Ahmed, 1979:255). By the time, the officers in the Eastern Sectors were in touch with each other (Maniruzzaman, 1980:99). On April 4, some of the high ranking *Bengali* army officers of EBR who had revolted and involved in the resistant movement in the Eastern part met at Teliapara Tea Gardens, Sylhet (Hasan,

2004:15) for planning coordinated action. On that day, they sat in a conference,<sup>1</sup> formally organized the *Mukti Fouz* and unanimously appointed Colonel M.A.G. Osmani (Retd.) as their Commander in Chief. Under the command and leadership of Osmani, it began to organize with the title of *Mukti Bahini*. In this meeting the whole country was divided into four military regions<sup>2</sup> under four senior army officers respectively. It was first time *Mukti Bahini* maneuvered organized operation against the Pakistan Army.

### **Formation of Government-in-exile**

To give a legal sanction and logistic support to *Mukti Bahini* and real direction to the Liberation War, the formation of a government consisting of elected representatives became essential. Meanwhile, in the absence of Sheikh Mujibur Rahman, Tajuddin Ahmed (the Secretary General of AL) managed to escape and crossed over to India along with his deputy, Barrister Amirul Islam, met India's Prime Minister Mrs Indira Gandhi on 2 April 1971 and explained his plan to form a government-in-exile. So on 17 April, 1971, Tajudddin Ahmed, with an assurance of all possible help from Mrs Indira Gandhi, called a joint conference of the elected representatives (MNAs and MPAs) and *Mukti Bahini* commanders in the presence of many local and foreign journalists at the mango-grove at Baddayanathtala in Meherpur district (Dolilpatro-15, 1984-85:118). The conference declared independence of Bangladesh and formed government-in-exile<sup>3</sup>, with Sheikh Mujibur Rahman as the President and Syed Nazrulislam as the Vice-President. The Government-in-exile accepted the *Mukti Bahini's* appointment of General Osmani as Commander in Chief and formally approved it with the status of Cabinet Minister (Khandakar, 2014:66). Professor Yusuf Ali who presided over the oath ceremony of the leaders of the newly formed government, read the Declaration of Independence of Bangladesh. A group of *Mukti Bahini* saluted the Prime Minister and the Acting President. The Proclamation of Independence Order was issued on April 10, 1971, from Mujibnagar, and made effective from March 26, 1971. Through forming Government-in-Exile Liberation War was given new shape and dimension.

### **War under Regional Commanders Directed by the Government-in-Exile**

As the main objective of the government-in-exile was to liberate Bangladesh from the Pakistani occupation, it devoted much attention to organize the *Mukti Bahini*. In order to administer *Mukti Bahini*, a regular military headquarter was established at No. 8 Theatre Road, Calcutta, India and General Osmani, well known as 'Papa Tiger' in the Pakistan army, was posted there. Lt. Col. M.A. Rab was appointed as his chief of staff. Later on, Sheikh Kamal, son of Mujib was appointed as ADC to General Osmani. Major Nazrul Islam was appointed as staff officer of the Prime Minister Tajuddin Ahmed. Bangladesh Army was formally established with five battalion of EBR including EPR on third week of May, which had been known regular forces from July.

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1. Officers present in the meeting were Majors Ziaur Rahman, Khaled Musharraf, Shafiullah, Kazi Nuruzzaman, Momin Chowdhury, Nazrul Islam and Lt. Colonel Salehuddin Reza and Abdur Rab.

2. Four regions were Chittagong Region, Comilla Region, Sylhet Region and South-West Region respectively under the command of Major Ziaur Rahman, Major Khaled Musharraf, Major Shafiullah, Major Osman Chowdhury.

3. Cabinet Members of the Government was Tajuddin Ahmed as prime Minister, Khandokar Mushtaque Ahmed as the Minister for Law, parliamentary and Foreign Affairs; Kamruzzaman as Minister for Home Affairs and Mansoor Ali as Finance Minister.

While surveying the activities of the liberation army with additional information, Tajuddin expanded the command structure, divided the country into seven regions (Safiullah, 2005:120) and appointed the commander for each region as follows:

- |   |                             |
|---|-----------------------------|
| a) Chittagong-Chittagong Hill Tracts Region | - Major Ziaur Rahman        |
| b) Comilla-Noakhali region                  | - Major Khaled Musharraf    |
| c) Sylhet-Brahmanbaria-Mymensingh region    | - Major K. M. Safiullah     |
| d) Rangpur region                           | - Captain Nawazish          |
| e) Dinajpur-Rajshahi-Pabna region           | - Major Najmul Haque        |
| f) South West region (Kustia-Jessore)       | - Major Abu Osman Chowdhury |
| g) Barishal-Patuakhali region               | - Capt. Jalil               |

### **Diving Sectors and War Strategy**

In order to unify the different groups and forces fighting for the liberation, mobilize political support and ensure logistic supply, it was strongly felt to bring the military and civilian forces spread over the country under an effective military command and strategy. With this purpose, a conference of sector commanders named **Bangladesh Sector Commanders Conference**<sup>4</sup> was held in No. 8 Theatre Road at Kolkata, presided over by Prime Minister Tajuddin Ahmed. He spelled out the strategy of the liberation war called the ‘Teliapara Strategy’ (Maniruzzaman, 1980:114). The conference was held from July 11, 1971 to July 17, starting daily in the morning and ending mostly at night. Col. (Retd.) Osmani did not attend on the first day of the conference. The personnel of Bangladesh Army played important role in discussing and analyzing the war situation and made decision how to make effective Liberation War. Various aspect of the war, i.e. the problem confronting the *Mukti Bahini* and the future course of action were discussed in details. Lt. Col. M. A. Rab was appointed Chief of Staff and Group Capt. A.K. Khandkar was appointed Deputy Chief of Staff. The important aspects had been decided upon in the conference were: (1) Demarcation the sectors boundaries (2) Organizing the guerrilla forces (3) Organizing the “Niomito Bahini” or Regular Army (Ministry of Liberation war, 15 May, 2008).

The fighting tactics were mostly in the form of commando operations such as ambushes, demolitions, and liquidation of collaborators (Hossain, 1991:41). The ‘Teliapara Strategy’ consisted of three important fighting tactics (Maniruzzaman, 1980:112). First, reliance on guerrilla forces with a view to liquidating the collaborators of the Pakistan army, destroying the communication links to immobilize the enemy forces and engaging in “hit and run” operations against the enemy supply lines to make them anxious and scared. Second, reorganizing the regular force and divided it into a number of sectors to give cover to the guerrilla operations. Third, forming the regular forces with the best materials available from the regular units and guerilla forces in order to launch a full-scale direct attach on the Pakistan army.

After approving ‘Teliapara Strategy’ by the government-in-exile, a massive program of recruiting and training of guerrillas were undertaken. By the help of Indian government,

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4. Principal participants of this conference were Prime Minister Tajuddin Ahmed, Col. (Retd.) M. A. G. Osmany, Lt. Col. M. A. Rab, Squadron Leader M. Hamidullah Kahn, Group Captain A. K. Khandkar, Major (Retd.) Q. N. Nurzzaman, Major C R Datta, Major Ziaur Rahman, Major K M Shafiullah, Major Khaled Mosharraf, Major Mir Shawkat Ali, Wing Commander Khademul Bashar, Major Abu Osman Chowdhury, Major A. R. Chowdhury, Captain M A Jalil, Captain Rafiqul Islam.

*Bengali* Army trained more than 200,000 guerrillas at training centre in West Bengal, Bihar, Uttar Pradesh, Madhya Pradesh, Tripura and Meghalaya. 100,000 guerrillas were sent back to Bangladesh for guerrilla war by the end of November. At the initial stage of Liberation War, *Bengali* Army who already revolted trained some political activists (Badol, 2015:1) and local people. To compensate the shortage of officer about 100 battle-hardened guerrillas were selected to undergo short-course officers' training and were commissioned in October.

To implement the 'Teliapara strategy', Bangladesh was divided into Eleven Sectors under Sector Commanders (Maniruzzaman, 1980:114). But by July only five sectors could be made operational. Rest of the sectors such as sector 5, 10 and 11 were not operative up to July 1971. For better management of military operations each sector was divided into a combination of sub-sectors, commanded by Sub-Sector Commanders. The Sector 10 was kept under the direct command of the Commander in Chief and included the Naval Commandos as C-in-C's special operation forces. The main purpose of these sectors was to launch vigorous countrywide guerrilla warfare. All sub-sector commanders were responsible for reinforcing the guerrilla bases. The sector troops were armed with ordinary infantry weapons. Despite some limiting factors, the Bangladesh guerrillas did manage not only to survive but also effectively to immobilize the Pakistan Army.

#### **The Role of Brigade Forces (Z-Force, K-Force & S-Forces)**

Guerrilla warfare continued to weaken and bleed the enemy through small actions by adopting hit and run tactics. Despite a marked emphasis on the tactic of guerrilla warfare, it could not gain consolidate ground through this type of warfare. The war was mostly being fought at company and platoon levels. Therefore, it was decided to raise three independent brigades comprising the regular battalions of the EBR, EPR, Police and some new recruits for the purpose of launching frontal attack. Each of these brigades was to be termed as a force (Maniruzzaman, 1980:114). They were about 20-25 thousand strong EBR, EPR and Police member (Hossain, 1991: 42). These brigades were- Z-Force under Major Ziaur Rahman, S-Force under Major Shafiullah and K-Force under Major Khaled Musharraf.

Z-force was organized on 7 July 1971 at the foot hill of Tura hill, opposite to Mymensingh and consisted of the 1<sup>st</sup>, 3<sup>rd</sup> and 8<sup>th</sup> EBR commanded by Major Ziaur Rahman (Commander – Sector 1). Major Moinul Hasan Chowdhury, Major Shafat Zamil and Major Aminul Haque were the commanding officer of the 1<sup>st</sup>, 3<sup>rd</sup> and 8<sup>th</sup> EBR respectively. The Z-force won a tremendous victory in the Kamalpur, Bahadurabad ghat, Nakshi, Chilmari and Gobindgonj areas. From 2 October 2<sup>nd</sup> Field Artillery (FA) battery assisted Z-Force in the Sylhet sector in direct fire support and ground operations during multiple missions against Pakistan army strongholds under the command of Commanding Officer Major Khandkar Abdur Rashid. Since October the 1<sup>st</sup> Signal Company was assigned to 8<sup>th</sup>EBR and participated in every single mission. This Unit formed on 5 September 1971 under Captain Abdul Halim and participated in Borolekha, Fultola, Adamtala, Biyani Bazar operations.

Major Khaled Mosharraf (Commander – Sector 2) formed K-Force on 30 August 1971 at Agartala and established the headquarters of K-Force at Melaghar in 2 Sector areas. 4<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> EBR were raised in situation at Mandobhagh, Latumura and Belonia under the command of Captain Halder Md Abdul Gaffar, Captain Ainuddin and Captain Jafar

Imam respectively. K-Force won commendable victories in Battles at Belonia, Mandbag, Salda River and Kasba. S-Force was organized on 24 September 1971 Hezamara (headquarters of sector 4), opposite to Sylhet under the command of Major K M Shafiullah (Commander – Sector 4). S-Force comprised of the 2<sup>nd</sup> and 11<sup>th</sup> East Bengal regiments was commanded by Majors Moinul Hasan Chowdhuri and Major Nasim respectably (Safiullah, 2005). S-Force made a great contribution to the Liberation war.

The fire-power of the brigade forces were heavier than the ordinary supplied to sector troops. They were armed with better quality heavy gun which accelerated the victory of Bangladesh. These three infantry brigades together with two artillery batteries, guerrillas and their supporting troops prepared to launch the final counter attack by November. Before the starting of Indo-Pak war, the *Mukti Bahini* in Sector 6 had already liberated the territory north of Thakurgaon, Nilphamari and Kurrigram and was still advancing. By November, the total number of sector troops was about 10,000. These regular formations could possibly have liberated Bangladesh even if Indian forces had not intervened.

### **Surrender of Pakistan Army**

When the occupation forces of Pakistan were committing inhuman atrocities all over East Pakistan, the Bangladesh Army strongly confronted the occupation forces. Within a few days, all their munitions of war, their morale, their organizational setup, fight worthiness, lines of communication everything were collapsed in the face of undaunted attack by the liberation forces. Large areas along the border were being liberated every day. As a result of such helpless situation the occupation force of Pakistan Army was forced to surrender on December 16. Lieutenant General J.S. Aurora the commander of joint forces accepted the surrender of Lieutenant General Niazi (Osmany, 2014:577). The Bangladesh Armed Forces personnel returned to Dhaka even before the Tajuddin Cabinet landed in Dhaka on 22 December (Ahamed, 2000:42). In the surrender ceremony Bangladesh remained unrepresented apart from the inclusion of the deputy chief of staff of *Mukti Bahini* Group Capt. A.K. Khondker.

### **Conclusion**

The fearless bravery of army will always remain as a golden history of Bangladesh Army and a source of inspiration for military personnel. Although countless number of people embraced martyrdom to liberate their Country, the year remained as unimaginable acts of heroism and courage, as well as meticulous military planning of Bangladesh Army. The sector commanders and other Army officers got enough opportunities in many meeting and conference to discuss and analyze national issues and their probable solutions. The stigma of 'a martially inferior race' that was so unfairly and revengefully attached to the Bengali by the Pakistanis finally disappeared in a blaze of glory. The victories, which had been achieved during the liberation war in different sectors, were the outcome of the spontaneous revolt and proper war plan of Army. Thus, the supply of the occupation forces from West Pakistan came to an end; as a matter of fact, the then East Pakistan became totally segregated from West Pakistan. Therefore, the Bangladesh Army emerged as a revolutionary army and contributed towards the Liberation of Bangladesh.

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## **Political Rights and Obstacles Faced by Rural Women in Bangladesh**

Dr. Shamsun Naher Khanom \*

**Abstract:** Women constitute about half of the total population of Bangladesh and the rural women constitute the largest part of the women population. But the women population is, in general, and the rural women are in particular, a suppressed and oppressed section of the country. They are denied of their inherent rights as human being and dignity of life. The rural women are also neglected both in their public and private lives. In the existing socio-economic and cultural conditions, they cannot properly exercise their political rights despite the state's recognition behind those. This study attempts to explore and analyze the obstacles to the exercise of women's political rights. This has been done in the context of a selected village.

**Keywords:** Political Rights, Obstacles, Rural Women and Bangladesh

### **Introduction**

Political rights offer opportunities for a citizen to take part in political affairs of the state. There is legal sanction of the state behind every political rights and no right can be labeled as political right without state recognition. They are created by the constitution and law of the state (Gettel, 1950: 152-153). The Constitution of Bangladesh has guaranteed a number of political rights for its citizen. Of all, major political rights are: the right to vote, the right to be elected, the right to hold public offices, the right to petition, the right to criticize the government, the right to protest, the right to organization, the right to assemble etc. But unfortunately all sections of the population cannot equally exercise their political rights. The women of the rural community of Bangladesh are the case in point here.

Women constitute about half of the total population of Bangladesh and the rural women constitute the largest part of the women population. But the women population is, in general, and the rural women are in particular, a suppressed and oppressed section of the country. They are denied of their inherent rights as human being and dignity of life. The rural women are also neglected both in their public and private lives. In the existing socio-economic and cultural conditions, they cannot properly exercise their political rights despite the state's recognition behind those. But what are the causes and conditions which obstruct the rural women to exercise their political rights? Such questions are very pertinent to understand the political life as well as political rights of the country's rural women. This study, however, deals with these questions.

### **Methodology of the Study**

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\* Associate Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.  
email: merry\_fatema@yahoo.com

The data for this study has been collected both from the primary and secondary sources. For primary data, a typical village named Boalipara of Pathalia union under Savar thana of Dhaka district has been selected as the research area of the study. The unit of analysis of the study is all female individual voters. The total number of the female voters of Boalipara is 230. As the size of population is very small, therefore, no sampling method has been followed in the study; rather the total population (230) has been selected for investigation. Out of 230, 211 (91.74%) respondents were available and rest 19 (8.26%) respondents were not available for interview. Therefore, the sample size of the study is 211. The chosen population has been interviewed through a questionnaire. In case of secondary sources, books, journals, newspapers, news bulletin etc. have been used for this study.

### **Lack of Political Consciousness**

A politically conscious citizen body can perform its civic duties by exercising its political rights properly. But in an underdeveloped society like Bangladesh such a goal cannot be achieved due to lack of mass consciousness in this respect. Particularly, the rural society lacks such a conscious citizen body where half of the inhabitants are women and they are the most disadvantaged and politically backward section of the society. Virtually, lack of education, lack of political information and knowledge, limited mass media, poverty, daily household business; socio-religious environment and indifference towards politics etc. hinder the rural women of Bangladesh to be politically consciousness.

In our research area, we have found that most of the rural women are not much conscious about politics as well as their political rights. But voting right is popular there and it is exercised by them with much enthusiasm. The data collected from our research field shows that most of the respondents (77.7%) are conscious about voting right. Even a moderate level consciousness (56.9%) has been observed in the women about the right to be elected. But most of the respondents are not conscious about the right to hold public offices, the right to petition for redress of grievances, the right to criticize the government, the right to protest, the right to organization, and the right to assemble. Thereby they remain deprived of their legal rights.

### **Lack of Education**

It is a well-known dictum that education is the backbone of a nation. It helps someone to become conscious about his or her life as well as the whole socio-economic, political and cultural environment. The rural women of Bangladesh are mostly illiterate. The country's current literacy rates are 62.66% and of them 65.94% are men and 58.69% are women (*The Daily Star*, 2003). Our field survey reports that only 46% women of Boalipara are literate. But 30.66% of them belong to primary education group who can sign only their names.

Modern and secular education makes someone not only conscious but also capable to control his/her own environment. Lack of education creates dependency while various interest groups can easily influence their decisions. The rural women have little bargaining capacity in safeguarding their rights and they have lower social status.

The government of Bangladesh has taken various programs for the expansion of women's education like tuition-free primary education, monthly scholarship for girl students, food for education, tuition-free secondary and higher secondary education for the female students. The government has also declared tuition-free higher studies for meritorious female students. Besides, some NGOs like BRAC, Proshika, Grameen Bank, ASA, Batchte Shekha, Shonirvar Bangladesh, CARE etc. have taken various intensive programs for the development of the rural society especially for the rural women. But all these efforts produce a little positive outcome. This is because of the mismanagement of various projects for female education.

The rural people's attitude is not also favorable for female education. They think that female education is unnecessary. In this context, *A World Bank Country Study (1990) reports* (World Bank, 1990: 59):

Society views marriage as the ultimate goal for a woman, education is not considered to be necessary preparation for a "housewife". When having to choose between sending a daughter or a son to school, parents gravitate toward sons because as they believe sending daughters to school makes little economic sense but the son will remain in the home and take care of aging parents.

Some parents do not like higher education for their daughters because they think that higher education may be viewed negatively by the groom's family at the time of their marriage. The parents prefer religious education instead of general and higher education for their girls (Chowdhury and Ahmed, 1980: 53). In reality, an aged bridegroom faces difficulties during her marriage because of higher age.

The rural people think that educated women would not remain loyal to her husband. An old woman (60) said, "What will the rural women do with education? It is not for us, it is for the urban people." In addition, the rural women are engaged in household affairs and these types of works do not require formal education and training.

### **Engagement in Household Affairs**

Aristotle suggests that participation in politics requires leisure for individuals (Aristotle, 1986: 32). Leisure facilitates one to take part in politics. The rural women of Bangladesh are busier in household works than their male counterparts. In a study, it has been reported that the women contribute 58% and men 42% to the total work of a family (Islam, 1994: 11).

In our research area, it has been found that the rural women are mostly engaged in household affairs. Their daily activities are cooking, serving, caring of domestic animals, processing of the crops, collecting fuels etc. They also help the male members of their respective families in agricultural works. They also engage themselves in producing food, fiber and raw materials. During harvesting period, the women of Boalipara become very busy in processing the agricultural products, like boiling the paddy, drying in the sun, husking etc. A respondent named Amela says, "In the period of *Baishakh*, *Jaishtha*, *Agrahayan* and *Poush*, we are very busy; because these are the harvesting periods."

In the leisure times women gossip with one another, stitch quilts (*khata*), sort out the rice, pick-up the lice etc. But they never talk about any socio-political matters and political rights. Their leisure time's discussions are mainly confined to household affairs, well and woe, local incidences etc. Their activities are mainly confined to home. They have little opportunity to go outside the home other than neighboring *paras* and villages. Because of their confinement at home, they cannot get necessary political information in order to perform their civic duties. Thus, engagement in household affairs obstructs the exercise of the political rights by the rural women.

### **Family Barriers**

In the rural society of Bangladesh, there are nuclear, single, joint and extended families. Although the traditional family system in the rural society is gradually breaking down, until recently joint and extended family is the dominant feature of the family system. National data demonstrates that average family size in the rural areas is 5.7 (Banu, 1997: 16). Most of the families in the research area are either joint or extended ones. The average family size is 5.1.

Generally, a male member is the head of the family (Ahmed, 1983 And Arefeen, 1986). The highest income earner or the eldest male person holds the position of the head of the family. In the absence of the male head, the eldest woman holds the position of the head of the family. But her control over other members is comparatively weaker than that of the male head of the family. All important decisions in the family are made by him. He also determines even the division of works within the family. He represents his family in the society. As a result, he holds an absolute power to control over members of the family. Therefore, it is almost impossible for other members to deny the decisions made by the head. The female members of the family are found to abide by those decisions. They normally do not go out of the village without the permission of the head of the family. Even in exercising the voting right or other political rights the female members of the family carry out the order or decision made by the head of the family. Data of our study demonstrates that 67 (32.1%) respondents do not cast their votes according to their own choices. Out of 67, 46 (68.7%) respondents are influenced by their husbands in voting decisions. A respondent named Jaynaba says, "My husband is my god. He is the supporter of the Awami League."

In most of the joint and extended families, there is a female head, popularly known as *ginni* who manages the household affairs. Normally, she is the eldest woman or mother-in-law or '*bara-ja*' of the family. Within the family she distributes the resources and works among the female members of the family. In some cases, a female head becomes authoritative. In such a way, the head of the family to a great extent curtails the rights of the rural women including political ones.

### **Social Obstacles**

Favorable social environment (higher income, education, mass media, information, liberal culture etc.) is a prerequisite for the development of a society's political activities. In a developed society, a favorable social environment prevails for exercising the political rights by the citizens. On the other hand, a backward society lacks such an

environment. In rural Bangladesh, favorable social environment is almost absent. In our research area, the rural women hardly assume higher social positions rather they assume subordinate roles in the society. They are called the second class citizen because of their economic, social, political and legal bondage in relation to gender (Mansoor, 1999: 43). In reality, the negative impact of tradition, religion, patriarchy, seclusion and paternalistic attitudes in the socio-economic and legal sphere contribute to the subordination of the rural women (Mansoor, 1999: 22). The rural social power is hierarchically structured. The local leaders or *matbors* dominate it. All significant decisions of the society are made by them. Even the voting decisions of the rural voters, in some cases, are also not their own rather these are made by the local leaders. Thus, the voting right of the rural women is curtailed by the social power elite.

Women have very insignificant roles in the conflict resolution of the society; because they have little opportunity to participate in the *gramma shalish*. They are treated as so-called *meya manush* (female) who are usually kept away from conflict resolution process. They are summoned in the *shalish* to be punished or to witness the punishment. In this respect, the case of Nurjahan may be mentioned. Most of the people of Boalipara dislike women's participation in any job outside home. An old woman (57) named Karimum said, "Why will *meya manush* do job?" She added, "Does a good *meya manush* do any job?" A good woman never does any job — such a statement indicates that the rural women hold parochial culture.

Violence against women is quite a common feature in the rural society. It is deeply related to the oppressive structure of the society dominated by male values. It may be mentioned here that the notion of violence "includes not just overt forms of physical and mental violence but patriarchal violence that functions through consent and agency, violence that erases, marginalizes, disembodies and silences women" (Abraham, 2002: 16). Regarding the impact of violence on women, an observer remarks (Butalia, 2002: 129):

Violence is almost always instigated by men, but its greatest impact is felt by women. In violent conflict, it is women who are raped, women who are widowed, women whose children and husbands are sacrificed in the name of national integrity and unity. And for every fire that is lit, it is women whose job it is to painfully build a future from the ashes.

*Purdah* is a significant socio-religious custom and practice in the rural society of Bangladesh. It may be mentioned here that the term *purdah* has many meanings and usage but it has been used here in narrow sense to denote veil or head covers only. It seems that not only men in the rural society but also women dislike those women who do not observe *purdah*. *Purdah* system to some extent confines women to their homes. In addition, social norms and values are also not favorable for women's participation in politics. Thus, overall social environment of the rural society hinders the exercise of the political rights by the women.

### Psychological Make-up

One's political life is influenced and determined by his/her psychological make-up. Similarly, a society's politics is also largely determined by the psychology of its member. The political life of the rural women of Bangladesh is also influenced by their psychology. But their psychological make-up, to a great extent, obstructs the exercise of their political rights.

In the formation of human psychology, family, society and religio-culture environment play important roles. In the rural society, a female child is treated as a *meya* (girl) and is dealt with negligence. A woman's right is violated the moment she is born. Why is it a girl? Why could not you give birth to a boy? Some husbands ask this type of questions to their wives as if the wives are responsible for the birth of a girl child (Imam, 2003). A female child does not get equal treatment like other male children of the family. The attitude of the parents toward their female and male children is quite different. Since her childhood, a woman is to listen some words in every moment of her life, like — you are a *meya*, you are woman, do not do this, do not go outside the home, this work is not for you, this is for *cheley* (boy). A daughter is called — a bird of passage, another's property, a guest in the parent's house, a thing to be preserved for an outsider, a thing which has to be given away etc (Mansoor, 1999: 32). But this is not the case of male children. "Boys and girls are accordingly trained for different adult roles, statuses and authority." (Krishnaraz and Channa, 1992: 31) Socialization in this way ultimately reflects negative impact in the formation of women psychology. Women of Boalipara are socialized mainly by their families, neighbors, peer-groups and relatives. But modern agents of socialization like school and mass media have little role to play in this respect.

Unequal treatment can also be observed in the distribution of food, cloths, health facilities, games and education etc (Chowdhury and Ahmed, 1980: 12). Even in the case of taking food, mother at first pick up some food for her male child. They think that a boy is greater economic asset to the family than a girl (Chowdhury and Ahmed, 1980: 10). On the other hand, a female child becomes the member of other family after marriage. "A girl is looked upon as a transient member of the family in which she is born and brought up because on marriage a girl has to be transferred to her husband's family (Krishnaraz and Channa, 1992: 31)." The female children get similar treatment from the society as well. In such a way, a family as well as a society pushes inferiority complex in a female child. In addition, lack of education of the rural women makes the situation complex. Thus, the female children become introvert, timid and coward. They think themselves merely "women", not more than that. A respondent, Sjaeda, says, "We are *meya manush*. Political activities are not for us rather for *purush manush* (men) who work outside the home." When Jamila was asked about her political rights, she replies, "I am a *meya manush*. I know nothing about it; ask my *bari wala*" (head of the family and husband). The rural women cannot play significant roles in society and politics because of such an inferior psychological make-up, and even they cannot exercise their own political rights as well. But it is true that "the women folk accepted their fate with this discriminative position of their survival and do not have any intention to overcome that discriminative standpoint." (Sultana, 2003: 65)

## Religious Obstacles

Religious ritual is an important cause of women's inferior position both in family and social life. Particularly, according to the Muslim inheritance law, a daughter gets half of her brother's share. Therefore, a daughter is deprived of equal property rights. This fact influences the socio-religious life of the rural women. Most of the religious gatherings have social significance. But in Islam, women are prohibited from most of the religious gatherings, like prayer in mosque, funeral, *eid* prayer, *milad* etc.

Irrespective of religious considerations "to be a good wife" is the main destination of most of the women in this subcontinent. All along their lives, they try to become a good wife. Particularly, in Muslim ritual husband's position is always superior to the position of wife; because they believe that Allah's primary creation is man, not women. Muslim women believe that the pleasure of husband is the pleasure of Allah. They also think that women have been created from the body of man and that is why they are called as *ordhangini* (half part of the body) of men. Therefore, the existence of women is merely instrumental and not fundamental (Sultana, 2003: 59).

*Purdah* is a symbol of family respectability to the villagers as well as a means of domination by the males. But in the case of the poor women, situation is different to a great extent. They have to go outside the home and even outside their own village for works. This type of the rural women hardly observes *purdah*. In our research area, it has been found that most of the women observe *purdah* more or less even inside the home. They observe *purdah* not only for the cause of religion rather they take it as social tradition as well. During the collection of data, they frankly appeared before us, but most of them only covered their heads by *sari*. We have found only one respondent in the village who strictly observes *purdah*. She even did not want to be appeared before us for interview. Ultimately, she appeared for interview covering her face with a wrapper. She usually avoids even any female stranger. She lives in the inner part of her home and does not come out. When she was questioned about the political rights, she replied very gently, "I do not like politics. I do not like any political activity." I asked her again, "But the party Jamaat-e-Islami puts emphasis on religion, is not it?" She replied, "All the parties are same. Their nature and activities are almost same." She added, "I am grateful to Almighty Allah for giving me two female children. They study in a madrasa and in the future they would be madrasa teachers." Almost all the rural women believe in fate. They believe that everything comes from Allah and the state has a little to do for the people. Therefore, political rights are almost meaningless in their lives. Of course, it is also true that all the respondents are not as religious as they verbally acknowledge. It has been seen that religious rituals are not strictly observed by them.

In the rural society, religious leaders curtail the women's right in various ways. Women are the main victims of misinterpretation and misuse of religious rules and regulations committed by the religious leaders. They maintain their domination through Islamic rules and regulations, and in connection with other dominant forces of the society. *Fatwa* is a strategic means to maintain domination over women by the religious leaders. In real sense, *moulana*, *moulovi*, *mullah*, *alem* and *imam* belong to the group of religious leaders. They are versed in religious knowledge and also dominant section of the society.

But in our research area, an *imam* of the village mosque is the only religious leader. But he is not the original inhabitant of Boalipara. He is an outsider and appointed by the village authority. As a result, he has little influence on the villagers as well as women. But his attitude toward women's rights is not positive at all. When he was asked to comment about women's political rights, he said, "Women should not be involved in politics. They should stay at home and take care of their families." But he does not deliver any *fatwa* on women issues. Therefore, religious rituals and practices significantly curtail women's political rights in rural Bangladesh.

### **Weak Mass Media**

Mass media plays an important role in building a democratic society making people conscious about politics as well as political rights, and enables the people in various ways to exercise their political rights. But weak mass media has signified the communication system of the rural society of Bangladesh. In our study area, we have found that the women do not read newspapers, because they are illiterate. Newspapers are also not available in the village. Some of the respondents even do not know what newspaper is. Therefore, newspaper is much unknown to them. As a result, this media cannot make the rural women conscious about their rights including political ones.

Radio and television can play an important role in consciousness building of the people. In our research area, we have found that a very few respondents listen to radio. They are mainly fond of listening songs, advertisements, dramas, family planning programs and other recreational programs. But they do not take interest in listening to news bulletin and discussion programs; because they have little interest in political matters. In case of television, it has been found that a number of respondents watch television programs. They mainly watch drama serial, advertisement, Bangla film, documentary film and other recreational programs. These programs normally contain traditional gender roles of the society (Hamid, 1996: 96). After watching the programs they also discuss about these programs with interest. It may be noted that these programs do not contain any political information and knowledge. But they do not take interest in watching news bulletin or any discussion program broadcast on television. During the election period, both radio and television circulate some programs on elections. These types of programs motivate the people to take part in elections as voters. As a result, the ordinary voters go to the polling centers and cast their votes. But radio and television do not circulate any remarkable program on other political rights, like the right to be elected, the right to organization, the right to assemble, the right to criticize the government etc. Therefore, we can say that mass media in the rural society plays a little role in building consciousness about the political rights of the rural women.

### **Women's Economic Condition**

One's economic conditions largely determine his or her socio-political position. Those who have strong economic base have also superior socio-political position. A poor man can hardly enjoy the socio-political rights despite legal sanction behind those. This fact is also very true for the rural women of Bangladesh. They are considered as the poorest of the poor. According to Payne, "throughout their lives women are more vulnerable to both



poverty and deprivation whilst there are more women than men living in conditions of poverty and deprivation at any one time.” (Gordon and Spicker, 1999: 58)

The rural women are the victims of dual exploitations: by the family and by the society (Arens and Burden, 1998: 35-87). Most of the families in the rural society are dependent on agriculture. Agriculture requires collective activities. Women share in such activities which are done at home or adjacent to home area. But their labor is not socially recognized as productive labor. They do not take part in agricultural activities outside the home rather they take part in the activities within the homestead like: threshing, boiling and drying the paddy, drying the jute in the sun, husking it etc. Thus, they help in agricultural activities through their household affairs. But they have no time as well as opportunity to do other jobs except household business. “While women’s primary role is assigned to the home, men’s primary role is assigned to the labor market. A major underpinning of the gender division of labor is women’s economic dependence on men.” (Gordon and Spicker, 1999: 59) Therefore, they have no scope of earning cash money like the urban women. In addition, the women cannot work as day laborer as men can do it. Women’s work outside the home is not socially recognized because of religious prohibition. Even the female members of an affluent family may live below the poverty line; because “the earning of men cannot be assumed to be shared equally between men and women.” (Gordon and Spicker, 1999: 59) Thus, poverty within the household is a common phenomenon in rural Bangladesh. Similarly the rural women are also exploited by the society; because society does not recognize their labor as productive. Their wages are also lower than those of men. Thus, the rural women are deprived of their economic rights by the society and family. “Women’s subordination and subservience to men is caused largely in the lack of ownership of family asset by women.” (Islam, 1994: 42) Therefore, the rural women’s inferior economic position obviously determines their subordinate position in socio-political life which seriously hamper their exercise of political rights.

### **Indifference towards Politics**

Women are generally mobilized in politics during particular political seasons like elections. In the prevailing political culture of Bangladesh the elite of the society extracts most of the benefits from their political activities. Regarding women’s position in politics, an observer remarks (Banu, 1997: V):

The political system in Bangladesh is mainly dominated by the male members of society. Issues relating to women in politics are not fully recognized by the family, the society and political and other such organizations. It is evident from different sources and from practical experience that women’s entry into political parties, the parliament, local bodies and other decision-making bodies is negligible.

In our research area, we have not found any respondent who expresses her desire to be involved in politics. Rather all the respondents express their apathy and indifference towards politics. Even during an election, female voters hesitate to go to the polls. They face some problems to exercise their voting right. A study reports that 93% of the rural

voters do not face any problem but rest of the 7% voters face some problems (Banu, 1997: 29).

**Table: Problems Faced by the Rural Women Voters in Exercising Voting Right (in %)**

Problems	Voters
Vote already cast	10.1
Violence at polling center	11.6
Incorrect name in the voter list	13.0
Name not found in the voter list	43.5
Transportation problem	11.6
Obstacles by family members	4.3
Not known	5.8
Total	100

(Source: Nilufar Banu et. al., *Voting Behavior of Women*, Women for Women, Dhaka: 1997, p. 30.)

Politics is a matter of fear as well as almost unknown phenomenon to the rural women. They think that it is the job of men who work outside home. Politics virtually has no meaning and use in their lives. A respondent named Khadeja says, “Politics is not for us. It is a matter of the kings.” Another respondent named Jostna says, “We have nothing do with politics. What will we do by politics?” We have found Alor Ma, a newly nominated female member of the Gram Sarker of Boalipara, is not also involved in politics actively. Her relative and former union parishad member Hazrat Ali has included her name in the list of the Gram Sarker. Therefore, even the women who are known as the people’s representatives in the rural society are hardly involved in politics. Because of such indifference, the rural women do not get involved in politics as well as they are not benefited from politics. Consequently, they are deprived of their political rights.

### **Social Exclusion**

Social exclusion emphasizes “the role of relational features in deprivation.”(Sen, 2000: 229) “It refers to the norms and processes that prevent certain groups from equal and effective participation in the social, economic, cultural and political life of societies.” (Sen, 2000: 229) In almost all societies, women are the most common excluded groups. They are deprived of powers and resources of the society. The rural women of Bangladesh are the most common case in point.

In a male dominated society like Bangladesh, women of both rural and urban areas belong to the most common excluded group. Particularly, in the rural areas exclusion of women is the dominant feature of the society. In our research area, we have found that women are excluded from socio-political, cultural and economic life of the society. They are excluded from all religious gatherings like mosque committee, any discussion in the mosque and other religious festivals and activities, like *milad mahfil*, *Eid-ul-fitre*, *Eid-ul-azha*, *Zumma prayer* etc. Women have no participation in any social decision at all. Boaliapara is divided into *six samajs* and *six goshtis*. Respective heads of the *samaj* or *goshti prodhan* make important social decisions of their own. Most of the women of the

village live below the poverty line. Even a female member of an affluent family lives in poverty. "Being poor are in itself a cause for social exclusion due to be social stigma poverty carries." (Sen, 2000: 229) Needless to say, deprivation and exclusion co-exist. The social norms and values in various ways also deprive the rural women. Similarly, the male members dominate the cultural life of the rural society. Because of such socio-political exclusion, it is not feasible for the women to exercise their political rights properly.

### **Lack of Individualism**

Individualistic attitude and identity is the pre-requisite for taking any political decision independently. The exercise of political rights is also not possible without one's individual identity. This is very true about the women of Bangladesh. Until their marriage, they are known by their maiden names as well as their father's identities. After marriage, they are known or identified by their husbands, children and relatives. Such state of affairs has its indirect impact on their psychological make-up to take any political decision independently.

In our research area, we have found that almost all the respondents are known by other names. A respondent is known as *Alor ma* (mother of Alo). Alo is the name of her first female child. But her real name is Amela; but this name has no use in her identification and has almost been a forgotten phenomenon. Another respondent is known as *Monsur-er-bou*. *Bou* means wife. *Monsur-er-bou* means wife of Monsur. But her real name is Rashida. In absence of the use of real name, once it is forgotten. Thus, the rural women are identified not as separate individuals but as daughter, sister, wife or mother (Husain, 2000: 80). We have found our old man who cannot remember even his wife's name. We have found a few women who are not only the daughter of Boaliapara but also the *bou* of the same village. In such cases, the original identity as daughter of the village gets preference over her position as wife of the village (Abdullah, 1974: 14).

### **Conclusion**

An intensive inquiry and analysis reveals that a number of obstacles are there on the way of exercising the political rights by the rural women. But some obstacles are more serious than others, although it is difficult to determine the relative importance of those. Of all, lack of consciousness of the rural women, lack of education, engagement in household affairs, family barriers, social obstacles, psychological make-up, weak mass-media, women's economic condition, indifference towards politics of the rural women, deprivation in the society and lack of individualism are the main obstacles. Apart from these, there are some minor obstacles as well. As a result, the rural women cannot exercise their political rights properly. Even human rights of the women are also frequently violated in the rural society. But if the rural women are to exercise the political rights, the obstacles must be removed. For this purpose, various policies for women empowerment should be undertaken by the concerned authorities, and most importantly, male members of the family and society should hold positive outlook towards women's politics rights. It is obviously true that political progress of the country cannot be achieved without safeguarding the rural women's political rights.

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## **Union Parishad's Role in Enhancing Women's Access to Justice: Reviewing Local Level Institutional Setting in Bangladesh**

Mohammad Nasir Uddin \*

**Abstract:** This paper examines the question as to how local level institutions in rural Bangladesh play role in affecting the situation with regards to women's access to justice. Particular aim of the paper is to assess the strengths and weaknesses of Union Parishads (UP) in current context to reduce violence against women and girls. As the lowest tier of local government system of the country, UP has long been working here as the most effective, pro-people and indispensable of the local level institutions. Village court, Nari Nirjaton Protirod Committee (NNPC) and Salish Parishad – all three bodies with crucial significance to the lives of women and girls – are either affiliated to or integrated within the UP. While village court is a refined and refashioned version of traditional salish system, NNPC and Salish Parishad are two statutory committees of the UPs that are formed following the provisions given in the relevant laws. This study focuses mostly on the functioning of village court; however, it also looks into different aspects of NNPC and Salish Parishad (or, arbitration council) with a view to examine how UP as an institution currently works for taking both preventive and restorative measures in upholding the rights and entitlements of women and girls and in ensuring their access to justice. The study applied simple qualitative methods to collect all relevant information in line with a conceptual framework and brought a number of observations to the forth that might pave way to UP becoming more effective and meaningful an institution. There are many ways in which UP as an institution can become more effective to bring about gender parity in the society - the findings presented in the paper sheds light on that ways.

**Keywords:** Union Parishad, Access to Justice, Women's Empowerment and Local Government

### **Introduction**

The purpose of this paper is to examine the ways in which Union Parishad (UP) as a local level institution in Bangladesh plays role in 'enhancing' or 'impeding' women's access to justice. By assessing the accessibility (or, inaccessibility) of women to the institutions and their services, the article also aims to understand the effectiveness of UP in reducing violence and discrimination against women and girls. While formal justice system in Bangladesh is overstrained with case loads, people at the grassroots feel more connected to the 'informal justice system' that has been in operation, arguably, since the beginning of history in this part of the world. In such backdrop, 'village court' and other institutional settings, affiliated with the UP have the potentials to play key role in enhancing marginal group's access to justice.

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\* Associate Professor, Department of Anthropology, Jahangirnagar University, Savar, Dhaka. email: mailmnu@hotmail.com

In Bangladesh, the formal juridical-legal system that we currently have, was introduced in the course of colonial transformation; however, along with the state backed criminal and civil judicial machineries, different types of localized and informal justice systems have remained in force over the centuries as a noteworthy feature of social life in rural Bangladesh. In today's reality the formal justice system of the country continuously proves to be inadequate to address the huge number of disputes, litigations, conflicts and offences that take place every day in different corners of the country. As the system involves lengthy steps and is vastly understaffed, general people, in many cases, prefer to seek remedies through the local and easily accessible institutions and systems.

For the poor, particularly for those who are persistently oppressed and marginalized – such as the poorer women – the situation is compounded by the prohibitive costs of legal proceedings and a lack of knowledge that severely restricts their access to the formal law enforcers and judiciary. In such a situation, the village court and NNPC can play significant role in delivering just remedies to the victims and sufferers, to women and girls who are persistently subject to violence and wrongdoings. These localized systems have the potential not only to reduce the pressure on the formal justice system but also to effectively work as alternative dispute resolution mechanism.

### **Historical Background: Local Government and Access to Justice in Bangladesh**

It is in this context that less-formal and more localized institutions and systems draw attention of the policy makers, experts, academics and practitioners with their potency to deliver services to the people, particularly to those who are more at risk of violence and deprivation. For promotion of governance and elimination of structural injustices, strong and democratic local institutions can become quite effective catalysts. However, in Bangladesh context, institution building at local level is still in the process of maturing up, as is the overall democratic culture of the country. The overall system of local governance in the country has seen number of overhauls and gone through experiments with the change of political regimes. Withstanding all the alteration, Union Parishad (UP), the lowest tier of the system, has remained to work as the most effective, pro-people and indispensable of the LGIs. It also is the oldest of the tiers. Village court, Nari Nirjaton Protirod Committee and Salish Parishad – all three bodies with crucial significance to the lives of women and girls – are either affiliated to or integrated within the UP. While village court is a refined and refashioned version of traditional salish system, NNPC and Salish Parishad are two statutory committees of the UPs that are formed following the provisions given in the related laws.

Village court is a somewhat standardized form of traditional mediation and arbitration, popularly known as 'Salish'. 'Nari Nirjaton Protirodh Committee' is one of the standing committees of a Union Parishad, though the latest version of local government act [Local government (Union Parishad) Act, 2009] names it, in section 45, as 'Committee for resolving family disputes and welfare of women and children'. This committee aims at stopping violence against women and children. On the other hand, 'Salish Parishad' or 'Arbitration Council' is the committee formed in a UP following the provisions of 'Muslim Family Act, 1961'. With proper functioning of all these three bodies, a UP can work effectively in resolving family level conflicts, domestic violence, issues related to early marriage, dowry, divorce, *denmohor* (dower), maintenance and others. However, in reality the bodies do not always operate in full and for women, girls and other victims it proves to be quite difficult to have access to these institutions.

In this study we focus mostly on the functioning of village court along with exploring its weaknesses and strengths. We also look into different aspects of NNPC (though the name of the committee has changed, it is still popularly labelled as NNPC. We follow this popular name while identifying the committee) and arbitration council with a view to examine how UPs work for taking both preventive and restorative measures in upholding the rights and entitlements of women and girls and in ensuring their access to justice.

### **Conceptual Framework:**

#### **Access to Justice and Informal Justice System in Rural Bangladesh**

Access to justice is an important element of rule of law which is instrumental to safeguard the rights of individuals by ensuring “access” to justice system when rights of individuals are under threat of violation and insecurity. In Bangladesh the existence and functioning of traditional or ‘informal’ justice system along with ‘formal’ and state-sponsored justice is a key feature of social system. The country features widespread use of a community-based, non-state dispute resolution technique, *salish*, in three broad forms (Golub, 2003):

1. The traditional system as it is administered by village leaders and other influential persons, including religious figures;
2. The local system being practised in the form as it has been modified through national legislation and accordingly being administered by a local government body, the *union parishad* (UP); and
3. Informal justice as being modified and overseen by NGOs in many parts of the country.

The term “salish” (or “shalish”) refers to a largely informal community-based process practised in Bangladesh society through which small panels of influential local figures help resolve disputes among community members. At times sanction or punishment also is imposed through salish session. NGOs and the government have drawn on and modified this process in recent years. Therefore, informal justice in rural Bangladesh now takes three basic, sometimes overlapping forms. As we have noted above, these three forms are: traditional; government-administered “village courts” (though under the relevant laws other terms technically apply for family and urban disputes); and NGO-modified.

In rural context, household related issues are mostly addressed within the family or neighbourhood. A family would always try to sort out issues within themselves. In cases they fail to do so, they go to the community. At community level, nowadays, most of the issues of dispute are taken up by the local UP – either by the chairman or by one of the members.

In relation to domestic violence, that is, in case a husband beats his wife, in most of the cases, wives do not take up the issue even to community level. Either they condone it or try to get it resolved within the family. They don’t protest largely because of the apprehension that such protest might put their conjugal life at risk. At times women from the neighbourhood, who are aware and active, come forward to stop a man from beating his wife. However, not all the men give heed to such intervention. We, at the field level,

came to know about incidents in which husbands even rebuke and insult such neighbours who come forward to resist him.

### **Short Notes on Objective, Scope and Methodology**

This paper is based on two studies that aimed to ascertain the effectiveness of three UP bodies – village court, NNPC and Salish Parishad – in preventing and redressing gender-based injustices in the community. The studies applied simple qualitative methods to collect all relevant information in line with a structural framework. We have looked into the relevant laws, acts and manuals to clear ideas about the formation, functioning and procedure of these three bodies. And, in case of village court, we have examined number of research reports, articles and new paper analysis. For gleaning in field level data, we have undertaken the following activities: field observation, focus groups discussion (FGD), Key Informants Interview and informal discussion. At field level, in two upazilas of Borguna district, we talked to a total of 256 respondents through the use of different methods mentioned above. Among the respondents 156 were women and 90 were men.

### **‘Salish’ and Village Court: A General Introduction**

As we have noted already, in Bangladesh, village level traditional juridical mechanism named 'shalish' is quite active an institution. This informal justice mechanism or Shalish is: 'basically a practice of gathering village elders and concerned parties, exclusively male, for the resolution of local disputes. Sometimes Chairmen and elite members of the Union Parishad are invited to sit through the proceedings. Shalish has no fixed dimension and its size and structure depend entirely on the nature and gravity of the problem at hand (Khair: 2001).

While this description may suggest that a shalish is a 'calm deliberation, with the parties patiently putting forth their perspectives and impartial facilitators soberly sorting through the issues' but actual shalish is of peculiar character. Stephen Gloub describes his impression flowing from the observations of over a dozen shalish sessions during the 1990s as follows:

'The actual shalish is often a loud and passionate event in which disputants, relatives, (shalish panel) members and even uninvited community members congregate to express their thoughts and feelings. Additional observers, adults and children alike, gather in the room's doorway and outside. More than one exchange of opinions may occur simultaneously. Calm discussions explode into bursts of shouting and even laughter or tears. All of this typically takes place in a crowded school room or other public space, sweltering most of the year, often with the noise of other community activities filtering in from outside. The number of participants and observers may range from a few dozen to well over one hundred (Gloub: 2003).'

Shalish mechanism as a justice forum has some specific characteristics. It is a completely informal mechanism which has no specific procedure to follow. The adjudicators (*shalishkar*) of a shalish do not have any legal authority, but they get social authority from their seniority, wisdom, economic and religious status or by way of village politics. For delivering justice, shalish mechanism uses no specific law but the notion of justice emanated from religious guidance and sense of social wellbeing.



The purpose of Shalish is to dispose off different type of local disputes locally, speedily and amicably without resorting to formal expensive and lengthy court procedures. While it is undeniable that shalish has been successful in some measure at providing acceptable judgments and solutions, it is also a bare truth that this purpose of the shalish mechanism has been frustrated time and again due to various socio-economic and religious grounds. In the absence of specified law, process and accountability, the forum has been a vehicle for imposing subjective notion of justice by the socially, economically or religiously powerful people. While socially and economically powerful people have got this forum as a platform for enforcing their dominance over disadvantaged portion of the society, the religious leaders have used this forum as an instrument for practicing their religious dogmas.

With a view to streamline the informal 'salish' system and to iron out the inconsistencies and malice that it has, the provision of village Court at UP level was introduced.

#### *History of Village Court*

Currently the Village Court Act, 2006 is in operation with a purpose to ensure “access” to justice for the large population in the rural area to which Village Court (Amendment) Act, 2012 has introduced few changes. Originally, Village Court was created in 1976 with the objectives that poor village would get easy access to justice without any cost. It was also hoped that they would thus get freed from the grip of unwanted decisions that the dominant or elite classes of village give in the name of justice or salish.

#### *Constitution and Composition of the Village Court*

The Court is constituted upon a written application to the Chairman of the Union Parishad against the crimes like: unlawful assembly is to commit an offence, crime against animal or cattle etc. mentioned in Part I or plaint against the offences including breach of contract, recovery of moveable property, damage to property etc. as mentioned in Part II of the schedule. On receipt of the application, the Chairman of the Union Parishad constitutes the Village Court. According to existing law, a Village court is to be composed of a Chairman and four members to be nominated, by each of the parties to the dispute. One of the two members to be nominated by each party shall be a member of the Union Parishad concerned. The Chairman of the Union Parishad will be the Chairman of the Village Court. He will invite the disputant parties to nominate their representatives within 7 days. After receipt the names of the nominees of the disputant parties he will record the matter in Form I of the registrar.

The Chairman of the Union Parishad acts as the Chairman of the Village Court, but where he is, for any reason, unable to act as Chairman or his impartiality is challenged by any party to the dispute, and then any member of the Union Parishad other than those nominated by the disputant parties becomes be the Chairman of the Court. If either party to the dispute consists of more than one person the Chairman shall call upon the persons constituting that party to nominate the two members on their behalf, and if they fail so to nominate, shall authorize any of such person to do so, and there upon the persons so authorized shall alone have the right to nominate such members. If any party to the dispute does not find any member of the Union Parishad to be impartial, he may seek the permission of the Chairman to nominate any other person to be a member of the Court in place of the member of the Union Parishad.

### *Critical analysis on the functioning of the Village Court*

As it has already been discussed, Village Courts are statutory courts and are composed of with local government (Union Parishad) representatives (as community leaders) and members from disputant parties. But these courts are legally required to follow informal – not formal – procedure of trial or dispute settlement. This means that village courts can do without applying Code of Civil Procedure, Code of Criminal Procedure and Evidence Act. In fact application of these code or act related procedure has rather been barred. Also is barred the appointment of lawyers. The underlying argument is that the disputant parties will be able to discuss all their problems without any reservation or hesitation and will be able to reach an amicable and justifiable mediation in the process. However, decisions of these courts are as binding as those of any other formal courts of the country. In a word, a village court is an example of accommodation of formal courts and traditional knowledge and wisdom.

### *Gender Sensitivity at village court*

Though it is evident from the field level observation that women prefer a settlement of dispute through shalish and village court, these institutions are still dominated by the male members of the society and are governed by the norms of patriarchy. In most cases, the role of women is strictly limited to the role of passive service receivers without having their voice raised. Main reasons for such non-participation from women's part are: non-cooperative attitudes by male counterparts, unwillingness to accept women as leader, lack of confidence in women's leadership, lack of capacity among female UP members and shalishker, absence of social security and most commonly patriarchal practices across the society.

### *Barriers and limitations that Village Court faces*

As we have observed in the field level, and as it was observed by other researches (e.g. Barkat and Roy, 2004; GOB, 2012), the Village Courts face a number of issues that constrain their proper functioning. According to UP level elected representatives, functioning of Village Court is constrained seriously because UPs do not get enough fund allocation for this. Though in law there is provision for record keeping and reporting, in practice the system of reporting is very weak. As such, there is no mechanism of accountability in place in practice. Overall level of awareness and understanding on Village Courts among the community members and local representatives is noticeably low. Most of the UP chairmen, UP members, UP female members and the community people have no and/or very shallow knowledge about the Village Courts procedures and processes. The village touts/miscreants are involved in most of the cases and they misguide the parties of the cases and thus they exert crucial impact on litigation and village court judicial system.

Lack of strong or mandatory provision to attend the respondent before the court is another weakness in Village Court judiciary. Due to weak social control the acceptance and honour of the village court is in jeopardy in many cases. Moreover, the nature and type of social problems and conflict has changed a lot which are not under the jurisdiction of the village court. Political affiliation of the victim and belongingness of the justice seeker to UP Chairman's/ Member's clan and/or kinship with them work as a major political barrier for seeking justice.

### *Ways forward for making village court more effective*

For making it more effective, gender sensitive and bias-free, there are scope for a lot to be done. The level of knowledge and understanding on part of UP chairmen and members is clearly very low. This needs to be raised. Trainings that had been given appeared to be inadequate. It was evident that more extensive trainings would be of great use. There is provision in law that the whole process should come under recording, documentation and monitoring systems. However, in reality we did not find these to take place. It was convincingly noted that power and function of the court should be enhanced particularly for the reason that a UP chairman has to solve so many problems that are beyond the jurisdiction of the present village court under the ordinance. Another important point to take note is that power of execution of decrees or fine made by the court is essential because without execution the orders given by the court are ineffective and become insulting to the court. We noted that in most of the cases people are of the opinion that the village court should be empowered to take cognizance of the family conflicts like resolution/dissolution of marriage, dowry, recovery of dowry, prevention of torture to the women & children etc.

### **NNPC and Its Role in Preventing Violence Against Women**

NNPC (Nari Nirjaton Protirodh Committee) is one of the standing committees of the UPs. However, the most recent act that guides the activities of this local government institution (that is, UP) does not name the committee as NNPC. In its section 45(1), Local government (Union Parishad) Act, 2009 provides directives regarding different standing committees. ‘Committee for Family Dispute Resolution and Welfare of Women and Children’ is the name that the act gives to this committee. Since the standing committee has popularly been known as NNPC, in this report we stick to this name. The purpose of the committee is to address the vulnerability and violence that women and children are likely to experience. This committee is formed more with a view to take preventive measures. It is more oriented toward collective struggle than performing judicial or quasi judicial function. Like all other standing committees, this committee also is comprised of 7(seven) members.

#### *Composition of the committee (NNPC)*

Though the act provides flexibility about the number of members, in practice it was noticed that NNPCs comprise of seven members. Generally, the UP chairman, its secretary, three female members, one school teacher and one family planning worker are the persons who make up the committee. One contradiction in terms was clear: whereas the act is unambiguous that the standing committee should not be headed by the UP chairman, in reality it was seen that the UP chairmen take up the role as committee head. Section 45(3) of the act reads: “.... Chairman of the UP will work *only* as the chair of the standing committee for law and order” (emphasis added). Thus, the provision of the act is that the chairman of the committee (NNPC) will be elected from amongst the members, and UP chairman should no way become the chairperson of this committee. In fact, the essence of standing committee is to decentralize the power to the member of the UP and lessen the work load of UP chairman.

### *Jurisdiction and practical functioning of NNPC*

As we have noted already, as a standing committee of the UP, NNPC has the responsibility to address the vulnerability and violence that women and children are likely to experience. This is not supposed work as any judicial forum; rather it should work as a platform for civic actions and resistances. This committee is formed more with a view to take preventive measures. It does not have any power to impose any penalty, compensation or punishment to anybody. However, in practice, it takes up diverse measures to redress the issues relating to violence against women and children. Child marriage, dowry, divorce, domestic violence, conjugal conflicts etc. are quite common in the rural context and members of such committees come forward to deal with such issues.

In theory NNPC can solve problems only through building consensus between both the parties. However, in practice they solve a number of cases and complaints through realizing compensation or pecuniary penalty. They have also been seen to hand over physical punishment to both the parties; they at times take recourse to verbal abuse, scolding, rapprochement etc. for getting the things resolved.

### *Strengths of the NNPC*

Despite that variation and divergence that we might see from UP to UP in terms of delivering responsibilities, NNPCs generally make some good impact on the society. In all the UPs there are fully formed and functioning committees. Main strong point about the working of this committee is that in all the UPs, there are functioning and fully formed NNPC. Since the committee is formed following the local government act and relevant manual, office bearers have rather better ideas about this. In some of the cases, committee members have been found to be active in delivering their duties; they also are regular in having the meetings conducted. In a number of UPs, it was found that UPs keep good record about this activities of this particular committee.

### *Limitations and weaknesses of the committee*

We have already identified that according to the act, it is not the UP chairman who should preside over this committee. However, in practices the committee is led by the chairman and since he remains busy in doing so many other things, the committee does not get adequate guidance from him.

Though legally UP has obligation to arrange meeting of the committee at least in every two months [Section 45(9) of Local Government (Union Parishad) Act, 2009 provides directives in relation to this], in practice meetings don't take place that regularly. Whereas the committees basic duty is to improve the environment and provide a platform of support to the women, they do not take much encouragement in doing so.

Marginal and vulnerable women still do not feel fully confident to communicate the problems they face to the UP standing committee. We have interviewed women who allege that committees are not, in many cases, still fully reliable. Allegations such as nepotism, political influence, unilateral decision making are commonly heard against this committee.

### *What might be done for ensuring better functioning of NNPC*

As it has already been noted, despite some successes, this UP standing committee, in most of the cases, needs to have better understanding about its jurisdiction and scope of

work. And, the way it is formed with UP chairmen as its head, also need to be streamlined. As a standing committee it needs to be led by one of the members of the committee who is elected by the members. Committee needs to focus on its preventive role so that it can work for bringing in gender sensitive and less violent practices in the society. Its work should focus on engendering civic engagements. Pecuniary or physical punishment it is not authorized to hand over; therefore, if any such incidents are reported to them for dealing with, they should rather refer it to village court, salish parishad or the formal courts that might be relevant.

### **Reviewing Different Aspects of 'Salish Parishad'**

With respect to 'Salish Parishad', it is most important to remember that what we popularly refer to as 'salish' is not necessarily synonymous to 'salish parishad'. Whereas 'salish', in general, might refer to any form of informal session of mediation or arbitration arranged in a village, 'salish parishad' is more specific in its formation, jurisdiction and procedure. The parishad, also known as 'Arbitration Council', is related with Muslim Family Laws Ordinance, 1961. This act has given power to UPs to resolve the issues related to maintenance of the wives and children (*khorposhor bhoronposhon*), divorce and multiple marriage or polygamy. Every union parishad has got the responsibility to deal with these issues associated to personal law. The basic idea is that if citizens can get these complex issues redressed at local level through UPs, this can bring in peace and quiet without involving longer procedures or much expenses. However, in reality, it is not very common to see that salishparishads are activated and functioning properly.

#### *Formation of Salish Parishad*

Muslim Family Laws Ordinance, 1961 deals with personal laws relating to Muslim inheritance, marriage registration, polygamy, divorce, dowry and maintenance of the wives and children. In erstwhile Pakistan, a declaration for amendment of Muslim family law was made on 7 October 1958 with an object of enacting the law, and accordingly the President of Pakistan promulgated the Ordinance in 1961, which is better known as Ordinance No. viii of 1961. This ordinance was promulgated in Pakistan and was in force in the then East Pakistan. It is now applicable in Bangladesh.

This ordinance suggested formation of a 'Salish council' (or, what we are calling 'salishparishad') in order to resolve disputes and crises within the family. The council comprises three members with chairman of local union council as chairman and two adult members having one from each of the parties. Paura sabha (municipal) chairman in the poura sabha area and mayor or administrator in the city corporation area would be the chairman of the salish council.

Therefore, a salish parishad is to be comprised of 3 members:

- Chairperson of the local union parishad will work as the chairperson of the salish parishad; s/he might nominate a representative to carry out the duty as chairperson of the council, in case s/he is absent.
- two adult members having one from each party.

### *Practical functioning of Salish Parishad*

In practice, the issues related to family dispute are not always directly resolved through formation salish parishad. Generally, a union parishad first tries to get the issues resolved by giving responsibility to the concerned UP member and other social elites. Attempts are taken to get the things redressed locally through the creation of mutual understanding among the parties concerned. If the things are not addressed this way, a salish parishad, then, is formed and it takes in the complaint in formal way. However, in most of the cases this salish parishad is chaired by a UP member – he works as a representative of UP chairman. The salish parishad then issues notice to both parties to attend a mediation session in a suitable place – this might be a place decided by both parties or might be the UP office itself. The parishad goes through the formal procedure of hearing – they listen to what both parties have to say and then take all the witnesses and evidences into consideration. They then try to reach a decision acceptable to both the parties. In case a salish parishad formed this way fails to deliver a resolution or mediation, the issue is taken up directly by the chairman of the UP.

### *Advantages of Shalish Parishad*

As we talked to the women and men at a village level, we found that they were prompt to identify a number of strengths and positive aspects that a salish parishad generally holds. Most important point about salish parishad is that it is capable to deal with the issue within very short period of time. This is more transparent and the decision making process involves best possible representation from both the parties. For marginal and vulnerable people, it is easy to make communication to such salish parishad. If it were more bureaucratic or centralized, they would not find it easy to communicate with the parishad. It is a community mediated process; therefore, everyone feels connected to the mediation process.

### *Limitations and problems with 'Shalish Parishad'*

However, salish parishads involve a number of problems and limitations too. Salish parishads are not always formed following the provisions of law and the members are not fully knowledgeable about the rules and procedures. At times it becomes difficult to distinguish between a traditional 'salish' event and the activities of a 'salish parishad' formed in accordance with the provisions of Muslim Family Laws Ordinance, 1961. In terms of formation and functioning of salish parishad, UP chairmen do not always follow steps and procedures as strictly as it is outlined in the law.

It is not uncommon that salish parishad succumb to political pressure and deliver unjust decision. On occasions, salish parishads take unilateral decisions that prove to be difficult to execute. It is not easy to make both the parties attend the meetings on time, therefore the process becomes lengthy at times. UPs do not have enough budget allocation to run such committees. This, at times, holds back the proper functioning of the salish parishad.

### *Recommendations regarding 'Salish Parishad'*

For 'salish parishads' to be successful in delivering the intended services - particularly to ensure justice for the women - it is imperative that UP chairmen, members and officials

have clear understanding about the purpose, formation and procedures of the body. They need to have adequate knowledge and understanding about the different aspects of personal laws, particularly Muslim family law and associated rules that are currently in force in the country. Only with a proper appreciation of personal laws and social structure, these officials are likely to acquire the required level of gender sensitivity that they need to have. With increased awareness and understanding, they will be able to assess the situations the women go through in relation to dowry, divorce, maintenance, dower or child bearing.

There are some ambiguities and misconceptions about the formation and procedure of a salish parishad which hold back the parishads from being neutral and effective. These need to be addressed and wiped out. Relevant laws, manuals and guidelines should also be made available to everyone and UPs have to be serious about discharging this duty.

### **Conclusion**

It is clear that in case of 'Village Court' awareness needs to be brought about at community level so that these courts can challenge the social and political barriers; there is no point in exercising such courts if existing practices and power relations are not put into question. There is scope for taking the NGOs and local level CBOs on board so that they can work along with UP for building trust and confidence among the community people about the functioning of VC. The court should be empowered in substantial way particularly to take cognizance of the family conflicts like resolution/dissolution of marriage, dowry, recovery of dowry, prevention of torture to the women and children etc. On the other hand, NNP related UP standing committee, in most of the cases, needs to have better understanding about its jurisdiction and scope of work. And, the way it is formed with UP chairmen as its head, also need to be streamlined. As a standing committee it needs to be led by one of the members of the committee who is elected by the members. With respect to salish parishad, this training and understanding has to be provided to the UP level public representatives and office bearers that 'salish parishad' means a particular body to be formed for resolving Muslim personal law related issues; it is not synonymous to traditional informal rural justice system popularly known as salish. There are some ambiguities and misconceptions about the formation and procedure of a salish parishad which hold back the parishads from being neutral and effective. These need to be addressed and wiped out. However, the most important challenge for the UP as an institution is to have more critical understanding embedded its practices about gender relations and gender equity.

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## India-Pakistan Relations: A Rational Choice Perspective

Dr. Ejaz Hussain \*

**Abstract:** This paper attempts to explain India-Pakistan relations from a rational choice-neo-institutionalist perspective. The core question it addresses is what stirs the civilian governments, as against the military regimes, to pursue normalization with India. Why did the civilian governments fail to (re)solve issues such as Sir Creek, if not Siachen? Did the military dictate the civilians as regards foreign policy discourse in Pakistan? Why did the two states stop short of a war post-Mumbai attacks? What can be accounted for the most recent strategic interaction between the two states? The paper posits that if the two states prefer peace and economic cooperation to conflict and confrontation, India and Pakistan can develop more mutual trust in bilateral and regional framework for discussing matters from Kashmir, Sir Creek to Kabbadi and Cricket. The foregoing is underpinned by reference to both primary and second sources.

**Keywords:** India-Pakistan Relations, Foreign Policy, Rational Choice, Agency, Kashmir, Trade

### Introduction

India and Pakistan have fought four wars: 1947/48, 1965, 1971, 1999. The realists, during the Cold War, attempted to explain these events accordingly. However, there are a few important events- such as Liaquat-Nehru Pact (1950), Indus Waters Treaty (1960), Simla Agreement (1972), 'Cricket Diplomacy', Lahore Declaration (1999), 'Lahore-Delhi Bus Service and, most recently, 'Kabbadi diplomacy'- which are ill-problematized by realists among others.

In light of the foregoing, the present paper attempts to explain India-Pakistan relations from a rational choice-neo-institutionalist perspective. The core question it addresses is what stirs the civilian governments, as against the military regimes, to pursue normalization with India? Why did the civilian governments fail to (re)solve issues such as Sir Creek, if not Siachen? Did the military dictate the civilians as regards foreign policy discourse in Pakistan? Why did the two states stop short of a war post-Mumbai attacks? What can be accounted for the most recent strategic interaction between the two states?

### Literature Review

Following is a categorization of important literature on Pakistan's foreign policy, in particular, and India-Pakistan relations, in general. Our objective is two-fold: to see whether the posed questions are already addressed, theoretically; and, to survey the length of exiting data, empirically.

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\* Assistant Professor, Department of Social Science, Iqra University, Islamabad.  
email: [ejazhussain@qraisb.edu.pk](mailto:ejazhussain@qraisb.edu.pk)

### ***The Geostrategic Narratives***

To begin with, geostrategists are those writers who view Pakistan's relations with the world from a purely Cold War perspective. Ironically, the following narratives (Brown, 1972: 179-186; Kheli, 1982: 58; Ram, 1986; Shahi, 1989; Burke, 1990: 210-215; Chaudhri, 1991: 105-129; Chopra, 1992: 92-197; Weinbaum, 1994: 2-22; Sattar, 1997: 62-74; Amin, 2000: 1-13; Grare, 2003: 14-25; Singh, 2007) fall short of theorization of India-Pakistan relations. Nor did these narratives take into account the agency and rationality of the actors. Moreover, these works highlight the Kashmir issue as sole contentious problem between India and Pakistan.

### ***The Legitimist Accounts***

This literature makes one believe that Pakistan faced a grave security threat from India since Partition. Moreover, these following accounts narrate that the civilian leadership acted uncandidly hence forcing the military to intervene in politics directly i.e. coups (Khan, 1961: 67-199; Sayeed, 1968; Cheema, 2002: 1-36; Abbas, 2005: 9-22; Nawaz, 2008: 446-447). Also, centrality of Kashmir is emphasised by these accounts. Nevertheless, the legitimist literature ignores the importance of domestic politics and rational capability of involved stake holders.

### ***Conspiracy Theorists***

Conspiracy theorists (Ali, 1970: 168-169; Shah, 2006; Kukreja, 2006) are those writers who attempt to make a point without referring to established facts. In terms of their ideas, they conclude that Pakistan's foreign policy is determined and implemented to promote the US agenda in the South Asia. However, the weaknesses of such 'conspiracies' are too many: it pays little attention to domestic political variables and cites little solid empirical sources to support its claims.

### ***Structuralist Ideas***

The structuralist ideas have shed light on the significances of structural factors in the making and operationalization of Pakistan's foreign policy towards others states including India (Moskalenko, 1974; Rizvi, 1993: 8-11; Hussain, 2005: 239-248; Siddiqua, 2007: 69-71). The structuralists assume the state of Pakistan inherited structural constraints such civil bureaucracy, the military, socio-economic 'classes' and security threats. Structurally thus, the country's foreign policy is deeply influenced by the foregoing forces. Nevertheless, this literature has demoted the agency, context and rationality of actors. Moreover, the 'structure' is essentialized by such writes which points to illogical reasoning since nothing in this world can be assumed as *a given*.

### ***System Theory***

Patnaik (2005) has applied "systems approach" to the case of Pakistan. In his 'model-oriented' study of India-Pakistan relations, certain hypotheses are posed to be tested. The collective decisions makers in his model are the president, prime minister and the foreign minister. Moreover, cognition style and the beliefs systems of the decision makers are taken into account. However, the author seems to have ignored the political system of

Pakistan. For example, the foreign minister is accorded more weightage than governor-general and president in the pre-1971 politics of Pakistan.

### ***Religious View***

This literature (Pasha, 2005: 225-233) has overwhelmingly relied on the 'Islam' factor in Pakistan's foreign policy especially towards Delhi. The latter is projected as 'Hindu' state that is bent upon destroying 'Islamic' state of Pakistan. Also, religion is cited to have made Pakistan establish ties with the 'Islamic' world. Like much of the literature reviewed earlier, the religious view of Pakistan's foreign policy ignores other variables i.e. political, economic.

### ***Identity Perspective***

The identity perspective (Pattanaik, 2004: 168-178) has highlighted 'identity construction' projects centred upon the secular and the sacred in India and Pakistan respectively. The two states' elites, from 1989-1999, perceived the threat through the prism of Kashmir. However, despite the application of post-structuralist approach to comparatively analyze the cases of India and Pakistan's foreign policy, Pattanaik's account faces empirical challenges. For example, the Pakistani 'elite' has instrumentalized religion in order to pursue non-emotive interests, and not necessarily to construct a state identity as one is made to believe by the author. In this regard, the Objectives Resolution is a case in point (Waseem, 1994: 124-125). Also, the Pakistani 'elite', it is maintained, is more secular than religious (Munir, 1980: 28-32).

### ***Legal and Ethnic Ideas***

Hussain (1998: 1-12, 42-89; 2006: 157-161) and Soofi (2008) have attempted to highlight Kashmir issue from an international law perspective. However, this literature is a purely legal discourse of core issues between the two states. It does not emphasise actors, their strategies and the consequent outcome. Similarly, the ethnicity oriented literature tends to simplify the complexity of domestic political variables (Shah, 1997: 121-157). In this respect, the Punjabis are held responsible for determining the course of Pakistan's relations with India and other countries. Interestingly, there is no mention of the role of actors such as political parties, politicians, civil bureaucracy and the military.

### ***Theoretical and Methodological Considerations***

This paper attempts to apply a rational choice- neo institutionalist perspective to explain my core question, secondary questions and the posed hypotheses. The preference for the foregoing is not subjectivity but rather explanatory potential of these perspectives which take actors, agency, rational calculus and context into proper consideration. Put differently, the foreign policy of either India or Pakistan is not determined, directed and entrenched by 'structure', conspiracy or Cold War, rather, it is India and Pakistan's agency (make things happen) that make or break relations between themselves. Importantly, along with agency, it is two states' rationality (cost-benefit analysis) that is a determining mechanism for the level of diplomatic engagement and consequent nature and dimension of bilateral relationship.

In other words, besides having confrontational capabilities, India and Pakistan, it is assumed, have cooperative inclinations as well (see Mitra, 2001). It is this logical and rational conviction in the effective use of the latter, which is most likely to convince the two actors to interact positively, negotiate the (non-)negotiable and benefit from the exchange of ideas, people and products. Methodologically, my approach is qualitative. The overall technique employed is of process tracing that help explore potential benefits, multiple challenges and provide solutions to policy makers (Bates, 2000). With regard to data, both primary and secondary sources are used.

### **Between Wars and Wishes**

In this section, I would briefly but critically explain the nature, dimension and level of India-Pakistan relations from the Partition of British India (1947) to the partition of Pakistan (1971). The aim is to highlight and explain efforts at war and, later, peace building. Also, this section explains complexities of Pakistan's politics whereby civilians are interacting with the military both strategically and rationally.

To begin with, the stated guiding principles for the making of foreign policy in this formative phase were solidarity with the Islamic world, peaceful relations with neighbouring and other countries of the world (Rizvi, 1993: 12-14). However, before Pakistan could develop good relations with its neighbours, its tribals backed by the higher civil-military bureaucracy engaged in an armed conflict over Kashmir with India in October 1947 (Haqqani, 2005: 28). As regards Pakistan's India policy in the post 1947-48 war, Pakistan made some efforts to normalize with India. In this regard, the Liaquat-Nehru Pact, signed on 8 April 1950, is significant for more than one reason. It emphasised the following:

- Alleviation of fears of the religious minorities on both sides;
- Elevation of communal peace;
- Creation of atmosphere in which the two countries could resolve their other differences.<sup>1</sup>

The above, on the one hand, highlights cooperation between the warring states and, on the other, it shows non-utility of Realism. Nevertheless, despite the signing of the Pact, rhetoric prevailed upon rational thinking since Karachi had started tilting towards the western bloc, while Delhi was emerging as a non-aligned state. Moreover, the death of M.A. Jinnah and Liaquat Ali Khan coupled with the organizational and political degeneration of the Muslim League furthered weakened the pace of such diplomatic exchanges (Cheema, 2004). Thus, in 1951, the year of the Prime Minister's assassination, the civil bureaucracy preferred to directly assume power in terms of appointing its own man, Ghulam Mohammad, as Governor-General. Coincidentally, in the same year, General Ayub Khan became the first Pakistani Commander-in-Chief of the armed forces.

Thus, the civil bureaucracy in a strategic cooperation with the agents allied the country with the capitalist bloc in order to seek economic and diplomatic support i.e. Kashmir.

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<sup>1</sup> <http://storyofpakistan.com/liaquat-nehru-pact/>

The military's top brass supported it in the hope of getting military aid and weapons to prepare itself against India. Therefore, Pakistan signed a Mutual Defence Assistance Treaty with the US in May 1954 and subsequently entered into SEATO and CENTO which lasted till the breakup of the country. (Cheema, 2002: 58-60).

As is already explained, the contours of Pakistan's domestic politics were directly affecting its foreign policy (dis)course. Before October 1958, the military had behaved as a junior partner along with a powerful civil bureaucracy and weakened political elite. However, by the end of October 1958, the Pakistan military, while marking its agency, intervened in the country's politics overtly. It is posited that it is the military agency that brought the former into politics for rational reasons i.e. increase in defence budgets, non-accountability (Siddiqi, 2007: 131-132). In the post-coup period, the military abrogated the (1956) constitution and dissolved the parliament. Political activity was also banned (Waseem, 1994: 145; Nawaz, 2008: 173-174). Importantly, the military's agency helped it assume direct control over the country's domestic and foreign policies. Nonetheless, under the direct military rule, Pakistan did not face any grave security threat from anywhere. Indeed, in 1958-59, Ayub Khan gave vent to entering into a security pact with India. However, the move was restrained on account of Rawalpindi's Cold War commitments. But, the Ayub-led military did succeed to interact with India meaningfully. The two states signed Indus Waters Treaty 1960. This development, in my view, points to the non-utility of Realism.

Despite the foregoing, and given the cease-fire in Kashmir in 1949, minor incidence of skirmishes across the border and the LoC was a norm. However, 'the tension between the two countries did not burst into a large scale war until April 1965' (Rizvi, 2000: 139). The trouble started in January-March in the Rann of Kutch when the Indian troops moved in the area due to its undemarcated nature. On 4 April, a Pakistani outpost at Ding was captured by the Indian Army. Consequently, Pakistan moved its forces in the area lying between Chadd Bet and Beir Bet which led to a limited-war in the Rann of Kutch. However, before the conflict escalated to other parts of the two states, India and Pakistan, in June, were able to reach, though with British mediation, a cease-fire agreement which provided for the restoration of 1 January 1965 position and submission of the issue to either talks or a three-member arbitrational tribunal (Cheema, 2002: 67-68).

Ironically, however, after the military de-escalation, cease-fire agreement and submission of the Kutch affair to arbitration, the Pakistani side opted, in August, for military operations- Gibraltar and Grand Slam- in Kashmir with an explicit objective to annex India-led Kashmir. However, the Kashmiris' non-military attitude might have come as a surprise for Pakistan military. On the one hand, the Indian Army retaliated in time and occupied the critical passes in Kargil and, on the other, she was able to occupy two strategically important points, Tithwal and Haji Pir, in the Pakistani part of Kashmir.

Despite the above, on 1<sup>st</sup> September, the Pakistani military decided to cross the cease-fire line and attempted to move in Chamb-Akhnur sector. However, due to change of command at the critical juncture, poor organization, lack of coordination and poor planning, Rawalpindi remained unable to achieve the desired objective in Kashmir. Meanwhile, the Indian military probably surprised its counterpart by preferring to cross

the international boarder in the Punjab sector on 6<sup>th</sup> September. Quite strangely, however, India did not cross boarder in East Pakistan (Khan<sup>2</sup>, 1993: 234). Nevertheless, the two states ranked the international and local input into their respective preference-order and agreed to accept, on 23 September 1965, a Security Council Resolution calling for a cease-fire. Resultantly, after week-long negotiations, General Ayub and Prime Minister Shastri signed a declaration not to have recourse to force, and settle their disputes through peaceful means. Moreover, they agreed to withdraw their troops to 5 August position (Rizvi, 1993: 18-22).

Interestingly, in the post-war period, Pakistani went through a long phase of protest and agitational politics. Ayub Khan was severally criticized by Bhutto-led politicians. But, instead of handing over powers to the Speaker of National Assembly (who happened to be a Bengali), the General-cum-President favored his own military man on 25 March 1969. Subsequently, General Yahya Khan declared martial law. Interestingly, Pakistan did not face any existential threat at the hands of India in March 1969 nor was there any orders issued by Washington. Even 'structure' cannot account for this change since the military was already a dominant actor. Politically, the Bengalis were denied the democratic right to assume top positions. Hence, the process of protest politics continued despite Yahya Khan's sloppy attempt at democratization. Sheikh Mujib-led Awami League, while remaining within the confines of the federation of Pakistan, chose to participate in the 1970 election.

The Awami League was able to clean sweep in the East. Importantly, though there were incidents of 'moderate' pre-poll rigging, the political parties viewed the election as free and fair (PILDAT, 2008). Yahya Khan called for the National Assembly's session on March 3. Meanwhile, the Awami Leaguers had adopted a draft constitution which incorporated the Six- Points. However, Bhutto preferred non-compliance and called upon General Yahya to postpone the scheduled session of the parliament. Yahya's preference converged with that of Bhutto on account of the military's policy of non-transfer of powers to the majority Bengalis. Sooner than later, the Yahya-led military formally opted for military means on 25 March 1971.

Till the night of 25 March, everybody in this part of Pakistan...was (a) Pakistani. By morning, everyone was Bangladeshi...this happened due to unexpected and unwanted army operation. The army was searching our homes. They killed Hindus to make us realize they (West Pakistanis) are better Muslims and better patriots. (Interview with a Bangladeshi academic, 2013)

The above marks the intensity and atrocity of the military operation. Resultantly, Mujib was arrested and the crackdown started under Lieutenant-General Niazi. In this respect, the military had already seen the Indian hand in the East problem on account of Indian plane hijacked to Pakistan in March. Consequently, India had already stopped Pakistani planes to use her air territory. In addition, an explicit Indian involvement was witnessed

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<sup>2</sup> Lieutenant-General Gul Hassan was Director Military Operations during the 1965 war and Chief of General Staff during the 1971 war. In December 1971, he assumed command of the Army, and was its last Commander-in-Chief.

when a formal war started on 22 November in East Pakistan between the two states. Thus, as a result of India-Pakistan war, the state of Pakistan physically got partitioned. The next section of the paper explains post-breakup politics and the India policy of Pakistan.

### **Cooperation amid Conflict**

To begin with, after the 1971 defeat, a demoralized military rationally decided to strategically engage with the Pakistan People's Party leader, Zulfikar Ali Bhutto. He assumed the powers of (a civilian) Chief Martial Law Administrator (CMLA) and dealt with the then army high command tactfully. Resultantly, the army and air chiefs preferred to vacate their respective positions and live with ambassadorships in Europe (Khan, 1993: 384). Bhutto thus was able to appoint those with whom he shared a commonality of interests. He also restructured the organization not only of the military but also of the civil bureaucracy.

As regards foreign policy between 1971 and 1977, the civilian input was considerable as compared with the past. Bhutto was very active in pursuing cordial relations with China and Muslims countries. Importantly, he made peace with India in terms of the Simla Agreement (1972). Indira Gandhi, during the course of discussion and documentation, invoked bilateralism. Bhutto talked of Pan-Islamism. As a result of Simla Agreement, India released more Ninety thousand prisoners of war. Also, the two states agreed to resume diplomatic services.

Interestingly, the realist theory of International Relations could easily theorise the 1971 war, it miserably failed to explain peace-initiation, negotiations and (Simla) agreement between these otherwise warring states. Therefore, it is argued that rational choice theory, on which this paper relies, can explain this and any similar event comprehensively. In my view, Pakistan, being a weak state, thought it rational to normalize with India post-1971 to minimize the short-to-long term economic and human cost. India, on the other hand, wanted to have Pakistan as a buffer between India and instable Afghanistan. Also, the Indira-led India wanted to avoid the involvement of the Cold War superpowers in and around South Asia.

Ironically, however, Bhutto started invoking India as a threat post-Simla Agreement. This move seemed irrational on the surface. However, this policy did not carry any practical implications since Bhutto, by so doing, was appeasing clergy, opposition and the military. The Balochistan operation, which operationally kept the military away from eastern boarder, can be understood in view of the foregoing. Also, Pakistan did not fight any war with India during Bhutto's government. Bhutto's attempts to contain the non-elective institutions was one of the main reason of his ouster from power through a coup- staged none by General Zia-ul-Haq on 5 July 1977.

As regards the making of foreign policy during the Zia's military rule, the GHQ prevailed upon the foreign office. Externally, the military preferred to ally with the US in Afghanistan against the USSR. In this respect, the centrality of the Kashmir issue was highlighted with the underlying objective of seeking legitimacy for political purposes.

However, as is obvious from the coup-text<sup>3</sup>, Pakistan did not face any external or internal security threat. Regardless, following is a rational choice explanation of Pakistan's India policy during the Zia-led military rule.

To begin with, in July 1977, Kashmir was undoubtedly an issue between India and Pakistan. But the two countries were not in a war on this or any other issue. Interestingly, during 1977-1988, the military itself did not wage war to take Kashmir militarily. Nonetheless, the military got an opportunity to participate in a war which was fought primarily in Afghanistan. In this war, Islamabad chose to ally with the US-led forces, rationally- \$400 million of American military aid is a case in point. Interestingly, the Zia regime also attempted to justify involvement in Afghanistan in purely strategic jargon: since India is a chronic enemy, Pakistan needs to gain 'strategic depth' inside Afghanistan. In this respect, hijacking of a PIA plan was put on India. The following shall make it more explicit:

The only successful operation of the AZO [Al-Zulfiqar Organization] that garnered the headline was the hijacking on 2 March 1981 to Kabul of a PIA aircraft...carrying, among others, a retired army officer, Tariq Rahim who was once an ADC [aide-de-camp] to Zulfiqar Ali Bhutto...Rahim, who apparently was seen by Murtaza as a traitor to Z.A Bhutto, was shot on 6 March by one of the hijackers...The flight then took off for Damascus the next day. The hijacking ended that day, after Zia agreed to release some fifty-four PPP supporters in Pakistan jails. (Nawaz, 2008: 378-379)

What the foregoing suggests is that the military regime, on the one hand, linked AZO with Afghanistan and India and, on the other, negotiated political issues with the People's Party. In other words, the threat, if any, from the AZO was political than security in nature; secondly, the hijacking issue was solved politically, not militarily. In addition, one may cite Siachen (1984) and Brasstacks (1987) as cases of threats from Delhi. However, on the latter the following should suffice:

If Brasstacks was to be a precursor to an Indian attack into Sindh, it did not happen. However, the two nations had come close to a war, and the situation was only defused after Zia resorted to his famous 'cricket diplomacy' by going to India to watch a cricket match between India and Pakistan. (Nawaz, 2008: 392)

Paradoxically, General Zia, the self-acclaimed defender of Islam<sup>4</sup>, himself chose to watch a cricket match in India than to declare war against 'Hindu' enemy. Arguably, the existing bulk of realist literature is unable to explain this 'rare' event. Hence, it necessitates an alternate framework which this paper attempts at. Before one refers to Siachen issue to make an argument for a realist understating of India-Pakistan relations during the said timeframe, this author, while relying on rational choice-neo

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<sup>3</sup> General Zia addressed the Pakistani nation on the same day-5 July 1977. In his coup-proclamation, he though claimed to 'defend' Pakistan, the text does not point to any prevailing security threat from 'Hindu' India.

<sup>4</sup> General Zia-ul-Haq introduced Islamization of society and the state in Pakistan.



intuitionism, has a different take on the Siachen story. The following shall help get a different glimpse of the nature and extent of the problem:

It is no secret that since the 1970s both countries had an 'eye on the glacier'. Their disagreement was due to their divergent comprehension of their bilateral agreement reached at Simla on the demarcation of the boundary and the Line-of-Control (LoC). Towards the end of the 1970s Pakistan had tacitly begun to exercise control over the glacier by charging a fee from mountain climbing expeditionary parties which annoyed New Delhi. In 1983 General Zia-ul-Haq ordered its occupation but the army could not comply due to its involvement in the country's politics and Afghanistan. Hence, in 1984, Islamabad was practically caught with its 'pants down'...Equally questionable was the Pakistani propaganda after the invasion. The [military] establishment believed that India had plans to threaten the Karakoram Highway linking China with Pakistan. Keeping in view the geographical and atmospheric hazards this argument is far from logical. (Siddiqi, 2003: 20)

In light of the foregoing, it can be reasonably maintained that Pakistan continued to project India as 'Hindu' enemy. However, in reality, the two states did never fight any war during the Bhutto Government and the Zia-led military regime. Same comes true to Benazir Bhutto government (1988-90). These measures, as shall be further elaborated, provided policy makers, to develop more confidence in each other's ability to interact and chalk out areas to cooperate during and beyond the Kargil war- which is taken into account in the next section.

### **From Kargil to *Kabbadi***

Nawaz Sharif formed government after the 1997 election.<sup>5</sup> Having corrected the civil-military imbalance constitutionally, he attempted to constraint the military's space strategically. In this respect, India's Prime Minister visited Pakistan in February 1999. Resultantly, India and Pakistan signed the Lahore Declaration. This was, by all means, a major breakthrough in the bilateral relations of the two states. Sharif wanted to normalize with India since that would ease pressure on strategic front vis-à-vis the military. Also, being a businessman, he had a positive view of Indian market. Though the two states were somehow able to melt the ice, the Pakistani military opted to drive the nail into the coffin of normalization. The latter

produced a plan to take advantage of the winter months, when India normally lowered its guard at the LOC, to infiltrate at five points into what they effectively called 'No Man's Land', the areas that were not occupied by the other side, and set up bunkers or stone shelters called '*sanghars*' at about 108 spots along the 480 km front. The Mujahideen would offer a cover for these operations...as far

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<sup>5</sup> Sharif had previously served as Prime Minister during 1990-93. By mid-1993, he had developed serious policy differences with President Ishaq Khan and the then army chief. Consequently, he chose to resign and call for new elections after the country's Supreme Court had restored his government that was earlier dismissed by the president (for details see *Military Agency, Politics and the State in Pakistan* (2013, 255-289).

as the need to bring the prime minister on board is concerned, local actions, such as Kargil, are within the purview of the local commanders and stayed within the army's chain of command. There was no need...to openly bring the prime minister into the plan. (Nawaz, 2008: 513)

However, when the clandestine operation transformed into India-Pakistan war by mid-1999, the situation got out of hand. Indeed, the operation planners got surprised to see India retaliating with her air force. Resultantly, the stated aim of internationalization of Kashmir issue by the Musharraf-led military remained a desire. Ultimately, the military's strategic and general public's concerns were perceived by Sharif to be politically costly. Hence, Sharif saw a way-out in terms of seeking the US mediation. Consequently, the two rational states took the international input seriously and preferred de-escalation and subsequent end to the war. However, the status quo prevailed over Kashmir.

The Kargil like the Gibraltar operation was a total disaster. The military remained unable to gain international diplomatic support as regards [the] Kashmir [issue]... it was a diplomatic failure... there was heavy loss of personnel and weaponry which should have shocked the GHQ. (Conversation with Ayesha Siddiq, 2014)

Interestingly, the inability of the Pakistan military to achieve its stated goals in the Kargil operation was publicly recognized by one of the planners of the operation, (late) Lt. General Jamshed Gulzar Kiyani. He called for the establishment of a Kargil commission to bring those responsible for the fiasco to book<sup>6</sup>. Nevertheless, the fall-outs of Kargil persisted as regards civil-military relations in Pakistan. The Kargil war was cognized differently by Sharif and the military. For instance, 'Musharraf kept hearing stories that Sharif was looking to replace him as army chief and perhaps even move him upstairs to CJCS [Chairman Joint Chiefs of Staff]' (Nawaz, 2008: 525). His calculus proved correct when, on 12 October 1999, Prime Minister Sharif, constitutionally empowered to appoint armed forces chiefs, chose to replace COAS Pervez Musharraf with Lt. Gen. Ziauddin. When the replacement got announced on the state media, Musharraf was about to arrive home from Colombo.

Ultimately, the Musharraf-led military was able to dismiss the Sharif government through a coup. Consequently, martial law was declared which banned political activity. A section of judiciary, politicians and civil bureaucracy allied with the military over the politics and state in Pakistan. Interestingly, in the media, Sharif was criticized for normalizing with the enemy country. Paradoxically, history witnessed the visit of General-cum-President Musharraf to Agra (India) in July 2001. The way the military tried to normalize with India in the post-coup period is an obvious indication of its political approach towards the (re)solution of bilateral issues. Ironically, the Musharraf-led military's position over Kashmir also registered a sea-change. The uniformed president of Pakistan often propagated a beyond-UNO approach over the Kashmir issue (Hussain, 2006).

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<sup>6</sup> Interview of (Late) Lt. Gen Jamshed Gulzar Kiyani by Dr Shahid Masood in his Geo-TV program *Meray Mutabiq* on 2 June 2008. Available from [http://www.youtube.com/watch?v=tK\\_WAtLcu5s&feature=related](http://www.youtube.com/watch?v=tK_WAtLcu5s&feature=related)

Nevertheless, Pakistan could not resolve mutual issues with India under Musharraf due largely to mutual misgivings especially between the bureaucracies of the two states. The structure of mistrust is so consolidated between the two militaries that in the post-Musharraf period, the efforts of Zardari-led government (2008-2013) were thwarted by the military especially post-Mumbai attacks.

India under the Congress-led government did take a serious view of the attack on its sovereignty. Despite pressure from the rightist media to ‘surgically’ attack Pakistan, the Indian state acted quite rationally given the nuclear capability of Pakistan. Moreover, the political and strategic elite of both India and Pakistan availed regional and international forum, to talk and move forward. Consequently, the Delhi-Lahore Bus Service resumed after 26/11. However, it is the present Pakistani government led by Nawaz Sharif that has again viewed India as a huge market. In this respect, Shahbaz Sharif<sup>7</sup>’s visit, to India, in December 2013, is of great significance. A Pakistani newspaper depicted the visit as follows:

Shahbaz Sharif “delivered a message of goodwill from Prime Minister Nawaz Sharif while emphasising Pakistan’s desire to forge friendly and cooperative relations with India, in the interest of peace and prosperity of the people of the two countries and of the region”, said a Pakistan High Commission statement. (Express Tribune, 12 December, 2013).

As the above suggests, such visits carry the potential to develop mutual trust and confidence in each other’s abilities socio-economically, politically and strategically. Moreover, improved economic exchanges would further consolidate the cross-border trade regime.<sup>8</sup> In this respect, it is worth mentioning that India had already accorded Pakistan the Most-Favoured Nation (MFN) status in 1996 (PILDAT, 2012). Pakistan, in my view, should reciprocate.

In addition, contemporary India-Pakistan relations fit well into the proposed rationalist framework. Beginning from early 2013, the two countries’ armies indulged in cross-firing at the Line of Control followed in the context of Pakistan’s high commissioner’s meeting with the Kashmir-oriented Hurriat leadership in 2014. Owing to the BJP’s stance on Kashmir, the bilateral relations got further strained in terms of expansion and intensification of skirmishes at LoC and Working Boundary.

Nevertheless, despite the foregoing, the two states’ leadership acted rationally by not waging another war. Importantly, diplomatic services continued and the Delhi-Lahore Bus Service along with low-scale bilateral trade via Wahga-Attari, continued. Moreover, in early 2015, Prime Minister Narendra Modi called his Pakistani counterpart and invoked ‘Cricket diplomacy’ that culminated in the visit of Indian foreign secretary to Pakistan in March 2015. However, as per the oscillatory nature of India-Pakistan

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<sup>7</sup> Shahbaz is currently the Chief Minister of Punjab, the largest province of Pakistan. He is the younger brother of the current Prime Minister Nawaz Sharif.

<sup>8</sup> Bilateral trade has increased to \$2.4 billion and the volume may exceed \$6 billion by 2014-15 (<http://tribune.com.pk/story/548768/trade-between-india-and-pakistan-surges-21-to-2-4-billion/>)

relations, the Indian prime minister came hard on the proposed China-Pakistan Economic Corridor (CPEC) and termed it “unacceptable” for India. To add insult to injury, during his visit to Bangladesh in June 2015, PM Modi once again attempted to invoke anti-Pakistan mantra. In my view, such recourse to bitter past would certainly add to existing mistrust and animosity.

Nonetheless, the Modi-led BJP sarkar seems to be aware of its domestic shortcomings along with the fact that Delhi cannot keep its people tied to anti-Pakistanism. To treat Pakistan at par with Myanmar in terms of surprise surgical strike inside Pakistan will not only be feasible but also costly. Probably having realized the hollowness of his government’s foreign policy towards Pakistan, Narendra Modi once again swung his mood and deemed it prudent to call his counterpart, Prime Minister Nawaz Sharif, on 17 June, 2015. The former extended Ramzan greetings and urged Pakistani side to release Indian fishermen thus giving another possible chance to rationalized diplomacy

## Conclusion

This paper sought to explain India-Pakistan relations from a rational choice-neo institutionalist perspective. Contrary to the existing literature, this theory-guided study has argued that India and Pakistan did cooperate with each other. Nevertheless, the bilateral relations between the two states remained, comparatively, at low ebb during the military regimes. On the other hand, the elected governments chose to normalize with India socio-economically. Nonetheless, such efforts were thwarted on account of civil-military imbalance in Pakistan. However, if economic linkages are built, as the data has suggested, India and Pakistan can develop more mutual trust in bilateral and regional framework for discussing matters from Kashmir, Sir Creek to *Kabbadi* and Cricket.

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## Understanding Entrepreneurship with Particular Spatial Characteristics: A Case Study at the Grassroots

Dr. Kazi Shahedul Halim<sup>\*</sup>

**Abstract:** There are many ways to define an entrepreneur and scholars have been arguing long time, often heatedly and confusingly, about the relative merits of this or that decision. Entrepreneurship is typically considered synonymous with business start-up or the creation of a new organisation. In America today, many view the entrepreneur as a hero of capitalism and with the free enterprise system, one can rise from humble origins to a position of power and status through personal merit and skills. Reversibly, in many parts of the world, entrepreneurship does not necessarily imply a trend towards capitalist development, as it *is* emerged out of necessity. Therefore, the nature of entrepreneurship differs from society to society and country to country. The article focuses on the spatial characteristics of entrepreneurship by taking examples from rural Bangladesh. The paper is based on the data I collected for my Ph.D. research during the period of January 2004 to April 2005. The study took place in the village of Bangdom situated in a district called Naogaon, in the northern part of Bangladesh. The article ties in with social anthropology and connect the experiences of entrepreneurs with the theory of inequality and entrepreneurship.

**Keywords:** Entrepreneurship, entrepreneur, petty business, rural Bangladesh.

### Introduction

There are many ways to define an entrepreneur and scholars have been arguing a long time, often heatedly and confusingly, about the relative merits of this or that decision (Gerschenkron, 2000: 129). Entrepreneurship is an important, and until fairly recently, sadly neglected subject (Casson, 1990:xiii). Evidence of entrepreneurship can be found in the records of most leading civilisations – in Mesopotamian tablets, in early contracts in Nile grain trade, in orations of Demosthenes relating to commercial disputes at Piraeus in Ancient Greece and so on (Casson, 1990:xxii). Entrepreneurship is typically considered synonymous with business start-up or the creation of a new organisation (Keister ed., 2005: ix). In America today, many view the entrepreneur as a hero of capitalism and with the free enterprise system, one can rise from humble origins to a position of power and status through personal merit and skills (Burch, 1986: 24).

Two questions arise: is society in America, or even the Western world, similar to societies in most of the world, or especially in a developing country like Bangladesh? Are exchange and power within social life between all parts of the globe similar? Nobody could say these are the same. As a matter of fact, while Western countries are nearing the end of industrialisation, a number of developing countries are on the threshold of it (Jensen, 1999: 14). Therefore, societies in these counterparts simply differ from one another. More broadly, the processes of social exchange, the character of relationships between exchange partners and the nature of transactions differ very much from one

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<sup>\*</sup> Assistant Professor, Department of Anthropology, Jagannath University, Dhaka, Bangladesh.  
e-mail: [dr.shahedul@gmail.com](mailto:dr.shahedul@gmail.com)

another (Blau, 1967: 98). It can be noted that society's norms and values are dependent on the structure of culture. Culture is shaped by many different objective conditions: spatial, social, economic and organisational (Blau, 1989: 1). With respect to this, while an entrepreneur is seen as a hero of capitalism in the United States, the same does not necessarily apply to all societies. The nature of entrepreneurship differs from society to society and country to country (Lippmann et al., 2005: 4). This article 'Understanding Entrepreneurship with Particular Spatial Characteristics' focuses on the petty business entrepreneurs in rural Bangladesh, whose aim is to provide a living where the struggle for basic necessities is very severe – which in fact differ a lot from the entrepreneurs can be found in a developed country. Unlike entrepreneurship in the developed countries, my data from the field shows that in the case of rural Bangladesh, entrepreneurship does not necessarily imply a trend towards capitalist development, as it is emerged out of necessity. With this in mind, the research problem of the study is: ***What are the factors that make entrepreneurship incommensurable in the spatial context?***

This paper will provide new knowledge for the researchers, students and policy makers interested in the subject. With respect to this, the paper is structured as follows: After the introduction, the methodological approach is presented. Then a discussion on entrepreneur and entrepreneurship from mainstream scholars' point of view is portrayed. Next, the theory of inequality and entrepreneurship is discussed in order to connect the experiences of the entrepreneurs in this study with the mentioned theory. Afterwards, rural entrepreneurship in Bangladesh is presented followed by the case study. Finally, understanding entrepreneurship with particular spatial characteristics is presented in the concluding part.

## **Methodology**

### **Nature of the study**

The present article stems from the fieldwork I conducted during the period of January 2004 to April 2005 for my Ph.D. study concerning petty businesses in rural Bangladesh. From a methodological point of view this study is a qualitative case study because the petty business entrepreneurs' cases discussed in this article is the base of this study. Qualitative data analysis methods can be divided into two categories; thematic analysis<sup>1</sup> and narrative analysis<sup>2</sup> (Miles & Huberman cited in Johnson & Harris 2002, 109), of which my study falls into the latter category. In fact, stories of their [entrepreneurs'] livelihoods were made through in-depth interviews with them, in order to present them as entrepreneurs.

### **Collection of the primary data**

The research was carried out in two distinct phases, generating mainly qualitative and partially quantitative data. Max Weber stated that the combined use of both qualitative and quantitative data can help in pursuing explanations, adequate at the levels of cause and meaning (Clive, 2001: 17). I did not use any quantitative means in identifying the people in my study as petty business entrepreneur; rather I wanted to relay the experience

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1. Where interviews are tape recorded and direct questions are used for analysis.

2. Where interviews are tape recorded and stories are made for analyzing interview data and writing reports.



seen and the information gathered through observation and in-depth interviews. In order to focus the research to explain specific issues, in depth interviews were mainly used for writing this article.

### **Entrepreneur and Entrepreneurship from Mainstream Scholars' Point of View**

The word 'entrepreneur' comes from the French language 'entreprendre', which means 'to do something', and it was originally used in the Middle Ages in the sense of 'a person who is active, who gets things done' (Hoselitz cited in Swedberg ed., 2000: 11). Among the earliest economic uses (16th and 17th centuries) it referred to government contractors for military or public works projects. Later an Irish economist, Richard Cantillon, specified the important function of entrepreneurship – that of being an economic risk (Bird, 1989: 3). Since then, the term entrepreneur has been introduced into economics (Burch, 1986: 24). The entrepreneur and his unique risk-bearing function were identified by Cantillon in the early 18th century (Kilby, 1971: 2). Cantillon's theory of the entrepreneur stresses function, rather than personality or social status (Montoya, 2000: 338).

According to Mark Casson, there are two main approaches to define an entrepreneur, the functional approach and the indicative approach (Casson, 1982: 22). The functional approach says quite simply that 'an entrepreneur is what an entrepreneur does'. It specifies a certain function and deems anyone who performs this function to be an entrepreneur. Reversibly, the indicative approach provides a description of the entrepreneur by which he may be recognised.

Cantillon (1931) took his emphasis further by noting that an entrepreneur is someone who engages in exchange for profit, using business judgement in a situation of uncertainty – buying at one price to sell at another, uncertain price in the future (Hebert & Link, 1988: 17). However, Cantillon established his theory of an entrepreneur at a time when classic entrepreneurs were crop farmers, without any certainty of whether or not they will survive to harvest or what price they will bring. The term has come to be applied to any risk taker, any independent merchant, or any promoter (Bird, 1989: 3).

Israel Kirzner, a prominent scholar in this field, defines an entrepreneur as someone who discovers profit opportunities and allocates resources among various possible uses (Kirzner, 1985: 45). Kirzner's position, which has evolved over a period of several decades, indicates entrepreneurs move towards profit opportunities. His opinion is that the entrepreneur essentially tries to discover profit opportunities (Kirzner, 1973: 25).

According to Schumpeter, the entrepreneur is an external causal element in development – the free agent of capitalistic change in a theory emphasising the importance of 'individual action' in economic progress (Belasco, 1980: 184). This was in direct contrast to the 'classical economists' Adam Smith and David Ricardo, who did not treat the distinction between 'capitalist' and 'entrepreneur' as being important (Kilby, 1971: 3).

Schumpeter's ideas about how to best study entrepreneurship changed considerably over time and his approaches were interdisciplinary in nature. He looked at different aspects of entrepreneurship during different periods of his life, including economic theory,

psychology, sociology, and economic history. Schumpeter's theories expressed the terms enterprise and entrepreneur as:

The carrying out of new combinations we call 'enterprise'; the individual whose function it is to carry them out we call 'entrepreneurs' (Schumpeter, 1961: 74)

The above-mentioned theories on entrepreneurs and entrepreneurship by different scholars provide the common idea that entrepreneurs are "essential agents of change who accelerate the generation, application and spread of innovative ideas and in doing so... not only ensure the efficient use of resources, but also expand the boundaries of economic activities." It is unfortunate that most studies on entrepreneurs and entrepreneurship have so far been based in Western countries. As a consequence, the results differ in many ways from my study in rural Bangladesh, because the economic reality and cultural phenomena in Western countries differs a lot from a developing country like Bangladesh. This paper aims to unearth this issue.

### **Theory of Inequality and Entrepreneurship**

Theory of inequality and entrepreneurship shows that there are two types of entrepreneurs found in the world – necessity entrepreneur and opportunity entrepreneur, of which the entrepreneurs in my study falls into the latter category. In this theory necessity and opportunity entrepreneurship and their relationship to social, human, and financial capital is described as:

*Necessity entrepreneurship is undertaken when there are few or no other opportunities for gainful labour market participation. Necessity entrepreneurship typically relies on little or no financial capital. The success in necessity entrepreneurship is partially depended upon social and human capital. Reversibly, opportunity entrepreneurship is undertaken to take advantage of perceived market opportunities. Such opportunities are positively related to social and human capital and financial capital is relevant to success* (Lippmann et al., 2005: 10). In the following the two types of entrepreneurship are discussed for making the concept clear:

#### **Necessity Entrepreneurship**

People undertake necessity entrepreneurship when there are few, if any, other options for finding suitable work. Entrepreneurs often undertake this type of entrepreneurial activity with little or no financial capital because it constitutes a final effort to secure an income when other employment options have failed (Maritz, 2004: 255; GEM cited in Maritz, 2006: 4; Desai, 2009: 4; Azmat & Samaratunge, 2009: 2; GEM cited in Rosa et al., 2006: 4; Juan et al., 2006: 4; Bosma & Harding cited in Kantola & Kautonen, 2008: 894; William & Cooper, 2008: 5). This type of entrepreneurship will be more prevalent in certain economic and social context than others (Lippmann et al., 2005: 4-5).

#### **Opportunity Entrepreneurship**

People undertake opportunity entrepreneurship when they perceive an opportunity in the market, which can include underserved, poorly served, or newly emerging niches. Knowledge of these niches can be considered a form of human capital, typically gained

from industry experience. In addition, people embedded in wide-ranging and diverse social network have greater access to such knowledge. Opportunity entrepreneurship probably depends more on the procession of human capital, than necessity entrepreneurship. Opportunity-based entrepreneurship provides the greatest potential for individual mobility, organisational growth, and job creation. Opportunity, entrepreneurship is more beneficial to economies and societies than that arising out of necessity.

### **Rural Entrepreneurship in Bangladesh – Case study**

The entrepreneurship concept was introduced to rural areas of Bangladesh by NGOs (primarily by Grameen Bank) for the purpose of alleviating rural poverty in Bangladesh. There is no contradiction that the existence of entrepreneurial activities in rural Bangladesh had been there prior to the NGOs microcredit theory. As no research had been conducted to unveil this before, its existence remained silent in rural economy. The current situation is different however, and a study conducted on rural entrepreneurship reveals that small-scale entrepreneurship in rural Bangladesh is important, as 80% of people live in rural areas. In order to gain a living in rural Bangladesh, engaging in small-scale entrepreneurship has become necessary for many inhabitants in order to solve unemployment problems and escape poverty (Uddin et al., 2006: 52).

Rural entrepreneurship occurs in economically and socially depressed areas with inadequate infrastructure, economic stagnation, a low level of education, low skilled workers, low income, and a culture not supportive of entrepreneurship (Kulawczuk cited in Ozgen & Minsky, 2007: 2). If this is the case, then the presence of entrepreneurship in rural Bangladesh is common as rural Bangladesh carries most of the above-mentioned traits necessary for rural entrepreneurship. My study also postulates this as a reality, and according to my experience in the field, there are usually two types of entrepreneurs found in rural Bangladesh. The first type consists of entrepreneurs whose entrepreneurship activities are organised by personal incentives, and in most cases through informal credit sources. By contrast, the second type includes entrepreneurs who pursue entrepreneurship activities planned by different microcredit institutions or NGOs. NGOs apply group approaches in entrepreneurship development among the rural poor. Available data shows that there are more than 600 microfinance institutions in Bangladesh, which act as catalysts for rural people's entrepreneurship development (Hasan, 2006: 5). These microfinance institutions encourage rural poor, especially women, to organise themselves and develop business, thus addressing their own social challenges in innovative ways (Babu & Anderson 2007, 2). A study shows that there are 8 million people (out of a labour force of about 46 million) currently served by different microcredit providers in Bangladesh (Hasan, 2006: 5) and among these, more than 80% are women (ibid. 10). However, opinions differ as to whether microcredit has helped rural people engage in entrepreneurial activities or not (Rozario, 2002: 124). Considering this aspect, there is also a kind of contradiction among academics in Bangladesh as to whether microcredit facilitates the entrepreneurship scope to rural people, or whether it is just an ideology. The entrepreneurs in my study are an exception from such a contradiction because their entrepreneurial activities are organised and operated through

their own endeavours, with no outside/institutional support. The following stories of the entrepreneurs from Bangdom portray a facet of it:

**Case study 1:** Land has long been the key resource in rural Bangladesh and a central factor in each household's social status and economic strategy. Land is much more than any other commodity; it represents security and is held in an almost mystical regard. In rural culture, to lose land is a matter of shame that may damage the household's long-term economic prospects (White, 1992: 53). Erik G. Jansen's study on rural Bangladesh in 1987, found that twenty years ago only a small percentage of rural households did not own agricultural land; today about one third of rural households are landless<sup>3</sup> (Jansen 1999: 2). Another study shows that 50% of rural households in 1978 were technically landless in terms of ownership, when 'landless' is defined as owning less than 0.5 acres of land, excluding a homestead (Januzzi & Peach 1980: 47). My study found 54% of the households in Bangdom were landless, if 'landless' is defined as owning less than 0.5 acres land, including the homestead. In Bangladesh, where the reduction of land is a common and continuing threat to the lives and livelihood of rural inhabitants; entrepreneurship in petty business activities has provided a way out for a considerable number of villagers. The case of Abu Abbas indicates this:

*Abu Abbas*, a 40 year old villager from Bangdom, had been doing business for 12 years. During his grandfather's time, the family belonged to the well-to-do families within the village. His grandfather had 30 acres of land, which was enough to manage the needs of the 10 member family he had. When Abbas's father formed his own household he inherited 5.5 acres land. Abbas's father had 4 sons and 3 daughters. The land he inherited was not enough to manage necessities of such a big family, but there was no severe economic problem. Nevertheless, the family fell into a serious economic problem when his father was attacked by a chronic sickness. That compelled his father to sell most of the land and get treatment in the city.

When Abu Abbas formed his own household, he inherited only a shared home and the homestead area with his 3 other brothers. He became very worried about the expenditure of the family, because he was married and had a child. This situation continued for a couple of months and the family survived through economic support received from his parents-in-law. He was offered a proposal from a neighbour to do business together. Considering the proposal would have potential to overcome his economic problems, they started a business buying onions from border areas and selling them in different bazaars close to Bangdom.<sup>4</sup>

**Case study 2:** The effects of natural disasters, especially floods during the monsoon season, hamper the agricultural sector. Moreover, acid rain, extreme drought, cyclones

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3. A report shows that in 20 years, about 5 million acres of arable land (*abadi Jomi*) have been reduced from farmer ownership, mainly due to population increases (Daily Ittefaq, Nov. 16, 2007). Another report shows that in recent years one hundred and forty thousand acres of arable land on average are getting reduced annually (Daily Prothom-Alo, May 5, 2010).

4. Bangladesh is surrounded by India on three sides. Indian goods are commonly received at the border from importers and also from people who have illegal cross border trade. Bangdom is only 20 kilometres away from the nearest Indian border.

and other types of natural disasters are obstacles to making profits from agriculture. How natural disasters changed the livelihoods of villagers in Bangladesh towards different economic directions would not be known without in-depth interviews with the petty business entrepreneurs from Bangladesh. Natural disasters not only damage economic prospects for the villagers, it brings economic uncertainty to the whole nation, as agriculture is the backbone of the national economy in Bangladesh (Garry, 1999: 27). In Bangladesh, flood damage to the '*Aman*' paddy destroys the main subsistence crop for peasants and cash crop for surplus farmers. Most of those depending on agriculture in Bangladesh are poor peasants, so one disastrous flood brings bad economic misery to society.<sup>5</sup> The case below is an example of economic breakthrough through petty business after a disastrous flood, enabling the situation to be overcome:

*Zaman Khan's* transformation from peasantry to having a business took place in 1995, just after the disastrous flood that damaged the crops of many farmers in the area. Zaman Khan began his own family in the mid eighties by cultivating 20 decimals (0.20 acres) of the arable land he had inherited, as well as sharecropping some further land acquired from a rich farmer within the village. The income he had was not enough to fulfill all necessities, but covered food and other basic requirements for his family of 4; himself, his wife, son and his mother. In 1995 he was forced to stop agricultural practices, when flood damaged almost all of his crops. He was uneasy when mentioning the time his family changed from agriculture, as they did not even have any rice to cook or money to buy food after the flood that year. When the flood situation improved and the paddies were harvested, there was hardly enough food for two weeks.

To tackle the unexpected situation, they turned the paddies from the post-flood harvest into rice to sell at the market.<sup>6</sup> Zaman earned 1700 taka (\$35) from selling the rice at Nazipur bus stand bazaar. Some of the money bought basic necessities for the family, whilst the rest was invested in paddies to run the business. This business was found to be more income generating than cultivation and therefore Zaman continued. For 7 years, Zaman operated the business utilising a tiny place on the footpath, moving in 2004 to a rented place in an open market.

**Case study 3:** In Bangladesh, the increasing cost of essential agricultural inputs, such as fertilisers and pesticides, is discouraging many marginal farmers to continuing farming occupations.<sup>7</sup> In particular, poor and middle class farmers are caught in a dilemma with costly fertilisers and pesticides. Usually they do not have enough money to buy the costly fertilisers and pesticides when paying the market prices. In this case, the so called Green Revolution rarely benefited poor peasants. Consequently, the Green Revolution caused a serious increase in inequality between different classes of farmers in rural areas. It gave the opportunity for landlords to acquire more land and a trend towards some variation in

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5. Large farmers usually have spare capacity; one bad year will not leave the family starving. Reversibly, one bad season can destroy the economic backbone of subsistence farmers.

6. In Bangladesh after floods, the price of rice increases more than usual.

7. The dealership of fertilisers is given to a few wholesale agents who create the occasional fertiliser crisis for mal profit. Many times poor farmers demonstrate against such brutal manipulation, but are rarely successful. Derived from such a background in 1995, 15 peasants were killed by government forces carrying out a demonstration protesting against the corruption of fertiliser distributors.

the classical capitalist two-class dichotomy (Harry, 1972: 182). Unfortunately, Bangladesh and many other developing countries do not possess an efficient and well-developed administrative system suited to cope with the problems of social change and development planning (Chowdhury, 1978: 45). Rich farmers easily influenced management bodies of the Green Revolution to their advantage, disenfranchising poor and middle-income farmers. The poor and middle-income farmers did not have the financial self-sufficiency necessary to own agricultural technology. Eventually, many of them were forced to make their living through non-agricultural means of income. An example from the microeconomic theory expressed that peasants were 'efficient but poor' (Schultz cited in Wilson, 2004: 2), which has very practical relevance to the social reality in Bangladesh. Ahad Uddin from Bangdom, whose transformation from agriculture to business reveals this:

*Ahad Uddin* was 45 years old and had a small tea stall (*cha-er-dokan*) in front of the mosque situated in the centre of Nazipur bus stand bazaar. In the beginning of his work life Ahad was involved in agriculture for 10 years. His work life began when he was in school because of economic problems in his fathers' family. After completing nine grades he had to stop become involved in agriculture alongside his father. There were 6 members in his fathers' family including him, his mother and 3 brothers. His 3 brothers also worked with their father. When their father became old he (father) stopped working in the fields and became unable to take care of family matters. As a result, the family was divided into smaller households but continued living in the same house.

After the separation, Ahad was married at the age of 22. His conjugal life began and he managed the needs of the family by cultivating arable land (1 acre) he inherited from his father. After some months of marriage, he planned to build a separate home because living in a shared home became difficult. Since he did not have any savings, he had to sell part of his land to build the new home. Gradually, his family became larger and required more income, not possible through only agriculture. The increasing cost and inadequate supply of fertilisers was the main obstacle for him retaining agriculture as the only source of income for his family. Secondly, he was unable to receive facilities provided by the government of modern agricultural inputs to small peasants. He also could not get a loan from the government banks, although the banks had many projects to help peasants. According to him, the complicated bureaucratic procedures and other related problems made him unable to acquire a loan from the banks. In such a situation, he opened up a grocery shop at Nazipur bus stand bazaar in the mid nineties. He was unable to continue making good profit from the business, due to overwhelming competition. Finally, he began a tea stall and had been running that business for 5 years as the primary source of income for his 5 member family.

## **Conclusion**

Entrepreneurship theories and the conditions influencing entrepreneurial behaviour have been discussed and analysed in different parts of this article. Some of these theories and influencing conditions have been considered useful in recognising the entrepreneurs in my study, whilst some have disagreed due to practical differences with the entrepreneurship observed in my study. In fact, entrepreneurs who created a new

economy and their stories and accomplishments are more enlightening than any theory offered on the topic (Marc cited in Formaini, 2001: 2). Theory however, remains integral to understanding, and so theories appeal more often to the idea of entrepreneurship and the role of entrepreneurs as explanatory variables for economic reality. It is useful to look at the historical development of this concept to understand the present (Formaini, 2001: 3), and in a present day context, spatial characteristics in entrepreneurship are conspicuous. An interconnection between theories and spatial differences is needed in this regard. The ethnographic evidence from rural Bangladesh presents a facet of it.

Due to different socio-economic, cultural, and political environments, economic survival among people in the world is very different. Likewise, reasons for becoming an entrepreneur also differ depending on country and economics. The concept of entrepreneurship is not broadly discussed in the case of development economies, as it is in the advanced capitalist economies, although the existence of entrepreneurial activities is common to both. The cases of rural entrepreneurs discussed and analysed in this paper draws attention to this gap.

In most cases, the emergence of petty business entrepreneurs in Bangdom was rooted to poverty. Scholars studying the worldwide poverty issue have found that rural poverty accounts for nearly 63% of poverty worldwide, reaching 90% in some countries like Bangladesh (Khan, 2001: 3). The experience from Bangdom reveals that population pressure, scarce resources, natural disasters (e.g. floods) and lack of employment options are continuing threats towards reducing poverty in rural Bangladesh. Moreover, lack of good governance is also a barrier to reducing economic inequality among the people in society.

The economy of a welfare state affects the way in which the nation acquires its living, of the diversion of such a large proportion of national products from incomes of individuals and firms, to the recipients of cash benefits and through taxation and social services (Sleeman, 1973: 1). The essence of a welfare state includes government-protected minimum standards of income, nutrition, health, housing, and education, ensured for every citizen as a political right, not as a charity (Wilensky, 1975: 1). Unfortunately, Bangladesh is not considered a welfare state in this context, as its strength in welfare is inadequate for serving the huge number citizens. Moreover, existing welfare is used for power holders and their associates, rather than for common people. In Bangladesh, like many other developing countries, capitalist organisations only pay taxes to the state if they cannot avoid it, therefore when a poor family has no employment, they must starve as long as they are without jobs. My study in rural Bangladesh protrait that entrepreneurship can develop also in a state of necessity as described in the theory of inequality and entrepreneurship. To sum it up, it can be said that different socio-economic conditions, poverty, demographic pressure, economic ambition of the citizens and government system make 'entrepreneurship' incommensurable in the spatial context (Willis, 2005: 43).

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## **Torture on Workers in Bangladesh Readymade Garment Sector**

Md. Farid Hossain \*

**Abstract:** The objective of the paper is to study about the nature of torture against Readymade Garment Workers in Bangladesh. Employment in the Ready-made garment sector in Bangladesh provides workers with economic benefits and some empowerment. It is evident that, more than 3.2 million people are working in this sector and about 5000 garments factories are scattered across the country. 78 percent of our foreign earnings come from this sector. Among the workers about 70 per cent are women, who work dawn to dusk even up to late night when their wages are not in the satisfactory level. During the study conducted in Savar Paurashava and Gazipur Sadar paurashava; it was found that, RMG workers are experiencing physical and psychological torture in different forms. Besides, administrative action against torture is negligible. At the end of the study, some recommendations are extended to diminish torture against RMG workers of Bangladesh.

**Keywords:** RMG, Workers, Torture, Government and Bangladesh

### **Introduction**

Bangladesh found itself in a difficult Position after Independent in 1971. The economy, Shattered by the War, needed to be rebuilt through different avenues. The main injuries in those days were jute based and were run by non-Bengalis who fled the country at the advent of freedom and the vacuum thus created led to the government nationalizing these industries unfortunately, the people responsible to run these Industries failed miserably because of their Impotence, corruption, helotism and other unwanted factors (Hoque, 2000). A Country that had been independent on agriculture for centuries could not cope up with the demanding conditions of running industries and hence Bangladesh limped forward at sick nation. But national development is the out come of economic development and it stems from Industrialization. Textile and garment industries play a significant role in industrialization process of any country. In Bangladesh the revolution in this sector come in eighties 1- Bangladesh since late 70's startled garment export even then in sort span of time achieved rapid and phenomenal economic growth (Asiatic Society of Bangladesh, 2006). Today the export sector is a multi-billion-dollar manufacturing and export Industry in the country, accounting for 76% of the total export earnings 227 million dollars and of the manufacturing GDP and 10% of national GDP. In financial year 2008 the burning sector earned about 86 million US dollars from business with the RMG sector in the form of interest and church and L/C church (The financial Express, 2012). In FY 2008 the banking sector earned about 86 million dollars from business with the RMG sector in the form of interest charges and L/C (Letter of Credit) charges. Port usage fees earned form the RMG sector account for more than 40% of the income of the port authority. RMG sector contributed about US\$ 151.73 million in FY 2008 to earnings of the shipping business of the country by way of port charges, C&F

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\* Lecturer, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka. email: [faridju32@gmail.com](mailto:faridju32@gmail.com)

Agent's commissions, freight charges, forwarding charges etc. In 2008 the inland transport industry received about 63373 million dollars as revenue from the RMG sector (BGMEA, 2008).

The RMG sector extensively uses professional services from CA firms, legal agencies and business consultants. In FY 2008 total payment for professional services is estimated at 8.43 million dollars. The RMG industry paid 33.15 million dollars to the engineering sector (Nuruzzaman, 2007). Payments for ICT services which include communication, hardware and software services are estimated at 50 million dollars in FY 2008. Demand for real estate development by the garment industry to accommodate offices and factories of over 4700 garment units has generated a lot of activities in the Construction Industry. The RMG industries paid approximately 61.25 million dollars as factory, office and garage rent in FY 2008. About 1500-2000 overseas apparel buyers and their representatives visit Bangladesh every year for business purpose (Bhuiyan, 2008). In FY 2008 the RMG industry created a business of approximately 10.32 million dollars for the country's tourism industry. Approximately 0.5 million people are engaged in waste (mainly, the waste out prices of fabrics) recycling industry of the country which get their materials from the RMG industries. With these waste materials, they are making stuff toys, patterns, quilts, cushions etc. The 2.5 million workers in the industry have created a large demand for consumer good. A regular source of earning increases the basic consumption needs such as improved diet, better healthcare, improvements in family utensils and housing conditions etc.

The RMG sector has created and increasing demand for consumption of low cost commodities, cosmetics items, dresses, footwear, fast food and other products. Whole industry has been created to service this growing demand and created employment opportunities for hundreds of thousands of people. RMG sector is the largest industrial employer in the country. It employs around 2.5 million workers and around 1.5 million people are indirectly dependent on this sector for their livelihoods. Garments workers act as an important source of income for families and households that are landless, under-educated and without alternative means of generating wealth. Around 30% of women are primary earners of their families, while rest is secondary earners (BBS, 1989). If 0.35-0.40 Million women loose their jobs, at least 1.6 million members of households face further economic hardship. In last five years the incidence of poverty at the national level declined from 48.9% in 2000 to 40.0% in 2005 on the upper poverty line. Rapid expansion of RMG encouraged social mobility of women with their entry in the formal labor market and their transition from private to male dominated public sphere. Almost all families of women workers have positive attitude towards working in garment factories. Almost all women workers recognized that there had been cultural transformation after starting working in Garment factories. New productive role in the society have helped them to become more intelligent, self-aware, free, concerned about the society. Mobility of women has increased after joining the RMG sector. Some garment operators who live with family members sent remittances to families in rural areas and Dhaka to fund siblings' education (Bangladesh Institute of Management, 1999). Roughly one-quarter of female workers entering the labor market during the 1990s were employed in industry where they are to be primarily found in garment manufacturing,

while the female share of ne employment in industry was 39 per cent in the mid-1990s, rising to 60 per cent in 2000. At present, Bangladesh exports about \$5 billion worth of goods (mostly RMG products) to the USA every year and hence, the suspension from US GSP will account for a fall in export of about 0.8 %. By 20015, RMG exports are projected to reach USD 30 billion and by 2020 the industry is expected to reach USD 50 billion. In the process they would employ 8 million workers, most of which would be women which I turn results in huge socio-economic externalities help to take Bangladesh out of poverty and into the club of the middle income economies (The Apparel Story, BGMEA, 2014). Hence it would be imperative to focus on proper sustainability of the RMG industry from all spheres.

Readymade garments and textile sector, which earns huge amount of foreign currency for Bangladesh every year is now under acute crisis following labor unrest, mostly Instigated by a leader of communist party in the country. On June 21, 2010, leaders of Bangladesh Garments Manufacturers and Exporters Association (BGMEA) decided to shut down 300 factories at Ashulia export processing zone area (near Dhaka city) following day's long labor agitation and destructive acts. According to experts, such closure for Indefinite Period will put the entire export trade of Bangladesh from, textile and RMG sector into huge risk, as many of the exporters will fail to ship their consignments to Prospective buyers on time. But this glory is being diminished day by day due to labor unrest in this sector. All of sudden, labor unrest has increased in our Country. But, it will be unjustified to say that this labor unrest has grown overnight. It has a long history too labor unrest got Impetus towards the end of the 4- party led coalition government and in the Immediate past care taker government it reached its peak we shall now turn to the reasons for labor unrest as well as its remedies. This study is designed to deepen understanding about types and nature of torture against RMG workers and how it acts behind the labor unrest and labor movement in Bangladesh Readymade garments Sector.

### **Objectives of the Study**

The general objective of the study was to investigate the causes of labor unrest and labor movement in Bangladesh readymade garments Industries. The specific objective of the study was to examine torture and abuse against the garments workers and how it works behind the labor unrest and labor movement in Bangladesh garments sectors.

### **Research Method**

This is an exploratory research. In this research, survey method, had been used for collecting data. For analyzing data both Qualitative and quantitative approaches has been used to analyze opinion of garments workers about torture and abuse against them. Numerical data was collected from the field.

Two geographical areas having presence of Garments factories have been selected for this study. Both are savar Paurashavas and Gazipur Sadar paurashavas respectively. In this research data were collected from 200 Individuals. Among them one hundred (100) were male while rest one hundred (100) was female. In this research data were collected form two sources: Primary data were collected from individuals through face to face Interview by using questionnaires and respondents answers were record by writing them down. In Interview structured questionnaires were used. The questionnaires were framed by using both close and open ended questions. It is pertinent to mention here that the

questionnaires have been pre-tested before collection field data. Secondary data and Information have been collected from published books, journals, Newspapers articles, Internet and concerned organization which are related to the study.

Collected data were characteristically classified and then statistical method (e.g. percentage analysis) was applied on them. Quantitative data had been presented the in tables and showed the responses in percentage. The data of the tables were then discussed. Qualitative data had also been analyzed and discussed in this research.

### **Conceptualizing Torture**

According to Wikipedia (2009), Torture is defined as the act of deliberately inflicting severe physical or psychological pain and possibly injury to an organism, usually to one who is physically restrained or otherwise under the torturer's control or custody and unable to defend against what is being done to him or her. Torture has been carried out or sanctioned by individuals, groups, and states throughout history from ancient times to modern day, and forms of torture can vary greatly in duration from only a few minutes to several days or even longer. Reasons for torture can include punishment, revenge, political reeducation, deterrence, interrogation or coercion of the victim or a third party, or simply the sadistic gratification of those carrying out or observing the torture.

There are generally two types of torture .i.e. Physical torture and another is psychological torture. Psychological torture methods are as follows:

- Blackmailing.
- Exploitation of phobias;
- Being subjected to interrogation for long periods
- Sleep deprivation
- Solitary confinement
- Sensory deprivation.
- Threat of permanent, severe disfigurement;
- Pharmacological torture;
- Chinese water torture.

Physical tortures methods are as follows:

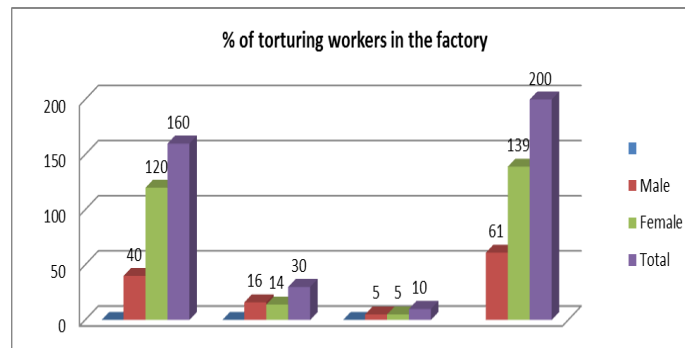
- |                                  |                           |
|----------------------------------|---------------------------|
| • Abaci nation                   | • Kneecapping             |
| • Beatings and physical violence | • Keelhauling             |
| • Blinding with light            | • Mutilation              |
| • Boiling                        | • Noise (see Sound entry) |
| • Bone breaking                  | • Oxygen deprivation      |
| • Branding                       | • Pressure points         |
| • Castration                     | • Rat torture             |
| • Chinese water torture          | • Riding the Rail         |
| • Choking/Strangling             | • Sexual assault          |
|                                  | • Sawing                  |
|                                  | • Scalping                |

In this study, I will basically look into both form of torture RMG workers are experiencing in Bangladesh and analysis the impact of torture.

### Torturing Workers in RMG Sector: Facts and Findings

Now-a-days especially in industrial sectors, torturing workers is not a new fact. But increasing the relations between the owners and workers is very important for industrial evolution in our country. Because torturing workers is not only harmful for the workers but also can decline the production of industries through damaging a great site of economics in the fabrics and woven garments in Bangladesh

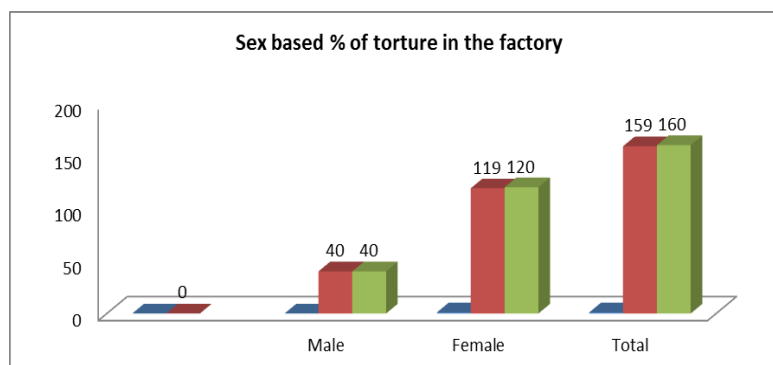
**Graph-1.1: The percentage of torturing workers in the factory according to gender:**



Source: Field Survey

It is counted from chart-1.1 that 160 workers (80%) say 'yes', 30 workers (15%) say 'no' and 10 workers (5%) have no answer about torturing in the factory among 200 repliers. Another hand 40 male workers (65.6%) become torturing in the factory, 16 workers (26.2%) do not face any torturing and 5 workers do not have any answer among 61 repliers (30.5%). Among 139 female workers (69.5%), 120 workers (86.3%) become torturing, 14 workers (10.1%) do not face any torturing and 5 workers (3.6%) do not have not any answer. So, above this discussion we can say that maximum workers both male and female were exposed to torturing in the factory.

**Graph-1.2: The source of torturing workers in the factory according to gender**

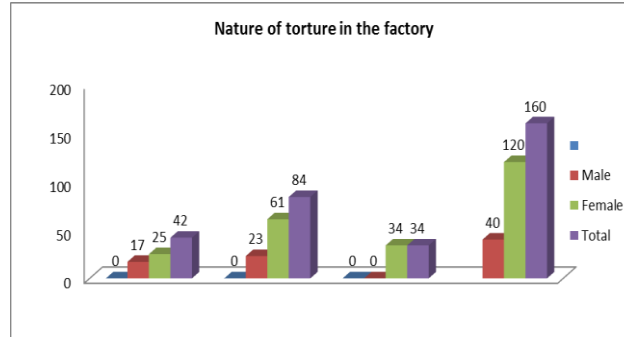


Source: Field Survey

It can be confirmed from chart-1.2 that 40 male workers (100%) are found to be tortured by the person of governing body of a factory among total 40 repliers (25%). Among 120

female workers (75%), one worker (0.8%) becomes torturing by another worker and 119 workers (99.2%) become torturing by the person of governing body of a factory. So both male and female workers, only one worker (0.6%) become torturing by another worker and 159 workers (99.4%) become torturing by the person of governing body in the factory among total 160 repliers. Here we can say that maximum workers are seemed to be tortured by the person of governing body in the factory.

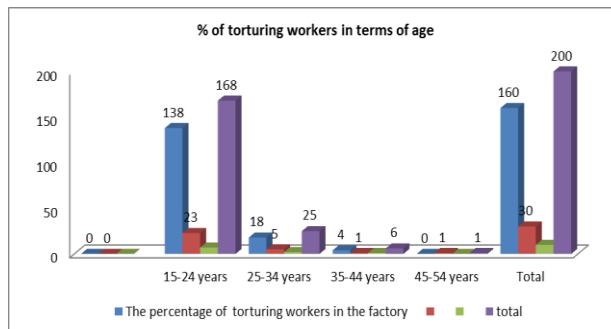
**Graph-1.3: The types of torturing workers in the factory according to gender:**



Source Field Survey:

We can say from chart -1.3 that 42 workers (26.3%) have been victim physically, 84 workers (52.5%) become torturing mentally and 34 workers (21.2%) become torturing sexually among 160 respondents. 17 male workers (42.5%) become torturing physically, 23 workers (57.5%) become torturing mentally among total 40 male repliers. Another hand 25 female workers (20.8%) become torturing physically, 61 workers (50.8%) become torturing mentally and 34 workers (28.4%) become torturing sexually among 120 female repliers in the factory. So analyzing above this chart we can say that maximum workers (male and female) become torturing mentally in the factory. And maximum female workers are tortured sexually in the factory. Another hand, the male workers are found to be tortured both physically and mentally in the factory.

**Graph-1.4: The percentage of torturing workers in the factory according to their ages**



Source: Field Survey

From chart-1.4 , it is enumerated that among 168 workers (84%) of 15-24 years become torturing 138 workers(82.1%) , 23 workers(13.7%) don't face any torturing and 7 workers (4.2%) have no any answer. Among 25 workers (12.5%) of 25-34 years 18 workers (72.0%) become torturing , 5 workers(20.0%) don't face into any torturing and 2 workers(8.0%) was mute. Among 6 workers ages between 35-44 years, 4 workers (66.6%) become torturing while 1 worker (16.7%) don't face into any torturing and 1 worker (16.7%) have no any answer. Only one worker ages between 45-54 years doesn't face any torturing in the factory. So, analyzing this chart, we can say that the workers who are in teen ages become torturing highly in the factory.

**Table-1.5: The types of torturing workers in the factory according to their ages:**

Ages	Types of torturing workers in the factory			Total
	Physical	Mental	Sexual	
15-24 years	37	70	31	138
25-34 years	4	11	3	18
35-44 years	1	3	0	4
45-54 years	0	0	0	0
Total	42	84	34	160

Source: Field Survey

We can perceive from chart -1.5 that 37 workers (26.8%) become torturing physically, 70 workers (50.7%) become torturing mentally and 31 workers (22.5%) become torturing sexually among 138 workers of total 160 repliers ages between ages 15-24 years. four workers (22.25%) become torturing physically, 11 workers (61.1%) become torturing mentally and 3 workers (16.7%) become torturing sexually among total 18 repliers ages between 25-34 years. Another hand one worker (25.0%) becomes torturing physically and 3 workers (75%) become torturing mentally among total 4 repliers ages between 35-44 years. So analyzing this chart, we can say that the workers whose age is between 15-24 years become torturing sexually and physically in the factory. And the workers whose age is between 35-45 become torturing mentally in the factory.

**Table-1.6: The percentage of talking step after torturing workers in the factory according to their ages:**

Ages	The percentage of talking step after torturing workers in the factory			Total
	Informing to the governing body	Talking part in a movement	Does nothing	
15-24 years	18	21	99	138
25-34 years	6	4	8	18
35-44 years	3	0	1	4
45-54 years	0	0	0	0
Total	27	24	108	160

Source: Field Survey

From chart-1.6 we can explore that 18 workers (13.0%) inform to the governing body, 21 workers (15.2%) take part in a movement and 99 workers (71.8%) do nothing among 138



replier's ages between 15-24. About 6 workers(33.3%) inform to the governing body , 4 workers(22.2%) take part in a movement and 8 workers(44.5%) do nothing after torturing among 18 workers(11.3%) ages between 25-34. only 3 workers(75.0%) inform to the governing body, one worker(25.0%) do nothing after torturing among total 4 workers ages between 35-44 years. So, analyzing the result of this chart, we can say that the workers whose ages in between 25-34 years take part in a movement after become torturing and the workers whose age is between 35-44 years inform to the governing body.

**Table-1.7: The source of torturing workers in the factory according to education:**

Education	Source of torturing workers in the factory		Total
	By another workers	By the governing body	
Illiterate	1	45	46
Primary	0	75	75
Secondary	0	34	34
Higher secondary	0	5	5
Bachelor degree	0	0	0
Total	1	159	160

Source: Field Survey

Hence we can say from chart-1.7 that one worker(2.2%) become torturing by another workers and 45 workers(97.8%) become torturing by the person of governing body among of total 46 illiterate workers(28.8%) . Another hand 75 workers (100%) become torturing by the person of governing body among of total 75 workers (46.9%) of primary label. And 34 workers (100%) become torturing by the person of governing body among of total 34 workers (21.2%) of secondary label. Nobody of Bachelor degree workers become torturing in the factory by anybody. So, above this chart we can say that torturing workers in the factory depends on education and maximum workers become torturing by the governing body in a factory.

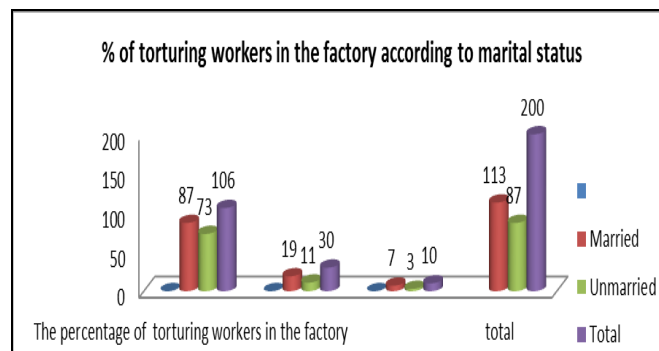
**Table-1.8: The percentage of taking step after torturing workers in the factory according to education:**

Education	The percentage of taking step after torturing workers in the factory			Total
	Informing to the governing body	Talking part in a movement	Does nothing	
Illiterate	6	10	30	46
Primary	11	12	52	75
Secondary	7	3	24	34
Higher secondary	3	0	2	5
Bachelor degree	0	0	0	0
Total	27	25	108	160

Source: Field Survey

Here from chart-1.8 we can see that 6 workers (13.0%) inform to the governing body, 9 workers (29.7%) take part in a movement and 31 workers (65.3%) do nothing among 46 repliers of illiterate workers (28.8%). About 11 workers (14.7%) inform to the governing body, 12 workers (16.0%) take part in a movement and 52 workers (69.3%) do nothing among 75 repliers (46.9%) of primary label. And 7 workers (20.6%) inform to the governing body, 3 workers (8.8%) take part in a movement and 24 workers (70.6%) do nothing among 34 repliers (21.2%) of secondary label. Other hand 3 workers (6.0%) inform to the governing body and 2 workers (40.0%) don't take any action after torturing in the factory among 5 workers (3.1%) of higher secondary label. So, after analyzing the result of this chart, we can say that the workers who are highly educated inform to the governing body in a factory. And the percentage of participation to the labor movement is very high in case of the illiterate RMG workers.

**Graph-1.9: The percentage of torturing workers in the factory according to marital status:**



Source: Field Survey

We can say from chart-1.9 that 160 workers (80.0%) become torturing, 30 workers (15.0%) do not face into any torturing and 10 workers (5.0%) do not give any answer about torturing in the factory among 160 workers (80.0%) of 200 repliers. In this aspect, 87 married workers (77.0%) and 73 unmarried workers (83.9%) become torturing in a factory. Another side 19 married workers (16.8%) and 11 unmarried workers (12.6%) don't face any torturing. About all 7 married workers (6.2%) and 3 unmarried workers do not inform anything about torturing in the factory. Above this discussion it is clear that the unmarried workers become torturing highly in the factory. Another side the married workers do not give any answer about torturing.

**Table-1.10: The source of torturing workers in the factory according to marital status:**

Marital status	Source of torturing workers in the factory		Total
	By another workers	By the governing body	
Married	0	87	87
Unmarried	1	72	73
Total	1	159	160

Source: Field Survey

We can decide from chart-1.10 that 159 workers (99.4%) become torturing by other workers and one worker (0.6%) become torturing by the person of governing body among of total 160 repliers. According to marital status, 87 married workers (100%) become torturing by the person of governing body among of total 87 married workers in the factory. Only one unmarried worker (1.4%) become torturing by the another workers and 72 workers (98.6%) become torturing in the factory by the person of governing body among of total 73 unmarried workers (45.6) in the factory. After analyzing this information it is clear that maximum workers become torturing by the governing body in the factory. Here, all married workers become torturing by the governing body in the factory. But the unmarried workers become torturing by both another workers and the person who are related with the governing body in the factory.

**Table-1.11: The percentage of talking step after torturing workers in the factory according marital status:**

Marital status	The percentage of talking step after torturing workers in the factory			Total
	Informing to the governing body	Talking part in a movement	Does nothing	
Married	7	10	70	87
Unmarried	20	14	38	73
Total	27	25	108	160

Source: Field Survey

Here from chart-1.11, we can see that 7 workers (8.0%) inform to the governing body, 10 workers (11.5%) take part in a movement and 70 workers (80.5%) do nothing among 87 married workers. And 20 workers (27.4%) inform to the governing body in a factory, 15 workers (20.5%) take part in a movement and 38 workers (52.1%) do nothing among 73 repliers of unmarried workers. After analyzing above the result of this chart, we can say that maximum unmarried workers inform to the governing body in a factory. But maximum married workers do not take any action after fronting torture in a factory.

## Conclusion

It is apparent from analysis presented above that, garments industrialization is the lifeblood of economy of Bangladesh and GDP is moving towards skyward with blessings of persistent success of RMG. Workers are the heart of RMG. The study showed how does RMG workers suffer from physical and mental torture as well as abuse in different aspects. As referred above analysis, out of 200 respondents (RMG workers), 80% workers both male and female strongly acknowledged receipt of torture and discrimination in different forms from the garments management. Out of them, 60% female workers are to be abused both physically and mentally from management side. It is pointed out that, where all forms of labour abuses and exploitation are considered unacceptable, but pushing a whole labour force into the 'slavery' box isn't going to help. At worst, it's going to undermine the efforts to reform labour standards and also dilute the reality of life as a person trapped in the worst forms of modern-day slavery, where they

have no option, no chance of walking away. It is also emerged from analysis that, due to lack of formal education, most of the RMG workers both male and female could not take bold step against management for fair play. They also feel insecurity to protest in a group because of discontinuation from job.

Since May 2006, the RMG industry of Bangladesh has been experiencing various workers unrest which turned into violent incidents in 2008; causing violations of the prevalent emergency situation which even the major political parties did not dare to do. Absence of trade unions in the RMG industry is a major concern. Even, no formal communication or dispute settlement mechanism exists between the workers and the owners of the RMG factories in Bangladesh. Extreme sense of deprivation or suffering causes the workers to adopt violent means for expressing their frustration. Time has come to enact appropriate laws with enforcement strategy to stop torture against RMG workers as well as lessen abuse of them from RMG sector. Such stern action would supplement continued expansion of RMG workers to boost up the national economic growth of Bangladesh. Finally we say that overall major stakeholders- Gob, BGMEA, buyers, foreign governments and multilateral donor agencies should jointly take initiatives on the torture and abuse against the RMG workers as well as lessen unrest from RMG sector in Bangladesh. However sustainability of the sector will depend on the following factors:

- Skill development across the board (leadership team, factory management and workers).
- Maintain the higher level of safety, compliance and environmental standards and correlate them to higher profit and sustainability.
- Stop mistreatment of the workers by managers.
- Irregularities in payment is one of the factor of labor unrest so regular payment can mitigate the labor unrest and labor movement
- Bridging the gap between the factory owners and workers.
- Improving law and order situation can reduce labor movement in Bangladesh RMG sector.
- Minimum wage for the garment workers should be regularized and implemented properly.
- Deploy female supervisor/female line chief in order to manage female worker to stop abuse against them.
- Introduce baby/mother care center for the female workers.
- Ensure regular interval for the workers in order to regain energy for better service.
- Discourage over-time for female workers during night shift to stop sexual abuse against female worker.
- Pro-activeness of labor rights association to continue their unit office in the industrial area for addressing any violence against RMG workers.
- The factory owners must listen to the problems labor face while performing day-to-day work at factory and address them in a systematic manner.

- Organize regular discussion between management and work force to decrease misunderstanding.

The implementation of above-mentioned recommendations is supposed to help address labor unrest in the readymade garment industry of Bangladesh. However, a number of issues relating to labor unrest in the garment industry of Bangladesh like industrial policy, labor relations, owner-worker relations, trust between public and private sector and conspiracy deserve further attention.

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## Local Government in Conflict Management: A Comparative Study between Nepal and Bangladesh

Mohammad Tarikul Islam<sup>\*</sup>  
A.S.M. Firoz-Ul-Hassan<sup>\*\*</sup>

**Abstract:** Conflicts occurring at the local level mostly on the issues that affect every-day life of people have become political in nature due to increasing politicization of society. Like other countries, local justice of Nepal is rest with community driven judiciary process under the auspicious of local government structure. The setting of local dispute resolution in rural Nepal takes in the traditional process of Village Development Committee. Unfortunately, Village Development Committee, the ancient local bench of Nepal does not inherit an effective criminal court to administer trial and punishment on individuals autonomously and competently resulting in mounting local disputes. Similarly, the setting of local dispute resolution in rural Bangladesh takes in the traditional process of salish. In 2006, salish has been replaced by Village Court. It is also apparent that, success of local conflict management through permissible approach does not transpire itself as a vibrant body to ensure fair play across the level rather it has been paralyzed due to undue influence of the vested quarters in the rural Nepal and Bangladesh. Local justice is rest with community driven judiciary process under the auspicious of local government structure at the rural area. Unfortunately, the ancient local judicial body in both countries doesn't emerge as an effective criminal court to administer trial and punishment on individuals autonomously and competently resulting in mounting local disputes.

**Keywords:** Conflict Management, Local Government, Village Development Committee, Village Court, Union Parishad

### Introduction

Managing conflict is another prime concern of the present-day social, economic and political complexity. Conflict Management refers to methods used by trained neutrals to help people to communicate more clearly, negotiate effectively, develop and evaluate solutions, or resolve conflicts. Neutrals do not take sides or represent the parties. It is the human nature to let loose problems and ignore until they really pose threat to a positive development. The problems, disputes or conflicts, whatever they may be, are not identified and resolved at the very initial stage. Experiences suggest that, Nepal is witnessing all kind of conflicts at every level of governance. The existence of these conflicts and the failure of political machines to address them in time have created more gaps in the society, which ultimately has hindered the political development of the country.

From the beginning of Nepal's history political authority that emerged from the social power of village chieftains, members of privileged groups, elites and priests already made

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<sup>\*</sup> Lecturer, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.  
email: [tarikul.islam81@gmail.com](mailto:tarikul.islam81@gmail.com)

<sup>\*\*</sup> Assistant Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka,  
email: [firoz\\_gp\\_ju@yahoo.com](mailto:firoz_gp_ju@yahoo.com)

conflict resolution possible to avoid social disintegration and strife. It has treasured a rich tradition of coordinating action of people based on local power equations, cultural practices and various religious treatises and helped to stabilize behavioral patterns. Where direct coordination in pursuit of collective goals failed to yield the payoffs, disputants invited third party to help resolve their disputes and abstained from imposing their will against each other. The Local Self-Governance Act 1999 integrated homegrown methods to mediate local disputes. As per act 1999, Village Development Committee<sup>1</sup> (VDC) has been entrusted with responsibilities towards managing conflict at rural Nepal. It gave some judicial power to local bodies for rule adjudication, arbitration and mediation through the medium of representation, pleas and arguments before an arbitration tribunal. Local bodies have used several formal and informal conflict resolution methods to resolve community level problems. The prime objective of the conflict management is to keep social cohesion and co-existence intact by searching for common ground, optimizing each actor's position, integrating the interest of weaker side into the compromise and persuading the victors and victims accept integrated solution mutually binding. Alternatively, in an ethnically and ideologically charged conflict, where sources are deep, it is possible to moderate disagreement, rather than seeking immediate resolution.

The Union Bench was a local Government body like the present day Union Parishad and also functioned as a Union Court to deal with petty criminal and civil cases. The Union Parishad is a century old rural institution established in the grass root level in Bangladesh. It has been initiated, developed and run by the rural people. It is an established popular centre for service delivery with popular image. This ancient institution has been more enlightened with the running of Village Courts. From the very beginning of the Union Parishad it engages with the informal judicial system like Shalish. It has been emerged because of people desire; rural people always try to avoid lengthy and expensive process of formal courts. For fulfilling the people desire Village courts has emerged in mid-seventies with a view to improving the situation of Shalish. But with the passage of time it has lost its position due to poor functioning. In Rural Bangladesh dispute resolution with the given local government structure is one of the core needs of rural dwellers especially for the poor, who cannot access to formal courts. Transformation of the local justice system is central to the enhancement of equity and inclusion, within the context of broader local governance reform in Bangladesh. The village court can bid a judicious starring role so as to bridge between Bangladesh's informal and formal justice institutions to provide a window for fair arbitration process to ensure human security.

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<sup>1</sup>A **Village Development Committee(VDC)** in Nepal is the lower administrative part of its Ministry of Federal Affairs and Local Development. Each district has several VDCs, similar to municipalities but with greater public-government interaction and administration. There are currently 3,625 village development committees in Nepal. A VDC is further divided into 9 wards; the number depends on the population of the district: the average is nine wards. The purpose of village development committees is to organize village people structurally at a local level and to create a partnership between the community and the public sector for improved service delivery system.

The study is based on content analysis and therefore, the study broadly undertook a survey of important articles, books and other sources pertaining to the study topic. This review of the professional literature relevant to the study findings helped to contextualize the research. The overall objective of the article is to assess the effectiveness of the prevailing rural justice situation for conflict management in rural Nepal and Bangladesh. The paper concluded with a number of suggestions leaving opportunities for strengthening local justice system in the Nepalese and Bangladeshi society where conflict has been recurrent phenomena.

### **Conflict Resolution: Conceptual Clarity**

A conflict is resolved when a mutually compatible set of actions is worked out. Some argue that this does not apply to deep rooted conflicts. Lazart, for example, distinguishes between ‘conflicts of interests’ that can be resolved through negotiation, and ‘structural conflicts’ that are very difficult to negotiate as they related to the organization of society and often are based on the unequal distribution of resources (Lazarte, 2006). He also indicates that many conflicts are a mix of different types of conflicts involving social as well as political aspects and that the ‘logic’ of the action of the actors involved differs from the logic of the conflict. Actors act on the basis of their own perceptions that may be based on a subjective collective memory and not on objective facts. Indeed such deep rooted problems may require a change in society. In this type of conflict an analysis of the problem is needed in much greater depth to explore what course of action may be possible. Thus conflict is “a social situation where one party tries to profit from a given situation or tries to solve its own water supply and sanitation problems in such a way that it negatively affects other parties”. From this perspective, conflicts may remain hidden until the other parties do not realize that they are negatively affected or can be open when they realize it and do not accept the situation. According to Louis Krisberg (1982), parties involved in conflict have different belief system pertaining to conflict situation which could be shown in below illustration:

Actual fact	Both believe conflict exist	One believe and other does not	Neither believe conflict exist
Conflict	1 Balanced conflict	2 Unbalanced conflict	3 Latent conflict
No conflict	4 Unrealistic two party conflict	5 Unrealistic one party conflict	6 Harmonious conflict

Figure-1: Varieties of social conflict parties’ belief about conflict situation (adapted from Louis Kriesberg, 1982)

### ***Different Options for Conflict Management***

According to Johan Galtung (2010) if conflict is considered to be inherently destructive, then our efforts are bound to be directed towards suppressing or eliminating it. Such efforts are more likely to heighten than lower the level of tension. If we view conflict as normal and inescapable, then the challenge lies in managing it constructively. The



challenge is not the elimination of conflict, but rather, how to effectively address conflict when it arises.

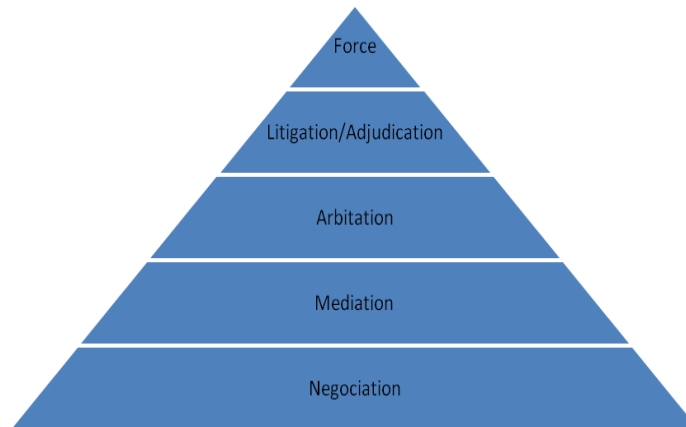


Figure 2: Conflict resolution pyramid (adapted from Viñuales and Celaya, 2006)

In general to mitigate conflicts there are many suggestions and approaches. The following approaches indicated in Figure 2 are summarized as follows:

**Force** means using power or even counter-violence to resolve the conflict, often ignoring the interests of the weaker parties. Fights over water resources are well known, but a nonviolent example of the use of power may be connection fees set by a water supplier that are unattainable for poorer people in a community.

**Litigation, adjudication** means involving a judge or a magistrate imposing a decision after hearing legal arguments from parties involved in the conflict. This links to the complex field of water legislation.

**Arbitration** means involving an external party (accepted by the parties to the dispute) imposing a decision after hearing the arguments of the parties involved in the conflict.

**Conciliation** means involving a neutral party acting as a mediator to go-between the parties. The process has no legal status and the conciliator meets with parties, helps them to list and clarify and reframe their objectives, and tries to come to solutions meeting consecutively with partners (shuttle diplomacy). Successful conciliation ends with the signing of a binding agreement between parties.

**Mediation** means involving a neutral party providing procedural assistance which is a voluntary process based on vesting of decision-making authority in the parties involved in the conflict. The mediator structures the process and creates a safe environment for parties to discuss the conflict and jointly find solutions.

**Negotiation** means the process in which parties resolve their conflict without help from outside. It refers either to competitive processes (positional negotiation) or cooperative efforts (interest-based negotiation). In positional negotiation, parties make offers and counteroffers and typically start to converge on a solution which both parties find acceptable

In the light of above explanation provided as well as different approaches of conflict theorists, we propose the following techniques to resolve local level dispute in the context of Bangladesh and Nepal respectively:

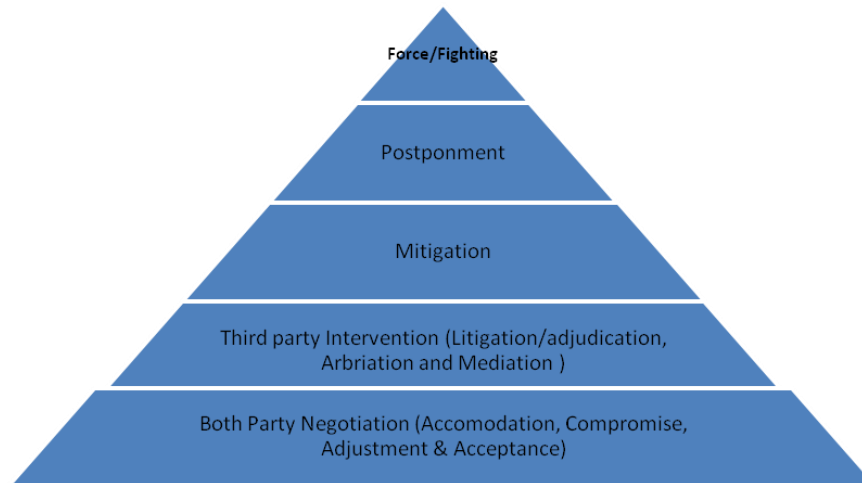


Figure-3: Conflict Resolution Model (Source: developed by authors)

The following approaches, except those which are narrated underneath figure-2 indicated in Figure 3 are summarized as follows:

1. Postponement triggers delay the process of resolution when conflict is persistent
2. Mitigation is meant for addressing probable conflicting environment before conflict takes place
3. Third party involvement basically refers to well accepted individual or group or organization who/which could bring both conflicting parties on board with confidence to resolve the crisis/conflict.
4. Both party negotiation talks about wide-ranging understanding of both parties about the consequences of conflict as well as their conception towards the end result of persistent conflict. Such realization leads towards rectification through reactiveness of both conflicting parties.

### **Nature and Extents of Conflict in Rural Nepal and Bangladesh**

In Nepal and Bangladesh, villagers did not think much about the political parties and political ideologies. Today, the villages are divided according to the political beliefs. The divisions between the ruling party and the opposition are very strong even in the local government institutions and whatever one party does the other opposes. People consider division as an inevitable part of democracy. The political parties have failed to socialize people in a healthy democratic way. They have been misinformed about democracy and the democratic ways of governance. The culture of harmonization, which was the character of Nepali and Bangladeshi society, is losing its ground. Politics has created

differences between brothers and sisters, fathers and sons, neighbors and even between husbands and wives. Democracy has not been able to consolidate the human values and beliefs. As a result, more conflicts at the political level are emerging, especially at the grassroots.

Socially, villages tend to have conflicts and are engrossed in the traditional social taboos that often breed conflicts. Living in small communities, the people cannot transcend the limits of social norms. There are problems related with caste, gender, ethnicity, poverty, religion and language even at the local level, problems, which have divided the society. These problems need to be analyzed separately since they are so much dominant in the Nepalese society and their role in creating social conflicts is vital. The caste concepts are the major source of conflicts in the villages of Nepal, 2005. The castes initially were created and groomed to maintain social order, to distribute work for all and make everybody work according to his/her ability. But in the long run, the caste system became perverted and brought up untouchable. In spite of the guarantees provided by the constitution and *Muluki Ain* regarding the equality of all castes and creeds, social discrimination against untouchables continue. Political openness and pluralism have encouraged the people belonging to that group to raise their voice against the social injustices and political discrimination. But it is deeply rooted in the Nepali/Bangladeshi society and cannot be eradicated overnight. Special efforts are needed from the state to dismantle this age-old tradition.

Women constitute more than 50 percent of the total population of both countries. The state as well as the international organizations has recognized their role in the total production of the country. They are not inferior to men in any way except in physical strength and yet they have not received an equal status in many things. Now, the women's forums and NGOs dealing with the women's interests have been able to push the government in passing women's property rights and constituting the women's commission. But mere laws and commissions will hardly be of any value unless they are put into practice. Women cannot empower and develop themselves so long as men do not want to share power with them on an equal footing.

Nepal is a multiethnic country. Ethnicity also belongs in Bangladeshi society. The ethnic and caste groups, numbering up to 60, constitute about 20 percent of the population in Nepal. The issues and problems of ethnicity had taken a back seat in the past. They were identified either with the Hindu caste structure or with the Buddhist social stratification. But after the restoration of the multiparty system in 1990, people belonging to the ethnic groups have started speaking more openly and have even refused to belong to any of the majority groups. They are trying to present their independent identities as indigenous people of Nepal. They feel concerned about the rights and privileges of the ethnic minority (Parshuram, 1994). This has challenged the existing power structures in Nepali politics and governing system. The conflicts between the minority ethnic groups and the majority caste groups will remain very strong as long as they cannot share power on an equal footing. Ignoring the ethnic causes may provoke ethnic insurgency in the long run.

Religion is another constant source of conflict in Nepal in the villages. This problem has emerged especially after the restoration of multiparty democracy. The constitution of the

kingdom of Nepal declares the country a Hindu State and the king a Hindu Monarch but it does not prohibit anyone from practicing their own religion. Legally, no one is permitted to convert from one religion to another religion. But due to the liberal nature of the state, massive conversions are taking place. Hari and Shyam in the hills are turning into Harry and Shayaam and Badris in the Tarai are turning into Bilals. Sunday schools and Madarasas are replacing the traditional family forms of worships and family cultures. The monasteries of Buddhist villages, which were managed by everyone in the village, are suffering because of the division of people into several sects. This is going to pose an acute problem in the Nepalese villages for a long time to come. It does not matter who follows what religion but there must be harmony in human relations. In Bangladesh, conflict also aggravates centering religion, to some extent,

Economy determines the living standard of every society. The economy of Nepalese and Bangladeshi villages is based on agriculture which contributes more than one-half of the households' income, provides employment to more than 80 percent of the people and has a significant bearing on the GDP. The land is the source of conflict as well as the means of production at the local level. Land-holding families are the feudal bosses of the villages who maintain the two distinct classes of people. The class system has established a tradition of exploitation, which exists for generations. But now, the restoration of multiparty democracy has encouraged the exploited people to speak against the injustices and inequalities. As a result, social and the political conflicts seen in the society presently are often the outcome of the resurrection of the exploited classes and their demands for larger share of economic benefits.

### **Role of Local Government in Conflict Management: Nepal Perspective**

The micro conflicts are very much low in their intensity but if appropriate dispute resolution mechanisms are not applied they can easily escalate or become entrenched, at the expense of local communities. Various types of conflict in Nepal continue to destroy the 'connectors' of society, upsetting the equilibrium of local systems built on historically derived and understood rules, hierarchy, patriarchy and institutions without placing sound transitional structures to support inclusion, participation and rule of law. Violence at the micro level does not foster a political climate conducive to trust building at the center. Moreover, one legacy of civil war is the disruption of any former status quo given "persistent change" in national, district and local power relationships. As a result of this, the system of conflict and its components are constantly changing.

Conflict, as stated earlier, are pervasive and an essential part of the society because without it the society does not move ahead. But unfortunately, conflicts are not always resolved at the local level in Nepal for various reasons. Judicial settlement means a settlement brought about by a properly constituted judicial tribunal, applying rules of law for which the conflicting parties should go to the formal court of law. It is expensive as well as time consuming. It can also create more complication in the social relation of the local people. That is why judicial settlement should be the secondary method of resolving conflict. It should be used only when other non-formal, easy and simple methods fail. Beside judicial settlement, there are other methods of resolving conflicts, such as arbitration, mediation, negotiation, use of good office and under the auspicious of the

higher bodies- the central government in the case of local government. All these methods are equally important and sometimes can be used simultaneously. These methods are recognized by the international law and are well adopted by the traditional communities in Nepal because they are based on natural law. The Local Self-Government Act 1999 has specified a number of areas within its jurisdiction under the judicial rights of the local bodies. The act has empowered the local bodies to look through and decide upon the cases as follows:

- a. *Related with land* - in relation to land, the local bodies can decide upon the boundaries of the land, demarcation of land, distribution of water for irrigation and violation of public land, public road and the outlet of the natural flow of rain water.
- b. *Related with crops* - local bodies can decide upon the cases related with crops destroyed by someone's cattle in the field.
- c. *Related with wages* - cases related with wages as mentioned in (MulukiAin)
- d. *Related with bankrupt* - cases related with poor and bankrupt as mentioned in MulukiAin.
- e. *Related with cattle* - cases related with the lost and found cattle as mentioned by the MulukiAin.
- f. *Related with house-rent* - cases related with the nonpayment of house rent, or somebody not leaving the house or shop against the wish of the owner, etc.
- g. *Welfare property*- cases related with welfare property as mentioned in the MulukiAin.
- h. *Related with sharing of property*- the cases related with the demand of wives and children for their share in property or for livelihood.
- i. *Related with drinking water and public property*- cases related with the places of drinking water and protection of public property.
- j. *Related with killing of female cattle*- cases related with cattle except the killing of a cow.
- k. *Related with pasture, fodder and fuel*- cases related with pasture land for cows, buffaloes etc. and collection of fuel and fodder.
- l. *Related with trespassers*- cases related with someone trying to enter into someone's land and house by force. There is no separate law in Nepal regarding the trespassing but local bodies can deal with such cases under this clause.

### **Role of Local Government in Conflict Management: Bangladesh Perspective**

After the independence of Bangladesh in 1971, the Government decided to continue with the systems of both the Arbitration Council and the Conciliation Court, but in 1976 repealed the Conciliation Courts Ordinance (Fazlul, 1998). It promulgated a new legislation named the Village Courts Ordinance, 1976 by which the Village Courts were established to deal with petty criminal and civil disputes in rural Bangladesh. In 2006, the Government repealed the Village Courts Ordinance, 1976 and the Parliament enacted new legislation called 'The Village Courts Act, 2006' to deal with village court's affairs. The acceptance contains elements of both fatalism and the confidence that a salish will

look out for the best interests of both parties within the constraints. There is also the appreciation that in any system of mediation no party will be completely happy.

The importance of apology comes up repeatedly in the analysis of salish. Apology is a typical remedy in non-formal, community dispute resolution institutions, and fits with those institutions' emphasis on restoration and reconciliation. Women are not invited to the UP salish – only the women UP members are invited. But sometimes we women are called in as witnesses. And elderly women sometimes attend the salish as complainants or accused. Despite its general accessibility, low cost and quick disposal, the literature on salish has underscored its elitist character and the hazard that it perpetuates existing power structures. That traditional dispute resolution systems are often undemocratic and exclusionary and access by women and the most marginalized such as landless people is poor have been well-documented. Since the salish decide on cases of extra and pre-marital relationships between men and women they are seen as corrupting influences on unmarried girls. Even without the discussion of these issues, younger women would likely have lower access to these as they do to other entitlements due to the intersection of age and gender.

A related criticism of the salish is that it has little appreciation of rule of law and serves as an enforcer of often retrogressive norms. Such norms perpetuate the lower status of especially women and the poorest in relation to the richer and more powerful. It is noticeable that indeed salish tended to enforce traditional, extra-legal norms, though it is debatable whether the norms in the cases we encountered were retrogressive. Longstanding efforts spearheaded by NGOs and supported by multiple international donors focus on strengthening and reforming these systems to make them more equitable for women and the poorest. The Village Courts Act of 2006, which replaced and updates the Village Courts Act of 1976, provides for the establishment of a village court in every union parishad (Kamal, 1992). The village court is comprised of a panel of five: the UP chairperson; two other UP council members, one of whom is chosen by each party in the dispute; and then two additional citizens, who are also chosen by the parties respectively. The courts have jurisdiction over civil disputes valuing up to 25,000 Taka. They also have jurisdiction over some crimes, including assault and theft, though they do not have the power to fine or imprison; rather they can grant simple injunctions and award compensation up to 25,000 Taka. The Muslim Family Ordinance of 1961 provides for arbitration councils to deal with family matters, including divorce, dowry, and maintenance.

Arbitration council panels are comprised of three members: the UP chairperson and two others, one of whom is chosen by each party. Like the village courts, arbitration councils also have the power to issue binding decisions, though the Muslim Family Ordinance does not set a limit on the size of judgments. Administratively, the nodal department in charge of UPs is the Local Government Division (LGD) within the Ministry of Rural Development and Local Government. Village courts and arbitration councils are also under the supervision of LGD, rather than of the Ministry of Law, Justice, and Parliamentary Affairs. This placement reflects the distinctiveness of the village courts and arbitration councils from the rest of the judicial system: Village courts and arbitration councils are more local and less legal (Local Government Division, August 2010).

Village courts are largely defunct and UP members have little knowledge of the Village Courts Act. A system of formal village courts located at the UP, which has rarely been effective, has now in most cases disappeared (David and Abul, 2005). This leaves the traditional informal salish as the dominant means of adjudication for small-scale civil and criminal disputes. The JatiyaSangsad passed The Village Court (Amendment) Bill, 2013 on 18 September 2013 with a provision to incorporate several new clauses into the existing Village Court Act, 2006 for the smooth carrying out of judicial activities at the village level.

Clash, theft, damaging of crops, harming cattle, breach of monetary deal, poisoning fish in ponds etc. can be settled in the village court as per the law. The amended Act strengthens the institutional sustainability of Village Courts and increases the pecuniary jurisdiction of the Village courts from Tk 25,000 to Tk 75,000 and will extend the outreach of Village Courts. Another aspect of the amended Act is gender sensitivity and women's empowerment, through mandatory women representation in the village court panel thus ensuring that the voice of female victims are heard during case hearings. It has a provision to dispose of any revision petition against any village court verdict within 30 working days as well. Necessary amendments were brought to the existing rules for not holding trial of any convicted person under the village court and incorporating rules to dispose of revision prayers by the concerned assistant judge within 30 days after receiving any petition against any village court order.

The said amendment has introduced a provision for inclusion of a rule for increasing women representation in the village court and dispose of cases within a stipulated timeframe. Besides, the bill incorporated rules aimed at stopping the trend of filing false cases with the village court. It also recommended a fine of Taka 5,000 in case of filing false charges. The monetary penalty to be paid by a convict for contempt of court or non-compliance with its order has also been increased to BDT 1,000 from BDT 500. In order to simplify judicial proceedings and ensure smooth and fair operations of village courts the said amendment will play a pivotal role. Nevertheless, courts from the lower level to the apex are burdened with huge number of cases and the said amendment will contribute to reduce the burden gradually and widening up access to justice for all and support establish rule of law.

### **Local Government of Nepal and Bangladesh in Conflict Resolution: Brief Evaluation**

As Local Self-Government Act 1999, Village Development Committees (VDCs) and municipalities are empowered with authority to settle some minor conflicts through the formation of an Arbitration Board consisting of three persons, as agreed between the parties to a case, from among the persons enlisted in the list of arbitrators of the VDC. In case the conflicting parties do not agree with this arrangement, they can provide the names of two persons who are already enlisted in the list of arbitrators to the VDC (Khadka, 2004). The VDC adds a third name and makes one of them chairperson of the arbitration board to hear, negotiate and settle the case. The arbitration of a dispute is

possible if disputants accept the formal authority of the arbitrator to make decisions that will be binding on them

The VDC can punish the culprit with a specified and moderate amount of fine. The discontented party has the right to appeal to the District Court within thirty-five days of the hearing of the decision. The current trial system in formal court in most of the country including Nepal is highly cumbersome and requires too much time to execute as huge number of cases is pending in the formal court. As a substitute of this problem, But in real life many instances arises which requires deep interrogation and investigation as well as legal binding and obligation. Local bodies can resolve only small quarrels between two parties, but serious issues like racial tension, religious and cultural conflicts and domestic conflicts involving spouse abuse are excluded. The decisions made by them are subject to the appeal at the District Court. The legal experts should properly carry on the procedures, even if the case is at the grassroots level. Otherwise cases reach the district courts, and have to be reviewed from the beginning. The people then will lose their trust in the local bodies and they will go directly to the court of law instead of approaching the local bodies.

VDC at rural Nepal does not perform independently because of undue influence in the name of Patron-client relations, Political Parties and social prejudice and therefore, fair play has been sporadic in rural Nepal out of local justice system. It creates a negative impact for the rural poor and vulnerable group of people who cannot afford the expenses of cases and do not have clear understanding of how to get access to justice in the upper courts on some issues that could be easily resolved at the local level. And at the same time, the essence of VDC is evident when the question of barriers of cost and time comes that prevent ordinary citizens from bringing actions to the formal courts in the first instance. Ensuring access to justice is the key to ensure good governance and eventual poverty reduction (UNDP, 2006). In this context, the formal justice system in Nepal is under tremendous pressure with huge caseload and experiencing inadequacy of human resources and necessary logistics to dispose of the pending cases. Consequently, the case backlogs add up further to the existing piles of disputes and presently the number stands about two millions. In this backdrop, question of making VDC more self-governing with rigorous judicial authority has been noticeable in rural Nepal.

Following the Village Courts Act 2006, practice of constituting village courts has increased and the local elected representatives' i.e. local government is much supportive and interested to activate village courts. it is noticeable that, the Ministry of Local Government Division (LGD), UNDP and the European Commission jointly have undertaken a programme titled 'Activating Village Courts in Bangladesh' to providing support to the justice system through this project in 500 selected Union Parishads (UP) of the country. It also intends to develop capacity of the village court members, elected representatives and support staff. Motivation programme will be carried out in order to sensitize all concerned on the role and functions of village courts and their benefits on the overall justice system.



Ensuring access to justice is the key to ensure good governance and eventual poverty reduction. In this context, the formal justice system in Bangladesh is under tremendous pressure with huge caseload and experiencing inadequacy of human resources and necessary logistics to dispose of the pending cases. Consequently, the case backlogs add up further to the existing piles of disputes and presently the number stands about two millions. It implicates a negative impact on the lives of rural poor and vulnerable groups who cannot afford the expenses of cases and lacks clear understanding of how to obtain justice in the formal courts, while significant parts of those case backlogs could easily be resolved through the local level justice system.

### **Concluding Remarks**

While taking into account above analysis, it is evident that local communities have conflicts of various types. Citizens particularly who are conscious about their rights, should come into conflict with each other over situations involving relatively low monetary values but are nevertheless annoying and upsetting. It may be difficult or time consuming to take such matters to the court of law and it may be preferable to use an alternative method of conflict resolution. The Local Self Governance Act 1999 of Nepal as well as Village Courts Act 2006 and 2013 have good intention of creating a better society and has included many provisions to empower the local bodies to resolve conflict in the society. It also has tried to empower women, socially and economically backward classes and other weaker sections of the society through wider representation. The provisions of arbitration and mediation found in the act are positive in conflict resolution because they are more appropriate than judicial settlement for technical reasons and also less expensive. The hearing can also be conducted without publicity. But the act has not been able to make provisions which can resolve all kinds of conflicts. The methods of arbitration and mediation do not seem very practical since the arbitrators are not trained in that line. That is why, resolution of conflicts should be left to the smaller communities as far as possible and the outcome should be recognized by the formal bodies in rural Nepal and Bangladesh.

On the top, Civil Society Organizations along with non-state actors must keep their efforts continue to supplement the local government for ensuring fair play all the way through local dispute resolution and conflict management in Nepal and Bangladesh. With a view to enhancing the fairness of village courts, policy makers could consider necessities to check the authority of the UP chairperson, like recusal rules, publicity requirements, and the right of parties to strike a panelist. Insisting on the village courts to apply the general body of substantive formal law may be unworkable and imprudent. But fairness may be served by specifying a core set of fundamental rights to which village court decisions would be required to comply. We believe, Nepal is gradually moving towards right direction for just based society from central level to the local level after a decade long conflict.

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## **Volunteerism and Disaster Management in Bangladesh: An Overview**

Kamrul Hasan \*

**Abstract:** The paper presents an overview of Disaster Management with particular focus on importance of volunteerism in Bangladesh. It attempts to demonstrate how the volunteerism helps vulnerable people and community stricken by various types of disasters, particularly natural disasters, cope up after disasters and preparedness before disasters as well. The study shows that, in Bangladesh, the volunteerism for disaster management is predominant by informal voluntary service. It ranges over 90% of the total volunteer service involved in disaster management in the country. However, the formal and institutional volunteerism engaging disaster management is not less significant. On the other hand, the ratio of the female involved in volunteerism near about two third of the total percentage representing male-female ratio. Additionally, the Bangladesh Government has incorporated the volunteerism in the Disaster Management Act passed by the parliament in 2012. The paper also made recommendation in conclusion as to promote the concept of volunteerism to reduce disaster risk in Bangladesh.

**Keywords:** Disaster Management, Volunteerism, Bangladesh Government, Disaster Response, Volunteer Organizations.

### **Introduction**

When disaster – natural or man-made – strikes a community, specific emergency management and nonprofit organizations automatically respond according to a pre-established plan. Each of these designated organizations has a specific role to play in ensuring an effective response to and recovery from the disaster's devastation. Yet one element within the present system continues to pose a challenge: spontaneous, unaffiliated volunteers. Spontaneous, unaffiliated volunteers – our neighbors and ordinary citizens – often arrive on-site at a disaster ready to help. Yet because they are not associated with any part of the existing emergency management response system, their offers of help are often underutilized and even problematic to professional responders.

According to the World Disasters Report 2012, Bangladesh is one of the most disaster prone countries in the world. It is affected by yearly recurring floods and cyclones and is subject to a number of other risks such as earthquakes or droughts. Over the years, Bangladesh has set up an impressive disaster management infrastructure to prepare for and to recover from natural disasters (International Federation of Red Cross and Red Crescent Societies, 2012). This infrastructure has helped significantly reduce the number of victims of natural disasters.

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\* Lecturer, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka.  
email: [shimantoju@gmail.com](mailto:shimantoju@gmail.com)

This extensive disaster risk reduction system is built on a number of governmental and non-governmental organizations tasked with prevention and recovery. The lead in organizing and coordinating the disaster management activities lies with the Ministry of Disaster Management and Relief (MoDMR) and specifically with its Department of Disaster Management (DDM). Its mandate is to plan and manage whole cyclone of disaster management including preparedness, response, recovery and mitigation. The basis for any activities in disaster management is given by the Disaster Management Act, 2012. This Act is a comprehensive plan aiming at introducing an effective disaster management system which is more coordinated, objective driven and capable of handling all kinds of disasters. Amongst a wide range of objectives the act plans to formulate a national body of volunteers for disaster to provide speedy and effective emergency response applicable for pre disaster, during disaster and post disaster phases.

Volunteerism has been recognized by the United Nations General Assembly (UNGA) as an important component of any strategy aimed at disaster prevention and management. Volunteers can contribute in different ways such as:

- a) ensuring that disaster risk reduction is a national and local priority with a strong institutional basis for implementation;
- b) identifying, assessing and monitoring disaster risks and enhancing early warning;
- c) using knowledge, innovation, and education to build a culture of safety and resilience at all levels;
- d) Or strengthening disaster preparedness for effective response at all levels.

Based on the Disaster Management (DM) Act 2012 which demands the formulation of a national body of volunteers for disaster, the United Nations General Assembly which acknowledges volunteerism as an important component of any strategy aimed at disaster prevention and management, it is essential that the role of volunteers in disaster management is formalized and integrated in current disaster management strategies in Bangladesh (Department of Disaster Management, 2012). Given the limited resources available at the national and local levels, the successful integration of citizen involvement in an emergency management setting is imperative to prepare for, respond to, recover from, and mitigate the effects of disasters in our communities (Ministry of Environment and Forests, 1992). Success, however, will require new levels of cooperation and commitment to partnership among the voluntary sector, professional first-responders, and all levels of government. While this may be a challenging goal, the priority and long-term value of this work cannot be denied.

The paper attempts to gain knowledge about state of volunteerism in Bangladesh and their involvement in disaster management. This paper is adorned with literature review and it broadly undertook a survey of important articles, books and other sources pertaining to the study topic.

### **Volunteerism and Disaster Management: Conceptual Clarity**

Disasters have been occurring with increasing regularity in recent years. Disasters need to be seen in the context of environmental degradation, the political economy of development and the varying vulnerabilities of different groups of people to disasters. The increasing incidence of disasters has seen the involvement of well-meaning individuals, groups, organizations and institutions who step in to assist with relief and response work (CPP, 2014). It is recognized that in most disasters, volunteers play a crucial role and from the very early stages. Beginning with rescuing survivors, providing or coordinating emergency relief and medical aid, setting up relief camps, volunteers often extend their support to post-disaster recovery and rehabilitation activities. Their rapid deployment and diverse skills enable immediate support to affected communities and they could serve as a key link in the information flow from affected communities to all stakeholders including governments, donor agencies, media and international aid organizations.

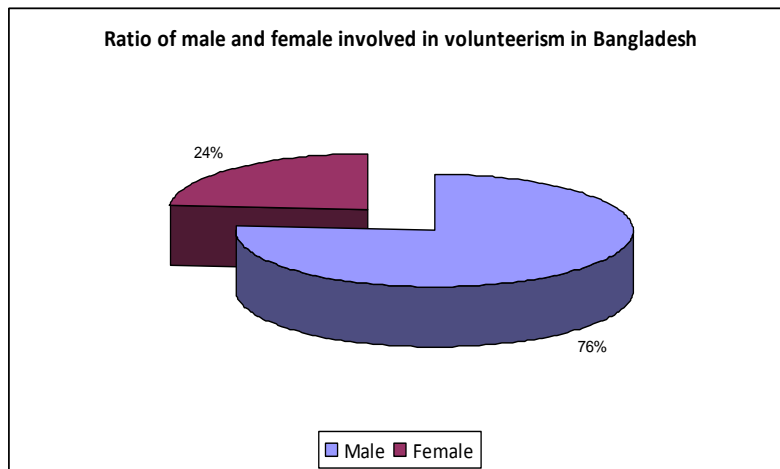
The need for volunteers in disaster management is in diverse forms and understanding the range of post-disaster activities such as mapping, distributing relief, gathering relevant information, conducting rapid assessment, ensuring standards, safety and security, facilitating coping mechanisms, mentoring and planning for transition to long-term disaster risk reduction, etc would be very useful. But most of volunteering activity comes from a sense of concern rather than any nuanced understanding of the field or the complexities of the process of disasters response. Volunteers often lack basic skills and training in outreach and co-ordination can go a long way in enhancing their contribution.

Volunteerism in disaster management is well-accepted and widely practiced. The roles volunteers can play in disaster risk reduction (DRR) and preparedness, early warning, disaster response and post-disaster rehabilitation have been recognized in a number of policy instruments, such as the Hyogo Framework for Action (2005), and many international bodies, including the UN and the Red Cross, have well-organized volunteering systems for motivated and enthusiastic young people (UN Volunteers, 2011). Volunteers could work closely with survivors, the affected communities, with local and state administrative systems and with civil society organizations. Knowing what to expect can equip volunteers with effective and responsive disaster management strategies.

### **Volunteerism in Bangladesh**

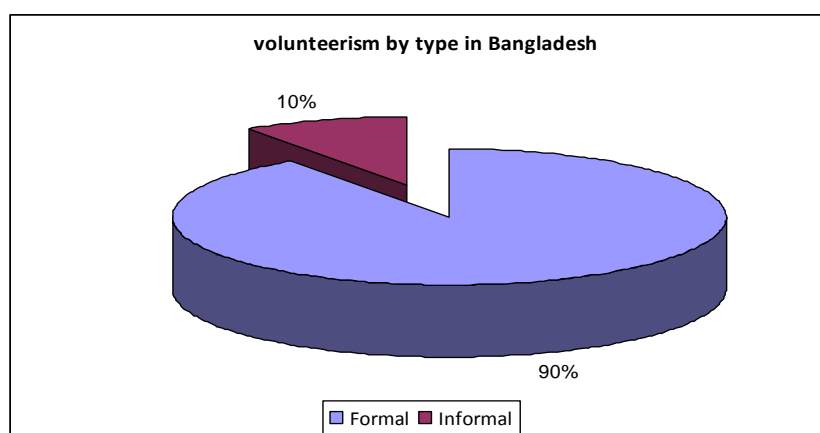
Bangladesh has a long tradition of volunteerism and an abundance of people eager and willing to help in times of crisis. According to a survey conducted by the Bangladesh Bureau of Statistics in 2010 a large part of Bangladesh society is in one form or another involved as a volunteer.

The study concludes that over 16 million people in Bangladesh are engaging in volunteer work, roughly 75% thereof are male and 75% are active in rural areas. In relation to the whole of Bangladesh, 17.5% of the population is volunteering.



*Figure-1 showing percentage of male and female in volunteerism in Bangladesh*

Of these 16.586 million volunteers, 14.7 million or 88.8% engage in informal volunteerism whereas 9.7% are affiliated with a volunteer organization. The organizations comprising most of the volunteers are non-government non-profit institutions. 9.9% are governmental institutions. Regarding types of activities, both rural and urban volunteers are most notably involved in activities such as health care, social welfare, education and religion. Emergency response, the only category in the disaster management area in the survey, only accounts only for a small percentage of all volunteers. Nevertheless the absolute numbers add to 354'000 volunteers, whereas 339'000 volunteer informally and 100'000 with an organization (Bangladesh Bureau of Statistics, 2010).



*Figure-2 showing nature of volunteerism in Bangladesh*

he impact of volunteerism – on society and on the volunteers themselves – has been shown in several studies. Apart from social effects, one can also calculate the economic value of volunteering and thus underline the achievements of volunteerism economically.

In Bangladesh it is estimated that the recorded hours of voluntary work translate into 117.72 billion hours for a one year period. Informal volunteering as the more common form of volunteer work in Bangladesh contributes the majority to this economic figure.

The survey reveals that the vast majority of volunteers engage in an informal way (88.8%). While this shows the dedication to volunteerism as a cause itself, it also reflects the potential of formalizing voluntary services. Moreover, one has to keep in mind that the numbers might only portray a portion of de facto voluntary activities since community engagement and volunteerism are very broad terms it is possible that some activities were not considered in the research and hence not counted as voluntary actions.

### **Role of Prime National Volunteer Organizations in Disaster Management**

Even though most of the volunteers in Bangladesh are active in an informal way, there are notable formal volunteer organizations active in Bangladesh which contributes to the disaster management efforts of the Government of Bangladesh and other actors through support in early warning, emergency relief or recovery. The BDRCS, founded in 1973, aims at improving the situation of the vulnerable people by mitigating their sufferings caused by diseases and disasters in accordance with the fundamental principles of the Red Cross and Red Crescent movement by mobilizing the power of humanity. The Red Crescent society is closely linked to the disaster management activities of the Government of Bangladesh and is active in all districts and on all sub-district levels. BDRCS has a multitude of projects currently under way for improving the situation of vulnerable communities, many of them in the field of disaster management. This section intends to focus on two major national volunteer network of Bangladesh working towards disaster management.

### **Cyclone Preparedness Program**

The Cyclone Preparedness Programme (CPP) has proven to be a very effective early warning system. It has been established after the devastating cyclone Bhola in 1970 when over 300'000 lives were lost. The CPP has set up early warning structures in 13 cyclone prone coastal districts to inform the population about impending threats. With its volunteer network, it helps to disseminate cyclone warnings to the local villages and has strengthened trust in early warning information coming from the Government of Bangladesh. The information is distributed through volunteers who travel to every village to inform the population about magnitude and time of impact of incoming cyclones.

This volunteering network helps bridge the gap between the national government and local communities allowing better coordination among stakeholders and to build trust between the local population and national early warning systems. The success of the CPP can be attributed to simplicity, integration of socio-cultural aspects, community-based volunteerism and an effective early warning communications network. Today, the CPP has around 50'000 active volunteers grouped in small teams ready to go to the lowest administrative levels to disseminate early warning information (Bangladesh Red Crescent Society, 2013).

The contribution of the Cyclone Preparedness Centre to the disaster management activities in Bangladesh can best be measured by the decreasing numbers of people killed

in major cyclones hitting Bangladesh in the last 40 years. Of course it is not only the CPP that decreased the number of lives lost but it shows that the CPP plays a pivotal role in disseminating the information collected by other governmental institutions and warning the people living in high risk areas. After devastating cyclone Bhola in 1970 which claimed over 300'000 lives the death toll has steadily been decreasing to 138'000 during the cyclone in 1991, 3'400 during cyclone Sidr in 2007 and to 113 during cyclone Aisha in 2009.

### **Bangladesh Scouts**

Bangladesh Scouts is the national Scouting organization of Bangladesh. Bangladesh became an independent member of the World Organization of the Scout Movement in 1974. Both predecessors, the British Indian branch of The Scout Association as well as the Pakistan Boy Scouts Association were also members of the World Organization of the Scout Movement during their activity in modern Bangladesh. The organization changed its name to "Bangladesh Scouts" in 1978 (Bangladesh Scouts, 2013). Since 1994, girls are accepted as members. Scouting has grown over the years in the face of considerable difficulties. Scouts are involved in community service, major areas being agriculture, health and sanitation, child welfare, community development, construction and repair of low cost housing and sports.

During national disasters, such as the many floods that strike Bangladesh, Scouts are called to help with flood control, relocation of citizens and organizing shelters. Membership is open to youth between 6 and 25 years of age, regardless of caste, creed or color. The Scouts receive strong support from the government, which recognized Scouting's value in citizenship training. By 2013, Bangladesh Scouts envisions to grow membership by 1.5 million by offering challenging youth programme through a value based educational system, in partnership with government, agencies and community towards building a better world (UNDP ERF, 2012). The purposes of this organization is to build up the child and young people through training to be honest, faithful, good character and an ideal citizen following methods of scouting and principles of World Organization of the Scout Movement (WOSM).

### **Maximizing Volunteer Resources for Disaster Preparedness and Response in Bangladesh**

Volunteerism has a positive impact on many levels: firstly it profoundly influences the volunteers themselves. Volunteerism has important effects on personal growth and encourages people to become more responsible and active citizens. Moreover volunteerism makes people feel more committed to their community and earns them, by showing their willingness to participate in community matters, the respect from other community members. Additionally to the individual level, volunteerism also affects the community itself and has the potential to improve social cohesion within the community by strengthening trust and solidarity among the people. Hence, volunteerism is a fundamental source of community strength and resilience.



Volunteerism, with its positive effects on the individual and the community level, fosters community ownership of the development project in their area. Involving volunteers as an essential part of a disaster management strategy, promotes responsible citizenship and underlines the responsibility of the community to utilize support mechanism and activate disaster management structures (United Nations University, 2008). By tapping on to local knowledge and building capacity within communities a community-led approach is supported. Moreover, voluntary actions strengthen the capacity of the government to mitigate the effects of natural disasters in pre- and post-disaster activities and thus have proved to be an important aspect of disaster management. All in all, volunteerism often provides more sustainable solutions and enables community members to design and contribute to the development of their community.

### **Conclusion**

Increasingly, volunteerism is supporting initiatives to mitigate and prevent natural disasters, as well as prepare communities, should disasters occur. Volunteerism in DM is a powerful means of engaging people. Volunteers play a strategic role in community development processes and in strengthening community resilience to disasters. Through the use of participatory methods, awareness-raising and education, the great dedication of volunteers can mobilize communities and contribute to building preparedness and response capacities at the national, local and community levels.

Department of Disaster Management (DDM) should act as per DM Act in an effort to make a platform involving all volunteer networks across Bangladesh. Database development of the volunteer forces as well as regular training, refreshers training, and simulations, would enable DDM to sustain the platform in the light of DM Act. Dedicated wing within DDM to coordinate with network and ensure continued training for the volunteer to be confirmed in this regard. DDM should focus on the following issues to accelerate the proposed platform:

Volunteers are a valuable resource when they are trained, assigned, and supervised within established emergency management systems. Similar to donations management, an essential element of every emergency management plan is the clear designation of responsibility for the on-site coordination of unaffiliated volunteers. The Volunteer Coordination Team (VCT) is the mechanism for ensuring the effective utilization of this human resource.

The mobilization, management, and support of volunteers are primarily a responsibility of local government and nonprofit sector agencies, with support from the state level. Specialized planning, information sharing, and a management structure are necessary to coordinate efforts and maximize the benefits of volunteer involvement. Some initiatives should be considered to promote the concept of volunteerism and disaster management in Bangladesh:

1. Review local and state hazard analysis and collect community demographic information for implications regarding the management of unaffiliated volunteers.

2. Develop relationships with local, state, and national Voluntary Organizations Active in Disaster member agencies and/or with groups with regional or national capabilities to manage unaffiliated volunteers during disaster operations.
3. Emphasize the importance of collaboration in pre-disaster planning. Encourage involvement with existing community coalitions such as Community Organizations Active in Disaster.
4. Research existing volunteer liability issues and laws that affect unaffiliated volunteer utilization. Encourage agencies and organizations that will receive unaffiliated volunteers to clarify their limits of liability protection.
5. Develop media and public education campaigns that encourage people to undertake pre-involvement and affiliation with existing voluntary organizations.

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